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17 November 2021

To all Councillors:

As a Member of the Council, please treat this as your summons to attend the Council meeting on **Thursday, 25 November 2021 at 6.00pm** at Wheeldon Hall, Highfields School, Upper Lumsdale, Matlock, Derbyshire DE4 5NA

This meeting will be recorded and published for viewing after the conclusion of proceedings on the District Council's website at www.derbyshiredales.gov.uk or via our YouTube channel.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'James McLaughlin'.

James McLaughlin
Director of Corporate and Customer Services

AGENDA

1. APOLOGIES

Please advise the Committee Team on 01629 761133 or email: committee@derbyshiredales.gov.uk of any apologies for absence.

2. PUBLIC PARTICIPATION

To enable members of the public to ask questions, express views or present petitions on the subject matters(s) identified in the summons **IF NOTICE HAS BEEN GIVEN**, (by telephone, in writing or by electronic mail) **BY NO LATER THAN 12 NOON OF THE DAY PRECEDING THE MEETING**. As per Procedural Rule 14.4 at any one meeting no person may submit more than 3 questions and no more than 1 such question may be asked on behalf of one organisation.

3. APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING

14 October 2021

4. INTERESTS

Members are required to declare the existence and nature of any interests they may have in subsequent agenda items in accordance with the District Council's Code of Conduct. Those interests are matters that relate to money or that which can be valued in money, affecting the Member, her/his partner, extended family and close friends. Interests that become apparent at a later stage in the proceedings may be declared at that time.

5. LEADERS' ANNOUNCEMENTS

Announcements of the Leader of the Council.

6. CHAIRMAN'S ANNOUNCEMENTS

Announcements of the Civic Chairman.

7. COMMITTEES

To receive the non-exempt Minutes of the Committees shown below:

Non-exempt Minutes to be received:	Date
Council	17 October 2021
Planning Committee	12 October 2021
Licensing & Appeals Committee	21 October 2021
Community & Environment Committee	17 November 2021
Governance & Resources Committee	18 November 2021

Minute Book to follow.

Page Nos.

8. **CORPORATE PEER CHALLENGE – REVISED ACTION PLAN** 5 - 22
- To consider approval of the revised Corporate Peer Action Plan which sets out the District Council's priorities and areas for improvement and identifies targets to be achieved; Service Plans, policies and strategies supplement the Corporate Plan. The Corporate Peer Challenge has informed the formulation of the Council's Corporate Plan 2020-2024.
9. **MEMBERSHIP OF POLITICAL GROUPS, POLITICAL BALANCE AND ENTITLEMENT TO SEATS ON COMMITTEES** 23 - 26
- To note an update report on the membership of political groups on the Council, the change to the political balance of the Authority and consider approval of the revised entitlement of political groups to seats on committees for the remainder of the 2021/22 municipal year.
10. **DISPENSATION FOR NON-ATTENDANCE AT COUNCIL MEETINGS** 27 - 29
- To consider granting dispensation to allow Councillor Lewis Rose OBE to be absent from meetings of the Council for a period exceeding six months.

11. **BLACK'S HEAD ASHBOURNE** 30 - 44
- To consider a report on the results of the consultation, undertaken in respect of the future of the Black's Head, following the Council meeting held on 14 December 2020, seeking a decision on the future of the Black's Head and the gallows sign on which it was previously mounted. Also to consider approval that authority be delegated to the Director of Regulatory Services and the Director of Corporate and Customer Services to undertake the actions determined by Council in respect of recommendations.
12. **DERBYSHIRE CLAUSE POLICY AND PROCEDURE** 45 - 71
- To consider approval of the draft Derbyshire Clause policy, which provides a clear framework for decision making and administrative processes associated with Derbyshire Clause dispensations, as detailed in the report.
13. **EMPTY HOMES PREMIUM AND UPDATE TO COUNCIL TAX DISCRETIONARY DISCOUNTS POLICY** 72 - 86
- To note a report on the impact of the 100% premium, seeking approval for consultation on the adoption of the 200% and 300% premiums and the changes to the Council's policy for council tax discretionary discounts (under section 13A 1 (c) of the Local Government Finance Act 1992); a further report will then be brought to Council in January 2022, with the results of the consultation and proposed actions concerning the potential adoption of the 200% and 300% premium and changes to the discounts policy with effect from 01st April 2022. Also to consider approval that, in order to prevent further delays, authority be delegated to the Director of Resources to determine outstanding applications or appeals for a Council Tax discount to offset an empty homes premium, using the approach set out in paragraph 5.7 i.e. without the need to demonstrate financial hardship.
14. **CORPORATE PLAN 2020-2024 – PERFORMANCE 2020/21 AND PRIORITIES 2022/23** 87 - 121
- To note a report on the outturn of Corporate Plan targets and actions for 2020/21 and the progress during Quarter 1 and Quarter 2 against the Corporate Plan targets and actions for 2021/22. Also to consider adoption of the Corporate Plan priority target areas, set out in Section 3 of this report, for 2022/23; a further report will be presented to the Council budget setting meeting in March 2022 with specific targets for each of the priority areas set out in Section 3 of the report.
15. **ORGANISATIONAL HEALTH – KEY PERFORMANCE INDICATORS – MID-YEAR 2021/22** 122 - 130
- To note the half year performance against the District Council's 12 Key Performance Indicators (excluding Corporate Plan Targets) for 2021/22.

16. REVENUE BUDGET MONITORING QUARTER 2 2021/22 AND MEDIUM TERM FINANCIAL PLAN 131 - 138

To receive a summary report of the Council's forecast outturn position at the end of September 2021 which seeks approval for a revised 2021/22 revenue budget and provides an update on the progress of the Medium Term Financial Plan.

17. QUESTIONS (RULE OF PROCEDURE 15)

Questions, if any, from Members who have given notice.

18. SEALING OF DOCUMENTS

To authorise that the Common Seal of the Council be affixed to those documents, if any, required in completing transactions undertaken by Committees or by way of delegated authority to others, since the last meeting of Council.

NOTE

For further information about this Agenda or on "Public Participation" call 01629 761133 or email: committee@derbyshiredales.gov.uk

Council
25 November 2021

Report of the Chief Executive

CORPORATE PEER CHALLENGE – REVISED ACTION PLAN

PURPOSE OF REPORT

To present a revised Corporate Peer Challenge Action Plan for consideration and approval.

RECOMMENDATION

That the revised Corporate Peer Challenge Action Plan be approved.

WARDS AFFECTED

All wards

STRATEGIC LINK

The Corporate Plan sets out the District Council's priorities and areas for improvement and identifies targets to be achieved. Service Plans, policies and strategies supplement the Corporate Plan. The Corporate Peer Challenge has informed the formulation of the Council's Corporate Plan (2020-2024).

1. BACKGROUND

- 0.1 The final feedback report following the Local Government Association (LGA) Corporate Peer Challenge undertaken 22nd – 24th October 2019, was received and circulated to all Members on 21st January 2020.
- 0.2 Following discussions at the Leaders Advisory Group in February and May 2020, at the meeting of Council held on 2nd July 2020, Members approved an Action Plan (Appendix 1) which proposed a series of actions in response to the key recommendations of the Peer Challenge report. Regrettably during the last 18 months, implementation of the Action Plan has been adversely impacted by the need to redirect our strategic and corporate resources to respond to the significant challenges arising from dealing with the Covid-19 pandemic. However, as we are gradually recovering from the hiatus of the pandemic, there is a need to revisit the Action Plan and re-prioritise and align our strategic resources to the implementation of the remaining review recommendations.
- 0.3 A progress report on the implementation of the Action Plan is attached at Appendix 2. Where actions from July 2020 have been implemented or are no longer considered to be relevant, these have been deleted from the updated Action Plan presented for member consideration at Appendix 3. The revised Action Plan seeks to respond positively to the challenges identified and identifies a series of specific, measurable, achievable and time-bound (SMART) actions over the coming months to deliver full implementation and sustained corporate improvement.

2. RISK ASSESSMENT

2.1 Legal

There is no legal obligation for the Council to undertake a Peer Review, however, a Peer Review is a useful tool to ensure that the Council is complying with all its legal duties in the most efficient manner.

2.2 Financial

There are no direct costs of undertaking a Peer Review, other than staff time, which has been met from existing budgets. Some of the items in the Action Plan have financial implications but, where these cannot be contained within existing budgets, further reports will be presented to Members for approval of additional spending. The financial risk is assessed as low.

The review of financial planning and viability, which formed part of the peer challenge, has provided a useful assessment of the Council's arrangements for financial management and financial sustainability.

3. OTHER CONSIDERATIONS

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

No detailed climate change impact assessment is required on the report outputs.

4. CONTACT INFORMATION

Paul Wilson - Chief Executive
Telephone: 01629 761125
Email: paul.wilson@derbyshiredales.gov.uk

5. BACKGROUND PAPERS

LGA Corporate Peer Challenge Position Statement (September 2019)
Corporate Peer Challenge Feedback Report (January 2020)

6. APPENDICES

Appendix 1: Corporate Peer Challenge Action Plan (July 2020)
Appendix 2: Corporate Peer Challenge Progress Update (October 2021)
Appendix 3: Corporate Peer Challenge Revised Action Plan (October 2021)

	KEY RECOMMENDATION	PROPOSED ACTIONS	RESPONSIBILITY	DEADLINE
1	Develop a strong narrative and vision for your area that is owned and understood by members, officers and key stakeholders. Consider how to further broaden members' understanding of the whole district.	<p>Publish slimmed down and plain English version of Corporate Plan evidence base</p> <p>Member corporate governance training on the back of the new Corporate Plan that guides Members to think corporately</p> <p>Bi-Annual Tour of the District to reinforce corporate priorities?</p> <p>Training to ensure that Members understand the strategic financial position</p>	<p>Mike Hase</p> <p>Member Development Working Group (MDWG)</p> <p>MDWG</p> <p>Karen Henriksen to lead, but determined by MDWG</p>	<p>August 2020</p> <p>Summer 2020</p> <p>September 2020</p> <p>November 2020</p>
2	Ensure the new corporate plan is an opportunity to look forward and takes account of the potential for a fresh approach. It will need to be collectively owned and appropriately resourced to deliver.	<p>Annual review of Corporate Plan objectives (not just performance indicators)</p> <p>Analyse budget and capital programme in line with new corporate plan priorities</p> <p>Review and simplify format of Service Plans to show links to Corporate Plan and resources, include both qualitative and quantitative information, and refer to core statutory duties</p>	<p>Corporate Leadership Team (CLT), Council</p> <p>Karen Henriksen</p> <p>Mike Hase, CLT</p>	<p>November 2020</p> <p>November 2021</p> <p>November 2022</p> <p>September 2020</p> <p>September 2020</p>
3	Ensure you understand and maximise the benefits for the district as a whole. Judgement of the value of the Council's intervention should not only be based on cost.	<p>Consider defining a key decision to demonstrate wider district community benefit, cost and desired outcomes (to distinguish from parochial outlook)</p> <p>Put more emphasis on different ways of working and engaging with our communities. We need to understand local needs and wants, and work with local community groups, and Town & Parish Councils to achieve agreed objectives, including the development of a Community Asset Transfer policy</p>	<p>Sandra Lamb</p> <p>Rebecca Bryan</p>	<p>Annual Meeting</p> <p>March 2021</p>

KEY RECOMMENDATION	PROPOSED ACTIONS	RESPONSIBILITY	DEADLINE	
4	<p>Ensure the Council's commercialisation approach is sufficiently clear, ambitious and realistic. Make sure this will provide income to support the delivery of quality services and the ambitions of the Council.</p>	<p>Define clearly what DDDC means by commercialism, its scope, priorities, exclusions, risks and realistic income potential. (Take into account tradeable services e.g. market comparisons on service fees and charges, regeneration and investments)</p> <p>Produce an annual commercial work plan and monitor its success.</p> <p>Maximise Corporate Social Responsibility via procurement: encourage contractor investment aligned to DDDC priorities.</p>	<p>Strategic Director</p> <p>Strategic Director</p> <p>Strategic Director</p>	<p>TBC – subject to resources being made available</p> <p>TBC - subject to resources being made available</p> <p>TBC - subject to resources being made available</p>
5	<p>Further strengthen relationships with all key stakeholders especially where delivery of practical and mutual benefits to the district can be achieved.</p>	<p>Continue to use our influence via D2N2 Boards, PDNPA and DCC. Continue to play a leading role in the non-structural reform agenda</p> <p>Review significant partnerships and outside body representation based on their fit with our corporate themes</p> <p>Ensure feedback mechanism to Council from elected representatives on outside bodies to ensure organisational learning</p> <p>Review mechanism for engaging with 70 Parish Councils in the District – perhaps a Ward approach or within established community identifies e.g. Hope Valley. Consider rolling out key contact scheme with Parish Councils on a rolling programme (along lines of Closer Working relationships with Town Councils).</p> <p>Reconsider format of Community Forums to be less combative; include a Question time session with the Leader. Reach out to communities on their terms as a listening session not a broadcast event.</p>	<p>Paul Wilson / Steve Capes</p> <p>Sandra Lamb / James McLaughlin</p> <p>Sandra Lamb / James McLaughlin</p> <p>CLT</p> <p>LAG</p>	<p>Ongoing</p> <p>Annual Meeting and for Member Workshop discussion</p> <p>Annual Meeting and for Member Workshop discussion</p> <p>May 2021</p> <p>Annual Meeting</p>

	KEY RECOMMENDATION	PROPOSED ACTIONS	RESPONSIBILITY	DEADLINE
6	Review the role description for members to ensure they can fully contribute to the future direction of the council and the district.	<p>Review to focus on community leadership role and to stress need to put district ahead of ward Organise facilitated workshop by EMPC to focus on community leadership in redrafting role profiles</p> <p>Re-purpose the Member Development Working Group to consider a competency framework for newly elected Councillors with a training plan to fit.</p> <p>Instruct the IRP to include diversity of members, as part of the review of allowances.</p> <p>Create a forum for ideas and initiatives from all Councillors which can then be assessed against the Corporate Plan</p> <p>Develop a succession plan for political groups to use to invest in promoting talent within the group system. Small budget perhaps for Groups to disperse?</p>	MDWG	<p>Annual Meeting</p> <p>Revised ToR Agreed First meeting Autumn 2020</p> <p>Review commenced. Revised target following suspension Sept 2020</p>
7	Utilise group leaders to ensure all members are fully informed. Ensure information is easily accessible to all members. Consider a single log for member enquiries and have options for self-service.	<p>CRM system to be used to log and manage Member requests for service. Reduce email communications for routine business by more self-serve options, e.g. apologies and invitations to workshops</p> <p>Review Members Portal to segment information which can be viewed without the email traffic.</p> <p>Member monthly bulletin with contributions from Councillors</p> <p>Consider scheduling meetings of LAG to keep senior politicians up to date on strategic matters generally</p> <p>Member briefings pre Committee and/or Quarterly area focused meetings</p> <p>Programmed quarterly member Q&A (with Leaders and CLT)</p>	<p>Glenn Burton</p> <p>James McLaughlin</p> <p>MDWG</p> <p>MDWG</p> <p>MDWG</p> <p>MDWG</p>	<p>October 2020</p> <p>December 2020</p> <p>For Member Workshop discussion</p> <p>For Member Workshop discussion</p> <p>For Member Workshop discussion</p> <p>For Member Workshop discussion</p>

	KEY RECOMMENDATION	PROPOSED ACTIONS	RESPONSIBILITY	DEADLINE
8	The Council should consider its own skills base and investment capability to promote jobs and business growth. The draft economic plan drives an ambitious direction at a time when site delivery and wider economic circumstances are challenging and suitably skilled staff are needed.	Recruit skilled commercial development staff to deliver sites. Ensure organisational review of capacity alongside strategic succession planning policy for employees Further utilise staff whose day jobs involve routine interaction with business, in addition to business advice service, e.g. Environmental Health and Licensing	Place Shaping Hub CLT	October 2020 Ongoing
9	Consider whether your affordable housing offer needs to be diversified in light of the range of local housing need.	Ensure our Housing function delivers on a range of housing needs and tenures for residents as a whole, as well as social rented housing. Workshop with elected members to scope potential and resources required to expand (or not) from affordable rental market Properly consider the role of the private rented sector in this respect Promote the work of Community Land Trusts and Almshouse charities who provide affordable housing	Rob Cogings Rob Cogings Tim Braund / Rob Cogings Rob Cogings	March 2021 Housing Workshop (Autumn 2020) Housing Workshop (Autumn 2020) June 2020
10	Further engage with strategic and local organisations to build trust and community capacity to advocate for and deliver on important initiatives (for example. climate change).	Consider co-option of voluntary sector on working groups e.g. climate change. Allocate some of the LPF or Better DD's fund for larger/strategic community initiatives Work with Derbyshire based agencies to support community initiatives, e.g. Community Payment Scheme	Ashley Watts Ashley Watts Ashley Watts	Summer 2020 Summer 2020 Summer 2020

	KEY RECOMMENDATION	PROPOSED ACTIONS	RESPONSIBILITY	DEADLINE
11	<p>Ensure that the Council fully understands what a 2030 carbon neutral target means in impact and cost terms. Good growth and carbon neutrality should both be core to the Council's climate change plan.</p>	<p>Commit to the development of a Climate Change Strategy with clearly defined targets and actions which do not prevent sustainable economic growth.</p> <p>Prepare Climate Change SPD</p> <p>Climate Change Task Group Annual Action Plan to Council</p> <p>Assessment of carbon footprint in committee reports (basic level)</p> <p>Consider co-opting expertise and local interest groups to join the Task Group</p> <p>Development of strategy with clear action plan leading to 2030. Delivery against those targets. Consider role of SMT in helping with this. Consider role in wider community in this respect</p>	<p>Climate Change Working Group (CCWG)</p> <p>Mike Hase</p> <p>CCWG</p> <p>CLT</p> <p>CCWG</p> <p>CCWG</p>	<p>Summer 2020</p> <p>June 2021</p> <p>Autumn 2020</p> <p>Annual Meeting</p> <p>Ongoing</p> <p>Ongoing</p>
12	<p>Share the narrative and celebrate success.</p>	<p>Maximise opportunities for PR and encourage good news stories to be raised with JF from across the whole of the organisation: invite staff to share their stories of how they have made a difference for promotion through Paul's Post and external if relevant i.e. open up Departmental blog's to run alongside Paul's Post. Develop a council-wide culture so that staff willingly share their successes</p> <p>Increased promotion of Local Projects Fund</p> <p>Encourage success to be shared across professional networks e.g. LinkedIn</p> <p>Pursue opportunities for national awards e.g. MJ / Housing / APSE</p>	<p>Jim Fearn / CLT</p> <p>Rebecca Bryan</p> <p>CLT / Senior Management Team (SMT)</p> <p>CLT / SMT</p>	<p>Autumn 2020</p> <p>Autumn 2020</p> <p>Summer 2020</p> <p>Ongoing</p>

Derbyshire Dales District Council - Corporate Peer Challenge Progress Update – October 2021

KEY RECOMMENDATION	APPROVED ACTIONS	PROGRESS STATUS
<p>1 Develop a strong narrative and vision for your area that is owned and understood by members, officers and key stakeholders. Consider how to further broaden members' understanding of the whole district.</p>	<p>Publish slimmed down and plain English version of Corporate Plan evidence base</p> <p>Member corporate governance training on the back of the new Corporate Plan that guides Members to think corporately</p> <p>Bi-Annual Tour of the District to reinforce corporate priorities</p> <p>Training to ensure that Members understand the strategic financial position</p>	<p>Corporate Plan progress reported annually to Council. Evidence base is progressively dating and will need to be refreshed upon expiry of current Corporate Plan. Resources would be better directed to addressing this issue for a refreshed Corporate Plan. Action be deleted.</p> <p>Action outstanding</p> <p>Action outstanding. Suggest that this is an annual tour to recognise progress against Corporate Plan and to celebrate corporate achievements</p> <p>Action completed – Finance briefings delivered prior to annual budget setting and updates annually in November.</p>
<p>2 Ensure the new corporate plan is an opportunity to look forward and takes account of the potential for a fresh approach. It will need to be collectively owned and appropriately resourced to deliver.</p>	<p>Annual review of Corporate Plan objectives (not just performance indicators)</p> <p>Analyse budget and capital programme in line with new corporate plan priorities</p> <p>Review and simplify format of Service Plans to show links to Corporate Plan and resources, include both qualitative and quantitative information, and refer to core statutory duties</p>	<p>Action completed - Corporate Plan progress and performance reported to Council 8th July 2021. Further review due November 2021.</p> <p>Action completed – Revenue and Capital budgets reviewed and reported to Council by-annually.</p> <p>Service Plans reported annually to Council. Corporate Plan Evidence base is progressively dating and will need to be refreshed upon expiry of current Corporate Plan. Resources would be better directed to addressing this issue for a refreshed Corporate Plan. Action to be deleted.</p>

KEY RECOMMENDATION	APPROVED ACTIONS	PROGRESS STATUS
<p>3 Ensure you understand and maximise the benefits for the district as a whole. Judgement of the value of the Council's intervention should not only be based on cost.</p>	<p>Consider defining a key decision to demonstrate wider district community benefit, cost and desired outcomes (to distinguish from parochial outlook)</p> <p>Put more emphasis on different ways of working and engaging with our communities. We need to understand local needs and wants, and work with local community groups, and Town & Parish Councils to achieve agreed objectives, including the development of a Community Asset Transfer policy</p>	<p>Action outstanding</p> <p>Action ongoing. Active examples of community engagement including community Biodiversity project, Local Projects Fund, Hurst Farm Project, scheduled Closer Working meetings with Town Councils.</p> <p>Community Asset Transfer Policy currently in development to launch 2022.</p>
<p>4 Ensure the Council's commercialisation approach is sufficiently clear, ambitious and realistic. Make sure this will provide income to support the delivery of quality services and the ambitions of the Council.</p>	<p>Define clearly what DDDC means by commercialism, its scope, priorities, exclusions, risks and realistic income potential. (Take into account tradeable services e.g. market comparisons on service fees and charges, regeneration and investments)</p> <p>Produce an annual commercial work plan and monitor its success.</p> <p>Maximise Corporate Social Responsibility via procurement: encourage contractor investment aligned to DDDC priorities.</p>	<p>Commercial Board deleted from the Council Constitution. Commercialisation decisions now mainstreamed into Policy Committees. Commercial Investment Strategy adopted at Council March 2021</p> <p>Commercialisation decisions now mainstreamed into policy Committees with update reports on commercial initiatives e.g. Bakewell Road redevelopment, produced as and when necessary.</p> <p>Action outstanding</p>
<p>5 Further strengthen relationships with all key stakeholders especially where delivery of practical and mutual benefits to the district can be achieved.</p>	<p>Continue to use our influence via D2N2 Boards, PDNPA and DCC. Continue to play a leading role in the non-structural reform agenda</p> <p>Review significant partnerships and outside body representation based on their fit with our corporate themes</p> <p>Ensure feedback mechanism to Council from elected representatives on outside bodies to ensure organisational learning</p>	<p>Action ongoing. Active participation in pursuing Vision Derbyshire at Officer and Member level. Ongoing regular liaison with DCC, PDNPA and D2N2.</p> <p>Reviewed and approved at Council July 2021. Further reviews to be undertaken at Annual Meeting May 2022.</p> <p>Agenda item to be included on future Council meetings and feedback mechanism to be considered by the Constitution Working Group</p>

	KEY RECOMMENDATION	APPROVED ACTIONS	PROGRESS STATUS
5	<p>Further strengthen relationships with all key stakeholders especially where delivery of practical and mutual benefits to the district can be achieved.</p>	<p>Review mechanism for engaging with 70 Parish Councils in the District – perhaps a Ward approach or within established community identifies e.g. Hope Valley. Consider rolling out key contact scheme with Parish Councils on a rolling programme (along lines of Closer Working relationships with Town Councils).</p> <p>Reconsider format of Community Forums to be less combative; include a Question time session with the Leader. Reach out to communities on their terms as a listening session not a broadcast event.</p>	<p>Action outstanding</p> <p>Action outstanding</p>
6	<p>Review the role description for members to ensure they can fully contribute to the future direction of the council and the district.</p>	<p>Review to focus on community leadership role and to stress need to put district ahead of ward Organise facilitated workshop by EMC to focus on community leadership in redrafting role profiles</p> <p>Re-purpose the Member Development Working Group to consider a competency framework for newly elected Councillors with a training plan to fit.</p> <p>Instruct the IRP to include diversity of members, as part of the review of allowances.</p> <p>Create a forum for ideas and initiatives from all Councillors which can then be assessed against the Corporate Plan</p> <p>Develop a succession plan for political groups to use to invest in promoting talent within the group system. Small budget perhaps for Groups to disperse?</p>	<p>Action outstanding</p> <p>Action completed.</p> <p>Review commenced but not concluded by IRP. Review to be recommenced.</p> <p>Action outstanding</p> <p>Action outstanding</p>
7	<p>Utilise group leaders to ensure all members are fully informed. Ensure information is easily accessible to all members. Consider a single log for member enquiries and have options for self-service.</p>	<p>CRM system to be used to log and manage Member requests for service. Reduce email communications for routine business by more self-serve options, e.g. apologies and invitations to workshops</p> <p>Review Members Portal to segment information which can be viewed without the email traffic.</p>	<p>Action outstanding</p> <p>Action outstanding</p>

KEY RECOMMENDATION	APPROVED ACTIONS	PROGRESS STATUS
<p>7 Utilise group leaders to ensure all members are fully informed. Ensure information is easily accessible to all members. Consider a single log for member enquiries and have options for self-service.</p>	<p>Member monthly bulletin with contributions from Councillors</p> <p>Consider scheduling meetings of LAG to keep senior politicians up to date on strategic matters generally</p> <p>Member briefings pre Committee and/or Quarterly area focused meetings</p> <p>Programmed quarterly member Q&A (with Leaders and CLT)</p>	<p>Action ongoing. Organisational updates provided by CLT prior to all regular Council meetings.</p> <p>Action ongoing. LAG meetings arranged on an as and when necessary basis as agreed with Group Leaders.</p> <p>Action ongoing. Quarterly Member Briefings arranged by Community & Environmental Services Department. Potential expansion of this initiative to other Departments to be considered.</p> <p>Action outstanding</p>
<p>8 The Council should consider its own skills base and investment capability to promote jobs and business growth. The draft economic plan drives an ambitious direction at a time when site delivery and wider economic circumstances are challenging and suitably skilled staff are needed.</p>	<p>Recruit skilled commercial development staff to deliver sites. Ensure organisational review of capacity alongside strategic succession planning policy for employees</p> <p>Further utilise staff whose day jobs involve routine interaction with business, in addition to business advice service, e.g. Environmental Health and Licensing</p>	<p>Action partially completed. Principles agreed by Council November 2020. Restructure proposals currently progressing through job evaluation process.</p> <p>Action ongoing.</p>
<p>9 Consider whether your affordable housing offer needs to be diversified in light of the range of local housing need.</p>	<p>Ensure our Housing function delivers on a range of housing needs and tenures for residents as a whole, as well as social rented housing.</p> <p>Workshop with elected members to scope potential and resources required to expand (or not) from affordable rental market to include affordable home purchase</p> <p>Properly consider the role of the private sector in these respects</p>	<p>Action ongoing.</p> <p>Action outstanding</p> <p>Action outstanding</p>

	KEY RECOMMENDATION	APPROVED ACTIONS	PROGRESS STATUS
9	Consider whether your affordable housing offer needs to be diversified in light of the range of local housing need.	<p>Promote the work of Community Land Trusts and Almshouse charities who provide affordable housing</p> <p>Formally approach the PDNPA with a request to facilitate an officer/member discussion to explore the potential to promote a wider range of affordable housing within the National Park area of the District.</p>	<p>Action ongoing – currently working with 6 Almshouse charities and 2 Community Land Trusts.</p> <p>Action completed. Joint member workshop held 20th July 2020</p>
10	Further engage with strategic and local organisations to build trust and community capacity to advocate for and deliver on important initiatives (for example. climate change).	<p>Consider co-option of voluntary sector on working groups e.g. climate change.</p> <p>Allocate some of the LPF or Better DD's fund for larger/strategic community initiatives</p> <p>Work with Derbyshire based agencies to support community initiatives, e.g. Community Payback Scheme</p>	<p>Action ongoing. Examples of co-option on working groups include Community Biodiversity Project, Hurst Farm Project, Derbyshire Climate Hub engagement, Ashbourne Pavilion Group, Local Projects Fund, Community Renewal Fund, 'Welcome Back' Fund.</p> <p>Action outstanding</p> <p>Community Payback Scheme developed and to be implemented January 2022</p>
11	Ensure that the Council fully understands what a 2030 carbon neutral target means in impact and cost terms. Good growth and carbon neutrality should both be core to the Council's climate change plan	<p>Commit to the development of a Climate Change Strategy with clearly defined targets and actions which do not prevent sustainable economic growth.</p> <p>Prepare Climate Change SPD</p> <p>Climate Change Task Group Annual Action Plan to Council</p> <p>Assessment of carbon footprint in committee reports (basic level)</p>	<p>Action completed – Climate Change Strategy Adopted at Council October 2020.</p> <p>Action completed – SPD prepared and adopted July 2021</p> <p>Action completed - Report to be considered at Council October 2021</p> <p>Report to be considered at Council October 2021. Climate Impact Assessments proposed to be included in Committee reports for a trial period to April 2022.</p>

	KEY RECOMMENDATION	APPROVED ACTIONS	PROGRESS STATUS
11	<p>Ensure that the Council fully understands what a 2030 carbon neutral target means in impact and cost terms. Good growth and carbon neutrality should both be core to the Council's climate change plan</p>	<p>Consider co-opting expertise and local interest groups to join the Task Group</p> <p>Development of strategy with clear action plan leading to 2030. Delivery against those targets. Consider role of SMT in helping with this. Consider role in wider community in this respect</p>	<p>Climate Change Working Group have engaged with external organisations and will continue to do so as appropriate.</p> <p>Action completed - Climate Change Strategy Action Plan presented to Council October 2021.</p>
12	<p>Share the narrative and celebrate success.</p>	<p>Maximise opportunities for PR and encourage good news stories to be raised with JF from across the whole of the organisation: invite staff to share their stories of how they have made a difference for promotion through Paul's Post and external if relevant i.e. open up Departmental blog's to run alongside Paul's Post. Develop a council-wide culture so that staff willingly share their successes</p> <p>Encourage success to be shared across professional networks e.g. LinkedIn</p> <p>Pursue opportunities for national awards e.g. MJ / Housing / APSE</p>	<p>Regular news stories issued by Communications and Marketing Manager.</p> <p>Introduction of Monthly Achiever Award for colleague to colleague recognition.</p> <p>Chief Executives blog and Director news updates.</p> <p>Action ongoing. Corporate Leadership Team prominent on LinkedIn with Council success stories regularly published</p> <p>MJ Achievement Awards 2021. Director of Regeneration and Policy shortlisted for Corporate Director of the Year.</p> <p>Lawyers in Local Government (LLG) – Legal Services Manager shortlisted for 2021 Inspiration Leader in Law.</p> <p>Lawyers in Local Government (LLG) – Solicitor shortlisted for 2021 Newcomer Award.</p> <p>Best British Open Air Market 2020 – Bakewell</p> <p>Housing Heroes – Housing Apprentice of the Year 2020</p> <p>APSE Awards 2020 - Sports Development Team was shortlisted for team of the year</p> <p>Lawyers in Local Government (LLG) – Winners of Place Team of the Year 2020</p>

Derbyshire Dales District Council – Updated Corporate Peer Challenge Action Plan – October 2021

	KEY RECOMMENDATION	PROPOSED ACTIONS	RESPONSIBILITY	DEADLINE
1	<p>Develop a strong narrative and vision for your area that is owned and understood by members, officers and key stakeholders. Consider how to further broaden members' understanding of the whole district.</p>	<p>Member corporate governance training on the back of the new Corporate Plan that guides Members to think corporately</p> <p>Annual Tour of the District to reinforce corporate priorities and celebrate achievements</p> <p>Training to ensure that Members understand the strategic financial position</p>	<p>Member Development Working Group (MDWG)</p> <p>Member Development Working Group (MDWG)</p> <p>Karen Henriksen to lead, but determined by MDWG</p>	<p>May 2022</p> <p>June / July 2022</p> <p>November 2021 November 2022</p>
2	<p>Ensure the new corporate plan is an opportunity to look forward and takes account of the potential for a fresh approach. It will need to be collectively owned and appropriately resourced to deliver.</p>	<p>Annual review of Corporate Plan objectives (not just performance indicators)</p> <p>Analyse budget and capital programme in line with new corporate plan priorities</p>	<p>Corporate Leadership Team (CLT), Council</p> <p>Karen Henriksen</p>	<p>November 2021 November 2022</p> <p>November 2021 November 2022</p>
3	<p>Ensure you understand and maximise the benefits for the district as a whole. Judgement of the value of the Council's intervention should not only be based on cost.</p>	<p>Consider defining a key decision to demonstrate wider district community benefit, cost and desired outcomes (to distinguish from parochial outlook)</p> <p>Put more emphasis on different ways of working and engaging with our communities. We need to understand local needs and wants, and work with local community groups, and Town & Parish Councils to achieve agreed objectives, including the development of a Community Asset Transfer policy</p>	<p>James McLaughlin, Constitution Working Group (CWG)</p> <p>Rebecca Bryan</p>	<p>Annual Meeting 2022</p> <p>April 2022</p>

	KEY RECOMMENDATION	PROPOSED ACTIONS	RESPONSIBILITY	DEADLINE
4	Ensure the Council's commercialisation approach is sufficiently clear, ambitious and realistic. Make sure this will provide income to support the delivery of quality services and the ambitions of the Council.	Maximise Corporate Social Responsibility via procurement: encourage contractor investment aligned to DDDC priorities.	James McLaughlin	May 2022
5	Further strengthen relationships with all key stakeholders especially where delivery of practical and mutual benefits to the district can be achieved.	<p>Continue to use our influence via D2N2 Boards, PDNPA and DCC. Continue to play a leading role in the non-structural reform agenda</p> <p>Review significant partnerships and outside body representation based on their fit with our corporate themes</p> <p>Ensure feedback mechanism to Council from elected representatives on outside bodies to ensure organisational learning</p> <p>Review mechanism for engaging with 70 Parish Councils in the District – perhaps a Ward approach or within established community identifies e.g. Hope Valley. Consider rolling out key contact scheme with Parish Councils on a rolling programme (along lines of Closer Working relationships with Town Councils).</p> <p>Reconsider format of Community Forums to be less combative; include a Question time session with the Leader. Reach out to communities on their terms as a listening session not a broadcast event.</p>	<p>Paul Wilson / Steve Capes</p> <p>James McLaughlin</p> <p>Constitution Working Group</p> <p>Constitution Working Group</p> <p>Constitution Working Group</p>	<p>Ongoing</p> <p>Annual Meeting 2022</p> <p>Annual Meeting 2022</p> <p>Annual Meeting 2022</p> <p>Annual Meeting 2022</p>

	KEY RECOMMENDATION	PROPOSED ACTIONS	RESPONSIBILITY	DEADLINE
6	Review the role description for members to ensure they can fully contribute to the future direction of the council and the district.	<p>Review to focus on community leadership role and to stress need to put district ahead of ward – Organise facilitated workshop by EMPC to focus on community leadership in redrafting role profiles</p> <p>Instruct the IRP to include diversity of members, as part of the review of allowances.</p> <p>Create a forum for ideas and initiatives from all Councillors which can then be assessed against the Corporate Plan</p> <p>Develop a succession plan for political groups to use to invest in promoting talent within the group system. Consider use of the LGA Leadership Essentials programme</p>	<p>Constitution Working Group</p> <p>James McLaughlin</p> <p>Constitution Working Group (MDWG)</p> <p>Member Development Working Group (MDWG)</p>	<p>May 2022</p> <p>April 2022</p> <p>February 2022</p> <p>May 2022</p>
7	Utilise group leaders to ensure all members are fully informed. Ensure information is easily accessible to all members. Consider a single log for member enquiries and have options for self-service.	<p>CRM system to be used to log and manage Member requests for service. Reduce email communications for routine business by more self-serve options, e.g. apologies and invitations to workshops</p> <p>Review Members Portal to segment information which can be viewed without the email traffic.</p> <p>Member monthly bulletin with contributions from Councillors</p> <p>Consider scheduling meetings of LAG to keep senior politicians up to date on strategic matters generally</p> <p>Member briefings pre Committee and/or Quarterly area focused meetings</p> <p>Programmed quarterly member Q&A (with Leaders and CLT)</p>	<p>Glenn Burton</p> <p>Glenn Burton</p> <p>Member Development Working Group (MDWG)</p> <p>CLT</p> <p>CLT</p> <p>CLT</p>	<p>April 2022</p> <p>April 2022</p> <p>January 2022</p> <p>Ongoing</p> <p>April 2022</p> <p>April 2022</p>

	KEY RECOMMENDATION	PROPOSED ACTIONS	RESPONSIBILITY	DEADLINE
8	The Council should consider its own skills base and investment capability to promote jobs and business growth. The draft economic plan drives an ambitious direction at a time when site delivery and wider economic circumstances are challenging and suitably skilled staff are needed.	Recruit skilled commercial development staff to deliver sites. Ensure organisational review of capacity alongside strategic succession planning policy for employees Further utilise staff whose day jobs involve routine interaction with business, in addition to business advice service, e.g. Environmental Health and Licensing	Place Shaping Hub CLT	April 2022 Ongoing
9	Consider whether your affordable housing offer needs to be diversified in light of the range of local housing need.	Ensure our Housing function delivers on a range of housing needs and tenures for residents as a whole, as well as social rented housing. Workshop with elected members to scope potential and resources required to expand (or not) from affordable rental market to include affordable home purchase Properly consider the role of the private sector in these respects Promote the work of Community Land Trusts and Almshouse charities who provide affordable housing	Rob Cogings Rob Cogings Tim Braund / Rob Cogings Rob Cogings	Ongoing April 2022 April 2022 Ongoing
10	Further engage with strategic and local organisations to build trust and community capacity to advocate for and deliver on important initiatives (for example. climate change).	Consider co-option of voluntary sector on working groups e.g. climate change. Allocate some of the LPF or Better DD's fund for larger/strategic community initiatives Work with Derbyshire based agencies to support community initiatives, e.g. Community Payback Scheme	Ashley Watts Ashley Watts / Becky Bryan Ashley Watts	Ongoing April 2022 January 2022

	KEY RECOMMENDATION	PROPOSED ACTIONS	RESPONSIBILITY	DEADLINE
11	Ensure that the Council fully understands what a 2030 carbon neutral target means in impact and cost terms. Good growth and carbon neutrality should both be core to the Council's climate change plan.	<p>Assessment of carbon footprint in committee reports (basic level)</p> <p>Consider co-opting expertise and local interest groups to join the Task Group</p>	<p>CLT</p> <p>Climate Change Working Group</p>	<p>Annual Meeting</p> <p>Ongoing</p>
12	Share the narrative and celebrate success.	<p>Maximise opportunities for PR and encourage good news stories to be raised with JF from across the whole of the organisation: invite staff to share their stories of how they have made a difference for promotion through Paul's Post and external if relevant i.e. open up Departmental blog's to run alongside Paul's Post. Develop a council-wide culture so that staff willingly share their successes</p> <p>Increased promotion of Local Projects Fund</p> <p>Encourage success to be shared across professional networks e.g. LinkedIn</p> <p>Pursue opportunities for national awards e.g. MJ / Housing / APSE</p>	<p>Jim Fearn / CLT</p> <p>Rebecca Bryan</p> <p>CLT / Senior Management Team (SMT)</p> <p>CLT / SMT</p>	<p>Ongoing</p> <p>April 2022</p> <p>Ongoing</p> <p>Ongoing</p>

Council
25 November 2021

Report of the Director of Corporate and Customer Services

MEMBERSHIP OF POLITICAL GROUPS, POLITICAL BALANCE AND ENTITLEMENT TO SEATS ON COMMITTEES

PURPOSE OF REPORT

To report on the updated membership of political groups on the Council, the change to the political balance of the authority and the revised entitlement of political groups to seats on committees for the remainder of the 2021/22 municipal year.

RECOMMENDATION

1. That the revised membership of the Labour Group be noted.
2. That the operation of a new political group, to be known as the Independent Group, consisting of two Members be noted
3. That the Council notes, and agrees, the entitlement of the membership of the political groups and that such entitlements have been reflected in the allocations to Committees.
4. That the nominations of the Labour Group and the Independent Group in respect of their seat entitlements be approved.
5. That Councillor Purdy replace Councillor Bull as a member of the Constitution Working Group

WARDS AFFECTED

District-wide

STRATEGIC LINK

The strategic leadership provided by Councillors in discharging the functions of the Council through committees and other bodies is critical to the delivery of all priorities in the Corporate Plan.

1 BACKGROUND

- 1.1 The Proper Officer is required to notify the Council of any change in the political balance of the authority or the operation of new political groups under the Local Government (Committees and Political Groups) Regulations 1990.
- 1.2 Since the last Council meeting, Councillor Peter O'Brien has ceased to be a member of the Labour Group and now formed a new political group with Councillor Colin

Swindell, to be known as the Independent Group. The effect of this change means there are 3 Members in the Labour Group.

1.3 Section 15 of the Local Government and Housing Act 1989 places on local authorities the duty to allocate seats to political groups and sets out the principles to be followed when determining such allocation. The main principles, which must be satisfied sequentially, include

(a) That the number of seats on ordinary Committees/Bodies ... which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary Committees of that Authority, as is borne by the Members of that group to the membership of the Authority (i.e. the allocation of the total number of seats available must mirror the political composition of the council).

(b) That the number of seats on the Body (Committee, etc.), which are allocated to each political group, bears the same proportion to the number of all the seats on that Body as is borne by the number of Members of that group to the membership of the Authority (i.e. the allocation of seats on individual committees must mirror the political composition of the council).

1.4 Local authorities are able to depart from the statutory provisions where there is unanimous agreement to do so.

2 POLITICAL GROUPS

2.1 The Proper Officer has received formal notifications, under the provisions of the Local Government (Committees and Political Groups) Regulations 1990, of changes in the membership of the Council's political groups.

2.2 The Conservatives and Councillors Bright & Elliott Group continues to hold the majority of seats on the Council and is in overall control of the authority. The political balance of the Council is now:

Name of Group	Designated Leader	Number of Members
Conservative and Councillors Bright & Elliott	Councillor Purdy	22
Green and Independent	Councillor Buttle	5
Independent	Councillor Swindell	2
Labour	Councillor Ratcliffe	3
Liberal Democrat	Councillor Flitter	7

3 ENTITLEMENT TO SEATS

3.1 The allocation process must be applied 'so far as is reasonably practicable' to achieve a balanced outcome. The allocation of seats to the four political groups and non-aligned is determined by the following formula:

$$\frac{\text{Number of Members in a political group}}{\text{Total Number of Members of the Council (39)}} \times \text{Number of Seats to be allocated}$$

3.2 For the 86 seats available in applying principle (a) in paragraph 1.3, this gives:

Political Group	Seat Entitlement
Conservatives and Councillors Bright & Elliott	49
Green and Independent	11
Independent	4
Labour	7
Liberal Democrats	15

3.3 Application of principle (b) in paragraph 2.1 of this report, relating to the number of seats on individual committees, gives the following:

	Membership	Conservative Group and Cllrs Bright & Elliott	Green and Independent Group	Independent Group	Labour Group	Liberal Democrat Group
		22	5	2	3	7
Committees						
Governance and Resources	17	10	2	1	1	3
Community and Environment	17	10	2	1	1	3
Planning	13	7	2	1	1	2
Licensing and Appeals	13	7	2	1	1	2
Joint Consultative	6	3	1	0	1	1
Joint ICT	3	2	0	0	0	1
Constitution Working Group	7	4	1	0	1	1
Local Plan Advisory Group	10	6	1	0	1	2
TOTALS	86	49	11	4	7	15

3.4 This calculation enables all of the political groups to take up a proportion of the seats on committees that matches their overall entitlement.

4 NOMINATIONS TO SEATS

4.1 The Independent Group has made the following nominations to committees and working groups for the remainder of the current municipal year in light of the change in political balance:

Committee	Member(s)	Substitute
Community and Environment	Councillor Peter O'Brien	Councillor Colin Swindell
Governance and Resources	Councillor Colin Swindell	Councillor Peter O'Brien

Licensing and Appeals	Councillor Colin Swindell	Councillor Peter O'Brien
Planning	Councillor Peter O'Brien	Councillor Colin Swindell

- 4.2 The Labour Group has made the following nominations to committees and working groups for the remainder of the current municipal year in light of the change in political balance:

Committee	Member(s)	Substitute
Community and Environment	Councillor Mike Ratcliffe	Councillor Peter Slack
Governance and Resources	Councillor Mike Ratcliffe	Councillor Dawn Greatorex
Licensing and Appeals	Councillor Dawn Greatorex	N/A
Planning	Councillor Peter Slack	Councillor Dawn Greatorex
Local Plan Advisory Group	Councillor Mike Ratcliffe	
Constitution Working Group	Councillor Mike Ratcliffe	
Climate Change Working Group	Councillor Peter Slack	
Clean and Green Review	Councillor Peter Slack	

- 4.3 The Conservative and Councillors Bright and Elliott Group have nominated Councillor Purdy to replace Councillor Bull as a member of the Constitution Working Group. This change is recommended for approval by the Council.

5 ASSESSMENT

Legal

- 5.1 The legislative requirements in respect of political balance and entitlement to seats are set out earlier in this report. The recommended approach will reduce the legal risk to the authority and on this basis, the legal risks associated with this report are considered to be low.

Financial

- 5.2 The proposed allowances can be contained within the existing revenue budget. The financial risk is therefore assessed as low.

6 OTHER CONSIDERATIONS

- 6.1 In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

7 CONTACT INFORMATION

James McLaughlin - Director of Corporate and Customer Services
01629 761281 or james.mclaughlin@derbyshiredales.gov.uk

Council

25 November 2021

Report of Director of Corporate and Customer Services (& Monitoring Officer)

DISPENSATION FOR NON-ATTENDANCE AT COUNCIL MEETINGS

PURPOSE OF REPORT

This report seeks a dispensation to a Councillor for non-attendance at council meetings for a period of six consecutive months.

RECOMMENDATION

1. That approval be given to a dispensation for Councillor Rose from attending meetings of the Council for a period of six months commencing on 26 November 2021, thus nullifying the disqualification to hold office for a six month period.
2. That it be noted that any extension to the dispensation for Councillor Rose after the six month period ends on 26 May 2022, will require further approval in accordance with recommendation 1 above.

WARDS AFFECTED

Carsington Water

STRATEGIC LINK

The role of our elected members is crucial to the effectiveness of the organisation and connects to the key priorities in the corporate plan.

1 BACKGROUND

- 1.1 Councillor Lewis Rose has been unable to attend meetings of the Council, its committees or any outside bodies on which he represents the authority on the grounds of ill health. His last attendance at a qualifying meeting was on 5 July 2021 when he attended Community and Environment Committee.

2 REPORT

- 2.1 Section 85(1) of the Local Government Act 1972 states that “if a member of a local authority fails throughout a period of six consecutive months from the date of his last attendance to attend any meeting of the authority, he shall,

unless the failure was due to some reason approved by the authority before the expiry of that period, cease to be a member of the Authority.”

2.2 Pursuant to the above legislation, Council is asked to approve a dispensation for Councillor Rose from attending meetings of the Council, its Committees or outside bodies, ending on 26 May 2022. Unless the Council agrees the recommendation, Councillor Rose will cease to be a member of the Council on 5 January 2022.

2.3 Any extension to the dispensation for Councillor Rose will be subject to further approval at the time, in accordance with paragraphs 2.1 and 2.2 above

3 RISK ASSESSMENT

Legal

3.1 The legal issues associated with this report are detailed in paragraph 2.1 of this report. The legal risk is assessed as low.

Financial

3.2 Should dispensation for Councillor Rose not be granted, a by-election would be required due to a vacancy on the Council. The cost of this would be funded from existing budgets for local election expenses.

Corporate Risk

3.3 Failure to agree the request for dispensation will result in the Proper Officer declaring a vacancy for the seat held by Councillor Rose and a by-election would be necessary. There may be reputational risks for the Council in failing to agree a dispensation in a timely manner, given the reason for Councillor Rose's absence.

4 OTHER CONSIDERATIONS

4.1 In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

4.2 There are no specific equalities or diversity issues associated with this report. The council is committed to fulfilling its obligations under the Equality Act 2010, including the Public Sector Equality Duty (Section 149). This duty includes a general duty and specific duties. The general duty requires public bodies to have 'due regard' to the need to:

- eliminate unlawful discrimination, harassment and victimisation and conduct prohibited by the Act,
- advance equality of opportunity between people from different groups; and
- foster good relations between people from different groups.

5 CONTACT INFORMATION

James McLaughlin, Director of Corporate and Customer Services

01629 761281 or james.mclaughlin@derbyshiredales.gov.uk

6 BACKGROUND PAPERS

6.1 None

Council

25 November 2021

Report of Director of Regulatory Services

BLACK'S HEAD, ASHBOURNE

PURPOSE OF REPORT

To inform Members of the results of the consultation undertaken in respect of the future of the Black's Head, following the Council meeting held on 14 December 2020 and to seek a decision on the future of the Black's Head and the gallows sign on which it was previously mounted.

RECOMMENDATION

1. That Council determines the future siting of the Black's Head figure
2. That Council determines the next steps to be taken in relation to the Green Man and Black's Head Royal Hotel sign
3. That authority is delegated to the Director of Regulatory Services and the Director of Corporate and Customer Services to undertake the actions determined by Council in respect of recommendations 1 and 2.

WARDS AFFECTED

Ashbourne North, Ashbourne South, all Wards that previously formed part of the Ashbourne Rural District Council.

STRATEGIC LINK

The effective management of the Council's assets supports the Place theme within the Corporate Plan.

1 BACKGROUND

- 1.1 Council is aware of the incident on 8 June 2020, whereby the Black's Head situated upon the Grade II* listed gallows sign over St John Street, Ashbourne advertising the Green Man and Black's Head Royal Hotel was removed. The circumstances relating to the removal of the Head were debated in Council on 8 October 2020.
- 1.2 At its meeting on 2 July 2020 Council considered a motion to review a list of assets held by the Council and resolved that, "Given what we have seen in other boroughs, districts and local government authorities around the UK in recent weeks, we have a duty to address the legacy of colonialism, slavery and racism in all its forms. We acknowledge the public outcry of hurt, pain

and anger over these legacies and that we undertake in the first instance a review of all our assets and a report be brought back to full Council on completion of the review.”

1.3 This initial review was undertaken and reported to Council on 14 December 2020. That meeting determined that subject to listed building consent being received, the Black’s Head figure not be returned to its original location above St John’s Street, Ashbourne; that officers be authorised to undertake consultation with Ashbourne Town Council and neighbouring parish councils, as well as Ashbourne heritage Society in order to determine, subject to listed building consent, an acceptable mechanism for the return, future custodianship, management and any public presentation of the Black’s Head figure and gallows; that authority be delegated to the Director of Regulatory Services and the Director of Corporate and Customer Services to undertake the actions recommended by Council in respect of the above resolutions.

1.4 The consultation outlined in paragraph 1.3 has been undertaken and this report summarises the comments received.

1.5 This report was originally listed on the agenda for the Council meeting on 8 July 2021 but was not considered at that time.

2 CONSULTATION

2.1 Following the resolution emails were sent to Ashbourne Town Council, Ashbourne Heritage Society and all parish councils that had previously formed part of Ashbourne Rural District Council, as these were considered to be a good approximation of the word ‘neighbouring’ in the resolution. All were given until 5 March 2021 to respond. In total 7 responses were replies were received in response to this consultation and they are reproduced in the table below. Comments are presented in the order they were received and whilst any personal details have been removed the text itself has not been amended:

Responder	Response
Private Individual	<i>I feel very strongly that, as a result of our over sensitive politically correct society the whole issue of The Black’s Head has gone out of all proportion. It is a local issue and should be decided upon using only the comments/thoughts/sensitivities of local people. To use the figure of 80,000 in favour of removal is ridiculous- this figure relates to the opinion of people nationwide, with no awareness of the reality. What is that reality? Uncertain; probably (yes, a personal opinion) a recognition of an individual who made a significant impact. Such a monument would not come cheap, so it is more likely it was a compliment. I feel that it should go back where it came from; the vociferous minority in Ashbourne would not allow that, and we, the majority, seem to always bend over backwards to accommodate them. The next best thing is public display- and I mean public display, not locked away somewhere which is local.</i>

	<i>Time moves on. If we were all as unbalanced as this minority are as regards live and let live, we Brits should be falling out with Danes, Saxons, Vikings, Normandy French, Romans/Italians ...they have all subjected us to murder rape and pillage . As I say, time moves on. We don't remove the unpleasant issues from the history books, from our sight, from our memories over the course of time, but leave them there as a reminder, discuss the issues, learn from them and move on into a more tolerant and understanding society.</i>
Brassington Parish Council	<i>Brassington Parish Council feel that this issue concerns Ashbourne and any decision should therefore be made by the relevant Ashbourne associated authorities.</i>
Private Individual	<i>I am a resident of Snelston and have used Ashbourne & the Green Man regularly over the years but have never thought of the racist implications of both the name & particularly the "head" part of the signage. This issue has been raised before but several years ago & I recollect it it was largely dismissed in chit chat & letters to the Ashbourne Telegraph, I believe one of the comments raised that the name actually referred to a "Turks Head". I can understand the sensitivity of the issue in the current climate. Maybe the diplomatic solution is to let the heritage society display it with a history of the name, pub etc. Particularly as most people refer to the pub as the "Green Man"</i> <i>I would point out that this is my personal view & does not represent the views of the village</i>
Clifton Parish Council	<i>Clifton Parish council would like to fully support Ashbourne Town Council to see an acceptable safe return and custodianship of the Black's Head figure.</i> <i>We would also like to clarify the legal position of the removal of the Black's Head figure, together with the changes regarding the protection of historical statues.</i> <i>Our councillors would also appreciate been informed of any future recommendation, Custodianship, management and any public presentation of the Green Man and Black's Head Gallows sign and Black's Head figure.</i>
Hognaston Parish Council	<i>Hognaston Parish Council discussed the consultation at their meeting on Thursday 4th March. The debate was passionate about the decision on the future of the sign being a local decision. It was commented that it affects the history and heritage of those local people.</i> <i>The Parish Council feels that the future of the Green Man and Black's Head sign should be self determination by local people.</i> <i>If you have any queries or need further comment then please let me know.</i>
Ashbourne Town	<i>Ashbourne Town Council Members discussed the email from</i>

<p>Council</p>	<p><i>Tim Braund on an acceptable mechanism for the return, future custodianship, management and any public presentation of the Black's Head figure and gallows in detail.</i></p> <p><i>Members resolved to ask DDDC for clarification of the legal position of the removal of the Black's Head and whether the possible changes to the National Planning Policy on the protection of historic statues, plaques, memorials and monuments would impact on their decision. The proposed amendments to the National Planning Policy Framework are to ensure greater clarity for planners and retain and explain, not remove, our heritage.' Historic England have provided advice on how local authorities should make decisions on so-called 'contested heritage.'</i></p> <p><i>Members would like to see a response on this prior to them making any future recommendations on the mechanism for the return, future custodianship, management and any public presentation of the Black's Head figure and gallows.</i></p>
<p>Ashbourne Heritage Society</p>	<p><i>As a heritage society, it is our remit to help preserve and conserve historical buildings and artefacts, especially if they are under threat, and accordingly our comments will be restricted to the carving's historical context and its preservation.</i></p> <p><i>There have been various attempts to identify historical black figures in the town as models for the head, but most are vague, erroneous or undocumented. However, there are numerous other examples of inns called either the Black(amoor)'s Head or the Black Boy all over the country. All of these inns cannot be named after specific local personages, but most must be generic images which simply reflect the experience of society in general at the time.</i></p> <p><i>We cannot 'change' history, and artefacts such as the head are vital traces of our past – for better or worse - and should not be covered up but used as examples to educate future generations. This is best achieved in a secure environment accessible to the public, such as the Visitor Information Centre at Ashbourne Town Hall (where the Town Council might consider displaying the Ashbourne Bushel of 1677 alongside it) or Ashbourne Library, where display boards can provide an explanation of its context.</i></p> <p><i>An information plaque at the coaching entrance to the Green Man could explain the background to the gallows sign, and the Black's Head and the hanging inn sign, both of which were integral to this historic structure. We would strongly recommend that the gallows sign be repaired and repainted, as it now looks very shabby and gives a poor impression to visitors. Such structures are rare, with only six or so in the country, others being well-known tourist attractions in</i></p>

	<p><i>Stonegate in York and Stamford in Lincolnshire.</i></p> <p><i>The Heritage Society would be happy to provide the text for any display boards or information plaques.</i></p>
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2.2 Following the closure of this consultation the Group Leaders and the Ashbourne Ward Members were made aware of the comments received. There was a general agreement that the matter should be brought back to Council for a clear view on the actions that should be taken to determine the future of the Black's Head and the gallows sign, such that an application could then be made for listed building consent to implement that decision.

2.3 A number of further comments have been received from members of the public and organisations that did not form part of the original consultation. These are reproduced below for the consideration of Members:

Responder	Response
Private Individual	<p><i>There are many local people who would appreciate being consulted about the long term decision about The Blackamoor's Head. Ashbourne has been central to the lives of many over a significant number of years. The Blackamoor's Head has been part of the daily lives of several generations who still feel a strong connection to our heritage.</i></p> <p><i>I would urge Derbyshire Dales District Council to include both Ashburnians and the local residents of Ashbourne in the decision regarding the long term plans. The old Ashbourne RDC and UDC districts should be given a voice, a voice which DDDC could easily hear given that local elections are being held in May. All it would take is an extra ballot paper in a few parishes</i></p>
Private Individual	<p><i>As a new resident in Ashbourne, (5 months), I have fallen in love with the place, as I knew I would. I am proud to call this place home and want to play my part in looking after it for future generations.</i></p> <p><i>I have followed with interest the conflicting views surrounding the removal of the 'Black's Head' carving from the gallows sign across St. John Street. I know how much this sign has been a part of Ashbourne's identity for so many generations, but the world is changing as it must, and in my view, tradition cannot stand in the way of acknowledging past injustice. We can no longer behave as if not knowing, not being personally responsible, is good enough. We cannot ignore the fact that the past informs our present behaviour. Not to act is to suggest to the casual visitor that the people of Ashbourne are at best are ignorant of the effects of unchallenged racism, or at worst condone and encourage it. A proactive approach is now needed to ensure that we can live in a fairer world where all have equal opportunity to have their story heard.</i></p> <p><i>I would like to suggest that instead of being seen as problem to</i></p>

	<p><i>be solved, this carving becomes an opportunity for Ashbourne to become a leading light in this more proactive approach, especially as it could be linked to its rich and varied eighteenth century heritage. Perhaps the carving could be situated in the Town Hall or the Heritage Centre, where people might see the story of black lives in the UK throughout history, with an honest reflection on the slave trade by those whose personal history was rewritten because of it.</i></p> <p><i>I have also read and followed the campaign to refresh Ashbourne's identity as a tourist destination with new logos and street banners. There is so much here to celebrate: surrounding countryside, green spaces within the town, architecture (including the most beautiful church spire) history, from the medieval layout to stunning Georgian houses, independent shops, and perhaps most importantly, its warm and welcoming people. It is sad though to see the 'gallows sign' across the main street left in a state of decay and disrepair while the argument about its future goes on. I walk under this sign most days and notice that the 'Green Man' element of the sign has been forgotten as the argument rages. Though represented here as an eighteenth century gentleman in a green coat, the 'Green Man' has a much longer history, especially in rural communities. 'Green Man' carvings with their sprouting branches, fruits and leaves were often found in rural churches, permitted despite having their beginnings in time before Christianity itself. This was surely the original meaning of the 'Green Man' part of this sign. What a wonderful opportunity to reconnect with Ashbourne's rural roots by commissioning a new carving of a 'Green Man' Perhaps a new young artist who might find a way to link climate concerns and the need to reconnect with nature for our mental and physical wellbeing - in other words a new carving which embraces the town's past yet looks forward to a more enlightened future.</i></p>
<p>Derbyshire County Council BME Employee Network Group</p>	<p><i>I write on behalf of the BME (Black, Minority, Ethnic) Employee Network Group at Derbyshire county council.</i></p> <p><i>Concerns have been raised regarding the black's head sculpture which we understand was taken down from St John Street, Ashbourne last summer following a petition for it to be removed.</i></p> <p><i>The BME Group, along with wider members of the community, who live and work in the county, deem this sculpture to be racist and that it was also deeply offensive. This is particularly so in the wake of the George Floyd killing and of the protests that followed to put an end to racial discrimination global wide.</i></p> <p><i>Could you please confirm that the black's head sculpture will never be restored to its position on John Street? Its place belongs in a museum, or other such building, so that this country's colonial past will not be forgotten.</i></p>

Ashbourne Town Council	<i>At the Ashbourne Town Council Full Council meeting in October Members RESOLVED that correspondence be sent to DDDC asking for an update on the status of “Blacks Head”, they have also asked to see copies of any correspondence between DDDC and Secretary of State for costings for repair and restoration. The Town Council would like to express the desire for the Blacks Head to be returned to Ashbourne and for the Town Council to take the responsibility for the decision on where the Blacks Head will be placed, kept or displayed.</i>
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2.4 Having undertaken the consultation required following the Council meeting on 14 December 2020 officers are now of the view that Council should determine a clear positive proposal for the future of the Black’s Head and for the gallows sign. Whilst it was clear from the December resolution that Members did not believe that the Head should be reinstated on the gallows sign a decision now needs to be made as to what should actually be done with it. The comments received during the consultation do seem to be agreed that the Head should be physically returned to Ashbourne and the clearest indication as to how this might be done seems to be outlined in the response from Ashbourne Heritage Society and the most recent communication from Ashbourne Town Council.

2.5 In making any decision, members are reminded that the Head and the gallows sign are Grade II* listed structures and that any works undertaken to them, including their continued removal, requires listed building consent. Members’ attention is drawn to the online advice on this subject, issued by Historic England in December 2020 and available at <https://historicengland.org.uk/advice/planning/planning-system/contested-heritage-listed-building-decisions/> In summary, Historic England’s general stance is that contested heritage should be retained and explained in order to provide thoughtful, long lasting and powerful reinterpretation that responds to its contested history and tells the full story. The guidance includes a checklist to be used by local authorities when they are the Planning decision maker, but in this case it should be remembered that the decision maker would be Historic England, acting on behalf of the Secretary of State.

2.6 Taking all this information into account, the issues that remain to be resolved are the proposed future siting of the Head and the future of the gallows sign, which currently reads ‘Green Man and Black’s Head Royal Hotel’.

4 RISK ASSESSMENT

4.1 Legal

The gallows sign and the Head is owned by the Council and therefore the decision on what to do with the sign is for Council to decide. As detailed in the report however the signs are subject to Grade II listed structure status and thus any decision, other than to restore the Head to its original position, is subject to approval by English Heritage. If the decision of English Heritage is to restore the Head to its original position, Council will need to decide whether to accept

this decision or appeal. The legal risk is low as long as proper authorisations from English Heritage is obtained.

4.2 Financial

At the current time, Derbyshire County Council has stored the head without charge (though this could change in future).

Depending on the approach determined by Members, costs could be incurred in relation to obtaining listed building consent, re-siting the Black's Head and / or the gallows sign, the provision of information plaque(s) and public presentation. Any conservation work that might need to be undertaken would attract a cost, as could offering out a commission to research the history of the artefact. None of these has been formally costed at this time. Estimates are being sought for the cost of repairs and a verbal update will be given at the Council meeting, if this is something that Members wish to consider. At the time of writing this report it is expected that such costs would not be significant and could be met from existing budgets. If the cost estimates exceed £10,000 and Members wish to approve repairs, then it will be necessary for Council to approve a supplementary revenue budget to cover the cost. The financial risk is assessed as low.

5 OTHER CONSIDERATIONS

5.1 In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

6 CONTACT INFORMATION

6.1 Tim Braund, Director of Regulatory Services, Tel: 01629 761118, Email: tim.braund@derbyshiredales.gov.uk

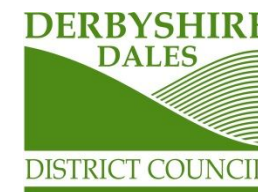
7 BACKGROUND PAPER

2 July 2020	Motion to Council
8 October 2020	Report of Investigation into the Green Man Incident to Council
14 December 2020	Report of Review of Council Assets to Council

8 ATTACHMENTS

Appendix 1 – Draft initial EIA

Derbyshire Dales District Council Equality Impact Assessment



Please refer to the guidance whilst completing this form.

Contact Elizabeth Wilson [elizabeth.wilson@derbyshiredales.gov.uk, or 01269 761240] for support.

1. Outline

a. Title of policy, practice, service or function being assessed	Black's Head, Ashbourne
b. Service and/or Corporate Plan Ref	Estates and Facilities
c. Name and Role of Officers conducting assessment	Tim Braund, Director of Regulatory Services
d. Date of assessment	5 June 2021
e. Reason for assessment	Part of consideration for re-siting of Black's Head
f. What is the purpose of this policy, practice, service or function? (specify aims and objectives)	The Black's Head and gallows sign is owned by the District Council. It was removed in June 2020 following online petitions in favour of removing it from its site above St John's Street and one in favour of retaining it. Following removal it has been kept safely in the Derbyshire Records Office. Consideration is now being done as to what should now be done with it.
g. Are there any other organisations involved in its implementation?	DDCVS and ACCA (Chesterfield) assisted the Council in assessing the potential offence that could be caused by assets owned by the Council. Ashbourne Town Council and Ashbourne Heritage Society are both interested in the future of the Head. Derbyshire County Council has expressed an interest in the listed status of the Head and sign.
h. Likely customer groups to be impacted	Ashbourne residents. The wider public.
i. Other stakeholders likely to be impacted	Potentially national interest – cf the Edward Colston statue.
Which District Council departments are affected by the policy, practice, service or function?	Estates and Facilities, Development Management, Policy, Community Safety.

Do any of the objectives directly support or hinder another Council activity?	No
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2. Assessing Relevance to the General Equality Duty

The General Equality Duty has three aims which require the District Council to have due regard to the need to:	Tick those which are relevant
1. Eliminate unlawful discrimination (both direct or indirect), harassment and victimisation	<input type="checkbox"/>
2. Advance equality of opportunity between all persons by <ul style="list-style-type: none"> • removing or minimising disadvantages suffered by protected groups; • taking steps to meet the needs of people from protected groups where these are different from the needs of other people • encouraging people from protected groups to participate in public life or other activities where participation is disproportionately low 	
3. Foster good relations between different groups	<input checked="" type="checkbox"/>

3. What existing information / data do you have / monitor about different diverse groups in relation to this policy, practice, service or function?

For example: previous EIA's, reports, consultation, surveys, demographic data etc.

No direct information. Various individuals have submitted personal views that the Black's Head could be considered to be racist, others that it is not racist. Based on the views expressed it seems undeniable that the Head is capable of causing offence to some people.

Information / Data	Data source and date	Information relevant to proposed policy/service/function

Derbyshire Dales Equalities Profile https://observatory.derbyshire.gov.uk/wp-content/uploads/reports/profiles/census_profiles/equalities_profile/district/Derbyshire_Dales.pdf	Derbyshire Observatory; taken from Census 2011 - national survey of all households	The percentage of BME residents in the Derbyshire Dales is 3.2%, in Derbyshire it is 4.2%, and in England it is 20.2% An unknown number of visitors to the Dales are from BME groups
Derbyshire Dales Profile https://www.nomisweb.co.uk/reports/localarea?compare=E07000035	NOMIS Official Labour Market Statistics Census 2011- national survey of all households	
Derbyshire Dales Equality Information published on website: https://www.derbyshiredales.gov.uk/your-council/equalities/equality-information	DDDC Monitoring data collected by services (in-house and outsourced)	-

4. Based on the evidence above, does the policy, practice, service or function have a positive or negative impact on any protected group(s)?

It seems likely that the Head and potentially the sign, could be capable of causing offence to some people and/or groups of people.

Protected groups	Positive effects	Negative effects	Potential Improvement Actions
Age	Received opinion that older people could be less offended	Received opinion that younger people could be more offended	Allow the Head to be seen by the public in a more

Protected groups	Positive effects	Negative effects	Potential Improvement Actions
	than younger ones on average if the Head is returned to its original location	than older ones on average if the Head is returned to its original location	discreet environment e.g. a museum, with accompanying contextual information
Disability or long term ill heath Physical disabilities, sensory impairments, limiting long-term illnesses, learning disabilities or mental health issues	If the head was returned to its original location, it may be considered as more accessible by some	If the head was moved to an indoor environment, it may be considered as less accessible by some	Ensure; <ul style="list-style-type: none"> • all locations are fully accessible • all contextual material is accessible
Race / ethnic groups	If the Head was in a more discreet environment e.g. a museum with accompanying contextual information, potentially less offence could be caused.	In its original location the Black's Head has the potential to cause offence, although its original meaning is not clear. It would be difficult to give contextual information at this location	Interpretive display, explaining its history and theories as to its provenance
Women or men	None	None	None
Sexual orientation	None	None	None
Religion or belief (including non-belief)	None	None	None

Protected groups	Positive effects	Negative effects	Potential Improvement Actions
Transgender (including people planning to or going through gender reassignment)	None	None	None
Pregnancy and maternity (including maternity and paternity leave)	None	None	None
Marital status (including civil partnership & same sex marriage)	None	None	None

4a. Are there any local priority groups / factors which should be considered?

Other factors	Positive effects	Negative effects	Improvement actions
Rural areas	None	None	Town and parish councils included in consultation
Poverty / deprivation	None	None	None
Visitors to the Derbyshire Dales	Allowing the Head to be seen by the public in a more discreet environment e.g. a museum, with accompanying contextual information, would be less likely to cause offence and negative publicity	Returning the Head to its original location could cause offence and negative publicity	

5. Consultation and engagement

Whose views do you need to gather? How will you gather it? By when? If no consultation is necessary, please explain why.

In accordance with the Council resolution from December 2020, consultation has been undertaken with Ashbourne Town Council, Ashbourne Heritage Society and neighbouring parish councils. Comments have also been received from a number of members of the public. The public petitions in favour of retaining the Head and in favour of removing it, both received considerable public support. The Council reports have attracted significant interest.

6. Commissioned / outsourced services

7. Summary

Use this space to summarise key data and its implications, the key issues to be addressed, potential actions to address them and any other points relevant to the Policy/service.

At this stage the key issue is the capability of the Head and/or the sign to cause offence, most likely on the basis of its portrayal of the head of a black man. The Head has been removed, although the gallows sign, with the wording 'The Green Man and Black's Head Royal Hotel' remains in place above St John's Street, in Ashbourne. There is no explanation of the Hotel of the figure in the vicinity. The District Council has resolved that the Head will not be reinstated in this location, but has not yet made a positive decision as to what it would like to happen next to the Head or to the sign. Therefore this EIA relates to the Head and sign as is, but will later look at any implications that might arise when the future of the Head and sign are decided.

8. Improvement Plan

Key issues identified	Potential Actions
Location of any display of the Head	Present options to stakeholders
Gallows sign 'the Green Man and Black's Head Royal Hotel'	Consider the removal of the sign

Key issues identified	Potential Actions

PLEASE FORWARD THE COMPLETED FORM TO THE POLICY MANAGER / POLICY OFFICER (Consultation & Equalities)

Signed _____ (Completing Officer)

DRAFT

COUNCIL

25 NOVEMBER 2021

Report of the Director of Corporate and Customer Services

DERBYSHIRE CLAUSE POLICY & PROCEDURE

PURPOSE OF REPORT

To approve the draft Derbyshire Clause policy which provides a clear framework for decision making and administrative processes associated with Derbyshire Clause dispensations.

RECOMMENDATION

1. The Derbyshire Clause Policy be approved.
2. That authority be delegated to the Licensing and Appeals Committee and appropriate Sub-Committee to consider appeals against such decisions.
3. That the Licensing and Appeals Committee be given authority to review and amend the Derbyshire Clause Policy
4. That authority be delegated to the Director of Housing to determine requests on the Derbyshire Clause in accordance with the approved policy.
5. That authority be delegated to the Director of Housing to refer any decision directly to the Sub-Committee of the Licensing and Appeals Committee where a decision is required that would not comply with the approved policy.
6. That the fee for Derbyshire Clause dispensations set at £465 be approved.
7. That authority be delegated to the Director of Corporate and Customer Services and Legal Services Manager to determine any outstanding requests of dispensation in line with the approved policy, which were received prior to the approval of the delegations above at no charge unless the applicant chooses to appeal to the Licensing and Appeals Committee.
8. That authority be delegated to the Director of Housing to make minor changes to the policy and to amend the policy in line with any clarification given by Members following a decision made by the Licensing and Appeals Sub-Committee.

WARDS AFFECTED

Wards within the Peak District National Park

STRATEGIC LINK

Providing a higher quality customer experience by streamlining processes to achieve faster decisions that affect residents and potential residents.

1 BACKGROUND

1.1 On 16 December 2020 the Community and Environment Committee considered a report to consult on a new policy and procedure to streamline the decision making process in relation to Derbyshire Clause dispensation.

1.2 To summarise the previous report, council houses owned by the Council, prior to the transfer of housing stock to a registered social landlord, which were purchased under the Right to Buy scheme and situated in the Peak District National Park, were sold with a covenant that restricted to whom the property could be sold (or leased), namely to persons meeting the following criteria:-

- Persons who have lived or worked within Derbyshire or the Peak District National Park for a period of three years before the transaction

The Council has also agreed to allow the sale of a property in the following circumstances:-

- A person who has a local connection in the area and is returning to the area to care for another relative.
- A person who has a local connection in the area and is returning to the area to be cared for by another relative.
- To members of the armed forces with a local connection returning to live in the area.
- To be given to companies whose stated aim is to provide housing for those satisfying the qualifying criteria. Consent will be conditional on compliance with this requirement.

- 1.3 The reason for this covenant was to ensure that ex-council properties were continued to be used for people that held a local connection in order to discourage these houses being used as second homes or holiday lets and also the covenant reduces the price of the property thus assisting in providing affordable homes.
- 1.4 The Constitution delegates the decision to grant consent to proposed transactions to any person meeting the above criteria. If the person does not meet the criteria, then the delegation states that “all other cases to be referred to Committee for the exercise of their discretion.”
- 1.5 This however delays the sale of properties affected by this clause and owners have reported losing sales due to the length of time it takes to get a decision from the Council. This is not considered to provide a good customer service, especially taking into account the length of time it takes to purchase a property, with the conveyance sometimes taking up to three months or more.
- 1.6 The report to Community and Environment Committee therefore sought authority to consult on a policy that defines how and when the Council will grant a dispensation and introduce a new procedure with Officers taking the initial decision with a right to appeal to members.
- 1.7 The Community and Environmental Committee approved the consultation and made the following recommendations to Council:-
- a) Subject to Council approving the proposed policy, to recommend that Council delegate authority for decision making according to the policy for Derbyshire Clauses to the Director of Corporate and Customer Services, Legal Services Manager, Principal Solicitor or Solicitor.
 - b) To recommend to Council that authority be delegated to the Licensing and Appeals Committee to consider appeals against such decisions.
 - c) To recommend to Council to approve charging a fee for Derbyshire Clause dispensations, set at £465.

2. REPORT

- 2.1 Approval is sought for the policy and new procedure as this is considered the most appropriate way to speed up decision making process through delegated powers in line with an approved policy framework set by Members, but also allowing dissatisfied applicants to submit an appeal to Members to review the decision.
- 2.2 In order for the new procedure to be put into effect, Council is recommended to approve this new policy and also to delegate responsibility to the Licensing and Appeals Committee and Sub-Committee to consider those appeals. Licensing and Appeals Sub-Committee is considered the most appropriate body given its existing role for considering appeals in other matters.
- 2.3 This process provides better customer service and accountability for the following reasons
 - a. It would allow for requests to be determined promptly when the above criteria does not apply.
 - b. A policy would provide information to sellers and buyers providing clarity in respect of the circumstances where the Council maybe likely to allow a dispensation. Therefore parties' would not waste time in viewing properties that they are unlikely to be able to buy.
 - c. It also would provide parties with clear guidance as to what evidence they would need to submit in order for the Council to consider the application.
 - d. It would allow for consistent decision making in line with policy direction set by Members
 - e. It would also allow Members to consider appeals for dispensations if applicants were dissatisfied with the decision.

2.4 The current system of decision making could be viewed as not providing an excellent customer experience, which is one of the Council's stated priorities. The absence of a policy accompanied by delegated decision making results in applications being reported to committee, which means that the time taken for determinations is subject to the dates of the Community and Environment Committee, rather than being responsive to the needs of customers.

3 CHARGES

3.1 The Council cannot charge for services that they are required to provide unless statute allows, however they can charge for services that are discretionary.

3.2 To provide confirmation that someone meets the criteria when there is a covenant on the deeds is a function that is required by the Council and therefore the authority cannot charge for this letter. However if the Council receives a request to exercise its discretion to allow a purchase, then this is a service the Council does not have to provide and can charge for that service.

3.3 It is recommended that a charge of £465 is levied for this application. This takes into account officer time in valuing the property, reviewing the evidence, considering the request, drafting the decision letter and also for the cost of holding a Licensing and Appeals Sub-Committee if a refusal is appealed. These costs are averaged out over the year and assumes that there will be three appeals per year. This amount has been calculated on a cost recovery only basis.

4 OUTCOME OF CONSULTATION

4.1 The consultation raised the following five responses for which I comment upon below

- Representation – “Clause 3.4.7 - childcare is widely available in most areas. This clause could be a loophole for those wanting to move into the area for whom childcare could reasonably be obtained elsewhere. It needs to be tighter in terms of specific circumstances in which it would apply, e.g. assistance from family in caring for a disabled child, otherwise it will, undoubtedly, be abused.” (Member of the Public)
- Representation – “Winster Parish Council would not wish to see any dilution of the Derbyshire Clause. We understand the need for officer delegation, but this should be established on the basis of the present policy.” (Winster Parish Council)
- Thank you for your email and firstly may I say the consultation is welcomed in my office. Having worked in the property sector locally for many years, a point of reference to clarify such matters for house sellers, buyers and agents would be very useful. We attract a lot of home-movers from out of town (and agents who don't know such things exist) and it is better being clear from the outset, rather than leave it for the matter to only unfold through the conveyancing process. As well as a clear but simple explanation of the restrictive covenant would be very useful as would access to a register of such homes would, if that would prove possible. Some of the occupancy clauses imposed on housing associations who have built in the area over the last 10 or 20 years can prove equally confusing but also restrictive to the extent that potential sellers find themselves unable to move home. Guidance on what options are open to the home-owner in those situations would also be

worthwhile, although I am not sure this consideration will be in remit of your current consultation. (Fidler Taylor Estate Agents)

- The policy says you would take the place of employment stated in the contract of employment as evidence of the place of work but how would you measure that if you are self-employed. (Member of the Public).
- If I own a Derbyshire Clause property can I rent it out as long as it was not for holiday lets? (Member of the Public).

4.2 Even though there is childcare in the area the cost of this can be limiting to some households making it more cost effective for one parent to stay at home rather than work would could them make it unaffordable to purchase in the area. In order to address the representation the proposed additional wording has been added to clause 3.4.7

“...If a person is moving to provide childcare assistance, the Council will only consider applications where a member of the family is disabled meaning that additional support is needed by either a disabled child or a disabled parent, or where it can be shown that both parents need to work and that paying for private childcare would cause an excessive financial burden on the family resulting in the family being unable to meet general living expenses.”

4.3 The intention of this policy and procedure is not to dilute the Derbyshire Clause but to make matter more transparent and obtain decisions faster and provide a better service to those wishing to buy or sell a Derbyshire Clause property.

4.4 The comments from Fidler Taylor are welcome in that it acknowledges the need for greater clarity in this area. As the Derbyshire Clause is registered on HM Land Registry documents there are no Data Protection issues that would arise in providing a list of affected properties on the Council’s website. To address the comment that a clear and simple explanation is needed Clause 1.3 has been reworded to clearly state that the clause restricts those who can purchase or lease an affected property. With regards to comments about other social landlords and their restrictions, this is outside the control of the Council.

4.5 The comment relating to the place of employment is a valid point in that the policy is not clear on how the Council would measure whether a person who is self-employed is employed in the area. Further clarification has been given at clause 3.3.12 of the policy as to the type of evidence that the Council would expect to see to determine if the applicant works in the area.

5 PROPOSED AMENDMENTS TO DEAL WITH REQUEST TO RENT

5.1 In the Introduction section of the policy it mentions the right to lease the property but on review the policy does not clearly explain those rights.

5.2 Section 57 of the Housing Act 1985 subsection 2(b) says “

(b) there will be no disposal by way of tenancy or licence without the written consent of the landlord unless the disposal is to a person satisfying that condition or by a person whose only or principal home is and, throughout the duration of the tenancy or licence, remains the dwelling-house.

- 5.3 The landlord in this case means the District Council and this section of the act allows the owner to rent, by way of a lease or license, to someone that meets the criteria or to anyone if the owner still lives in the property. What this means is that if the owner lives in the property they can rent out part of the property to someone who does not meet the criteria i.e a spare room, as long as they still live in the property as their principle home.
- 5.4 A new clause 5.8 has been added to the policy to explain that an owner can rent out the whole property, but if they wish to rent to someone who does not meet the criteria then they must get permission, the length of the tenancy must be a least 6 months and the tenant has to use that property as their principal home and the same fee applies. 6 months have been chosen as this is the standard length of an Assured Shorthold Tenancy use in private property rentals.

6 PROPOSED AMENDMENTS TO DELEGATIONS

- 6.1 The current delegations on Derbyshire Clauses were to the Director of Corporate and Customer Services. This is that historically it was Legal Service that dealt with the Right to Buy applications and thus the delegations sat with the relevant Director.
- 6.2 The report to the Community and Environmental Committee recommended that the new delegations would be extended to allow officers to make decision in line with the approved policy but also that the delegations stay with the relevant Director and also legal officers.
- 6.3 Following the report it has been considered that as the Derbyshire Clauses where introduced to promote affordable housing and Legal Services no longer deal with Right to Buy sales, the delegations are better suited within the responsibility of Housing.
- 6.4 The Director of Corporate and Customer Services and legal officers request that delegation to make decisions on Derbyshire Clauses are given to them for a short period to allow historical requests to be completed rather than handing over the matter to Housing to decide. As these requests came in before the setting of a fee the Council would not seek to charge retrospectively, however if these application are refused applicants can still exercise their right to appeal but as this was not available previously the fee would be applied.

7 FURTHER FINAL AMENDEDMENTS

- 7.1 No policy should fetter the discretion of members to decide to divert from a policy if they deem appropriate. On review of the policy it was considered that this was not made clear and therefore an additional clause at 6.3 was added to clarify that point.

8 RISK ASSESSMENT

Legal

- 8.1 The streamlining of the decision making process backed by an approved policy reduces the risk of legal challenge and potential ombudsman complaints, therefore the legal risk is low.

Financial

- 8.2 If Council approves a fee for Derbyshire Clause dispensations, this would be treated as revenue account income and would offset the Council's costs.

The financial risk is assessed as low.

9 OTHER CONSIDERATIONS

- 9.1 In preparing this report, the relevance of the following factors has also been considered: An Equality Impact Assessment is attached this report.

10 CONTACT INFORMATION

Lee Gardner, Legal Services Manager

Tel. 01629 761319 or Email Lee.Gardner@derbyshiredales.gov.uk

11 BACKGROUND PAPERS

None

12 ATTACHMENTS

Appendix 1 – Proposed Derbyshire Clause Policy

Appendix 2 – Equality Impact Assessment

**DERBYSHIRE DALES
DISTRICT COUNCIL**

**POLICY ON
DERBYSHIRE
CLAUSES**

**UNDER THE HOUSING
ACT 1985**

1. INTRODUCTION

- 1.1 Section 19 of the Housing Act 1980, subsequently replaced by Section 157 of the Housing Act 1985 (as amended) and Section 37(5) of the Housing Act 1985, allowed for a restriction (known as a covenant) to be placed on the deeds of certain properties situated within the Peak District National Park. These covenants were granted for the benefit of Derbyshire Dales District Council ("District Council")
- 1.2 The reference in conveyancing documents referring to the above sections are commonly referred to as a Derbyshire Clause or alternatively Peak Park Clauses.
- 1.3 The effect of these restrictions is that the purchaser needs to meet certain criteria to be allowed to buy the property and will need a letter from the District Council stating that they either meet the specified criteria or that they have been granted permission to purchase the property. The same applies to someone wanting to lease a Derbyshire Clause property.
- 1.4 The clause is a permanent clause and stays with the property on any subsequent sale. Therefore, any future purchasers must also satisfy the same criteria or obtain permission from the District Council.
- 1.5 Please note that if the intention for the purchasers at any point during the ownership of the property, to lease or rent out the property, then the tenant's must also need to meet the specified criteria or the potential tenant will use the property as their only or principal home and remains in the dwelling throughout the duration of the tenancy or license.
- 1.6 The purchaser of a restricted property needs to obtain a letter of consent from the District Council to be able to register the sale (or lease) at the HM Land Registry. Failure to obtain such letter of consent means any purchase (or lease) of the property is void and the Land Registry may refuse to register the transaction.
- 1.7 There are currently 863 properties within the Derbyshire Dales District which contain the Derbyshire Dales Clause. This clause only applies to former District Council properties within the Peak District National Park boundary (for example Bakewell, Hathersage, Youlgreave).
- 1.8 This policy is intended to give guidance on what evidence the District Council would want to see before issuing the consent letter and in what circumstances that the District Council may consider granting permission where the purchaser does not meet the criteria.

2. EXEMPTIONS

- 2.1 Section 160 of the Housing Act 1985 contain a number of exemptions where a Letter of Consent is not required these include:-

- The property is transferred or leased to a spouse/civil partner or former spouse/civil partner and they meet the criteria
- The property is transferred or leased to a family member that has been residing in the property throughout the period of 12 months before the transfer and they meet the criteria.
- The transfer or lease is from joint to sole owners and the sole owner meets the criteria; or from a sole to a joint owner (the joint owner does not need to meet the criteria as the previous sole owner already complies).
- The transfer of a property to a beneficiary under a will
- A transfer of property under section 24 or 24A of the Matrimonial Causes Act 1973.
- Transactions under section 2 of the Inheritance (Provision for Family and Dependents) Act 1975
- Transactions under section 17 of the Matrimonial and Family Proceedings Act 1984
- Transactions under paragraph 1 of Schedule 1 to the Children Act 1989
- Transactions under Part 2 or 3 of Schedule 5, or paragraph 9 of Schedule 7, to the Civil Partnership Act 2004
- The transaction is of a result of a Compulsory Purchase

2.2 You also do not need permission if you

- Take in a lodger and continue to live in the property;
- If you re-mortgage your property

2.3 The Land Registry will however on occasions request a letter from the District Council to confirm it is an exempt transaction in order to complete the registration.

3. CRITERIA FOR CONSENT

3.1 The District Council will provide a Letter of Consent where purchaser meets the following criteria:

3.1.1 Persons who have lived or worked within Derbyshire or the Peak District National Park for a period of three years before the transaction (“the Area”)

The District Council must issue a Letter of Consent if the criteria above is satisfied however the District Council has determined that they will also grant a Letter of Consent in the following circumstances

3.1.2 A person who has a local connection in the Area and is returning to the Area to care for or be cared for by, another relative.

3.1.3 To members of the armed forces with a local connection returning to live in the Area

3.1.4 To be given to companies whose stated aim is to provide housing for those satisfying the qualifying criteria. Consent will be conditional on compliance with this requirement.

3.2 For further details and information relating to the evidence required is detailed below however were possible more than one piece of evidence should be produced to prove each point, preferably a minimum of three pieces of evidence.

3.3 Persons who have lived or worked within Derbyshire or the Peak District National Park

3.3.1 In order to satisfy the requirement to have lived within Derbyshire or the Peak District National Park you must be able to prove you are living and have lived within a property that lies within the required Area for three complete years immediately preceding the transaction.

3.3.2 If purchasing a property jointly, only one person needs to prove the three year connection.

3.3.3 It is not sufficient to show that between the two of you that you have lived in the Area for three years.

3.3.4 For example if one partner had lived in the Area covering 2015 and 2016 and then moved out of the Area but the other purchaser can prove they lived in the Area for one year in 2017, that would not qualify.

3.3.5 Also if at the time you apply for the letter of consent you must still be living or working in the Area. If for any reason you move out of the Area for any period of time or have stopped working in the Area, the three year period restarts.

3.3.6 When applying for consent the proposed purchaser should supply sufficient evidence to support their request. Examples include Council Tax bills, Bank or Credit Card Statements, utilities bills or if renting, rental agreements covering the full period.

3.3.7 The evidence MUST show their name and address and they should provide three pieces of evidence for each year to show continual residence and one of the statements should be dated within the last month to show that the applicant is still resident in the Area.

3.3.8 If you wish to apply for the consent letter because you have worked in the Area for three years. The District Council would require to see your signed contract of employment showing where your employment is based and a letter from your employer stating where your employment is based and stating how long they have worked from that base of employment and recent evidence to show you are still employed prior in the Area immediately preceding the transaction.

3.3.9 Many companies will have multiple offices and employees may be required to work from other offices from time to time. As long as the employee has the specified place of employment at an office within the Area they will qualify.

- 3.3.10 If however the employee is required to work from multiple offices, all of which are not within the Area or their place of employment is outside the Area but they are required to work at an office from time to time within the Area as part of their duties, this will not qualify.
- 3.3.11 To apply under the three year rule it is possible to combine the periods together as long as it is three years with no gaps. So you could have worked in the Area for 2 years, moved into the Areas and been here for at least a year, but have since changed jobs and no longer work in the Area.
- 3.3.12 If you work in the Area but are self-employed the District Council will need to see evidence that shows you or have worked in the Area for 3 years and that at least 75% of the work you have undertaken is in in the Area or your business is based in the Area. Evidence could include copy of a commercial lease, registration with a professional or trade body, copies of invoices to customers or invoices from suppliers or a grant or license to work in the Area, for example a licensed taxi driver with a license issued by the District Council.

3.4 A person who has a local connection in the Area and is returning to the Area to care for or be cared for by, another relative

- 3.4.1 A local connection refers to someone who lived or worked in the Area previously for a minimum of three years within the last ten years.
- 3.4.2 Having immediate family that live in the Area can also provide a local connection, if those relatives have lived in the Area for at least three years immediately preceding the transaction.
- 3.4.3 Immediate family mean grandparents, parents, sons and daughters (including step parents and children) brothers or sisters, nieces and nephews.
- 3.4.4 Evidence will need to be provided to show that those relatives are immediate family and have lived in the Areas for at least three years prior to the application
- 3.4.5 The second part of this test is caring for another relative.
- 3.4.6 To clarify for this exemption you must be able to provide evidence of what care that person requires and that the person requires someone living close to them to provide that care.
- 3.4.7 Care can include those that are elderly or for those with a young family and seek assistance with childcare. This can also include those moving to the Area so that family already in locality can provide care. If a person is moving to provide childcare assistance, the District Council will only consider applications where a member of the family is disabled meaning that additional support is needed by either a disabled child or a disabled

parent, or where it can be shown that both parents need to work and that paying for private childcare would cause an excessive financial burden on the family resulting in the family being unable to meet general living expenses.

- 3.4.8 To qualify under the care provisions, you are required to provide evidence to show that care is needed on a regular basis and it is above that which is provided by the state.

3.5 To members of the armed forces with a local connection returning to live in the Area

- 3.5.1 To qualify for the armed forces consent you must either be a serving person in the armed forces or discharged in the last six months after serving your minimum term or being discharged due to medical grounds and must be able to show a local connections.

- 3.5.2 The minimum length of service in each branch of the forces currently are as follows:

- Army (over 18s): Four years
- Army (under 18s): Until 22nd birthday
- Navy: Three and a half years after completion of training or four years' service, whichever is longer
- Air force: Three years after completion of training or four years' service whichever is longer

- 3.5.3 In addition to the criteria stated in point 2 above as to what is a local connection, this will also include any person stationed in the Area for a period of six months while on active service.

3.6 To be given to companies whose stated aim is to provide housing for those satisfying the qualifying criteria. Consent will be conditional on compliance with this requirement.

- 3.6.1 This criteria is for any Registered Social Landlord approved and regulated through the Homes & Communities Agency, to enable them to purchase the property for re-letting for social housing purposes to tenants that would meet the qualifying criteria.

4. SALE BY AUCTION

- 4.1 The District Council has been asked on occasions to give written permission by Auctioneers to sell a property by auction which is subject to a Derbyshire Clause.

- 4.2 The District Council will provide written permission for a property to be sold by auction but this is not a letter of Consent for the purposes of registering the land transaction with HM Land Registry.

- 4.3 Any permission letter will require the Auctioneer to state in any auction catalogue and advertisement that the property is subject to a Derbyshire Clause and that any bidder must meet the criteria and/or obtain a letter of Consent prior to bidding.
- 4.4 The District Council does not guarantee to provide a letter of Consent to a successful bidder in respect of a property sold by auction therefore allowing the sale to complete.
- 4.5 Any bidder that successfully purchases a property at auction without obtaining a letter of Consent prior to bidding does so at their own risk and the District Council is not liable for any losses for the bidder failing to confirm they can legally complete the transaction.

5. LETTER OF CONSENT TO SELLER

- 5.1 The letter of Consent is normally issued to the purchaser of the property. The District Council will in rare circumstances consider issuing a general letter of Consent to the seller where they are suffering substantial hardship or emotional hardship.
- 5.2 This could include (but not limited to) where the seller has marketed the property for over a year, reduced the price to a level below market value for a long period of time with no offers from valid purchasers.
- 5.3 The sellers are facing repossession of the property and needs a quick sale to avoid the mortgage company taking possession.
- 5.4 The seller needs to move to care urgently for sick or venerable family members and needs to sell quickly.
- 5.5 The issuing of a general letter to the seller will only be issued in exceptional circumstances and the District Council would need to see substantial evidence of the situation to agree to a general waiver.

5.6 Applicants that do not satisfy the criteria

- 5.6.1 Where a prospective purchaser fails to provide satisfactory evidence to qualify, then the District Council is not under an obligation to provide consent for the purchase to complete.
- 5.6.2 However, the District Council has discretion as to whether to grant consent, where a prospective purchaser maintains the restriction is unduly harsh.
- 5.6.3 In deciding whether to grant an exception to the restrictive covenant, the District Council will consider the following issues:-

- The prospective purchaser is in key employment and is moving to the Area to take up work in key services, for example Police, Fire, Teacher, NHS or similar key services which have problems recruiting.
- The purchaser will meet the 3 year requirement once the purchase is complete. Any Consent may state that completion cannot take place before a certain date.
- The property have been marketed actively, noting the restrictive covenant details, for at least four months, at a price which takes account of the local occupancy restriction, overvalued properties will not be considered.
- The Seller has reduced the price more than once in order to obtain a purchaser.
- The prospective purchaser must be making the purchase to use the property as their only home and not for rental.
- The prospective purchaser can demonstrate that they cannot afford to purchase an alternative property, which does not having the local occupancy restrictive covenant, at its open market value.
- Where the purchaser has moved away for a short period of time for good reason
- Where the purchaser has moved away for a long period of time but prior to that spent a substantial part of their life living or working in the Area.
- Any other substantial reason the District Council deem appropriate.

5.6.4 When considering granting a Consent letter the District Council will take all matters into consideration and usually require at least 2 of the above reasons to agree to issue the letter, but that does not guarantee that Consent letter will be issued.

5.6.5 The District Council will however not consider the following to be good reasons to waive the restriction:

- Living close to but not in the Area.
- Owning a business that benefits those living in the Area.
- Being unable to sell the property with no efforts to reduce the price to attract a buyer or effectively market the property.

5.7 Owners intending to sell a property subject to a Derbyshire Clause

5.7.1 Sellers of properties are responsible for:

- Making their Estate Agent aware of the Derbyshire Clause
- Notifying the Solicitors acting in the sale of the Derbyshire Clause restrictions an early stage.

- Notifying purchasers that if they intend to rent the property now or in the future that they must obtain a letter of Consent and that prospective tenant must meet the same residency or employment criteria as required if purchasing the property; and the property will be the tenant's only, or principal home.

5.8 Renting a Derbyshire Clause Property

- 5.8.1 The Housing Act 1985 section 157 allows a Derbyshire Clause property to be rented out as long as the tenant meets the criteria as detailed in clause 3.1.1 of the policy.
- 5.8.2 The District Council also agrees to provide written consent to rent the property to a person who meets the criteria in clause 3.1.2 to 3.1.4. An application should be forwarded as per clause 5.9 below.
- 5.8.3 If you wish to rent your property to someone who does not meet the criteria in 3.1.1 to 3.1.4 then you must apply for consent which will be considered in line with this policy and the fee detailed in 5.9.2 below will apply.
- 5.8.4 If at any time following consent being granted the tenant changes, a new consent must be obtained.
- 5.8.5 Consent will only be granted if it is deemed appropriate under this policy and the tenancy is for a minimum period of 6 months and the tenant is occupying the property as their main/principle place of abode.

5.9 Applying for a letter of Consent

- 5.9.1 The prospective purchaser should only apply for a letter of Consent once they have identified a prospective property.
- 5.9.2 The District Council does not charge a fee for a letter of Consent where the applicant meets the criteria, however if the Applicant is asking for the District Council to exercise its discretions a fee of £465 is payable.
- 5.9.3 The request should be sent either by post addressed to:

Derbyshire Clause Application
FAO: Director of Housing
Derbyshire Dales District Council
Town Hall

Bank Road
Matlock DE3 4NN

Or by email to legal@derbyshiredales.gov.uk with Derbyshire Clause Application in the subject heading.

5.9.4 The application should contain the applicant's contact details, including telephone and email address in case further information is required, the full names of everyone purchasing or leasing the property, details of the property and details of the seller, including the estate agents details, full reason in why you are applying for the Consent letter and any documents to support the application.

5.9.5 The District Council aim to make a decision and if acceptable issue a Consent letter within 10 working days from receiving the fee if applicable and all the required information and documentation.

6. APPEAL

6.1 If the District Council has refused to issue a Consent letter, the applicant can appeal the decision to members of the District Council's Licensing and Appeals Sub-Committee. Any request to appeal must be made within 21 days of receiving the refusal letter and the District Council may refuse to refer the decision to members if made after this time.

6.2 The ability to appeal does not deny the applicant the right to complaint through the District Council's complaints procedure, however the failure to take advantage of this ability may be taken into consideration when replying to the complaint.

6.3 Nothing in this policy is intended to fetter the discretion of members on appeal to divert from the policy if deemed appropriate to do so. If the Sub-Committee take such a decision, reasons for diverting from policy will be given.

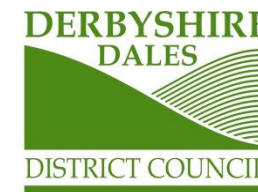
VERSION CONTROL

NEXT REVIEW DATE: On or before 25 November 2024

DATE	CHANGE	VERSION
25/11/2021	Approved Policy by full Council with delegated authority for Director of Housing to make minor changes or amend the policy to take into account	1.0

	Appeal decisions.	

Derbyshire Dales District Council Equality Impact Assessment



Please refer to the guidance whilst completing this form.

1. Outline

a. Title of policy, practice, service or function being assessed	Derbyshire Clause Policy under the Housing Act 1985
b. Service and/or Corporate Plan Ref	Providing a High Quality customer services as delays in making these decision are affecting the sale of properties thus delegating the decision to Officers will speed up the decision making process.
c. Name and Role of Officers conducting assessment	Lee Gardner – Legal Services Manager
d. Date of assessment	01/10/2021
e. Reason for assessment	The policy would be a new policy and therefore a formal assessment is required to make sure there is no discrimination or adverse impact on those subject to a protected characteristic. It is considered that this policy may have an increased impact onto those suffering a disability who may need to sell their home or have relatives move closer to provide support and assistance.
f. What is the purpose of this policy, practice, service or function? (specify aims and objectives)	To give clear guidance to Officers undertaking delegated decisions on whether to exercise its discretions to allow the sale of a property subject to a restrictions on title under sc 157 of the Housing Act 1985 that restricts the sale or lease of a property, subject to the restriction, to persons that have not lived or worked in the area for the last 3 years. There are currently 863 such properties.
g. Are there any other organisations involved in its implementation?	No

h. Likely customer groups to be impacted	Sellers and potential buyers of ex-council house properties situated in the Peak National Park
i. Other stakeholders likely to be impacted	Local Business namely Estate Agents, property sellers
Which District Council departments are affected by the policy, practice, service or function?	Legal Services and Housing
Do any of the objectives directly support or hinder another Council activity?	The Derbyshire clause is intended to help provide affordable housing within the Peak Park and stop villages turning into places filled with holiday lets and second homes thus ruining the local community. The policy is guidance on that decision making process so the policy does not directly impact on that activity but is part of that process.

2. Assessing Relevance to the General Equality Duty

The General Equality Duty has three aims which require the District Council to have due regard to the need to:	Tick those which are relevant
1. Eliminate unlawful discrimination (both direct or indirect), harassment and victimisation	X
2. Advance equality of opportunity between all persons by <ul style="list-style-type: none"> • removing or minimising disadvantages suffered by protected groups; • taking steps to meet the needs of people from protected groups where these are different from the needs of other people • encouraging people from protected groups to participate in public life or other activities where participation is disproportionately low 	X
3. Foster good relations between different groups	

3. What existing information / data do you have / monitor about different diverse groups in relation to this policy, practice, service or function? For example: previous EIA's, reports, consultation, surveys, demographic data etc.

Information / Data	Data source and date	Information relevant to proposed policy/service/function
<p>Derbyshire Dales Equalities Profile https://observatory.derbyshire.gov.uk/wp-content/uploads/reports/profiles/census_profiles/equalities_profile/district/Derbyshire_Dales.pdf</p>	<p>Derbyshire Observatory; taken from Census 2011 - national survey of all households</p>	<p>18.5% of residents have a limited long term health problem or disability, compared to the England figure of 17.6%</p> <p>12.6% of residents are unpaid carers, compared to the England figure of 10.2%</p> <p>19.7% of households are deprived in more than one dimension compared to 24.8% in England</p> <p>24.2% single person households, compared to England figure of 23.7%</p>
<p>Derbyshire Dales Profile https://www.nomisweb.co.uk/reports/localarea?compare=E07000035</p>	<p>NOMIS Official Labour Market Statistics Census 2011- national survey of all households</p>	<p>72.4% of residents own their own home compared to 63% of people in England own their own homes.</p> <p>12.2% live in Social Housing compared to 17% in England</p> <p>12.6% live in private rented housing compared to 18.7% in England</p>
<p>Derbyshire Dales Equality Information published on website: https://www.derbyshiredales.gov.uk/your-council/equalities/equality-information</p>	<p>DDDC Monitoring data collected by services (in-house and outsourced)</p>	<p>n/a</p>

<p>House prices https://www.ons.gov.uk/economy/inflationandpriceindices/bulletins/housepriceindex/december2020</p> <p>https://www.gov.uk/government/statistics/uk-house-price-index-england-april-2021/uk-house-price-index-england-april-2021</p>	<p>ONS Inflation and Price Indices</p>	<p>Derbyshire Dales had an average house price of £283,000 in 2019, compared to a UK figure of £251 000 in the UK.</p> <p>UK average house prices increased by 8.5% to December 2020, to stand at a record high of £252,000. This is also reflected in recent rises in the Derbyshire Dales.</p> <p>In 2020 the average house price in the Derbyshire Dales was £265,131 in April 2021 it was £295,813 – a rise of 11.6%.</p> <p>Purchasing property is difficult for people in the Derbyshire Dales due to this much higher average price.</p>
<p>https://commonslibrary.parliament.uk/research-briefings/cbp-8456/</p>	<p>Average wage comparisons UK</p>	<p>Average wages in the East Midlands have reduced by 2% over the previous years; the median weekly pay is £561 [£29,172 per annum] compared to a UK median of £586.</p> <p>The salient point here is that wages are lower in Derbyshire Dales than average across the UK, yet house prices are higher than average.</p>

4. Based on the evidence above, does the policy, practice, service or function have a positive or negative impact on any protected group(s)?

Protected groups	Positive effects	Negative effects	Potential/Actual Improvement Actions
Age	<p>The policy supports younger people getting onto the property ladder, particularly in areas where house prices are inflated due to tourism and second home ownership.</p> <p>Elderly people needing care and support will benefit from family members being able to live close by.</p>	Potential problems such as delays in selling the property, due to the Derbyshire Clause criteria	In the policy, a wide range of people who meet the criteria for a Consent letter, are described in in the policy. Discretion is also allowed when making decisions on suitable applicants. Both of these result in a flexible policy that aims to enable Derbyshire Dales Residents to purchase a property
Disability or long term ill heath Physical disabilities, sensory impairments, limiting long-term illnesses, learning disabilities or mental health issues	The Policy allows Officers to exercise discretion to allow purchases to take place where those suffering from disabilities need to move due to their disability or have relatives move closer to provide care.	Potential problems such as delays in selling the property, due to the Derbyshire Clause criteria	As above
Race / ethnic groups			
Women or men	The 2020 mean gender pay gap is 6.5% and the median gender pay gap is 15.9%. Click the link to see Pay gap statistics	Potential problems such as delays in selling the property, due to the Derbyshire Clause criteria	As above

Protected groups	Positive effects	Negative effects	Potential/Actual Improvement Actions
	<p>More affordable properties could therefore benefit women</p> <p>The majority of unpaid carers are women – the policy aims to assist carers moving closer to their families.</p>		
Sexual orientation			
Religion or belief (including non-belief)			
Transgender (including people planning to or going through gender reassignment)			
Pregnancy and maternity (including maternity and paternity leave)			
Marital status (including civil partnership & same sex marriage)			

4a. Are there any local priority groups / factors which should be considered?

Other factors	Positive effects	Negative effects	Improvement actions
Rural areas	n/a	n/a	n/a
Poverty / deprivation	n/a	n/a	n/a
Derbyshire Dales is one of the most popular areas for tourists in the UK		<p>Low wages in service sector, seasonal jobs.</p> <p>Higher than average house prices – particularly smaller/starter type properties.</p> <p>Lack of affordable accommodation to rent</p>	

5. Consultation and engagement

Do we need to seek the views of others and if so, who? If not, please explain why.

The policy was subject to a 6 week consultation which specifically obtained the view of local business affected by the Clause namely estate agents.

6. Commissioned / outsourced services

7. Improvement Plan

Key issues identified	Actions
n/a	n/a

PLEASE FORWARD THE COMPLETED FORM TO THE POLICY MANAGER / POLICY OFFICER (Consultation & Equalities)

Signed Lee Gardner (Completing Officer)

COUNCIL

25 NOVEMBER 2021

Joint report of the Director of Resources and the Director of Housing

EMPTY HOMES PREMIUM AND UPDATE TO COUNCIL TAX DISCRETIONARY DISCOUNTS POLICY

PURPOSE OF REPORT

The report sets out details of the impact of the empty homes premium adopted by Council in 2018. From 1st April 2019 the Council has charged a 100% premium (i.e. double council tax) on homes empty and unfurnished for more than 2 years. The Council has power to increase the premium for long term empty homes by 200% for homes empty for 5 years or more and 300% for homes empty for 10 years or more. The report requests officers are given approval to consult on adopting additional premiums and subject to that consultation further proposals are brought before Council.

The report also identifies potential changes to the Council's policy for council tax discretionary discounts (under section 13A 1 (c) of the Local Government Finance Act 1992) to allow more flexibility to award a council tax discount to offset the empty homes premium where the applicant provides evidence that they are taking action (e.g. planning application, renovations, marketing) as soon as practicable to bring empty homes back into use, without the need to provide evidence of undue hardship.

RECOMMENDATION

1. That Members note the impact of the 100% premium;
2. That officers consult on the adoption of the 200% and 300% premiums and the changes to the Council's policy for council tax discretionary discounts (under section 13A 1 (c) of the Local Government Finance Act 1992);
3. A further report be brought to Council in January 2022 with the results of the consultation and proposed actions concerning the potential adoption of the 200% and 300% premium and changes to the discounts policy with effect from April 1st 2022.
4. That, in order to prevent further delays, authority be delegated to the Director of Resources to determine outstanding applications or appeals for a council tax discount to offset an empty homes premium, using the approach set out in paragraph 5.7 i.e. without the need to demonstrate financial hardship.

WARDS AFFECTED

All

STRATEGIC LINK

Long Term empty homes represent a wasted resource within the housing stock of the District. Bringing empty homes back in to use will increase the supply of homes available for local people, and therefore supports the District Council's priorities as set out in the Corporate Plan.

1 BACKGROUND

- 1.1 The Community and Environment Committee received a report on the 12th July 2018 concerning the empty homes issue within the Derbyshire Dales. At that time a new Bill relating to a Council Tax Premium on long term empty homes was going through parliament. Noting the likely adoption of the Bill officers sought Council approval to consult on the premium and then seek approval to adopt the 100% premium for homes empty for more than two years.
- 1.2 The consultation exercise ran for 6 weeks ending at the end of October 2018. 227 responses were received. The District Council's website hosted a survey monkey questionnaire. The survey was widely publicised through a press release, an article in Dales Matters, circulation to every parish and town council, contact with known housing agencies and a letter to every owner of a long term empty home. A copy of the 2019 survey can be seen in Appendix 2. The proposed survey will be similar to the 2019 survey. The 2019 consultation results showed very high support (over 70%) for the adoption of the 100% premium. Similarly support was also given for the 200% and 300% premiums for homes empty for over 5 and over 10 years respectively. However at that time the power to adopt the higher premiums was not yet available for councils.
- 1.3 The power to adopt the higher premiums is now place and officers have noted that two other Derbyshire authorities have already adopted the higher premiums. A review of the properties empty for more than 5 and more than 10 years indicates that the same properties remain empty for some considerable time with some empty for more than 15 years. The total number usually averages around 75 homes. Empty homes are a wasted resource and can cause considerable problems for neighbours through heat loss, water ingress and overgrown gardens.

2 GOVERNMENT POLICY ON LONG TERM EMPTY HOMES

- 2.1 The Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Bill became law on the 1st November 2018. The Bill gave powers to local authorities to charge a 100% premium (i.e. double council tax) on properties that have been empty for more than two years. The Bill was amended in the Lords by an all-party amendment which introduced the 'escalator amendment'. This amendment allows for council tax to be tripled (by applying a 200% premium) on homes empty for 5 to 10 years and quadrupled (by applying a 300% premium) for those empty for more than a decade. The 'escalator' power was phased in, with the doubling being effective from 1st April 2019, the trebling from 1st April 2020 and the quadrupling from the 1st April 2021. At the time the escalator power was seen not as a revenue raiser for local authorities, but a spur to maximise housing stock availability.

2.2 The most recent debate in the House of Commons concerning the Bill also highlighted several important considerations by the government, notably:-

- When the 50% premium was introduced in 2013, 90% of local authorities took up the power. Since then the number of long term empty homes has fallen by 9% among those councils that adopted the power, every year since 2013.
- The higher premiums should not be used to penalise owners where houses are genuinely on the market for sale or rent and appropriately priced.
- Homeowners will have had sufficient notice concerning the imposition of the 200% and 300% premium by 2020 and 2021 respectively.
- No property covered by existing statutory exemptions can be liable for the premium e.g. a property owned by a member of the armed forces on deployment or where a dwelling cannot be let separately from a main dwelling (e.g. granny flats).

3 THE IMPACT OF THE 100% EMPTY HOMES PREMIUM

3.1 The 100% premium has been in place at Derbyshire Dales District Council for the financial years 2019/20, 2020/21 and the current year 2021/22. Owners of homes that have been empty and unfurnished for more than two years are required to pay a 100% premium on top of their existing council tax bills.

3.2 The income from the premium is shared amongst major preceptors (DDDC, County Council, Police and Fire), with DDDC's share being around 14%. The table below shows the numbers and value for each year, and the share of the premium that is retained by DDDC.

Table 1: The number of empty homes, value of the 100% premium charged and DDDC share

	2019/20	2020/21	2021/22 (forecast)
Number of properties where a premium has been charged	239	272	229
Total value of premiums charged	£259,193	£277,236	£315,941
Value of DDDC's share of the premium	£36,287	£38,813	£44,231

3.3 When the premium was first adopted there was the inevitable push back from owners who felt the premium was unfair. Since that time the impact of the premium has resulted in far fewer complaints to the Housing Team, but the revenues team continue to receive complaints or requests for discretionary discounts to offset it (see section on discretionary discounts below).

3.4 As can be seen in the table below, despite the imposition of the premium for three financial years, the numbers of homes that are empty for more than two years have actually increased from October 2019 to October 2021.

Table 2: Oct 2019 to Oct 2021 changes in empty property numbers by category

	Number of empty properties			
	October 2019	October 2020	October 2021	Change 2019 to 2021
Empty up to 3 months*	295	280	208	-87 (29%)
Empty for more than 3 months but less than 2 years	466	490	387	-79 (17%)
Empty for 2 to 5 years	88	97	106	+18 (20%)
Empty for 5 to 10 years	54	45	37	+17 (31%)
Empty for more than 10 years	33	33	38	+5 (15%)
Total	936	945	776	-160 (17%)

*eligible for 100% reduction i.e. no council tax to pay

- 3.5 Whilst the number of homes empty for less than 2 years has fallen (from 761 in 2019 to 595 in 2021, a reduction of 166 (22%), the total number of homes empty for more than 2 years has remained mostly unchanged (175 in 2019 to 181 in 2021). There are clearly factors other than the premium at play which are influencing the market. The coronavirus pandemic has caused delays to renovations, which has also impacted numbers of empty homes. The homes empty for more than 5 years and 10 years are not showing any significant signs of change. Leaving property empty for so long often leads to neighbour disputes, deterioration in the property and negatively impacts on the wider street scene.
- 3.6 In summary, the impact of the 100% premium would appear minimal on properties that have been empty for more than 2 years, as evidenced by the overall numbers remaining largely unchanged. Anecdotal evidence from telephone calls from owners and monitoring of Rightmove and planning applications suggests however that some owners are responding to the premium and taking steps to sell, renovate or redevelop some of the more complex properties. However it is worth noting that the population of total properties is not static and as time passes, properties will inevitably move from one category to the next. The financial return to the District Council is also relatively small taking in to account the amount of time it takes to administer the premium. Council staff, particularly in the Council Tax service receive and respond to many owners aggrieved by the imposition of the premium.

4 INTRODUCING HIGHER LEVELS OF PREMIUM

4.1 Forecast income

Using the empty properties as at 1st October 2021 and the average council tax for 2021/22 as a basis, the additional income that would be generated by the higher levels of premium have been estimated to give Derbyshire Dales District Council additional annual income of around £28,000. This is shown in the table below.

Table 3: Forecast annual income from higher empty homes premiums

	Number	Forecast income £	DDDC share of forecast income £
Period empty			
5 - 10 years (extra 100%)	37	69,665	9,753
Over 10 years (extra 200%)	38	130,511	18,272
Total	75	200,176	28,025

Some of this income might be offset by additional discretionary discounts (see below).

- 4.2 Equalities: An Equalities Impact Assessment has been undertaken in relation to the higher premiums. In summary the EIA highlights the relative lack of available information concerning the characteristics of owners of empty homes. It is likely that owners reflect the wider population. It is likely that some owners will be older people or have limited ability to manage their affairs. The number of people likely to be impacted by the premium is under 100.
- 4.3 The role of the proposed empty property officer (see below) is therefore key to providing the advice and support necessary to help owners either renovate, let or sell their property. The EIA also indicated that bringing empty homes back in to use will help increase the supply of homes available for local people and bring investment in to the economy through jobs and services linked to construction.
- 4.4 Consultation: As with the 2018 consultation process for the 100% premium, it is proposed to undertake a widespread consultation process using a surveymonkey questionnaire available on the Council's website. All of the existing owners of empty homes will be contacted about the survey together with key stakeholders including parish and town councils, estate and letting agents, housing associations and pressure groups and others with an interest in empty homes. The survey will take place from the end of November and run through to mid January 2022.
- 4.5 The results of the survey will be reported to Council in January 2022 together with a second report concerning the proposals on adoption of the premium.

5 DISCRETIONARY DISCOUNTS

- 5.1 Some council tax payers apply for a discretionary council tax discount (under section 13A 1 C of the Local Government Finance Act 1992) to offset (effectively remove) the premium from their bills. The cost of these discounts is borne wholly by this Council. Under the Council's policy, before a discount may be awarded there must be evidence that paying the charge would cause undue hardship.

5.2 Since the introduction of the empty homes premium the Council’s policy for discretionary council tax discounts (under section 13A) has been amended to take account of age restricted accommodation. In Ashbourne particularly there is an over-supply of privately owned older peoples’ accommodation. The age restriction has meant homes have a limited market and new supply of competing homes has left families who have inherited property in a difficult financial position. For these Ashbourne properties the following discounts have been awarded:

- £1,908 in respect of two properties in 2019/20;
- £4,408 in respect of three properties in 2020/21;
- £4,712 in respect of three properties in 2021/22 so far.

5.3 From the start of the coronavirus pandemic the number of applications for discretionary discounts to effectively remove the empty homes premium has increased.

Table 4: DDDC share of the income and the impact of discretionary discounts

Year	2019/20	2020/21	2021/22 (forecast)
Number of properties where a premium has been charged	239	272	229
Total value of premiums charged	£259,193.22	£277,236	£315,941
Value of DDDC’s share of the premium	£36,287	£38,813	£44,231
Number of discretionary discounts awarded to “offset” the empty homes premium	6	17	11*
Value of discretionary discounts awarded to “offset” the empty homes premium	£2,310	£15,913.	£16,400*
Net income to DDDC	£33,977	£22,900	£27,831

*Forecast based on applications received to date

5.4 If there is an increase in customers claiming ‘exceptional circumstances’ that they feel will make them eligible for a section 13A discount, it could become more costly/less financially beneficial than expected

5.5 Dealing with applications for discretionary discounts is very time consuming for the council tax team and the Director of Resources. There has been an increase in applications since the pandemic, as there have been delays in completing renovations. While the government awarded extra grants in 2020/21 to help with the cost, at the time of writing this report no funding has been awarded for 2021/22. In recent weeks two customers whose applications for a discretionary discount have been rejected have indicated that they will appeal to a Valuation Tribunal. This will create additional work for council tax and legal staff and could result in extra costs for the Council.

- 5.6 It is worth reflecting on the purpose of the empty homes premium, which is to act as an incentive for owners to bring empty homes back into use. Some customers who have been charged the premium have argued that while they cannot provide evidence of undue hardship which is required under the current policy (to award a discount to offset the premium) the fact that they have to pay a premium means that they are being unfairly penalised when they are moving as swiftly as they can to complete renovations, market the property etc. This is especially the case where a customer has purchased a property that has been empty for some time and they “inherit” the empty homes premium and have to pay it from day 1. Some argue that paying the premium means less is available for renovations and this will delay occupation even further. This seems to run against the original intentions for the premium. According to the Government's publication on Council Tax- empty homes premium, guidance for sale & letting (May 2013). Point six states:

“The government's intention behind the decision to provide billing authorities with the power to charge a premium was not to penalise owners of property that is genuinely on the housing market for sale or rent.”

- 5.7 One solution could be to make changes to the Council's policy for Council Tax Discretionary Discounts under Section 13A (1) (c) of the Local Government Finance Act 1992 to allow the Director of Resources more flexibility to award a discount to offset the empty homes premium where the applicant provides evidence that they are taking action (e.g. planning application, renovations, marketing) as soon as practicable to bring the empty home back into use, without requiring evidence of undue hardship.
- 5.8 Officer comment: While there would be an additional cost arising from this change to the discounts policy, that would be wholly borne by this Council, the likelihood of an appeal to a Valuation Tribunal, with the potential for additional costs, is reduced.
- 5.9 It is suggested that the proposed consultation should include such a change to the discounts policy.
- 5.10 The Director of Resources currently has several applications for a discount to remove the empty homes premium that are yet to be determined. In some of these cases, applicants have been unable to provide evidence of hardship (so discounts would be refused under the current policy) but the applicants have argued that they are carrying out repairs as soon as they reasonably can and should not be penalised (see paragraph 5.6 above). If Members are minded to support the proposed change to the Council's policy, it is appropriate to consider a delegation to the Director of Resources to enable these applications to be determined as soon as practicable after this Council meeting, rather than waiting for the results of the consultation and the report to the January Council meeting.

6 WORKING WITH OWNERS OF EMPTY PROPERTIES

- 6.1 The premium is only one tool available to councils concerned about empty homes. Many councils also employ a dedicated post, typically an Empty Property Officer. They play a vital role in advising and supporting owners of property to explore options, helping to publicise the premiums, sign post services to assist owners (how to engage an estate agent, get planning permission, building control services etc.), produce newsletters, develop strategies to support owners e.g. selling to the Council and supporting council housing growth, helping to engage private buyers, taking property to auction etc.
- 6.2 Without a dedicated resource the council lacks the capacity to properly support owners of empty homes and this can place strain on the Council Tax service in particular. The Council previously employed an Empty Property Officer using external grant funding. Over a two year period this post had a significant impact on the total number of empty homes but came to an end when the grant funding expired.
- 6.3 Subject to the adoption of the higher premiums, it is therefore proposed that the Council recruit an Empty Property Officer funded by the Derbyshire Dales proportion of the empty homes premium and any New Homes Bonus.
- 6.4 The Empty Property Officer could also support the Council's climate change objectives, advising on energy efficiency upgrades, compliance with MEES for properties available for rent and assisting with obtaining EPC certificates before sale.
- 6.5 The New Homes Bonus currently includes a financial rewards for every long term empty home brought back into use. The amount varies depending on the national average council tax each year and the council tax band of each empty property. For 2021/22, the average amount that DDDC could receive for each property brought back into use is around £1,400. This source of income could be used towards the cost of an empty property officer.

7 RISK ASSESSMENT

7.1 Legal

The legal powers in relation to this Report are detailed within.

This report is to give feedback to members on the current position / result since taking the decision to implement the premium.

At the Current time, the legal risk has been assessed as low.

6.2 Financial

The report indicates that the District Council's share of the higher empty homes premium is estimated as £28,000 p.a. This will be offset by the cost of any discretionary council tax discounts.

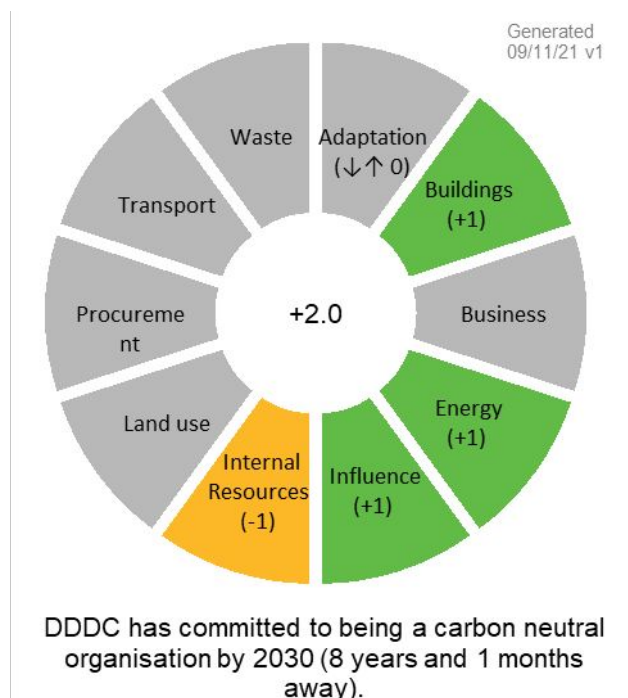
The net income from the above and additional New Homes Bonus (targeted at bring empty properties back into use) will assist the Council in financing an empty property officer.

The financial risk is assessed as low to medium.

8 OTHER CONSIDERATIONS

- 8.1 In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.
- 8.2 The climate change impact assessment identifies that the proposal has the potential to support a decrease in emissions from homes in the district that neighbour empty properties through a reduction in energy required for heating. Reusing existing housing reduces the emissions inherent in the building of new homes and the associated necessary infrastructure. It also ensures the longevity of the existing housing stock, protecting the embodied carbon and decreasing the likelihood of properties deteriorating to the point at which demolition and replacement is needed.

Although the proposed new post represents an increase in emissions in terms of the necessity for the post holder to travel within the district this is mitigated by the wider benefit of bringing back into use a wasted resource within the housing stock of the District. Bringing empty homes back in to use will increase the supply of homes available for local people, and therefore supports the District Council’s priorities as set out in the Corporate Plan.



8 CONTACT INFORMATION

Robert Cogings, Director of Housing
01629 761354, email Robert.cogings@derbyshiredales.gov.uk

Karen Henriksen, Director of Resources
01629 761284 email Karen.henriksen@derbyshiredales.gov.uk

9 BACKGROUND PAPERS

None

10 ATTACHMENTS

Appendix 1 – Breakdown across the main precepting authorities for the next 10 years

Appendix 2 – 2019 Empty Homes Premium Survey

Appendix 1

The table below shows how the existing number of properties, which have been empty for 6 months or more, will generate additional Council Tax revenue over the next 10 years.

Year	Total Amount if 100% still empty	Assumed amount still empty	Total after allowance made for % still empty	DDBC	County	Police	Fire
2019/20	433,415	100%	433,415	50,772	316,192	47,872	18,578
2020/21	954,598	90%	859,138	100,644	626,773	94,894	36,827
2021/22	1,133,234	80%	906,587	106,202	661,389	100,135	38,861
2022/23	1,304,507	70%	913,155	106,972	666,181	100,860	39,142
2023/24	1,649,961	60%	989,977	115,971	722,225	109,345	42,435
2024/25	1,700,723	50%	850,361	99,616	620,371	93,925	36,451
2025/26	1,750,129	40%	700,052	82,008	510,714	77,322	30,008
2026/27	1,835,764	30%	550,729	64,515	401,778	60,829	23,607
2027/28	1,963,671	20%	392,734	46,007	286,514	43,379	16,835
2028/29	2,278,125	10%	227,813	26,687	166,198	25,162	9,765
2029/30	2,292,656	10%	229,266	26,857	167,258	25,323	9,827

Note: the table assumes a 10% reduction per year in the existing number of long term empty properties.

Empty Homes Premium

Introduction:

Derbyshire Dales District Council is consulting on potential changes to the Council Tax charged on long term empty homes, this is defined as those which have been unoccupied and substantially unfurnished for over 2 years.

In 2013 the Government gave councils the power to charge a 50% premium, i.e. the whole Council Tax is charged, plus half again. Currently going through Parliament is a new piece of legislation that will give councils the power to:

- double the council tax on homes empty for 2 to 5 years
- triple the tax on homes empty for 5 to 10 years and
- quadruple it for those empty for more than a decade.

It is expected that this power will become law during 2018/19, allowing Councils to charge the premium from April 2019.

We're consulting on the potential to implement the new power to charge the additional premium from April 2019 on long term empty homes. We estimate this will impact up to 600 long term empty homes and is being introduced to encourage bringing these properties back in to use. In 2016 the Derbyshire Dales was recorded as the 6th worst area in the England for the number of empty homes per 100 people at 0.9 (for more information see <https://www.bbc.co.uk/news/uk-england-41968461>). The Derbyshire Dales also has the highest % of long term empty homes in Derbyshire, at 1.9% of the total housing stock.

Derbyshire Dales District Council is the Billing authority and has the power to increase council tax on long term empty homes. This is known as the 'empty homes premium'. It is for the District Council to decide whether to levy an empty homes premium.

Government policy on long term empty homes

There is pressure from Government to tackle the 200,000 empty homes in England. One policy from the government designed to reduce the number of empty homes is to allow councils to introduce the empty homes premium. This was first outlined in the government's 2017 white paper, Fixing our Broken Housing Market. (see <https://www.gov.uk/government/publications/fixing-our-broken-housing-market>)

The proposal in the White Paper is being taken forward through the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Bill. This Bill is progressing through the Lords without any difficulty and would appear to be on track to become law in 2018/19.

Any uplift in Council Tax premium on long term empty homes will generate new resources for the District Council, Derbyshire County Council and the Police and Fire Authorities.

Benefits of bringing empty homes back in to use;

- The district council would use its proportion of the extra council tax to fund initiatives that tackle empty homes including providing incentives to owners and resourcing enforcement options.
- As more empty homes are brought back in to use, more New Homes Bonus (NHB) will come to the Derbyshire Dales. NHB is a grant from government designed to reward councils when they build new homes or bring empty homes back in to use.
- The construction and property sectors could receive a boost through renovation and occupation of homes.
- Provision of affordable and potentially market homes through properties brought back in to use will help meet housing need, reducing the pressure to build new homes on greenfield land.

The Consultation

The Council is consulting residents and stakeholders on the proposal to introduce the premium on long term empty homes.

We also want to know if the Council should not impose the premium on people who buy a long term empty home and then bring it back in to use within two years. The Council does not want to create a disincentive for potential buyers interested in buying and renovating an empty home.

If you are an owner of an empty property, we would like to understand more about the issues you face, for example if you are trying to sell or let the property and what you think the Council could do to help you bring the property back in to use. We would also like to understand the views of people affected by empty homes and the views of the wider housing sector.

1. Do you own a long term empty home in the Derbyshire Dales i.e. a property which has been unoccupied and substantially unfurnished for over 2 years?

Yes

No

2. If yes, how many?

3. Do you live in the Derbyshire Dales?

Yes

No

4. If you own a long term empty home, why is it empty? (choose all that apply)

- Unable to sell
- Being renovated/repaired
- Needs renovating – works not started
- You are actively looking for tenants
- Tenants/relatives or yourself are due to move in shortly
- It's a 2nd home
- Inherited the property
- Owner is currently living in a residential/ care home
- Lacking the mental capacity to sell
- Bereaved/ divorced and unable to sell the property
- Other (please specify)

5. Do you agree with the Council's proposal to:

Double the council tax liability for properties that have been vacant for more than 2 years?

- Yes
- No

6. Triple the council tax liability for properties that have been vacant for 5 to 10 years

- Yes
- No

7. Quadruple the council tax liability for properties that have been vacant for more than 10 years?

- Yes
- No

8. Do you agree with the Council's proposal to exempt new owners from the premium for 2 years when they purchase an empty property with the intention of bringing it back in to use?

- Yes
- No

9. How strongly do you agree or disagree that the proposals will encourage owners to bring empty homes back in to use?

- Strongly agree
- Agree
- Neither
- Disagree
- Strongly disagree

10. If the proposals were adopted, how can the Council support you through the changes

- Offer loans to fund improvements
- Offer grants to fund improvements
- Phase the increase in charges over time
- Buy the empty property or assist with finding a buyer
- Lease the property from the owner
- Other (please specify)

11. Are you a

- Owner of an empty property
- Neighbour of an empty property
- Resident
- Private landlord
- Tenant of a private landlord
- Tenant of a housing association
- A letting agent
- Representative of a housing association
- Builder/developer
- Town or parish council
- Other public body
- Charity

12. Is there anything else you would like to say about these proposals?

COUNCIL

25 NOVEMBER 2021

Report of the Director of Regeneration and Policy

CORPORATE PLAN 2020-2024 – PERFORMANCE 2020/21 AND PRIORITIES 2022/23

PURPOSE OF REPORT

The report advises Members of performance against the District Council's Corporate Plan targets since its adoption in March 2020. It reports details of the Outturn data for 2020/21 and progress during the first six months of 2021/22. The report highlights where performance is strong, and where progress was unfortunately delayed by COVID-19. The report also sets out for Members consideration a proposed set of Corporate Plan priority target areas for 2022/23, which if adopted will enable service planning and budget preparation to take place in good time for March 2022.

RECOMMENDATIONS

1. That the outturn of Corporate Plan targets and actions for 2020/21 be noted.
2. That progress during Quarter 1 and Quarter 2 against the Corporate Plan targets and actions for 2021/22 be noted.
3. That the Corporate Plan priority target areas set out in Section 3 of this report be adopted for 2022/23.
4. That a further report be presented to the Council budget setting meeting in March 2022 with specific targets for each of the priority areas set out in Section 3 of this report.

WARDS AFFECTED

All Wards

STRATEGIC LINK

Every plan, strategy policy, and action of the District Councils flows from the Corporate Plan. The Corporate Plan is put into effect by the Budget, which in turn is supplemented by service plans, policies and strategies. Through the Performance and Development Review scheme (PDR), employees' activities and appraisals are linked to the Corporate Plan.

1. BACKGROUND

- 1.1 Following extensive public consultation and discussions with Members the District Council's Corporate Plan 2020-2024 was adopted at a meeting of Council on 5th March 2020. It sets out the District Council's top priorities for the Derbyshire Dales, and is the key strategy from which the District Council's Budget and Service Plans cascade.
- 1.2 The adopted Corporate Plan 2020-24 identified three themes, and for each a number of priority target areas and actions that the District Council would seek to implement to achieve them. The three themes are:
- 'People' – **Providing You with a High Quality Customer Experience**
 - 'Place' – **Keeping the Derbyshire Dales Clean, Green and Safe**
 - 'Prosperity' – **Supporting Better Homes and Jobs for You**
- 1.3 Appendix One lists the Corporate Actions and outturns for the year 2020/21. These were used to inform the development of priority actions for 2021/22.
- 1.4 The 28 Corporate Plan targets set out in Appendix 2 were adopted by Council on 4 March 2021.
- 1.5 A Summary of mid-year progress against each of the Corporate Plan targets is shown in Appendix 2.

2 COUNCIL PERFORMANCE – OUTTURN SUMMARY 2020/21

- 2.1 The traffic light system referred to in this section reflects the following criteria.

Green	Target is on course to be met by the target date set
Amber	Uncertainty that Target will be met by the target date set
Red	Target will not be met by target date set, but may be met later than planned.

- 2.2 Overall, of the 44 Corporate Plan actions for 2020/21, for which data is available, all were fully or partially achieved, as Table 1 shows. Appendix one gives further information on the progress made against targets.

	Totals	Green	Amber	Red
Corporate Plan Actions	44	22	22	0

Table 1 - Summary of Performance Indicator Outcomes 2020/21

Despite the challenges of Covid-19 throughout the year, 50% of the Corporate Plan Actions were fully achieved and progress made on all the remaining Corporate Plan actions.

2.3 Detailed outcomes for 2020/21 Corporate Plan Actions are set out in Appendix 1. Highlights include:

- The introduction of a faster and improved website home page, including greater functionality and mobile access, played a key role in maintaining and enhancing service delivery during the pandemic. A new payment portal to expand payment options, and ensuring fully integrated payments are added to all online forms, has improved customer access considerably.
- Teams across the Council were redirected to support business survival during Covid lockdowns and subsequently, including the management and delivery of government grants. Approaching £70 million in business grants payments were made by the District Council.
- Residents and businesses have much improved access to the support they need online, via our website. The number of fully trackable services has increased by 29 during the year. Covid specific support services were also added in a timely matter e.g. information on government funding, testing centres, service arrangements, and so on.
- Despite a reduction in the number of activities carried out by community groups caused by Covid, the District Council was still able to provide £34,621 funding on projects that benefit the wider community
- The provision of 27 Electric Vehicle charging points across all four Derbyshire Dales market towns exceeded plans for a minimum of one charging point per market town
- Despite the impact of Covid on direct services, 75 adaptations were made to the homes of disabled people. This exceeds the target of 50.
- Three Neighbourhood Plans were completed and all were approved at referendum on 6th May 2021

2.4 As Members will see from Appendix 1, COVID-19 had an impact upon the achievement of Corporate Plan targets. Many made progress but did not meet the identified target date in full. The greatest impact of the COVID19 pandemic has been on the delivery of the 'Prosperity' projects set out in the Corporate Plan. This is a result of the need for resources having to be diverted to other areas of activity, such as the distribution of the £1.7m Discretionary Grant Fund to support business survival.

2.5 Another target area affected by COVID-19 was the delivery of the District Council's affordable housing programme, with only 12 out of the anticipated 80 affordable homes delivered during 2020/21.

3 CORPORATE PLAN 2021/22 PERFORMANCE – MID YEAR RETURNS (Q1 AND Q2)

3.1 The data which is set out in Appendix 2 indicates progress using the traffic light system.

3.2 At the end of the second quarter of 2020/21, 17 of the 21 targets are on track for achievement by the target date set; 4 of the indicators are at risk of not being

achieved by the target date set. It is considered that none of the target areas for 2021/22 will not be met by the target date or at a later date.

3.3 In respect of each of the three priority areas performance has been as follows:

Priority Area	No.	Green	Amber	Red
People	2	2	0	0
Place	8	6	2	0
Prosperity	11	9	2	0
TOTAL	21	17	4	0

Table 2 - Corporate Plan Targets 2021/22 Q1/Q2 Progress

3.4 Business advice continues to be dominated by COVID work, and it has not been possible to record every contact with businesses and the cumulative time spent with each one. The final COVID grant scheme was launched on 18th October. Levels of engagement with businesses remains high.

3.5 The achievement of Green Flag Awards for Hall Leys and Bath Gardens in Bakewell is a notable success at this point in the year.

3.6 The previously delayed action to review and implement revised core standards for Clean and Green is now well underway. Workshops with frontline staff and the management team have taken place. Events with Councillors are planned. Staff and departmental surveys have been distributed and results will further contribute to the consultation process.

3.7 The Residents Survey has been undertaken with 1,063 responses to the sampled postal survey (exceeding the target of 1,020) and 180 Face-to-Face interviews completed. A further 201 responses were received from the Council's Online Panel members. A total of 371 responses were also received from residents who responded to an advert and online link promoted by Communications and Marketing. The total number of responses is 1,815. A detailed analysis of data is currently being undertaken and will be reported to Members in January 2022.

4 CORPORATE PLAN PRIORITIES 2022/2023

4.1 Over the past eighteen months, the District Council has had to adapt to the changing circumstances and priorities that have emerged both nationally and locally as a result of the COVID-19 pandemic. One consequence of this is that resources in some instances have had to be directed away from Corporate Plan targets.

4.2 The effects of the COVID-19 pandemic are reducing. But although the Council is moving towards a 'new normal' within the authority, local businesses and among our communities, there is a backlog of work still to be completed.

- 4.3 In November each year the District Council considers the actions to be included in the following year's Corporate Plan [2022/23]. The annual actions stem from the priorities already determined by the Council for the Corporate Plan period 2020-2024. From these actions, targets are developed and agreed. These are developed after a consideration of the previous year's outturn [2020/21] and the progress thus far on current actions [2021/2022], future needs, opportunities and other local and national drivers.
- 4.4 It is important that as far as practicable, services have the opportunity to plan actions and budgets between November 2021 and March 2022, as the Council has a statutory duty to set a balanced budget at its March 2022 meeting.
- 4.4 With this in mind the Corporate Leadership Team have undertaken a review of actions for the Corporate Plan 2022/23. The review paid particular attention to the priorities agreed by Members for the economic recovery of the Derbyshire Dales (at the Council meetings held on 9 November 2020 and 22 April 2021) and to the Climate Change Delivery Plan agreed by Members at the Council meeting held on 14 October 2021.
- 4.5 The priority target areas recommended below have been compiled based on Members' existing priorities, and include actions already in progress as they were started in 2021/22 but continue over two or more years. So, for instance, Climate Change actions feature strongly, alongside economic recovery, and these are likely to continue throughout the delivery of the 2020 to 2024 Corporate Plan.
- 4.6 As a result, it is recommended to Council that the **Corporate Plan target areas prioritised for the year 2022/23 are as set out in the final column of the Table in Appendix 3**. To be clear, Members are not adopting new Corporate Plan priorities. They are simply choosing which elements of their existing Corporate Plan (adopted in March 2020) that they wish to prioritise for activity in the next financial year. Similarly, in a year's time, Members will take the same Corporate Plan and choose further elements to prioritise for the following year after that.
- 4.7 Members should note that by doing so, they will be choosing those areas for which they want Officers to work up detailed action plans prior to March 2022.
- 4.8 By prioritising these activities recommended in Appendix 3, it will enable the District Council to continue to support a sustainable recovery for Derbyshire Dales, continue to progress other Corporate Plan priorities where resources allow, and at the same time maintain resources to deliver day to day services to residents.

4.9 Specific targets for each of the above priority areas will be developed as individual Service Plans are drafted for 2022/23. These will be subject to a report to Council for approval on 3rd March 2022 as part of the statutory budget setting process – so it is at the March Council meeting where numbers will be proposed for, for example, adaptations to the homes of disabled people.

5. RISK ASSESSMENT

- 5.1 Legal - The Corporate Plan is compliant with relevant legislation. This report is to give Member an update as to the Council's Performance for the current period and to request priority steering. The legal risk at this time connected to this report has been assessed as low.
- 5.2 Financial - Service and financial planning is an integrated process. The budget and service plans are prepared simultaneously and proposed actions for 2022/23 will be funded from within revenue budgetary provision for 2022/23 and the capital programme to be agreed by Council at the same meeting in March 2022. The financial risk is therefore considered to be low at this stage.
- 5.3 Corporate Risk - There is a risk that Corporate Plan targets may not be achieved. Progress is monitored regularly by Service Managers and by Corporate Leadership Team. Whilst priority actions will be developed with managers as part of the combined service planning and budget setting process, given the continuing resourcing pressures on the District Council, the risk of not achieving all targets on time is classified as high for 2022/23.

6. OTHER CONSIDERATIONS

- 6.1 In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.
- 6.2 Climate Change: each recommendation set out above has been assessed separately as follows,
- Recommendation 1 - No detailed climate change assessment required on reporting outcomes/outputs.
 - Recommendation 2 - No detailed climate change assessment required on reporting outcomes/outputs.
 - Recommendation 3– Specific climate change targets to be assessed once individual actions are agreed by Members,
 - Recommendation 4 – Specific climate change targets to be assessed once individual actions are agreed by Members.

7. CONTACT INFORMATION

7.1 Elizabeth Wilson, Policy Officer, Tel 01629 761240, e-mail elizabeth.wilson@derbyshiredales.gov.uk

7.2 Mike Hase, Policy Manager Tel 01629 761251 e-mail mike.hase@derbyshiredales.gov.uk

8. BACKGROUND PAPERS

8.1 Corporate Plan 2020-2024

https://www.derbyshiredales.gov.uk/images/C/Corporate_Plan_2020-24_for_web.pdf

9. ATTACHMENTS

Appendix 1 – Corporate Plan targets and outturn 2020/21
Appendix 2 - Corporate Plan 2021-22 Performance Q1/Q2
Appendix 3 – Corporate Plan proposed actions 2022/23

APPENDIX 1: Q4 Update – Corporate Plan Actions 2020 to 2021

Note: Actions that became unachievable on time due to the impact of Covid have been shown as Amber

Reference No. and Service Area	Action	Q1 and Q2 reported jointly to Council 26/11/2020	Q3	Q4	2020/21 Outturn
CP20/PE1 Corporate and Customer Services	Introduction of faster, and improved website home page including greater functionality and mobile access by April 2020.	Achieved 1st April 2020. New homepage, improved information			New homepage, improved information
CP20/PE2 Corporate and Customer Services	Implement a new payment portal to expand payment options (accepting Debit Cards, Credit Cards and PayPal) and ensure fully integrated payments are added to all online forms by April 2020.	Achieved 1st April 2020			Achieved 1st April 2020
CP20/PE3 Corporate and Customer Services	Introduce integrated Direct Debit payments	Project delayed due to additional complexities with Direct Debit structure and suppliers - On target for a mid-Oct 2020 soft launch and test;	Achieved Nov 2020		Achieved Nov 2020

APPENDIX 1: Q4 Update – Corporate Plan Actions 2020 to 2021

Reference No. and Service Area	Action	Q1 and Q2 reported jointly to Council 26/11/2020	Q3	Q4	2020/21 Outturn
	on selected online forms by August 2020	full public launch in Nov 2020			
CP20/PE3 Corporate and Customer Services	Increase the information available to you automatically in the 'My Account' e.g. Waste collection dates, Councillor details, weather alerts etc. by April 2020	Achieved 1st April 2020 'My account' launched with a range of bespoke data targeted to customers			Achieved
CP20/PE5 Corporate and Customer Services	Implement a 'My Account' feature to track service requests by April 2020.	Achieved 1st April 2020 , with a range of services trackable through the account			Achieved
CP20/PE6 Corporate and Customer Services	Expand the number of services that are fully trackable by March 2022	On track – some additional services have been made fully trackable, with another 6 going live in October 2020	13 waste services, 10 clean and green services, 5 payment services (e.g. paying for council tax, business rates, invoices etc.) and		13 waste services, 10 clean and green services, 5 payment services (e.g. paying for council tax, business rates, invoices etc.) and car park discount season tickets

APPENDIX 1: Q4 Update – Corporate Plan Actions 2020 to 2021

Reference No. and Service Area	Action	Q1 and Q2 reported jointly to Council 26/11/2020	Q3	Q4	2020/21 Outturn
			car park discount season tickets		
CP20/PE7 Regeneration and Policy	Undertake Annual Survey using the Online Residents Panel to assess resident satisfaction with DDDC Services by November 2020	Anticipated to be completed in Q3. On track	Achieved 18th October 2020 survey completed. Results reported Nov 2020		Report to Governance & Resources Committee on 19 November 2020
CP20/PE8 Chief Executive and Corporate Leadership Team	Review the role and purpose of the Commercial Board by July 2020	Deleted by Council July 2020			Deleted by Council July 2020
CP20/PE9 Corporate and Customer Services	Continue to maintain and publicise a variety of offline customer contact channels for the District Council's services through Dales Matters and other	Dales Matters published twice yearly (Autumn 2020 edition in October). Leaflets are produced (every household will receive 2 publicising new garden waste subscription scheme). We also continue to use posters, newspaper adverts and outdoor banners.		Achieved. Dales Matters published, approx 100 media releases, and posters, adverts and banners	Achieved. Dales Matters published, approx 100 media releases, and posters, adverts and banners

APPENDIX 1: Q4 Update – Corporate Plan Actions 2020 to 2021

Reference No. and Service Area	Action	Q1 and Q2 reported jointly to Council 26/11/2020	Q3	Q4	2020/21 Outturn
	media.				
CP20/PE10 Community Development	Provide up to £36,600 of grant funding to local community groups for projects that benefit the wider community in Derbyshire Dales.	Q1 £9,725; Ernest Bailey Q2 £15,675 spent on The Local Projects Fund. Ernest Bailey £1,500 [estimated interest] due to be allocated at annual meeting in November 2020	£22 806 total provision Local Projects Fund Ernest Bailey £1,500 allocated at annual meeting in November 2020	£34,621 in total spent on The Local Projects Fund. £1,361 spent on Ernest Bailey	£34,621 in total spent on The Local Projects Fund. £1,361 spent on Ernest Bailey
CP20/PE11 Community Development	Support community groups to successfully host events on District Council land by March 2021	All events cancelled due to Covid			All events cancelled due to Covid
CP20/PE12 Resources	Continue to explore opportunities to deliver £250,000 efficiency savings and/or additional income by 2023/24	On hold until receive Local Government Finance Settlement later this year		On hold pending the outcome of the government review of Council funding. An announcement on the review is expected in autumn 2021	On hold pending the outcome of the Government Finance Settlement and the government's Review of Council funding.

APPENDIX 1: Q4 Update – Corporate Plan Actions 2020 to 2021

Reference No. and Service Area	Action	Q1 and Q2 reported jointly to Council 26/11/2020	Q3	Q4	2020/21 Outturn
CP20/PL1 Regulatory Services	Implement measures to achieve 2% reduction in CO2 from local authority buildings as compared to the previous calendar year by March 2021.	Clear Lead Consulting Report to reduce Co2 emissions to net Zero by 2030 approved at Council 08/10/20	Clear Lead Consulting Report to reduce Co2 emissions to net Zero by 2030 approved at Council 08/10/20	Climate Change Officer, responsible for undertaking assessment work in place.	Assessment work on our carbon footprint for 2020/21, is ongoing + builds on the ClearLead report from 2019/20. Assessment will be complete when energy consumption figures are available for the year. This figure will be reported on later in the year [planned for Q2], when energy data has been collated and analysed This task that will be undertaken by our new Climate Change Project Officer Jo Hill
CP20/PL2 Regulatory Services	Develop a strategy to improve energy efficiency at all buildings of asset value £10,000 and	Clear Lead Consulting Report target incorporates work at DDDC buildings which will achieve this outcome	Agreed projects at DDDC buildings will achieve energy efficiency at all buildings of asset		Further development delayed by Covid – new target March 2022

APPENDIX 1: Q4 Update – Corporate Plan Actions 2020 to 2021

Reference No. and Service Area	Action	Q1 and Q2 reported jointly to Council 26/11/2020	Q3	Q4	2020/21 Outturn
	above by March 2021.		value £10,000 and above by March 2021.		
CP20/PL3 Regeneration and Policy	Appoint Consultants to Assist with Preparation of Climate Change SPD by October 2020.	Achieved Aug 20: consultants appointed			Achieved
CP20/PL4 Regeneration and Policy	Publish for public consultation Climate Change SPD by January 2021.	Consultation still scheduled for January 21	Consultation happened in Feb 21	Report to be considered by C&E Committee and adoption in June 21	Consultation undertaken in February 2021
CP20/PL5 Regeneration and Policy	Complete adoption of SPD on Climate Change by June 2021.	Scheduled for June 21		Due to be adopted in June 21	Adopted July 2021
CP20/PL6 Neighbourhoods	Introduce publicly accessible EV charging points in at least one car park in each of our	Achieved May 2020. [Slight delay due to Covid-19]			Charging points were installed the market towns Ashbourne, Matlock, Bakewell and Wirksworth

APPENDIX 1: Q4 Update – Corporate Plan Actions 2020 to 2021

Reference No. and Service Area	Action	Q1 and Q2 reported jointly to Council 26/11/2020	Q3	Q4	2020/21 Outturn
	market towns by April 2020.				
CP20/PL7 Neighbourhoods	Develop a programme for further publicly accessible EV charging points in car parks across the Derbyshire Dales by April 2021	Discussions on-going with EV providers to assess the suitability of sites for the provision of EV Charging Points for a future programme.	Due to Covid, a bid was not submitted in time to OLEV for more funding to install further EV Charging points in 2020/21	To date 27 charging points have been installed.	27 charging points have been installed: Ashbourne [8], Matlock [8], Bakewell [8] and Wirksworth [3]
CP20/PL8 Clean and Green	Implement a recycling education and promotional programme by December 2020	Postponed due to Covid. Will be completed by March 21			Postponed due to Covid
CP20/PL9 Community Development	Develop a Community Tree Planting Programme by April 2021 for implementation in 2021/22	Postponed due to Covid			Postponed due to Covid. Moved to 2022/23

APPENDIX 1: Q4 Update – Corporate Plan Actions 2020 to 2021

Reference No. and Service Area	Action	Q1 and Q2 reported jointly to Council 26/11/2020	Q3	Q4	2020/21 Outturn
CP20/PL10 Community Development and Regulatory Services	Support the transfer and re-build of Ashbourne Memorial Pavilion and the Bowls Pavilion on Ashbourne Recreation Ground by March 2021.	Bowls pavilion replaced with new structure August 2020. Lease terms for leasehold transfer of Memorial Pavilion with solicitors - On Track.	The Ashbourne Memorial Pavilion will be complete by Sept 21, the lease is being finalised, and the Bowls Pavilion on Ashbourne Recreation Ground been built and the transfer will be complete in Sept 2021	Work is underway and completion of the whole project is expected Autumn 2021.	Achieved – completion Autumn 2021
CP20/PL11 Community Development and Regulatory Services	Implement a refurbishment programme for the Bandstand at Ashbourne Memorial Gardens by April 2021.	Survey/spec for complete replacement due autumn 2020 to allow works to be tendered winter 2020 and to take place in spring 2021. On Track	Delayed due to Covid; moved to Sept 21	Delayed due to Covid. Survey completed, procurement late spring, revised completion date Dec 2021	Delayed due to Covid - completion date now Dec 2021
CP20/PL12 Clean and Green	Review and implement revised core standards for Clean and Green by April 2021.	Due to Covid this is postponed to Dec 2021, review outline will go to members in Nov and take 12 months to complete. Members are aware.			Postponed until 2021/22 due to Covid

APPENDIX 1: Q4 Update – Corporate Plan Actions 2020 to 2021

Reference No. and Service Area	Action	Q1 and Q2 reported jointly to Council 26/11/2020	Q3	Q4	2020/21 Outturn
CP20/PL13 Regulatory Services and Neighbourhoods	To work with DFRS and other partners to review and relaunch the Council's Bonfire Safety Campaign by October 2020	Discussions held with DFRS and 2 other local authorities to ensure consistency. For 2020 the message is largely around discouraging organised events due to ongoing Covid 19 pandemic	No bonfires in 2020 due to Covid. If bonfire night 2021 is back on, we will return to this. Otherwise it will be picked up in 2022.	Preliminary discussions were underway with DFRS and other LA partners to work-up and launch a suitable campaign, however redistribution of officer resources and Covid priorities for all stakeholders resulted in delaying the matter until further notice.	The scheme was not relaunched in 2020 as bonfire events were prohibited under Covid restrictions.
CP20/PL14 Regulatory Services	Publish an Air Quality Monitoring Report by July 2020 and where necessary commence appropriate mitigation measures by March 2021	Air quality report agreed by Defra. Detailed assessment being procured through competitive quotes	Air Quality Report submitted and published Oct 2020 Detailed assessment commissioned for area of non-compliance	Detailed assessment commissioned for area of non-compliance. Outcome report received prior to year-end (March 2021)	Air Quality Management Area declared April 2021. Work has now commenced on the production of an Air Quality Action Plan.
CP20/PR1	Work with public &	Commencement of scheme	Commencement of	Legal agreements	Work began on A52

APPENDIX 1: Q4 Update – Corporate Plan Actions 2020 to 2021

Reference No. and Service Area	Action	Q1 and Q2 reported jointly to Council 26/11/2020	Q3	Q4	2020/21 Outturn
Regeneration and Policy	private sector partners to complete infrastructure improvements at Ashbourne Airfield Industrial Estate, opening up 8 ha of new employment land by December 2020	delayed due to COVID. Contractor now appointed by Derbyshire County Council enabling works on new A52 roundabout to proceed. Start on site proposed anticipated 26th October 2020.	scheme delayed due to COVID. However, work was complete on A52 roundabout in October 2020 and works on link road anticipated to commence April 2021	for link road completed in March 2021 with work on site commencing 12 April 2021	roundabout in October 2020; completed July 2021 Completion of link road expected December 2021
CP20/PR2 Regeneration and Policy	Pursue funding opportunities to unlock employment land and support initial phase of workspace development at Middleton Road, Wirksworth by March 2021	Feasibility study delayed due to COVID. Landowner's Development Team Furloughed. Further site investigation information required and revised Development Appraisal awaited		Feasibility study delayed due to COVID. Landowner's Development Team Furloughed. Further site investigation information required and revised Development Appraisal awaited	Added as Service Indicator
CP20/PR3 Regeneration and Policy	Secure investment to enable development of the Bakewell Road	On track. Business Case for proposed conversion of Matlock Market Hall prepared for consideration at 26 November	£800,000 District Council investment agreed at November 2020 Council and	Draft Heads of Terms prepared, draft design prepared for	District Council and private sector investment for scheme agreed

APPENDIX 1: Q4 Update – Corporate Plan Actions 2020 to 2021

Reference No. and Service Area	Action	Q1 and Q2 reported jointly to Council 26/11/2020	Q3	Q4	2020/21 Outturn
	town centre site, Matlock by March 2021	Council. Stakeholder engagement ongoing	investment from cinema operator agreed.	stakeholder comment and planning application in preparation	Planning application submitted November 2021
CP20/PR4 Regeneration and Policy	Provide support to 75 established businesses in the Derbyshire Dales by March 2021, enabling the creation of local jobs	Economic Development Team / Business Advice Service re-directed to support business survival inc. handling grant enquiries to Revenues Team, advice on Government support measures and administration of COVID Discretionary Grant Fund. Several hundred businesses signposted to available support or provided with initial advice. Focus now on providing more intensive support	Covid grants: Economic Development Team / Business Advice Service re-directed to support business survival inc. handling grant enquiries, advice on Government support measures and administration of COVID Discretionary Grant Fund.	Service re-directed to support COVID business survival. Several hundred businesses signposted to available support, provided with initial advice or supported through discretionary business grant schemes	NOTE: Re Covid grants: Economic Development Team / Business Advice Service re-directed to support business survival inc. handling grant enquiries, advice on Government support measures and administration of COVID Discretionary Grant Fund and Additional Restrictions Grant
CP20/PR5 Regeneration and Policy	9 Dales businesses supported to access grants or loans from D2N2, Government and EU to enable	Economic Development Team / Business Advice Service re-directed to support business survival. 162 Dales businesses awarded grants (£1.7m) through the Derbyshire Dales COVID Discretionary Grant Fund	Beyond COVID business survival grants, a total of 6 businesses supported to access D2N2/EU Growth Grants -	162 Dales businesses awarded grants of £1.7m through the Derbyshire Dales COVID Discretionary	NOTE - Economic Development Team / Business Advice Service re-directed to support COVID business survival, in particular the

APPENDIX 1: Q4 Update – Corporate Plan Actions 2020 to 2021

Reference No. and Service Area	Action	Q1 and Q2 reported jointly to Council 26/11/2020	Q3	Q4	2020/21 Outturn
	growth by March 2021	involving significant case work. A further 5 businesses supported to access D2N2/EU Growth Grants		Grant Fund. A further 196 businesses awarded discretionary Additional Restrictions Grant support by the end of March 2021 totalling £1.296m plus 11 businesses supported to access external grants totalling £242,646 to support growth	administration of COVID business grants.
CP20/PR6 Regeneration and Policy	Launch a Derbyshire Dales Place Branding Initiative to promote the area as a business location by May 2020	Delayed due to re-allocation of team resources to support COVID business survival. Narrative prepared, x3 business champions' videos completed, draft 'Invest in Dales' video prepared. New web pages in preparation. Launch anticipated July 21		New webpages in preparation for launch in Summer 2021 as economy re-opens	Delayed due to re-allocation of team resources to support COVID business survival. New webpages in preparation for Dec 2021 launch
CP20/PR7 Housing	Procure a Development Agent and	The procurement process is underway with the PQQ stage completed and the ITT nearing	Nottingham Community HA was selected as the	Original business plan being revised using NCHA's	Opportunities are being pursued including acquisition

APPENDIX 1: Q4 Update – Corporate Plan Actions 2020 to 2021

Reference No. and Service Area	Action	Q1 and Q2 reported jointly to Council 26/11/2020	Q3	Q4	2020/21 Outturn
	Managing Agent, register with Homes England and the Regulator of Social Housing, to help enable a programme of new Council Housing by August 2020	submission. Covid19 has introduced some delay but will not impact on the overall programme	Council's contractor in Dec 2021.	appraisal software. Several opportunities are being worked up including new build, conversions, purchase of empty homes and an S106 scheme.	of new build s106 homes, new build on council land and purchase of empty homes.
CP20/PR8 Housing	Complete 80 new affordable homes by March 2021	There have been no completions in Q1 due to covid19. There have been no completions in Q1&Q2 due to covid19. Only 12 completions are expected this year	12 homes completed	There were no completions in Q4 due to delays caused by Covid19.	12 homes completed; remainder delayed
CP20/PR9 Regulatory Services	Implement Policy HC11 in the Derbyshire Dales Local Plan through the determination of planning applications	Ongoing in the determination of all relevant planning applications		Ongoing in the determination of all relevant planning applications	Achieved and ongoing.
CP20/PR10 Regulatory Services	Provide adaptations to the homes of 50 disabled people by	Completions affected by Covid 19 lockdown restrictions earlier in year. 21 adaptations to be completed	Achieved: 71 adaptations completed	No further adaptations completed	Achieved: 71 adaptations completed

APPENDIX 1: Q4 Update – Corporate Plan Actions 2020 to 2021

Reference No. and Service Area	Action	Q1 and Q2 reported jointly to Council 26/11/2020	Q3	Q4	2020/21 Outturn
	March 2021.	by 9 October 2020.			
CP20/PR11 Housing	Undertake a further review the effect of increase in Council Tax Premium in May 2020	Delayed due to covid	Initial work undertaken to identify the up to date extent of empty properties in advance of development of policy options.	Delayed due to covid	Progress has been delayed due to covid19 and will be taken forward in 2021/22
CP20/PR12 Housing	Explore further policy options to reduce the number of empty homes by December 2020.	An up to date list of empty homes has been requested to inform a review of the latest numbers by length of time vacant. An initial review took place in May which showed that the number of empty homes had increased.	Visits to all the empty homes on the Council Tax register have taken place and so a further review should be undertaken before April 2021	The focus of this has been the option to increase the premium on the homes empty for more than 5 years and more than 10 years. Without a specific officer resource, no further options are available	Partially achieved – numbers of empty homes identified, no further options yet developed until staff resource in place
CP20/PR13 Regulatory Services	Identify opportunities for the provision of permanent Traveller site and conclude negotiations with	Potential sites identified. Council resolution to move forward with site made on 2nd September 2021. Delegated authority to proceed with application for planning permission given to Director of	Potential sites identified at Q2, negotiations ongoing	Delegated authority to proceed with application for planning permission, given to Director of	No application has been made for the chosen site as yet - reports on ecology, contamination and supply of services are being developed for

APPENDIX 1: Q4 Update – Corporate Plan Actions 2020 to 2021

Reference No. and Service Area	Action	Q1 and Q2 reported jointly to Council 26/11/2020	Q3	Q4	2020/21 Outturn
	landowners by July 2020.	Housing		Housing.	planning application.
CP20/PR14 Housing	Complete the Phase 1 survey and projects for the Heritage Lottery Fund bid for the Hurst Farm Regeneration Project by March 2021	Phase 1 survey and projects include procurement of 10 consultants to assess aspects of the bid. This was delayed to covid19 such that procurement has only just completed in October 2020.	8 of the 10 consultants have been procured and studies etc are underway.	All of the studies have been completed.	The Phase 1 works will not now complete until August 2021
CP20/PR15 Corporate and Customer Services	Review the Council's procurement processes to encourage local firms to do business with the District Council by April 2021	No progress to date due to other priorities emerging due to Covid-19 pandemic	Delayed due to Covid priorities		Delayed due to Covid priorities
CP20/PR16 Regeneration and Policy	Commence Initial Planning for Review of Derbyshire Dales Local Plan by December 2020 and adoption by	Review of Derbyshire Dales Local Plan commenced in September 2020 - Now scheduled adoption June 2023		Adoption now targeted for June 2023 not Dec 2022	Adoption scheduled for June 2023 [Q2]

APPENDIX 1: Q4 Update – Corporate Plan Actions 2020 to 2021

Reference No. and Service Area	Action	Q1 and Q2 reported jointly to Council 26/11/2020	Q3	Q4	2020/21 Outturn
	December 2022				
CP20/PR17 Regeneration and Policy	Provide ongoing Officer support to neighbourhood areas including technical and procedural advice	Ongoing support for Ashbourne and Brailsford Neighbourhood Plans. Ashbourne NP Reg16 Consultation Aug-Oct 2020, Brailsford NP Nov-Dec 2020		Ongoing support to Ashbourne, Brailsford and Kirk Ireton Neighbourhood Plans.	All three Neighbourhood Plans were approved at the referendum on 6 th May 2021
CP20/PR18 Housing	Provide debt and welfare advice to 350 vulnerable households by March 2021	Q1 - 58 Q2 - 50 (plus results from one provider still to be received). Some impact from covid19 as services were delivered from home by staff	259 Total: CAB supported 10 existing clients and 25 new clients with 333 debt issues and managed debt of £105,054. Adullam HA supported 29 existing clients and 17 new clients, affecting debt of £44,941 and generating £33,670 in benefit and £27,211 in other financial gains Age UK have 155 existing clients and supported 23 new	259 Total: CAB supported 10 existing clients and 25 new clients with 333 debt issues and managed debt of £105,054. Adullam HA supported 29 existing clients and 20 new clients, affecting debt of £46,351 and generating £7,995 in benefit and £16,518 in other financial gains Age UK have 137	The 3 services supported 226 new clients and at least 194 existing clients, a total of 420 clients. Total debt affected was £929,789 and total benefit gain was £411,777 CAB total debt affected £830,085 with £64,406 benefit gain Adullam total debt affected £99,704 with total financial gains of £121,224 Age UK total financial gains of £226,147

APPENDIX 1: Q4 Update – Corporate Plan Actions 2020 to 2021

Reference No. and Service Area	Action	Q1 and Q2 reported jointly to Council 26/11/2020	Q3	Q4	2020/21 Outturn
			clients generating £32,521 in new (weekly) benefits and £3,768 in one off payments	existing clients and supported 23 new clients generating £44,092 in new (weekly) benefits and £5,748 in one off payments	

APPENDIX 2 – Corporate Plan Targets 2021/22 Q1 & Q2 Progress

Priority	Ref. no	ACTION 2021/22	Service area	Q1	Q2
'People' – Providing You with a High Quality Customer Experience	CP20/PE6	Increase the number of services that are fully trackable by March 2022, by 20, across all departments	Corporate and Customer Services	7 new services	2 new services
	CP20/PE7	Undertake Annual Survey using the Online Residents Panel to assess resident satisfaction with DDDC Services by November 2021	Regeneration and policy	Survey planned for Nov 2021, to include qualitative questions	Consultants Marketing Means procured. Survey to take place during October 2021
'Place' – Keeping the Derbyshire Dales Clean, Green and Safe	CP20/PL5	Complete the adoption of a Supplementary Planning Document on Climate Change by June 21	Regeneration and Policy		Adopted 5 th July 2021

APPENDIX 2 – Corporate Plan Targets 2021/22 Q1 & Q2 Progress

Priority	Ref. no	ACTION 2021/22	Service area	Q1	Q2
	CP20/PL7	Develop a programme for further publicly accessible EV charging points in 2 car parks across the Derbyshire Dales by April 2022	Neighbourhoods	Initial discussions with current provider.	Waiting for the new EV Chargers ESPO Framework to look at alternative suppliers.
	CP20/PL12	Review and implement revised core standards for Clean and Green by April 2022	Clean and Green	Working Group set up. Specification and tender out. Awarded to APSE consultancy.	Workshops have taken place with the frontline staff, management team and are due to take place with the Councillors in November. Staff survey and departmental services are out to be completed.
	CP20/PL14	Carry out a Detailed Assessment, and progress to an Air Quality Management Area and Action Plan as necessary by March 2022	Regulatory Services	Declaration of AQMA. Acceptance by DEFRA. Formation of Action Plan group, including DCC, Ashbourne Town Council and Ashbourne Town Team	Action Plan group meets and discusses long list of potential measures. Public suggestions fed into group. All suggestions taken by DCC for internal working group. Further interagency meeting between DCC and DDDC. Full Action Plan group meeting scheduled for November.
	CP20/PL15	Implement Year 1 actions of the	Regulatory Services	Carbon footprint for 2020/21 published	Submitted bids to the Public Sector Decarbonisation Scheme in respect of the

APPENDIX 2 – Corporate Plan Targets 2021/22 Q1 & Q2 Progress

Priority	Ref. no	ACTION 2021/22	Service area	Q1	Q2
		<p>adopted climate change strategy and report on effect of actions in terms of CO2 reductions.</p> <p>Implement decarbonisation works at Ashbourne Leisure Centre</p> <p>[Note – there is no specific CO2 reduction target for this year]</p>		<p>indicating 27% reduction, but subject to provisos around the effects of the pandemic.</p> <p>Decarbonisation works commenced at Ashbourne Leisure Centre</p> <p>[Note – there is no specific CO2 reduction target for this year]</p>	<p>Town Hall, Northwood Depot and ABC made in October for £72,7087. This would enable the purchase of items such air source heat pumps</p> <p>Indicative outputs, dependent on a successful bid would be a potential reduction of 112 tCO2e</p> <p>Fleet review underway</p> <p>Ongoing programme of LED light upgrades.</p> <p>Decarbonisation works continuing at Ashbourne Leisure Centre with expected completion date of Feb 2022</p>
	CP20/PL16	Support the retrofit of energy efficiency measures in homes across the district	Housing Services	External all insulation works are underway in Matlock, Ashbourne, Darley Dale and Tansley. Platform have been progressing works across the district	<p>The Local Authority Delivery [LAD] Phase 1A programme was completed in August 2021. 48 owner occupied homes received External Wall Insulation, 4 Alms Houses had a complete retrofit and 76 Platform properties received a range of measures from insulation to solar panels</p> <p>We are facilitating Housing Associations to apply for the Social Housing Decarbonisation Fund</p> <p>LAD phase 2 work just starting on 33 owner occupied, 49 Platform and 2 alms houses</p>

APPENDIX 2 – Corporate Plan Targets 2021/22 Q1 & Q2 Progress

Priority	Ref. no	ACTION 2021/22	Service area	Q1	Q2
	CP20/PL17	Complete the transfer and re-build of Ashbourne Memorial Pavilion and refurbishment of the Bandstand and paths by Sept 2021	Community Development & Regulatory Services	Foundations and walls of new Pavilion completed. Works to refurbish Memorial gates commenced late June.	New Pavilion roof completed awaiting windows and external/internal fit out. Works to provide new lighting to Memorial gates underway. Initial consultation on refurbishment of bandstand to commence September.
	CP20/PL18	Secure Green Flag award for Bath Gardens, Bakewell (then Ashbourne Memorial Gardens in the following year)	Community Development & Regulatory Services	Work and applications in.	Hall Leys and Bakewell Bath Gardens received Green Flag. List of actions for Ashbourne C&G to work through for next year's application.
'Prosperity' – Supporting Better Homes and Jobs for You	CP20/PR1	Completion of the A52 Roundabout by July 2021. Complete link road by October 2021	Regeneration and Policy	New roundabout on A52 completed	Works to complete new link road (including remedial works to Blenheim Road) approx. 70% complete
	CP20/PR2	Re-shape Regeneration Services to drive	Regeneration and Policy [Steve Capes]	Team exclusively dedicated to COVID business grant	Since completion of COVID-19 business grants; 1. Job Descriptions have been finalised for

APPENDIX 2 – Corporate Plan Targets 2021/22 Q1 & Q2 Progress

Priority	Ref. no	ACTION 2021/22	Service area	Q1	Q2
		investment in brownfield and other key strategic housing/employment sites,		payments	<p>the new regeneration posts that Council agreed in principle on 22 April 2021.</p> <p>2. £125,000 Capacity Funding from the Government was received on 21 October, and will allow recruitments once the restructure is finalised.</p> <p>3. Launched on 18 October, a small business grant scheme (using the last £175,000 of extra Additional Restrictions Grant received in the summer) will help small businesses adapt, grow and improve resilience post-COVID.</p> <p>4. Held two meeting with Homes England, the Governments homes and communities agency, to ensure Derbyshire Dales sites feature on their radar.</p> <p>5. Commissioned a briefing note on Levelling Up Fund bid criteria.</p> <p>6. Met with the County Council to understand their priorities and their capacity to support regeneration funding bids (any bid involving highways would require their input).</p>
	CP20/PR3	Secure completion of first Phase of development of the Bakewell Road, Matlock town centre site, by March 2022	Regeneration and Policy	Stakeholder consultations on initial design. Vacant possession secured.	Flood Risk Assessment, Climate Change assessment and stakeholder consultations completed leading to improved design. Planning pack prepared and application submitted. Specification and cost plan in preparation

APPENDIX 2 – Corporate Plan Targets 2021/22 Q1 & Q2 Progress

Priority	Ref. no	ACTION 2021/22	Service area	Q1	Q2
	CP20/PR4	Continue to provide a high quality, free, 1:1 business advice service to 75 small and medium sized businesses	Regeneration and Policy	See Q2 update	The advice service continues to be re-directed to provide COVID business support. The service has supported the assessment of COVID recovery grants benefitting 175 Dales businesses and developed external funding applications with several other businesses resulting in 6 businesses being awarded grants to support growth totalling £210,395
	CP20/PR6	Re-start place-based marketing with a Derbyshire Dales 'open for business' campaign to promote the area for economic investment by July 2021	Regeneration and policy	Invest in Derbyshire Dales video completed to better promote the area to inward investors	New Economic Development microsite built - to be finalised in Q3 – with campaign Q4
	CP20/PR8	Commence the programme to build new Council homes to rent by March 2022	Housing	Offers were accepted on two empty properties. 10 S106 properties are under construction with 7 due for handover by Q4 2021/22 and 3 in 2022/23	Conveyancing of the two empty homes is due to complete in October 2021. Legal work to convey 5 homes in Monyash is underway. One property in Over Haddon bequeathed to the Council will be in Council ownership in Q3 2021/22
	CP20/PR10	Provide adaptations to	Regulatory Services	8	14 i.e. a total of 22 for year so far

APPENDIX 2 – Corporate Plan Targets 2021/22 Q1 & Q2 Progress

Priority	Ref. no	ACTION 2021/22	Service area	Q1	Q2
		the homes of 70 disabled people by March 2022			
	CP20/PR13	Secure planning permission for a permanent Traveller site by March 2022	Housing		Site investigations continue with an ecology survey which has identified the presence of a new badger sett. Quotations for a contractor to undertake the geotechnical and environmental assessments has also been sought
	CP20/PR16	Carry out the Derbyshire Dales Local Plan review process as determined by Council	Regeneration and policy		Ongoing- Review anticipated to be completed by December 2021
	CP20/PR17	Support the Brailsford and Ashbourne Neighbourhood Plans through the statutory process towards adoption by June 2021	Regeneration and Policy		Brailsford & Ashbourne Neighbourhood Plans 'made' on 1 st July 2021
	CP20/PR18	Continue to provide debt and welfare advice to 300 vulnerable households	Housing	CAB: 15 new clients, 138 debt issues tackled and £61,180 of debt managed	CAB: 12 new clients, 223 debt issues tackled, £48,545 debt managed Adullam: 24 new clients, £51,842 debt managed, £43,393 in financial gains

APPENDIX 2 – Corporate Plan Targets 2021/22 Q1 & Q2 Progress

Priority	Ref. no	ACTION 2021/22	Service area	Q1	Q2
				<p>Adullam: 26 clients, £76,949 debt managed, £33,592 in financial gains</p> <p>Age UK: 25 new cases, new weekly benefit uptake of £83,541 and one off payments of £10,289</p>	<p>Age UK: 18 new cases, new weekly benefit take up of £48,148 and one off payments of £3,779.</p>

Priority	Target Area	Pledge	PROPOSED PRIORITY ACTION AREA 2022/23
'People' – Providing You with a High Quality Customer Experience	Enable you to pay online for more Council services	Enabling online direct debits and card payments	Increase the number of services that can be paid for online
	Maintain high customer satisfaction about the quality of services we deliver	Undertaking an annual online survey of residents to establish customer satisfaction and priorities	Undertake Annual Survey using the Online Residents Panel to assess resident satisfaction with Derbyshire Dales District Council services
		Achieve a sustainable financial position by prudent management of resources and reviewing services	Continue to explore opportunities to deliver £250K efficiency savings and/or additional income by 2023/24
'Place' – Keeping the Derbyshire Dales Clean, Green and Safe	Achieve net zero carbon emissions from District Council operations by 2030	Implement our Climate Change Strategy action plan	Implement energy efficiency and heat decarbonisation measures in Derbyshire Dales District Council buildings (subject to Public Sector Decarbonisation funding)
	Work with partners across the county and region to deliver this new goal through all relevant strategies	Implement our Climate Change Strategy action plan	Complete feasibility studies for the installation of ground mounted solar PV arrays on Derbyshire Dales District Council land
		Implement our Climate Change Strategy action plan	Undertake community engagement and provide advice to rural communities through the use of the 'Fantastic Homes' exhibition
		Implement our Climate Change Strategy action plan	Deliver a 'green exhibition' to showcase solutions to the climate crisis
		Implement a programme of Electric Vehicle charging points in our car parks	Introduce more publicly accessible EV charging points
		Promoting greater recycling	Implement a recycling education and promotional programme and identify further opportunities
		Develop and implement a community tree planting programme	Develop a COVID-19 remembrance tree planting scheme
		Review our clean and green service commitments to better target existing resources	Review and implement revised core standards for Clean and Green by April 2021
	Invest capital resources in our main parks to improve facilities where feasible	Improving facilities initially in Ashbourne Recreation Ground	Complete work and submit Green Flag application for Ashbourne Recreation Ground
	Publish an annual report on air quality in the District and identify any appropriate mitigation measures for areas of lower air quality	Work with partners to adopt an Air Quality action plan and start to implement the measures identified therein	
'Prosperity' – Supporting Better Homes and Jobs for You	Invest resources in developing key employment sites	Facilitating the development of Ashbourne Business Park and Phase 1 housing at Ashbourne Airfield	Finalise the masterplan for the Phase 1 site and promote the initial development of Ashbourne Business Park
		Prioritising regenerating housing and employment sites	Re-shape Regeneration Services to drive investment in brownfield and other key strategic housing/employment sites
		Prioritising regenerating housing and employment sites	Prepare a Levelling Up Fund bid for submission to Government
	Promote investment to stimulate the economy of our market towns	Initiating a development scheme for the Bakewell Road site, Matlock town centre	Progress development of the Bakewell Road town centre site, Matlock
	Support businesses to encourage productivity, growth, and higher wage	Launching the Derbyshire Dales Place Branding Initiative	Launch 'Invest in the Derbyshire Dales' microsite

Priority	Target Area	Pledge	PROPOSED PRIORITY ACTION AREA 2022/23
	jobs in rural and urban locations	Continuing to provide a high quality, free, 1:1 business advice service to small and medium sized businesses	Continue to provide a high quality, free, 1:1 business advice service to small and medium sized businesses
	Promote housing development that meets the needs of the present and future population of the District	Building new Council homes to rent and continuing to build social rented homes in partnership with Housing Associations	Start building and acquiring new Council homes to rent, and continue to build social rented homes in partnership with Housing Associations
		Helping disabled people adapt their homes so they can continue to live there	Provide adaptations to the homes of disabled people
		Explore further policy options to reduce empty homes	Adopt the higher empty home premiums and support owners to bring empty homes back in to use
		Delivering a permanent site to meet identified Traveller needs	Deliver a permanent site to meet identified Traveller needs
		Participate in the Afghan relocation scheme	Work with partners to accommodate Afghan refugee families
		Make it easier for firms to do business with us through our procurement process	Complete by June 2022
		Complete a review of the Derbyshire Dales Local Plan	Carry out the Derbyshire Dales Local Plan review process as determined by Council
		Continue to provide debt and welfare advice to vulnerable households	Continue to provide debt and welfare advice to vulnerable households

NOT CONFIDENTIAL – For public release

Item No. 15

COUNCIL

25 NOVEMBER 2021

Report of the Director of Regeneration and Policy

ORGANISATIONAL HEALTH – KEY PERFORMANCE INDICATORS – MID-YEAR 2021/22

PURPOSE OF REPORT

This report summarises performance against the District Council's 12 Key Performance Indicators for the first half of 2021/22. The report highlights where the organisation is performing strongly and areas for improvements.

RECOMMENDATION

1. That Quarter 1 and 2 performance against the Key Performance Indicators for 2021/22 is noted.
2. To consider addressing emerging areas for improvement

WARDS AFFECTED

All

STRATEGIC LINK

Service Plans, policies and strategies supplement the Corporate Plan. Within individual Service Plans there are a twelve Key Performance Indicators, which set out key targets for achievement. The District Council monitors progress against these Key Performance Indicators and identifies improvement

1. BACKGROUND

- 1.1 The District Council's Performance Management process is the means by which we understand how well our services are performing. It demonstrates whether or not we are on target, and highlights good performance. Where improvements are required, it helps achieve this by setting out and monitoring actions required. Performance management is good management.
- 1.2 By doing so, the District Council demonstrates that it knows:
 - what its priorities are
 - what it is aiming for
 - what it must do to achieve these aims
 - how it measures progress, and

- when it is appropriate to take action to address underperformance.
- 1.3 The District Council's [Performance Management Handbook](#) sets out how progress against Key Performance Indicators is measured and continually reviewed using a 'traffic light' system, where the following classification and interpretation is used:
- **Annual improvement trend** i.e. is performance improving, stable or worsening compared to the previous year?
 - **Performance relative to the target** i.e. is it on track to achieve target or at risk of not achieving target?
 - Green** = If an indicator is on track to achieve the current year's target.
 - Amber** = If achievement of the current year's target is uncertain.
 - Red** = If an indicator is at risk of not achieving the current year's target.
- 1.4 Key Performance Indicators (or KPIs) measure how well we are maintaining basic service standards. They indicate the overall organisational health of the District Council. Within individual Service Plans there a small number of key targets for achievement within those service areas that are monitored corporately – these are the District Council's KPIs.
- 1.5 For 2021/22, there are 12 Key Performance Indicators, covering services such as determining planning applications in good time, paying bills on time, collecting Council Tax efficiently, and paying benefits claims promptly. These are reported to Members at Council meetings twice a year. The purpose is to highlight progress, demonstrate good performance where it occurs, and address areas for improvement that emerge during the year.

2. PERFORMANCE MANAGEMENT

- 2.1 Table 1 below sets out a summary of the District Council's organisational health to the mid-year point of 2019/20, as at the end of September 2021:

Service Area	No. Targets	Green	Amber	Red	Not available
Corporate (Council overall)	3	2	1	0	-
Housing	1	1	0	0	-
Planning	4	4	0	0	-
Revenues and Benefits	4	3	1	0	-
TOTAL	12	10	2	0	0

Table 1 - KPI Data Q1/Q2 2021-2022

- 2.2 The figures indicates that 10 out of the 12 [83.3%] targets for which data is available are on track to be achieved during 2021/22. The data for household waste recycling rates will not be available until the end of November 2021 due to figures being provided externally. Data regarding the percentage of homeless households seeking assistance from the Council, for whom this intervention helped resolve their situation, is not available for quarter 2 due to staff sickness. However, the figure for quarter one exceeded the 75% target and stood at 80% at the end of quarter one.
- 2.3 The detailed position for each of the other key performance indicators at the end of Quarter 2 in 2021/22 is set out in **APPENDIX 1**.
- 2.4 Key Performance Indicators that are performing particularly strongly include:
- The % of homeless households seeking assistance from the Council, for whom this intervention helped resolve their situation is at 100%. The Housing Team and external support services are achieving positive outcomes for homeless households.
 - Invoices paid on time – currently running at 99.06%. This KPI is on still track, despite a bad month in September when 8 invoices were paid late. The total year to date of late paid invoices is 19. Staff have been reminded to forward invoices to CPU as soon as they receive them. As Members will be aware prompt payment helps small businesses.
 - The percentage of major planning applications determined in 13 weeks has exceeded its 75% target in both quarter one and two. In quarter two, 5 out of 6 major applications were determined within 13 weeks or an agreed Extension of Time period.
 - Percentage of 'other' planning applications determined on time stands at 94% in quarter 2. This shows a significant improvement in performance from 89.7% at quarter 1.
 - The speed of processing new claims for housing benefit and Council Tax support has a target of 24 days. This target has been achieved, with claims now being processed in just 16.77 days as of Quarter two. The speed of processing notifications of changes in circumstances has a target of 8 days and at quarter 2, the speed is at 5.08 days.
- 2.5 The following indicator is currently under-performing, yet is still expected to achieve the target by year end;
- The target for the percentage of Council Tax collected within the year is 98.4%. At the end of Quarter two it is 61.4%. The collection rate at 30 September 2021 is 61.4% compared to 60.6% last year and 61.5% in September 2019.
- 2.6 The following indicator is currently underperforming and may not achieve its target by year end.
- Average no. working days lost due to sickness absence per FTE employee per annum is targeted at 9 days; per quarter the target is 2.25 days. At Q2 the level is 3.7 days. It is important to note that Covid-19 related sickness absence is not included in these figures. An update on Covid related sickness will be given at the meeting.

3. RISK ASSESSMENT

3.1 Legal

The Corporate Plan and relevant Service Plans are compliant with relevant legislation.

This Report focusses on providing update figures to members showing how the Council is performing against KPI targets. Therefore at this time, the legal risk connected to this report has been assessed as being low.

3.2 Financial

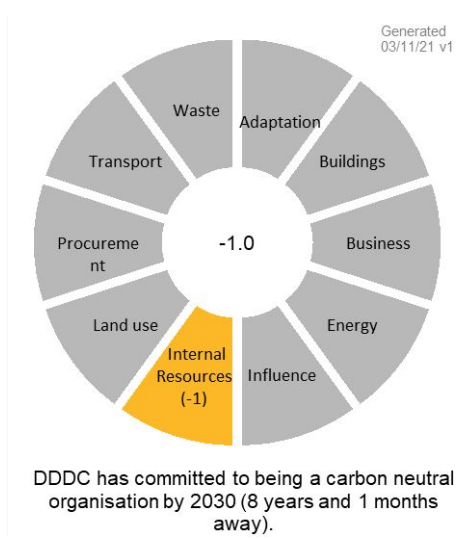
There are no financial considerations arising from the performance management report. Where KPI improvement actions have resource implications, these have been accounted for in existing budgets. The financial risks of emerging areas for improvement will be assessed when such areas have been identified.

3.3 Corporate

There is a risk that Key Performance Indicators may not be achieved, with possible service and reputational consequences for the District Council. To mitigate this, progress is monitored quarterly by Service Heads and by Corporate Leadership Team.

4 OTHER CONSIDERATIONS

4.1 In preparing this report, the relevance of the following factors has also been considered: the impact of Covid-19, prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.



4.2 Climate Change Impact Assessment.

The report identifies that the indicator relating to staff sickness is currently underperforming and may not achieve its target by year end.

This may represent a risk to delivering the climate change strategy and action plan in respect of available resource. The Council has committed to dedicated officer resource to support the delivery of the plan, but this cannot

be achieved without input across the organisation.

5. CONTACT INFORMATION

Elizabeth Wilson, Policy Officer (Performance Management, Consultation & Equalities)

Tel: 01629 761243 E-mail: elizabeth.wilson@derbyshiredales.gov.uk

ATTACHMENTS

Appendix 1 – KPI Quarter One and Two Performance Table

APPENDIX 1

KPI Reporting 2021 to 2022

Service Area/CMT Lead	Reference	Description	Lead	2021/22 target	Q1	Q2	Supporting Notes
Organisational Health	BV8 [AE15]	% of undisputed invoices paid on time	David Kay	99%	99.35	99.06	This KPI is on still track, despite a bad month in September when 8 invoices were paid late (now 19 late in YTD). Staff have been reminded to forward invoices to CPU as soon as they receive them.
	NI192	% of household waste which has been sent for reuse, recycling, composting or anaerobic digestion	Claire Orford	58.5%	58.7%	61.2%	The percentage for this quarter has increased
	HRKP1/Quarterly LGInform Metric 4	Average no. working days lost due to sickness absence per FTE employee per annum is targeted at 9 days; per quarter the target is 2.25 days AMBER	Deborah Unwin/Chrissie Symons	2.25 per quarter	2.475	3.70	If Q2 sickness levels continue throughout the rest of the financial year, we will not achieve the year-end target. In Q1 we reported a figure of 2.475 days. It is very important to note that all Covid-19 related absence data has been recorded separately from the main sickness absence data. As a result Covid-19 related sickness absence is not included in any of the reported District Council's sickness absences statistics in

APPENDIX 1

Service Area/CMT Lead	Reference	Description	Lead	2021/22 target	Q1	Q2	Supporting Notes
							the period from July to September 2021.
Housing	Revised BV 213	The % of homeless households seeking assistance from the Council, for whom this intervention helped resolve their situation	External organisations via Rob Cogings	75%	80%	100%	The Housing Team and external support services are achieving positive outcomes for homeless households
Planning	NI 157i	% major planning application determined in 13 weeks	Tim Braund/Chris Whitmore	>75%	100%	83%	5 out of 6 major applications determined within a 13 week or agreed Extension of Time period. Unable to agree an EOT for out of time application. Efforts to resolve the fundamental concerns with the application were unsuccessful.
	NI 157ii	% minor planning application determined in 8 weeks	Tim Braund/Chris Whitmore	>77%	83%	84%	Good performance maintained.
	NI 157iii	% of other planning applications determined in 8 weeks	Tim Braund/Chris Whitmore	>90%	89.7%	94%	Performance improved over the quarter to meet the KPI target over the monitoring period to date.
	BV 204	% of appeals allowed against the Las decision to refuse planning permission	Tim Braund/Chris Whitmore	<30%	17%	17%	Good performance maintained.

APPENDIX 1

Service Area/CMT Lead	Reference	Description	Lead	2021/22 target	Q1	Q2	Supporting Notes
Revenues & Benefits	BV 9 [ARB 1]	% Council Tax collected within the year	Karen Henriksen	98.4%	33.2%	61.4%	This KPI is on track. The collection rate at 30 September 2021 is 61.4% compared to 60.6% last year and 61.5% in September 2019.
	BV10 [ARB 2]	% of Non-Domestic Rates collected within the year AMBER	Karen Henriksen	97.3%	18.4%	56.5%	This KPI is lower than normal but is expected to improve during the remainder of the financial year. The collection rate is 56.5% compared to 57.5% last year and 62.0% in September 2019. Some bills, for businesses eligible for covid reliefs, were only sent in June this year, meaning that collections are currently behind as instalments are spread over 9 months, rather than 12. Furthermore, full debt recovery has only recently resumed following a light touch approach during the pandemic.
	BV 78a [ARB 3]	Speed of processing new claims for housing benefit and Council Tax support	Karen Henriksen/Paul Radcliffe	24 days	14.99 days	16.77 days	Workloads still high and combined with a responsibility for Test and Trace payments has resulted in slight increase in average processing. Still on target to achieve KPI.
	BV 78b	Speed of processing:	Karen	8 days	5.08	5.24	COVID has resulted in the

APPENDIX 1

Service Area/CMT Lead	Reference	Description	Lead	2021/22 target	Q1	Q2	Supporting Notes
	[ARB 4]	notifications of changes in circumstances	Henrikse n/Paul Radcliffe		days	days	transferring of HB cases to UC. Volumes of DWP change notifications have increased.

Council

25 November 2021

Report of Director of Resources

REVENUE BUDGET MONITORING QUARTER 2 2021/22 AND MEDIUM TERM FINANCIAL PLAN UPDATE

PURPOSE OF REPORT

To provide an update on the Council's revenue budget for 2021/22 and to seek approval for virements, the revised budget for 2021/22 and the updated medium term financial plan.

RECOMMENDATION

- 1) That the updated revised revenue budget for 2021/22, including the virements as identified in paragraphs 1.3 to 1.5 of the report, be approved;
- 2) That the updated Medium Term Financial Plan be approved.

WARDS AFFECTED

All

STRATEGIC LINK

Effective budgetary control is important to ensure effective management of Council resources, ensuring that key services and priorities can be delivered.

1 REVENUE BUDGET 2021/22

- 1.1 On 4th March 2021 Council set a net revenue budget of £11,015,556 for 2021/22. This was subsequently updated when the revised net revenue budget of £11,315,443 was approved by Council on the 8th July. After allowing for all transfers to and from earmarked reserves and all external funding, the bottom line of the budget was a surplus of £20,200.
- 1.2 Since the revised budget was formally approved, a small number of other budget amendments have since been approved by Council, and there have been some minor virements approved under delegated authority which have impacted directorate totals. These additional approved budget changes are summarised in Appendix 1, and have the overall effect of increasing the budget by £52,350 which results in a deficit of £32,150. If this deficit is evident at outturn it would be proposed to fund this from the General Reserve, if no other funding is available.
- 1.3 During the year residents have continued to enter into subscriptions for garden waste collections. This has resulted in £142,000 additional income in excess of the current budget. It is proposed to transfer this amount into the Waste Vehicles Reserve to

contribute towards the costs when additional or replacement waste vehicles are required. Furthermore, it is proposed to transfer any further surplus in year in garden waste income to reserves unless further unfunded emerging pressures in Waste Services arise.

1.4 The costs of Local elections in May for the County Council and the Police and Crime Commissioner, are part funded from central government grant of £30,000 with the remaining balance due from those organisations. These costs are expected to be settled in year, and at present the elections claims are ongoing. The small cost of the Wirksworth and Masson by-election is to be funded from the Elections Reserve and the Ashbourne, Brailsford and Kirk Ireton Neighbourhood Plan referendums from Revenue Grants Unapplied. Appropriate virements will be processed once the election claims are finalised.

1.5 The original budget allowed for expenditure of £5,000 to assist with the delivery of the Local Plan which was to be funded from the Local Plan Reserve (£50,000). The current situation is that this is unlikely to be required in full during 2021/22. The original budget also anticipated grant funding of £40,000 relating to the neighbourhood plans at Brailsford and Ashbourne which progressed and was recognised during 2020/21 within the outturn position. The Regeneration & Policy and Transfers to / (from) Reserves budgets have been updated to reflect the current position. If delivery of these schemes subsequently progress during 2021/22 then the funding will be drawn down from reserves as initially intended and this will not have any impact on the total surplus / (deficit) for the year.

1.6 The overall impact of all budget amendments to date results in a net revenue expenditure of £11,517,357 and an expected deficit of £32,150 for the year to be funded from the General Reserve. The updated rolling revised budget is included in appendix 2.

1.7 The full year forecast to March 2022 based on budget monitoring to quarter 2 (September 2021) and decisions of full Council to 14th October 2021 indicates an underspend of £391,327 attributable across services to vacancies against the establishment. These arise where services are carrying vacancies. The forecast assumes a 1.75% pay award, however it is uncertain what pay award for 2021/22 will be awarded.

	Total in year			Forecast Outturn	Forecast Variance
	Original Budget 2021/22	Budget Amendments	Proposed Revised Budget		
	£	£	£		
Chief Executive	371,397	10,310	381,707	393,292	11,585
Community and Environmental Services*	3,221,396	200,316	3,421,712	3,354,515	(67,197)
Corporate Services	1,972,854	19,542	1,992,396	1,914,912	(77,484)
Housing	586,350	0	586,350	540,877	(45,473)
Regeneration and Policy	610,792	37,640	648,432	624,271	(24,161)
Regulatory Services*	1,174,825	178,195	1,353,020	1,321,847	(31,173)
Resources	2,780,575	64,797	2,845,372	2,687,948	(157,424)
Net cost of Services	10,718,189	510,801	11,228,990	10,837,663	(391,327)

1.8 It is proposed that any further cost pressures which cannot be met from existing reserves be financed within the current total budget by virement against forecast underspend. Contributions from the General Reserve should only be required if the forecast outturn position is an overspend.

2 MEDIUM TERM FINANCIAL PLAN

2.1 The budget amendments highlighted in section 1 have been introduced into an in-year update of the Medium Term Financial Plan. Any one-off costs or income impacting the 2021/22 Revised Budget have been reversed in 2022/23 so that no recurring impact is embedded.

2.2 The updated Medium Term Financial Plan is summarised in the table below and shown in detail in Appendix 3.

	Original Budget 2021/22 £000s	Revised Budget 2021/22 £000s	Forecast 2022/23 £000s	Forecast 2023/24 £000s	Forecast 2024/25 £000s	Forecast 2025/26 £000s
Net Spending Requirement	6,596	6,629	10,019	10,251	10,435	10,440
Funding	(6,596)	(6,596)	(9,699)	(9,715)	(9,967)	(10,215)
Savings to be achieved	0	33	320	536	468	225

2.3 A number of revisions relating to financial years 2022/23 to 2025/26 that impact Council's financial position have been included. The most significant impact relates to the Council Housing Update Report which was presented to Community & Environment Committee on 22nd September 2021. This highlights the expectation of £200,000 p.a. income once the current programme of 52 homes is completed, with a proportion set aside each year in a Housing Major Repairs Reserve, to finance future works. This will be considered more fully as part of the 2022/23 budget.

2.4 At the Council meeting in March 2021 it was agreed "That service reductions to achieve the Corporate Savings Target be put on hold pending the outcome of the government review of Council funding".

2.5 The Chancellor's Spending Review 2021 was delivered on the 27th October, with initial analysis indicating a more favourable position for local government than in recent years. However, details of funding allocations will not be announced until the provisional settlement in December 2021, with the final settlement in late January 2022. There has been no announcement about local government funding reforms (Fair Funding Review or business rates changes) and we assume that they have been pushed back to at least 2023/24 if not later.

2.6 Local government will receive an additional £4.8bn in "core" grant funding over the next 3 years (roughly an additional £1.6bn in each year). The increase in grant funding is front-loaded, with almost all the increase in grant in 2022/23, and very little increase in the two later years. We await confirmation on the details of this for Derbyshire Dales District Council within the settlement, and clarity on the grants within Core Spending Power, such as (negative) Revenue Support Grant, Rural Services Delivery Grant, Lower Tier Services Grant and New Homes Bonus. Accordingly, at this stage no changes have been made in the MTFP to update funding.

3 RISK ASSESSMENT

3.1 Legal

The Council has a legal duty to set a balanced budget and has a general duty to act in the public interest in managing the custody of public funds. The accounts have been prepared by qualified personnel using accepted principles to ensure proper accountability. The legal risk is therefore low.

3.2 Financial

The financial details are set out in the body of the report.

Significant risks within the revenue budget include:-

- Uncertainty about the level of Government funding (especially New Homes Bonus, Rural services Delivery Grant and Negative RSG) and the business rates retention scheme, especially from 2023/24 onwards for the latter. This financial risk is assessed as High.
- Uncertainties relating to business rates income, which can be very volatile, especially since the coronavirus pandemic. This risk is assessed as High.
- Uncertainties relating to collection of council tax income and growth in the tax-base, which has been impacted by the coronavirus pandemic. This risk is assessed as Medium to High.
- Income from sales, fees and charges not being achieved. The Council has no direct control over, for example, the level of car parking income, which is affected by factors such as the weather. Some income streams, notably stall market income, have been impacted during the coronavirus pandemic. Income from fees and charges is significant to the Council's financial position and, therefore, this financial risk is assessed as Medium to High.
- Uncertainty due to the value of income from disposal of recycling material (though this is mitigated somewhat by the establishment of a reserve). Given the volatility in the current markets for recyclable materials, this financial risk is assessed as High.
- Targeted savings not being achieved. The updated Medium Term Financial Plan indicates that, without an improved Local Government Finance Settlement, Corporate Savings of around £320,000 will be required in 2022/23, rising to around £500,000 a year in 2023/24 and 2024/25 (though reducing to £225,000 in 2025/26). While it is hoped that additional government funding will be received to help to close this gap, if there is no increase in funding it will be a significant challenge to identify savings of that magnitude on top of savings that have already been made. This financial risk is therefore currently considered to be High.

The financial risk in respect of the Council's long-term financial position is assessed as "High".

3.3 Corporate Risk

The key risks result from the need to make savings in the medium term. This risk is considered to be High; it has been reflected on the Council's Strategic Risk Register, together with some mitigating actions.

4 OTHER CONSIDERATIONS

- 4.1 In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.
- 4.2 Recommendation 1 - No detailed climate change assessment required on the increase to the revenue budget. The amendments to the budget have already been approved by members (as per the minute numbers shown in Appendix One) and include two items related to positive Council action around climate change.
- 4.3 Recommendation 2 - No detailed climate change assessment required on reporting outcomes/outputs. The MTFP is an update on decisions already taken.

5 CONTACT INFORMATION

- 5.1 Karen Henriksen (Director of Resources) Karen.henriksen@derbyshiredales.gov.uk
- 5.2 Paul Frith (Financial Services Manager) Paul.frith@derbyshiredales.gov.uk

6 BACKGROUND PAPERS

- 6.1 None

7 ATTACHMENTS

- Appendix 1: Approved Budget Changes since Revenue Monitoring Report (8th July 2021)
- Appendix 2 – Updated Revised Budget 2021/22
- Appendix 3 – Medium Term Financial Plan

Appendix 1 – Approved Budget Changes since Revenue Monitoring Report (8th July 2021)

Sum of Amount			Type	Supplemental	
Directorate	Member Approval	Reason for Virement	Virements	Budget	Grand Total
Community and Environmental Services	2 Council 27/7/2021	Waste Services increased HGV Pay	150,848		150,848
	2 Council 27/7/2021	Reduction in recycling credits	55,000		55,000
	2 Council 27/7/2021	Free parking after 2pm (Sept 21)	45,325		45,325
	3 Council 14/10/2021	Independent review into the waste contract		20,000	20,000
	Delegated Authority 28/09/2021	Settlement of 20/21 Covid Freedom Leisure	8,691		8,691
Community and Environmental Services Total			259,864	20,000	279,864
Regeneration and Policy	1 Council 8/7/2021 a	Contribution towards vision Derbyshire		32,350	32,350
Regeneration and Policy Total				32,350	32,350
Regulatory Services	3 Council 14/10/2021	Feasibility study into the technical and financial viability of ground mounted solar photovoltaic arrays on Council land	30,000		30,000
	3 Council 14/10/2021	Activities in relation to supporting area wide emissions reductions	11,700		11,700
Regulatory Services Total			41,700		41,700
Transfer from Reserves	2 Council 27/7/2021	Waste Services increased HGV Pay	(150,848)		(150,848)
	2 Council 27/7/2021	Reduction in recycling credits	(55,000)		(55,000)
	2 Council 27/7/2021	Free parking after 2pm (Sept 21)	(45,325)		(45,325)
	3 Council 14/10/2021	Climate Change activity funded from General Reserve (Council 14/10/21 AI10)	(41,700)		(41,700)
	Delegated Authority 28/09/2021	Settlement of 20/21 Covid Freedom Leisure	(8,691)		(8,691)
Transfer from Reserves Total			(301,564)		(301,564)
Grand Total			0	52,350	52,350

Appendix 2 – Updated Revised Budget 2021/22

	Original Budget 2021/22	Total in year Budget Amendments	Proposed Revised Budget	Forecast Outturn	Forecast Variance
	£	£	£		
Chief Executive	371,397	10,310	381,707	393,292	11,585
Community and Environmental Services*	3,221,396	200,316	3,421,712	3,354,515	(67,197)
Corporate Services	1,972,854	19,542	1,992,396	1,914,912	(77,484)
Housing	586,350	0	586,350	540,877	(45,473)
Regeneration and Policy	610,792	37,640	648,432	624,271	(24,161)
Regulatory Services*	1,174,825	178,195	1,353,020	1,321,847	(31,173)
Resources	2,780,575	55,797	2,836,372	2,678,948	(157,424)
Net cost of Services	10,718,189	501,801	11,219,990	10,828,663	(391,327)
Non Service Items:					
Interest on Balances	(37,000)	0	(37,000)	(37,000)	0
Borrowing Interest Paid	225,150	0	225,150	225,150	0
Statutory Debt Repayment	100,849	0	100,849	100,849	0
Loan Premium Due	110,924	0	110,924	110,924	0
Income from Investment Properties	(102,556)	0	(102,556)	(102,556)	0
Net Revenue Expenditure	11,015,556	501,801	11,517,357	11,126,030	(391,327)
Transfers to / (from) Reserves (as detailed in Appendix 6)	(4,419,167)	(469,651)	(4,888,818)	(4,888,818)	0
Funding Requirement	6,596,389	32,150	6,628,539	6,237,212	(391,327)
Funded by External Funding					
Retained Business Rates including S31					
Grant Payments to and from Pool	(2,868,832)	0	(2,868,832)	(2,868,832)	0
Business Rate Collection Fund (Surplus)/ Deficit	3,949,040	0	3,949,040	3,949,040	0
CT Collection Fund (Surplus)/ Deficit	80,418	0	80,418	80,418	0
New Homes Bonus	(397,613)	0	(397,613)	(397,613)	0
Rural Services Delivery Grant	(420,990)	0	(420,990)	(420,990)	0
Lower Tier Services Grant	(71,358)	0	(71,358)	(71,358)	0
Other Government Grants	(294,083)	0	(294,083)	(294,083)	0
Total External Funding	(23,418)	0	(23,418)	(23,418)	0
Total Council Tax Requirement (inc Parishes)	(8,399,207)	0	(8,399,207)	(8,399,207)	0
Town and Parish Precepts (As detailed in Appendix 9)	1,826,236	0	1,826,236	1,826,236	0
District Council Tax Requirement	(6,572,971)	0	(6,572,971)	(6,572,971)	0
Total (Surplus)/Deficit	0	32,150	32,150	(359,177)	(391,327)
Projected Surplus/ (Deficit) Recommended Transferred to / (from) General Reserve		(32,150)	(32,150)	0	32,150
Projected Surplus/ (Deficit) Transferred to / (from) Funding Uncertainties Reserve		0	0	359,177	359,177
Total	0	0	0	0	0

Appendix 3 – Medium Term Financial Plan

	Note	Original Budget 2021/22	Revised Budget 2021/22	Forecast 2022/23	Forecast 2023/24	Forecast 2024/25	Forecast 2025/26
		£000s	£000s	£000s	£000s	£000s	£000s
Service Funding Requirement		10,718	10,718	11,126	9,572	9,856	9,895
Adjustment for Service Costs Funded from Strategic Reserves			571	(1,358)	55	(142)	0
Inflation							
Pay Awards				163	166	170	174
Contracts				49	51	52	54
Fees and Charges				(97)	(100)	(103)	(106)
General Inflation				0	0	0	0
Waste Management Contract				225	106	110	113
Gas				8	5	2	2
Electricity				32	19	6	7
Water				5	6	6	6
Fuel				16	4	4	4
Pressures / Savings - Recurring							
Increasing savings from leisure review				(300)	(50)	0	0
Additional income garden waste collections (full fee of £50)				(156)	0	0	0
Potential increase in pension contributions following revaluation				0	150	0	0
Vision Derbyshire Partnership Working				(20)	0	0	0
Ice Cream Concession Installation of Electric Points				(8)	(14)	0	0
Ice Cream Concession Increased Income				(70)	0	0	0
Bakewell Road Development (cinema) rental income				(48)	(15)	(15)	(2)
Climate Change revenue income / savings from capital investments				(23)	(65)	0	(198)
Increased Building Control Partnership Income			(5)	0	0	0	0
Decreased Building Control Partnership Fee			(15)	0	0	0	0
Council House Building Programme			0	(50)	(50)	(50)	(50)
PSPO Enforcement Costs			0	2	0	0	0
Employers NI increase			0	76	0	0	0
PSDS - Gas to Electricity Impact			0	0	16	0	0
Additional Garden Waste Income			(142)	0	0	0	0
Updated Base Service Funding Requirement for Next Year		10,718	11,127	9,572	9,856	9,895	9,898
Pressures / Savings - One off							
Legal Costs for Virtual Council Meetings			0				
Additional Vision Derbyshire Expenditure			32				
Feasibility for Solar PV arrays (from General Reserve)			30				
Activities in relation to supporting area wide emissions reductions			12				
Independent review of Leisure Contract			20				
Net Cost of Services		10,718	11,221	9,572	9,856	9,895	9,898
Non Service Items: Debt Repayment etc.		297	297	300	302	304	307
Net Revenue Expenditure		11,015	11,518	9,871	10,158	10,200	10,205
Transfers to /(from) reserves relating to Collection Fund Accounting	3	(3,958)	(3,958)	0	0	0	0
Transfers to/(from) reserves for current year		(874)	(1,445)	(87)	(142)	0	0
Contributions to reserves for future years costs							
Election reserve annual contribution		30	30	30	30	30	30
Local plan reserve		50	50	50	50	50	50
Revenue Grants Unapplied		183	143	0	0	0	0
Vehicle renewal fund		150	150	150	150	150	150
Major Repairs Reserve				5	5	5	5
Waste Vehicle Reserve		0	142	0	0	0	0
Total Net Spending Requirements		6,596	6,630	10,019	10,251	10,435	10,440
Funded By:							
Revenue Support Grant	1	0	0	390	400	410	420
Business Rates Baseline Funding	2	(1,675)	(1,675)	(1,709)	(1,743)	(1,778)	(1,814)
Settlement Funding Assessment		(1,675)	(1,675)	(1,319)	(1,343)	(1,368)	(1,394)
Other business rates income, net of payment to pool	3	(1,193)	(1,193)	(1,165)	(1,187)	(1,211)	(1,235)
NDR Collection Fund (surplus)/deficit	3	3,949	3,949	0	0	0	0
Council Tax Collection Fund (surplus) / deficit		80	80	9	9	0	0
New Homes Bonus	6	(398)	(398)	(218)	0	0	0
Rural Services Delivery Grant	4	(421)	(421)	(200)	(200)	(200)	(200)
Lower Tier Services Grant		(71)	(71)	(72)	(73)	(74)	(75)
Covid 19 Grants & Contributions		(294)	(294)	0	0	0	0
Financing from Council Tax	5	(6,573)	(6,573)	(6,734)	(6,921)	(7,114)	(7,311)
Total Income		(6,596)	(6,596)	(9,699)	(9,715)	(9,967)	(10,215)
Corporate Saving Target		0	34	320	536	468	225