



**F. McArdle**  
**Chief Executive**

Civic Offices, Civic Way,  
Swadlincote, Derbyshire DE11 0AH

[www.south-derbys.gov.uk](http://www.south-derbys.gov.uk)

**Please ask for: Democratic Services**  
Phone: (01283) 595722 / 595848  
Minicom: (01283) 595849  
DX 23912 Swadlincote  
Email :  
[democraticservices@south-derbys.gov.uk](mailto:democraticservices@south-derbys.gov.uk)

Date: 20 April 2016

Dear Councillor,

**Finance and Management Committee**

A Meeting of the **Finance and Management Committee** will be held in the **Council Chamber**, on **Thursday, 28 April 2016 at 18:00**. You are requested to attend.

Yours faithfully,

Chief Executive

To:- **Conservative Group**

Councillor Harrison (Chairman), Councillor Mrs. Plenderleith (Vice-Chairman) and Councillors Billings, Mrs. Coyle, Hewlett, MacPherson, Smith, Watson and Wheeler.

**Labour Group**

Councillors Rhind, Richards, Southerd and Wilkins.



Page 7 of 53

investor in excellence  
Housing Services



## **AGENDA**

### **Open to Public and Press**

- 1** Apologies and to note any substitutes appointed for the Meeting.
- 2** To receive the Open Minutes of the Meeting held on 17th March 2016.  
  
Finance and Management Committee 17th March 2016 Open Minutes **4 - 7**
- 3** To note any declarations of interest arising from any items on the Agenda
- 4** To receive any questions by members of the public pursuant to Council Procedure Rule No.10.
- 5** To receive any questions by Members of the Council pursuant to Council procedure Rule No. 11.
- 6** Reports of Overview and Scrutiny Committee
- 7** DEBT MANAGEMENT AND CREDIT CONTROL POLICY **8 - 28**
- 8** CORPORATE PLAN PERFORMANCE MANAGEMENT FRAMEWORK **29 - 47**
- 9** OPEN SPACE, SPORT AND COMMUNITY FACILITY STRATEGY **48 - 53**

### **Exclusion of the Public and Press:**

- 10** The Chairman may therefore move:-  
  
That in accordance with Section 100 (A)(4) of the Local Government Act 1972 (as amended) the press and public be excluded from the remainder of the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraph of Part I of the Schedule 12A of the Act indicated in the header to each report on the Agenda.
- 11** To receive the Exempt Minutes of the Meeting held on 17th March 2016.  
Finance and Management Committee 17th March 2016 Exempt Minutes

- 12 To receive any Exempt questions by Members of the Council pursuant to Council procedure Rule No. 11.
- 13 ICT STRATEGY and WORK PLAN 2013 to 2016
- 14 RESTRUCTURING THE DIRECT SERVICES OPERATION - UPDATE TO A PREVIOUS REPORT



FINANCE AND MANAGEMENT COMMITTEE

17<sup>th</sup> March 2016

**PRESENT:-**

**Conservative Group**

Councillor Harrison (Chairman), Councillor Mrs Plenderleith (Vice-Chairman) and Councillors Billings, Mrs Coe, Mrs Coyle, MacPherson, Smith, Watson and Wheeler.

**Labour Group**

Councillors Rhind, Richards, Southerd and Wilkins.

FM/115 **APOLOGIES**

Apologies for absence from the Meeting were received on behalf of Councillor Hewlett (Conservative Group).

FM/116 **MINUTES**

The Open Minutes of the Meetings held on 14<sup>th</sup> January 2016 and 18<sup>th</sup> February 2016 were taken as read, approved as a true record and signed by the Chairman.

FM/117 **DECLARATIONS OF INTEREST**

Councillor Richards declared a pecuniary interest in relation to Item 12 on the Agenda by way of his association with the Welfare Rights Service.

Councillor MacPherson declared a personal interest in relation to Item 13 on the Agenda by virtue of being an acquaintance of the farmer.

FM/118 **QUESTIONS FROM MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO 10**

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

FM/119 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO 11**

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

FM/120 **REPORTS OF THE OVERVIEW AND SCRUTINY COMMITTEE**

There were no reports of the Overview & Scrutiny Committee to consider.

**MATTERS DELEGATED TO COMMITTEE**FM/121 **AUDIT SUB-COMMITTEE**

The Minutes of the Audit Sub-Committee Meeting held on 17<sup>th</sup> February 2016 were submitted.

**RESOLVED:-**

***That the Minutes of the above Audit Sub-Committee Meeting be received and any recommendations contained therein approved.***

FM/122 **CORPORATE PLAN 2016 - 2021**

The Chief Executive presented the report to Committee, referencing highlights from the Corporate Plan and commending Members for their active participation in its completion alongside council officers.

The Chairman, in praising the report, queried how it would be communicated to residents. The Head of Communications responded, detailing the various methods they plan to utilise.

Councillor Southerd also noted the full content of the report, but requested an update on the items identified in the Infrastructure section. The Chief Executive stated that whilst these developments would progress, its timing would be determined by the availability of external funding. Councillor Southerd also queried the difference in housing needs figures between South Derbyshire and Amber Valley in the Communities section. The Chief Executive, in response, referred to the transport links, the infrastructure and the Council's active pursuit of development opportunities all adding to a greater housing needs requirement to meet the growing population in the area.

Councillor Mrs Coyle commended the Corporate Plan exercise on behalf of Members and praised the Communications Team in particular for their part in its completion.

**RESOLVED:-**

***That Members considered and approved the Corporate Plan 2016 – 2021 (Appendix 1), as well as the associated Action Plan (Appendix 2) and Evidence Base (Appendix 3).***

FM/123 **BUDGET AND FINANCIAL MONITORING 2015/16**

The Director of Finance and Corporate Services presented the report to Committee, drawing particular attention to the net budget, additional income, staffing costs, contingent funds and the increased costs relating to recycling, leisure centres, planning appeals and IT/service developments. Reference was also made to the New Homes Bonus consultation; recent developments relating to ATM Business Rates liability and the NHS Trust's pursuit of charity

status in Business Rates terms; cash on deposit; the Waste Less, Save More project and capital funding issues.

Councillor Southerd queried the variances quoted against the leisure centre costs and Member costs. With regard to the former, the Director of Finance and Corporate Services referred to the low baseline established in 2010 which has led to increased fuel costs in the period since in accordance with the contract terms. Other costs relate to ongoing maintenance costs for the facilities. Councillor MacPherson referred to the outdoor lighting that had been installed at the Etwall leisure centre since 2010 and its impact on costs. The Director stated that these costs should have been factored into the calculations, but undertook to investigate and report back to Committee. The Chairman responded to the Member costs matter, stating that the budget had been purposely increased to cater for new Members after the May 2015 elections and the resultant training needs.

Councillor Richards, in referring to the potential impact on Business Rates income if the NHS Trust is successful in gaining charity status, speculated that it would likely remove any gain the Council might receive from the Derbyshire Business Rates Pool. The Director of Finance and Corporate Services stated that based on information received, it was very difficult to predict which way the decision may go. Comment was also made relating to the Hilton Village Hall development, to which the Director responded that there had been a staged development at the location, some of it since the original budget was set, some via external funding.

The Director of Finance and Corporate Services also referred to the Housing Revenue Account (HRA), in particular the additional staffing costs, opposed to lower interest and repairs costs. New Build delays will impact on rental income projections, the Director continued and he stressed that the Capital Programme overspend in 2015/16 will need to be pulled back during 2016/17 to ensure that the HRA Reserve Balance did not fall below the minimum level.

Councillor Mrs Coyle then queried the overspend on the housing capital programme. The Director of Housing and Community Services stated that the Housing staff were working to a five year plan, currently in its fourth year. They had taken the opportunity to deliver part of the 2016/17 programme in 2015/16 at this year's prices as opposed to next years. It is envisaged that there will be an underspend by the end of the five year plan.

**RESOLVED:**

- 1.1 That the latest budget and financial monitoring figures for 2015/16 were considered and approved.***
- 1.2 That an amount of £63,000 be transferred to the Planning Appeals Provision.***
- 1.3 That requests to set-aside £50,000 from additional planning income in 2015/16 to meet IT development, together with support for future planning agreements, was approved, subject to a separate report.***

**1.4 That the projected over spend on the Council Houses, Capital Works Budget was considered and noted.**

**1.5 That the Capital Budget for 2016/17 for Council Houses is reviewed and a detailed report is provided to the Committee on future capital allocations, together with implications for the HRA and its housing stock.**

FM/124 **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT [ACCESS TO INFORMATION] ACT 1985)**

**RESOLVED:-**

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

**MINUTES**

***The Exempt Minutes of the Meetings held on 14<sup>th</sup> January 2016 and 18<sup>th</sup> February 2016 were received.***

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

***The Committee was informed that no questions had been received.***

**DEBTS SUBMITTED FOR WRITE-OFF (Paragraph 1)**

***The Committee approved the recommendations made in the Report.***

**LAND AT FINDERN (Paragraph 3)**

***The Committee approved the recommendations made in the Report.***

The meeting terminated at 6.55pm.

COUNCILLOR J HARRISON

CHAIRMAN

---

<b>REPORT TO:</b>	<b>FINANCE AND MANAGEMENT COMMITTEE</b>	<b>AGENDA ITEM: 7</b>
<b>DATE OF MEETING:</b>	<b>28th APRIL 2016</b>	<b>CATEGORY: DELEGATED</b>
<b>REPORT FROM:</b>	<b>DIRECTOR OF FINANCE AND CORPORATE SERVICES</b>	<b>OPEN</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>KEVIN STACKHOUSE (01283 595811)</b> <a href="mailto:Kevin.stackhouse@south-derbys.gov.uk">Kevin.stackhouse@south-derbys.gov.uk</a>	<b>DOC:</b> u/ks/revenues and benefits/policies and procedures/debt recovery/summary report April 16
<b>SUBJECT:</b>	<b>DEBT MANAGEMENT AND CREDIT CONTROL POLICY</b>	<b>REF:</b>
<b>WARD(S) AFFECTED:</b>	<b>ALL</b>	<b>TERMS OF REFERENCE: FM 08</b>

---

## **1.0 Recommendations**

1.1 That the Debt Management and Credit Control Policy is approved.

## **2.0 Purpose of Report**

2.1 To report an updated Policy which governs the way in which the Council will manage and collects debts that it is owed. The Policy was last updated in 2008.

2.2 Although the general principles remain unchanged, the Policy has been updated to include all debts owing to the Council, including sundry debts and housing rents, together with changes to the enforcement of debt and support mechanisms in place.

## **3.0 Executive Summary**

3.1 The Debt Management and Credit Control Policy combines the previous Debt Recovery and Sundry Debtor Control Policies into a single document.

3.2 The Policy provides an updated framework for service delivery that continues to recognise that debt occurs for a variety of reasons and seeks to draw the distinction, and therefore, the approach to be taken when, on one hand, there may be a deliberate intention not to pay and, on the other, non-payment may be as a result of a simple oversight or a change in personal circumstances.

3.3 The framework fully supports the Council's Corporate Plan and provides methodologies that can be used to drive continuous improvement in collection and excellence in Customer Services by ensuring customers are treated fairly.



- 3.4 The Policy provides the core principles that apply to the Council's collection and income management processes and procedures. The organisation of actual recovery routines are set out in departmental process manuals to reflect the need to respond promptly to changes in legislation and local circumstances.
- 3.5 Under Section 151 of the Local Government Act 1972, the Director of Finance will have overall responsibility for the Policy. The Policy is based on best practice and guidance issued by various professional bodies, together with the Government. It sets out the way in which the Council intends to collect monies due to it from both individuals and businesses.
- 3.6 In short, the Council will use the most effective method of debt recovery, appropriate to each case and the nature of the debt, in order to maximise income due. However, it is inevitable that from time-to-time the Council will be required to pursue recovery, from persons and or businesses experiencing genuine financial difficulty.
- 3.7 This means that an agreed and transparent policy of how the Council manages and collects debts is considered key to ensuring consistency, sensitivity and best practice in such situations to ensure the best outcome for all parties.
- 3.8 The Policy covers the following debts owed to the Council,
- Council Tax
  - Business Rates
  - Housing Rents
  - Benefit overpayments
  - Sundry debts, e.g. commercial rents and fees and charges
- 3.9 The Policy sets out the general principles and standards to be followed in matters such as:
- Contact arrangements with the Council
  - General guidelines on payments and arrangements
  - The rules on enforcement activity, including use of the courts
  - The manner in which agents act on the Council's behalf
- 3.10 Integral to the Policy is the provision of support mechanisms such as:
- Welfare and Housing Benefit Advice
  - Discretionary Housing Payments
  - Local Council Tax Discount Scheme
  - Instalment plan facilities

- General housing advice and support
- Support and advice for businesses, including rate relief schemes

#### **4.0 Detail**

4.1 The detailed Policy is appended to this summary report.

#### **5.0 Financial Implications**

5.1 There are no direct implications arising from the Policy itself.

#### **6.0 Corporate Implications**

6.1 The Policy is intended to be used corporately and has been finalised following consultation with other Council departments. The Policy will be communicated internally and will be available on the Council's intranet. Any training or development required will be identified separately.

#### **7.0 Community Implications**

7.1 The Policy is intended to ensure that the Council collects all monies it is owed. A significant amount of money relates to statutory charges in the form of Council Tax and Business Rates. The Council has a statutory duty to enforce and collect these monies.

7.2 In some instances, the specific nature of debt recovery means that Council Officers and its enforcement agents will need to be vigilant to identify the vulnerable and maintain liaison with welfare and advice agencies as necessary.

#### **8.0 Background Papers**

8.1 None



**South  
Derbyshire**  
District Council

# Debt Management and Credit Control Policy

April 2016

### **Introduction**

The Debt Management and Credit Control Policy combine the Corporate Debt Recovery Policy and Sundry Debtor Control Policy into a single document.

The Policy provides an updated framework for service delivery that continues to recognise that debt occurs for a variety of reasons and seeks to draw the distinction, and therefore, the approach to be taken when, on one hand, there may be a deliberate intention not to pay and, on the other, non-payment may be as a result of a simple oversight or a change in personal circumstances.

The framework fully supports the Council's Corporate Plan and provides a methodology that can be used to drive continuous improvement in collection and service delivery and ensure excellence in Customer Services by ensuring customers are treated fairly.

The Policy provides the core principles that apply to the Council's collection and income management processes and procedures whilst the Appendices, provide supporting detail.

Organisation of actual recovery routines will be set out in departmental process manuals to reflect the need to respond promptly to changes in legislation and or local circumstances.

It should be noted that application of the Policy will be monitored by the Director of Finance and Corporate Services and will be subject to scrutiny and review.

The contents of Debt Management and Credit Control Policy are as follows:-

1. Overview
2. Underlying Principles of the Policy
3. Policy Guidelines

### **Appendices**

- A Guidance on Legal Entities
- B Enforcement Agents' Code of Conduct

### 1 OVERVIEW

- 1.1 The Director of Finance and Corporate Services has responsibility, under Section 151 of The Local Government Act 1972, for the proper administration of the financial affairs of the Council.
- 1.2 Financial procedure rules covering this area are to be found in Section 27 D2 (paragraphs D2.1 to D2.14 including the guidance notes) of the Council's Constitution.
- 1.3 This Policy is based on recommendations set out in best practice and guidance issued by various professional bodies and the government, which details the way in which the Council intends to collect monies due to it from both individuals and businesses.
- 1.4 In short, the Council will use the most effective method of debt recovery, appropriate to each case and the nature of the debt, in order to maximise income due to it
- 1.5 It is, however, inevitable that from time-to-time the Council will be required to pursue recovery, from persons and or businesses experiencing genuine financial difficulty.
- 1.6 This means that an agreed and transparent policy of how the Council manages and collects debts is considered key to ensuring consistency, sensitivity and best practice in such situations to ensure the best outcome for all parties.
- 1.7 The Policy covers the following debts owed to the Council,
- Council Tax and Business Rates
  - Housing Rents
  - Benefit overpayments
  - Sundry debts, e.g. commercial rents, fees and charges
- 1.8 The Policy sets out the general principles and standards to be followed in matters such as:
- Contact arrangements with the Council
  - General guidelines on payments and arrangements
  - The rules on enforcement activity, including use of the courts
  - The manner in which agents act on the Council's behalf

- 1.9 Integral to the Policy is the provision of support mechanisms such as:
- Welfare and Housing Benefit advice
  - Housing options support for the prevention of homelessness
  - Signposting to partner organisations such as the CAB
- 1.10 The approach to collecting debt in South Derbyshire is one that provides clear and unequivocal advice and practical help to those who are prepared to make use of it but is equally robust with those who do not or will not.

## 2 UNDERLYING PRINCIPLES

### Billing and Collection

2.1 Every request for payment shall be properly addressed. The minimum standard to be followed is:

- Title
- First name
- Family name (*all names where a joint and several liability exists*)
- Full postal address
- Post code

Note that the Registered Office of a business is also required in addition to the trading address (*Please see **Appendix A** for examples of the correct legal entities to be used*).

2.2 All relevant information relating to a bill will be kept either in paper, scanned image format or otherwise in accordance with the Council's Document Retention and Management Policy. Telephone contact and e-mail addresses should be requested and retained *provided a 'fair processing notice' has been published by the department concerned*.

2.3 Where an invoice is required it shall be created by following the Agresso procedures set out in the **How to** section on the Intranet. Invoices may be for small amounts in the case of 'peppercorn' or 'ground rents'.

2.4 Under no circumstances should a service or facility be provided to a company that is in receivership or any individual who is in the process of being declared bankrupt. Suitable checks on Companies who have voluntary agreements that allow them to continue trading should be made. A Company Search should be made at Companies House to elicit the relevant information. *A check at Companies House should be made before transacting with any limited company to validate the company name and number and ensure that it is still active.*

2.5 Similar rules should apply to individuals who are attempting to clear debts under voluntary arrangements, such as Debt Relief Orders or an Individual Voluntary Arrangements (IVA). Advice should be sought from Legal and credit checks made through Finance or the Client Services Team.

### Payments

- 2.6 Where possible the Council will encourage pre-payment for services and/or the use of non-returnable deposits to ensure the on-going viability of service provision in financial terms.
- 2.7 The Council's preferred method of payment is electronic or automated methods and this is encouraged as much as possible.
- 2.8 Payment methods accepted are as follows:
- Automated Telephone Payments/Mobile device
  - The Internet
  - Direct Debit
  - Credit and Debit cards
  - At a Post Office and other Payment Points
  - Cash machine
  - Contactless devices
  - Prepayment
- 2.9 The Council will always encourage the most cost effective payment methods by customers and will offer the widest possible means of customer contact and access to its services and for it to contact its customers. As such the Council will keep under constant review advances in technology.

### Recovery and enforcement

- 2.10 The Council will use the most effective method of debt recovery, appropriate to each case, in order to maximise income. This may involve the use of external enforcement agents, who will be properly referenced and certificated to carry out such functions and carry the necessary indemnities and insurances. They will of course work to the Council's prescribed Code of Conduct (**Appendix B** for an Example Code of Conduct which should be tailored to meet departmental requirements). Agents will be members of an approved professional association, for example M.N.A.E.A.
- 2.11 In the case of recurring service delivery such as trade waste collection, room or pitch hire, it is expected that the facility is withdrawn on payment default unless there are compelling reasons otherwise. Compliance checks will be carried out Client Services to ensure that facilities are withdrawn.
- 2.12 Equality and related considerations will be taken into account in accordance with the Councils Equalities Policy. Specifically, staff seeking to recover debts will:



- Ensure that, when needed, information is accessible through translations, large print versions or sign language, appropriate to the needs of the debtor.
- Arrange for home visits where individuals are unable to access the Council's services.

- 2.13 Where the potential for a statutory benefit or discount exists every effort must be made to make the debtor aware of such opportunities together with assistance and encouragement to apply for these. Where an award, under the jurisdiction of the Council, may be granted without further evidence it will be processed without delay to reduce indebtedness to the Authority.
- 2.14 This Policy is supported by and is supportive of any policies or external agencies that work to promote social inclusion.
- 2.15 All notices issued by the Council will comply with the corporate style guidance and be readily identifiable as being from the Council. It must provide clear information on how, where and when to pay and will state clearly what the next step will be if payment is not made on time.
- 2.16 The Council will work alongside welfare and advice agencies in dealing with debts due to the Council (either singly or where there are multiple debts that may include other organisations) and actively signpost, with the debtor's approval, such cases as are considered appropriate to those organisations.

### **Multiple Debts**

- 2.17 In the case of multiple debts due to the Council, with the exception of Housing Rents, the staff within the Debt Recovery Team, or equivalent will coordinate recovery activity, as far as possible, and balance repayment profiles across all debts according to the following general priority.
1. Housing rent current
  2. Council Tax current
  3. Other recurring liabilities
  4. All other current debts - unless any are subject to Court orders and repayment schedules in which case they rank equally at 3 above
  5. Aged debts subject to court orders and repayment schedules
  6. Other aged debts

- 2.18 The Council recognises that prompt recovery action is key to managing debt and maximising income and will work with departments internally and agencies externally to achieve this ensuring performance is monitored at all stages as set out from **Section 2.24**.
- 2.19 Where an external agency provides assistance with the delivery of a service it shall be supported by a Service Level Agreement that will include escalation processes in the event of no, or poor, service delivery. The flow of information between the Council and the agency shall in all cases and at all times be in a secure electronic format as prescribed in the Council's ICT Security Policy and be in accordance with the Data Protection Act.
- 2.20 Where legislation permits, the Council will seek to charge and recover from the debtor any and all costs/fees/interest legitimately due from or chargeable to that person incurred by either the Council or its agents. In exceptional cases, where it would not be in the public interest to pursue residual costs/fees only following settlement of the debt it may write-off the costs (See **Section 2.24**).
- 2.21 Where bills and reminders are returned as 'Gone Away' or other notification is received that the debtor has absconded, trace facilities such as LOCTA/Equifax or Experian or similar search engines are available in each department. Where a forwarding address is not available through that means, consideration will be given to the use of a Tracing Agent on a "no success no fee basis." The use of this resource will not generally be used for debts below £150.
- 2.22 The Council will always follow regulatory advice, case-law and best practice when dealing with non-payment. In most cases, activity is prescribed by regulation and precedent but where there is discretion as to the de minimis value below which cases are excluded from recovery and enforcement action, this is a matter for individual departments, although they should liaise with the Finance and the Debt Recovery Teams.

### **Council Tax and Housing Rent Arrears**

- 2.23 Council Tax and Housing Rent arrears follow departmental processes as regards enforcement, i.e. committal and eviction respectively. In the case of other debts, action is through the County Court, following a visit by a collection agent, where the costs can be considered high compared to results. Therefore, no such action will generally be taken where a debt is below £200.

### Write-offs

- 2.24 The Council recognises that where a debt is irrecoverable, prompt and regular write off of such debts is good practice as it maintains the accuracy of the collection databases and its financial accounts. The same principles apply where accounts are in credit.
- 2.25 Every effort will be taken to minimise the cost of write-offs by taking all necessary action to recover what is due within a timely manner. All debts will be subject to the full recovery, collection and legal procedures as outlined in this policy except where the value is considered insufficient to warrant further expenditure.
- 2.26 Where all forms of recovery on outstanding debt have been exhausted and/or it is considered that the debt is no longer economic to pursue, it should be written off. Depending on the current limit set out in the Council's financial procedural rules, this is subject to approval of the Director of Finance and Corporate Services or the Finance and Management Committee.
- 2.27 All write offs should be processed within the time limit to allow any VAT to be reclaimed on the bad debt, in accordance with the rules and procedures laid down by HMRC.
- 2.28 All accounts that are considered and subsequently approved as being irrecoverable will be written off against the bad debts provision.
- 2.29 Debt write-off does not preclude arrangements for pursuing and accepting payment at a later date. *Departments must therefore retain sufficient information to be able to resurrect the debt at a later date and provide it in support of future recovery action should it prove necessary.*
- 2.30 Credit notes in the case of invoices raised are written back to the relevant departmental cost centre. Therefore, a more proactive use of credit notes where disputes are not resolved and where backing paperwork for County Court action will not stand up to court scrutiny should reduce the amounts to be written off to the corporate debt provision.
- 2.31 Where the Council is aware or notified of a customer being made bankrupt or falling into receivership or liquidation, etc. then Finance should be made aware immediately. Subsequently, Finance should liaise with the Revenues and Benefits Manager/Client Services Team to determine whether a receiver or liquidator has been appointed. The Debt Recovery and Management Team will submit the proof of debt.

- 2.32 As the Council is unlikely to receive a dividend in any insolvency proceedings, such debts should be written off as soon as a proof of debt has been lodged rather than carry uncollectable debts in the financial accounts.
- 2.33 Where either national or local performance indicators exist the Council will strive to be the best in class and publish actual performance against these targets quarterly, including reporting to the appropriate Committee. Progress reports will be monitored monthly.

### **Performance Management and Reporting**

- 2.34 Departments are expected to maintain and to monitor progress in respect of the invoices and bills for income which falls into the budgets for which they are responsible. They will also ensure that a proper balance is taken between the need to collect current debt in order to maintain in-year collection rates but to also recover prior year debts; this is to reduce on-going budgetary pressures on the bad debt provision.
- 2.35 Therefore, the Council will:
- Set clear targets for the recovery of current and prior year debt
  - Regularly monitor the level and age of debt
  - Set, where appropriate, targets for teams and individuals
  - Have clear written and published recovery procedures
  - Have in place regular and formal reviews with partners and agents
  - Set priorities for specific areas of debt and assess recovery methods to ensure maximum efficiency and recovery levels
  - Utilise bespoke activity for 'difficult' cases
  - Regularly report progress to the appropriate Committee
  - Regularly review irrecoverable debts for write-off in accordance with the Constitution

- 2.36 The performance information should be produced by Departmental Managers on a monthly basis. Information should be reported quarterly to the Finance and Management Committee and the Housing Committee (for Housing Rents) alongside some narrative to explain the figures, trends, actions required, etc.
- 2.37 The main benchmark is the Council's own past performance and trends, etc. and these are the indicators on which improvement should be based. However, wherever possible, comparisons are made with other local authorities and local government generally, through published information or benchmarking clubs, etc.
- 2.38 Where either national or local performance indicators exist the Council will strive to be the best in class and publish actual performance against these targets quarterly, including reporting to the appropriate Committee.

### 3. POLICY GUIDELINES

#### General

- 3.1 The Council will adopt the following three principles, considered to be best practice in enforcement activity, namely that at all times our actions will be:
- proportionate
  - consistent, and
  - transparent
- 3.2 The Council will be firm and fair and treat our Customers with respect.
- 3.3 The Council will look to strike a balance between the potential loss of income to the Council and the costs of compliance. We will not unduly penalise late payers. Such costs as are charged will be the actual cost of the activity concerned.
- 3.4 It is our intention to take a similar approach in cases with similar circumstances to achieve similar ends. We will aim to achieve consistency in the:
- advice we give
  - use of our powers
  - recovery procedures used
- 3.5 The Council recognises that consistency does not mean uniformity and that our staff must take account of all relevant factors, when dealing with individual cases, such as the:
- family and social circumstances of the debtor
  - payment history
  - income and ability to pay
  - health and age
- 3.6 Transparency will help form public perception and confidence by helping individuals and the wider community to understand what their responsibilities are, and what they, in return, should expect from the Council. We will strive to avoid conflicting or confusing advice.
- 3.7 The reasons for any action taken will be explained clearly, without jargon in accordance with *Plain English* standards and will include the appropriate timescales. Such information may be given in writing or verbally and will be published on the Council's website and issued with recovery and enforcement notices.

- 3.8 Braille or translation services will be used where necessary.
- 3.9 Where a discretionary power is exercised an explanation as to the reason for the decision will be given, as will the rights of appeal that are available in other circumstances either to the Council, an external agency or tribunal; these should also be explained without delay.

### **Recovery Action**

- 3.10 Where appropriate, recovery timetables will be published in advance of any recovery activity. In the case of Council Tax and Business Rates this will include dates agreed with the Court for applications for liability orders and will also set out the date of each recovery run. No recovery action set out in this timetable may be cancelled without the prior approval of the Client Services Manager or the Director of Finance and Corporate Services. Additional activity may be added if necessary.
- 3.11 Where recovery action has commenced, payment arrangements will generally only be entered into where the debt is secured by a liability or court order and/or the debtor agrees to make payment by way of direct debit. Arrangements will only be agreed by staff authorised to defer enforcement of the order. These staff are the Principal Officers of the Council who bring enforcement action, in conjunction with the Debt Recovery Team and Client Services Manager.

The overriding guidelines are that the:

- debt will be cleared within a reasonable time adjudged to be appropriate;
  - arrangement is reasonable in comparison with the amounts that could be secured by taking alternative action;
  - debtor demonstrates a clear intention to honour the arrangement, and
  - arrangement is based on the debtor's ability to pay.
- 3.12 In cases where exceptional circumstances exist and it would not be in the interests of the Council in general to pursue enforcement action alternative arrangements may be made.
- 3.13 Where an order is passed to a third party for enforcement, progress shall be monitored in accordance with the Service Level Agreement at least monthly.
- 3.14 Payments made to enforcements agents shall be held in a clearly identified Client Account and be remitted to the Council every 2 weeks by BACS and be subject to Audit by the Council. Audits of such accounts shall be carried out regularly.

- 3.15 Enforcement agents and Council staff shall comply with any current advice available from the Lord Chancellor's Department and the Council's Code of Conduct.



**Appendix A**

**Examples of Legal Entities**

Warning letters and notices should be sent to the proper person for the legal entity, and where there is a different Nominated Officer it should also be copied to them.

<b>The Proper Person</b>	<b>Detail required</b>
A sole proprietor	The Sole Proprietor's full name, e.g. <i>Mr. Robert Brown</i>
A partnership or Limited Liability Partnership (LLP)	Each of the partners in the partnership, e.g. <i>Mr. John Smith and Mr. Fred Brown trading as Chambers Plumbing</i>
A Limited Company or PLC	The exact name of the company, e.g. <i>Big Tiles Limited</i>
An unincorporated body	A Trustee or authorised person, e.g. <i>Mrs. Joan Smith Treasurer to the Swadlincote Lawn Tennis Club</i>

## Appendix B

### Enforcement Agents: Code of Practice

Enforcement visits will be conducted at different times during the day to ensure the maximum possibility of contacting the debtor.

The Council understands that the primary concern of its Clients is the manner in which the third party, working on their behalf, represents them. With this in mind, the Council has developed a comprehensive Code of Practice which each Enforcement Agent who has been fully trained to adhere to providing our Clients with an assurance that their instructions will be carried out in a uniform and professional manner.

As well as adhering to your specific requirements, our Enforcement Agents will adhere to the following guidelines we have implemented at all times.

1. Enforcement Agents are fully certificated. Copies of Certificates issued by the relevant County Courts are available for perusal by the Council if required.
2. Enforcement Agents observe a business dress code and behave professionally and courteously.
3. Debtors are treated in a firm but fair manner at all times.
4. Enforcement Agents are circumspect and discreet when attempting to contact the debtor, and do not disclose the nature of their business or investigations to any third party unless otherwise instructed by the debtor.
5. On visiting a debtor, the Enforcement Agent introduces himself/herself as a Certificated Enforcement Agent from XXXX acting on behalf of the Council and produces his/her company photographic identification and authorisation to act (supplied by the Council) to the debtor and to any other person who may have reason to view it.
6. Enforcement Agents explain clearly the reason for their visit and, if necessary, the powers of an Enforcement Agent. Copies of the regulations and charges that may apply are left at the debtor's premises.

7. The Enforcement Agent undertakes visits to enforce Warrants/Liability Orders between the hours of 06.00 am to 9.00 pm Monday to Sunday. Each visit is conducted at different times of the day to ensure the maximum possibility of contacting the debtor. At least two visits occur outside normal working hours.
8. The Enforcement Agent will confirm that they will be recording the visit via the Agent's video badge and stop if permission is not granted by the Debtor.
9. Recovery action is not undertaken on Bank Holidays, on Good Friday or on Christmas Day unless specifically requested by the Council, and only where legislation permits.
10. Enforcement Agents are respectful of the religion and culture of others at all times. They are aware of the dates of religious festivals and carefully consider the appropriateness of undertaking any recovery action on any day of religious or cultural observance or during any major religious or cultural festival.
11. If exceptional circumstances necessitate visits outside of the days and hours as detailed in 7 above, the Council is contacted prior to any recovery action.
12. All documentation left with the debtor or at their premises is on pre-printed stationery. Any documents left at the premises in the absence of the debtor are sealed in a plain envelope.
13. All documentation is written in clear and unambiguous English and includes all appropriate reference numbers, telephone numbers, addresses and the name of the Enforcement Agents who visited the debtor's property. If required, the Agent can provide documentation in large print, Braille and other languages.
14. Copies of standard documentation used in the recovery process are forwarded to the Council for approval prior to commencement of any future contract.

15. Enforcement Agents do not enter the debtor's property if it appears that the only persons present are young people under the age of eighteen. If appropriate, the Enforcement Agent may ask when the debtor will be at home.
16. If Enforcement Agents encounter a situation where the only persons present appear to be children under the age of twelve, they must withdraw from the property without making any enquiries.
17. If communication difficulties arise as a result of a debtor not being fluent in English, we attempt to resolve the problem in the first instance by referring to our language matrix. This matrix contains a listing of staff able to speak other languages and is utilised in an attempt to supply an immediate interpretation facility.
18. Where the Enforcement Agent identifies an individual who falls into the Council's vulnerable category then the appropriate procedures will be followed. A prompt written response is provided if an Agent is requested to produce additional information.
19. In the unlikely event of any breach of the peace, or incident that may lead to a complaint, the Enforcement Agent must immediately withdraw from the situation, inform the Council and seek advice before proceeding with the recovery process.

---

<b>REPORT TO:</b>	<b>FINANCE AND MANAGEMENT COMMITTEE</b>	<b>AGENDA ITEM: 8</b>
<b>DATE OF MEETING:</b>	<b>28<sup>th</sup> APRIL 2016</b>	<b>CATEGORY: DELEGATED/ RECOMMENDED</b>
<b>REPORT FROM:</b>	<b>DIRECTOR OF FINANCE AND CORPORATE SERVICES</b>	<b>OPEN/EXEMPT PARAGRAPH NO:</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>KEVIN STACKHOUSE Ext:5811</b>	<b>DOC:</b>
<b>SUBJECT:</b>	<b>CORPORATE PLAN PERFORMANCE MANAGEMENT FRAMEWORK</b>	<b>REF:</b>
<b>WARD(S) AFFECTED:</b>	<b>ALL</b>	<b>TERMS OF REFERENCE:</b>

---

## **1.0 Recommendations**

- 1.1 That the Performance Management Framework, setting out how we record progress against the key aims of the Corporate Plan, is considered and approved.

## **2.0 Purpose of Report**

- 2.1 South Derbyshire District Council requires a Performance Management Framework where everyone is aware of what needs to be achieved, what is measured and the progress made. The aim is to promote a healthy performance culture throughout the organisation. This report presents the draft Performance Management Framework for the Corporate Plan 2016 – 2021.

## **3.0 Detail**

- 3.1 The Corporate Plan sets out our values and vision for South Derbyshire and defines our priorities for delivering services. It describes how we work with partners to further improve the wellbeing of residents, community groups and businesses.
- 3.2 To measure our success in achieving the priorities set out in the Corporate Plan and maintain efficient and effective service delivery, robust performance management is vital. Our resources need to be aligned, delivering maximum value for the people of South Derbyshire.
- 3.3 We must have information that enables us to celebrate and share success and that allows us to proactively manage risks that might affect delivery. We need to review progress and take action, where required, to stay on target.
- 3.4 The proposed model is Analyse - Plan – Do - Review. Analysis sees data collection and feedback; Planning involves using the analysis to identify and prioritise what is to be done; Do is delivering actions and providing services; Reviewing is monitoring delivery.

- 3.5 The proposed Performance Management Framework, explained in **Appendix 1**, consists of three levels, designed to ensure that the Corporate Plan guides and informs the work of staff at every level.
- 3.6 The Corporate Plan sits at the top, setting out the strategic direction. Objectives and measures to deliver against key actions in the Corporate Plan are set out in the Service Plans. These actions then cascade down to determine objectives for teams and the individuals within them.
- 3.7 Progress against all strategic measures and projects is captured in a Performance Board within three weeks of each quarter ending.
- 3.8 The Performance Board, successes, key actions and the risk register will be reported to the Housing and Community Services, Finance and Management and Environmental and Development Services committees. This allows Elected Members to make informed decisions based on timely, accurate and up-to-date information.
- 3.9 Samples of the Performance Board, successes and key actions documents to be used are attached as **Appendices 2, 3 and 4** respectively. Please note the figures included within them are examples and not factual representations.
- 3.10 Annual outturn will be reported to all committees and Full Council following the end of the financial year.
- 3.11 The Corporate Plan, Service Plans and Methodology Statements will be reviewed and refreshed annually to ensure they remain relevant and fit for purpose.
- 3.12 Our approach and principles, as well as the benefits of building a performance culture, can be seen in **Appendix 1**. Our aim is to provide a strong foundation for highlighting successes and identifying areas of improvement to ensure that performance reporting remains meaningful and insightful for residents, Elected Members and staff.

#### **4.0 Financial Implications**

- 4.1 None directly.

#### **5.0 Corporate Implications**

- 5.1 The Corporate Plan sets out the Council's strategic objectives, priorities, measures and targets, along with key actions we will take to implement the key aims. The Performance Management Framework provides a template for monitoring progress, successes and risks against the Corporate Plan.

#### **6.0 Community Implications**

- 6.1 All activities contained within the Corporate Plan complement our vision of making 'South Derbyshire a better place to live, work and visit'. The Performance Management Framework measures progress in delivering against the vision.



# Performance Management Framework

## Performance: Our approach

“South Derbyshire District Council requires a **Performance Management Framework** where everyone knows what needs to be achieved, what is **measured** and **managed** and what **progress** we are making.

Our resources must be aligned, focusing effort in the right places and delivering maximum **value** for people, partners and businesses.

We must proactively identify and manage any **risks** that might affect delivery, regularly reviewing performance and taking **action** where required to stay on **target** and inform **decision making**.”





# Performance: Our approach

Effective performance management ensures our goals are prioritised and expertise is allocated to the right things at the right time. We achieve this through the Plan, Do and Review model, encouraging good leadership and evidence based decision making to benefit our residents.

## The model

**Analyse:** understanding the locality and consulting with service users, businesses, partners and residents on their needs, preferences and experiences.

**Plan:** using data from the analysis to help prioritise and identify the action that needs to be taken to ensure it happens.

**Do:** providing services, whether by direct delivery, working in partnership or commissioning, and managing risk.

**Review:** monitoring delivery so that performance can be reviewed. This allows successes to be celebrated and any corrective action to be taken.



# Performance: At a glance

The Performance Management Framework consists of three levels. The Corporate Plan sits at the top and sets out how we make South Derbyshire a better place to live, work and visit.

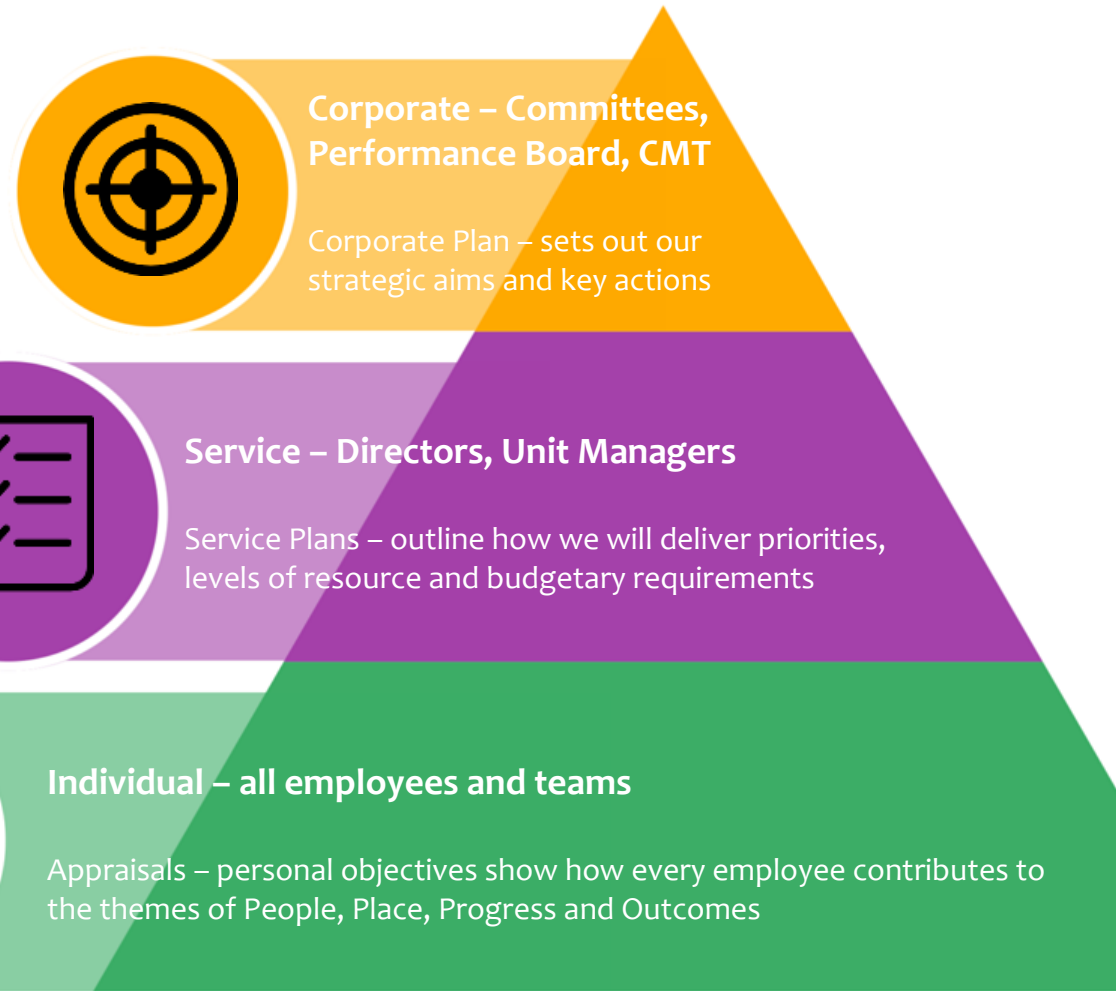
Objectives and measures to deliver against the key aims of the Corporate Plan are defined in Service Plans and shape the objectives of all employees.

Everyone, from Officers to Managers to Elected Members, has a responsibility for delivery of the Corporate Plan.

Progress is monitored on a timely basis through the Performance Reporting Cycle, featured on the following page.

## Other related documents

Risk Management Framework  
Data Quality Strategy  
PDR Scheme



# Performance: Reporting cycle



## The day to day

Approximately 300 people are employed by South Derbyshire District Council to deliver a wide range of services, projects and events. Our aim is to promote a healthy performance culture throughout the organisation.



## Engaging staff

Monthly Directorate Management Team meetings allow us to Plan, Do and Review. Service Plans are monitored and updated on a monthly basis. Personal objectives, set against Corporate Plan targets, are reviewed in one to one meetings and an end of year appraisal.



## Staying on track

Progress against all strategic measures and projects identified in the Corporate Plan are captured in a Performance Board within three weeks of the quarter end, enabling the Corporate Management Team and unit managers to review the findings.



## Learning lessons

Key achievements are captured and shared with staff. Actions to aid amber or red measures or projects are recorded in an action plan. This adds to the transparency and accountability of the process, allowing us to implement corrective actions.



## Democratic process

Performance is reported to all committees. This allows Elected Members to make informed decisions based on timely, accurate and up to date information.



## Annual review

Annual outturn is reported to all committees at the end of the financial year. The Corporate Plan is reviewed and refreshed annually to ensure it remains relevant and fit for purpose.



## Audit

We work with our auditors to ensure good governance arrangements are in place for data quality and performance management to provide assurances that processes are operating effectively and providing an acceptable level of control.

# Performance: Our principles

Understand our customers' needs



Clear direction and priorities



Smart objectives with clear measures of success



What resources you need to reach your targets



Consider the risks that might stop you reaching your goals



Effective management of plans to achieve goals



Review how you are performing against your plans



Revise your actions to keep on track



Use benchmarking data when reviewing your plans



Take responsibility for your targets and plans

# Performance: The benefits



**1** Ensure corporate objectives are prioritised and that resources are allocated effectively



**2** Improve services and outcomes for local people



**3** Make staff aware of how their targets and goals contribute to achieving the Council's vision



**4** Ensure that significant risks to the achievement of objectives are identified and managed



**5** Celebrate success



**6** Provide early warning and take timely action to address any risks



**7** Ensure the Council and its partners achieve what we have set out to do



**8** Provide a strong evidence base for improved decision making and efficient use of resources

# Appendix A - Performance Board

## Quarter 1 2016/17

People Measures						
Action	Measure	Q1 target	Q1 actual	2016/17 overview	Last quarter	Detail
<b>Protect and help support the most vulnerable, including those affected by financial challenges</b>	Average time for processing new Benefit claims	<18 Days	16 days	<18 Days	17 days	<b>THIS IS AN EXAMPLE.</b>

## People Projects

Action	Q1 target	Q1 actual	2016/17 overview	Last quarter	Detail
<b>Stage a careers fair for young people and jobseekers</b>	Stage Jobs & Skills Fair 2016 event Minimum of 80 businesses to attend Minimum of 100 attendees	100 businesses and 250 people attended. 95 jobseekers have secured interviews.	Deliver event, review and plan for 2017 fair	N/A	<b>THIS IS AN EXAMPLE.</b>

## Place Measures

Action	Measure	Q1 target	Q1 actual	2016/17 overview	Last quarter	Detail



# Place Projects

Action	Q1 target	Q1 actual	2016/17 overview	Last quarter	Detail

# Progress Measures

Action	Measure	Q1 target	Q1 actual	2016/17 overview	Last quarter	Detail

## Progress Projects

Action	Q1 target	Q1 actual	2016/17 overview	Last quarter	Detail

# Outcomes Measures

Action	Measure	Q1 target	Q1 actual	2016/17 overview	Last quarter	Detail

## Outcomes Projects

Action	Q1 target	Q1 actual	2016/17 overview	Last quarter	Details

Measures and projects outlined in green are on target. Actions being taken on indicators currently not on target (coloured in amber and red) are outlined in the Action Report in Appendix C.

# Housing and Community Services Success Areas - Quarter 1 2016

## Appendix B

The figures and results in this document are fictional and have been created for display purposes only.



**77%**

75% target visits completed



**82%**

75% target action plans completed with vulnerable customers



**65%**

58% target tenancies sustained



**15**

12 target referrals to support agencies



**87.9%**

82% target customer satisfaction



**658**

653 target customers making use of Telecare and Telehealth products



**45%**

45% target tenancies sustained



The figures and results in this document are fictional and have been created for display purposes only.



**89%**

76% target all actions completed



**76%**

74% target National Forest Indicator



**63.2%**

60% target balanced financial budget



**14**

12 target engagement events for staff



**Gold**

Gold target Investors in People Standard achieved

# Housing and Community Services Performance Action Plan - Quarter 1 2016

## Appendix C



**77%**  
visits  
completed

Target 83%

Theme -  
Action -  
Target vs performance -  
Key actions underway -  
Risks -



**45%**  
tenancies  
sustained

Target 78%

Theme -  
Action -  
Target vs performance -  
Key actions underway -  
Risks -



**89%**  
All actions  
completed

Target 95%

Theme -  
Action -  
Target vs performance -  
Key actions underway -  
Risks -

<b>REPORT TO:</b>	<b>FINANCE AND MANAGEMENT SERVICES</b>	<b>AGENDA ITEM: 9</b>
<b>DATE OF MEETING:</b>	<b>28<sup>th</sup> APRIL 2016</b>	<b>CATEGORY: DELEGATED/</b>
<b>REPORT FROM:</b>	<b>DIRECTOR OF COMMUNITY AND PLANNING</b>	<b>EXEMPT PARAGRAPH</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>STUART BATCHELOR Ext: 5820</b>	<b>DOC:</b>
<b>SUBJECT:</b>	<b>OPEN SPACE, SPORT AND COMMUNITY FACILITY STRATEGY</b>	<b>REF: SB</b>
<b>WARD(S) AFFECTED:</b>	<b>ALL</b>	<b>TERMS OF REFERENCE: FM07</b>

---

## **1.0 Recommendations**

- 1.1 Members approve the allocation of £30,000 reserved Planning Services income for a 'Site Development Fund'.

## **2.0 Purpose of Report**

- 2.1 To inform Members of the Housing and Community Services Committee request to approve the establishment of a £30,000 budget to enable 'Site Development Plans' to be produced which assist the Council and partners to obtain Section 106 and other external funds.

## **3.0 Detail**

- 3.1 The Housing and Community Services Committee on 21<sup>st</sup> April 2016 approved the adoption of the South Derbyshire Open Space, Sport and Community Facility Strategy. Members also requested that the Finance and Management Committee approve the establishment of a 'Site Development Plan' fund which was provisionally set aside by this Committee on 17<sup>th</sup> March.
- 3.2 The Facility Strategy report to Housing and Community Services Committee is attached at Annexe No. 1 and outlines the facility requirements for the future and how these can be supported through the use of Section 106 funds and applications to external funders.
- 3.3 The important next phase of the strategy is the production of site development plans for these priority facilities but in order to secure the Section 106 funding under the CIL regulations, these facilities require the investment of professional services (e.g. engineers, designers, architects) to produce an itemised and costed scheme.



3.4 On 17 March 2016, the Finance & Management Committee approved the principle of setting aside £30,000 from excess Planning Fee income for the establishment of a 'Site Development Fund'.

3.5 The Fund would to commission a series of site development plans/studies for priority projects, e.g. Rosliston Forestry Centre; Woodhouse Sports Ground / Swadlincote Sports Hub; Etwall Leisure Centre (swimming provision); Community Facility Audit.

#### **4.0 Financial Implications**

4.1 There are no increased financial implications currently arising from this report other than the £30,000 Planning Income that has already been provisionally allocated by the Committee.

4.2 If the strategy was not adopted then the Council is vulnerable to challenge from developers when entering into s106 negotiations, as there is no firm and robust evidence base. This source of funding is potentially at risk without this Strategy in place.

#### **5.0 Corporate Implications**

5.1 The Strategy is a key action within the emerging Corporate Plan and contributes towards both the 'Place' theme but also 'People' and 'Progress' theme areas. The implementation of the Strategy and its action plan will be important in ensuring the Councils own stock of facilities remain well maintained and fit for purpose for an increasingly sophisticated and growing community.

#### **6.0 Community Implications**

6.1 The ongoing consultation and engagement with local people, community sports groups and Parish Councils throughout the development and delivery of the strategy will identify opportunities for significant investment and improvement in sport, recreational and community facilities across the District.

#### **7.0 Conclusions**

7.1 South Derbyshire is continuing to plan for and provide its growing community with quality sport and recreation facilities which will promote health and wellbeing as well as enabling people to achieve their sporting potential.

<b>REPORT TO:</b>	<b>HOUSING AND COMMUNITY SERVICES</b>	<b>AGENDA ITEM:</b>
<b>DATE OF MEETING:</b>	<b>21<sup>st</sup> APRIL 2016</b>	<b>CATEGORY: DELEGATED/</b>
<b>REPORT FROM:</b>	<b>DIRECTOR OF COMMUNITY AND PLANNING</b>	<b>OPEN:</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>OPEN SPACE AND FACILITIES DEVELOPMENT MANAGER – ZOE SEWTER Ext: 5753</b>	<b>DOC:</b>
<b>SUBJECT:</b>	<b>OPEN SPACE, SPORT AND COMMUNITY FACILITY STRATEGY UPDATE</b>	<b>REF:</b>
<b>WARD(S) AFFECTED:</b>	<b>ALL</b>	<b>TERMS OF REFERENCE: HCS07</b>

---

## **1.0 Recommendations**

- 1.1 To seek approval for the adoption of the South Derbyshire Open Space, Sport & Community Facilities Strategy.
- 1.2 To approve the principle of the use of £30,000 additional Planning income for the production of site development plans for strategic facilities.
- 1.3 To request the Finance & Management Committee on 28<sup>th</sup> April to approve the use of additional Planning Income for the production of site development plans.

## **2.0 Purpose of Report**

- 2.1 To present the Open Space, Sport and Community Facility Strategy and Action Plan to Members for adoption and seek approval for its implementation. The Action Plan is located at Annexe A, and the Strategy is located at Annexe B.

## **3.0 Detail**

- 3.1 The strategy process has concluded following a second round of consultation with stakeholders, land owners, National Governing Bodies, Parish Councils, community groups and sports clubs and local communities.
- 3.2 There has been a high level of support for the strategy and the strategic priorities across the consultees and partners.

3.3 The Strategy sets out the ambition for the adequate provision of open space, sport and community facilities to meet current and future demand.

3.4 The consultation process has also invited partners to submit details of projects in their area for inclusion on a Facility Development project list. This will form the basis for local action plans and provide evidence of need for negotiation in Section 106 agreements. This will be finalised and brought to H&CS Committee in June.

3.5 The Strategy focuses on three strategic objectives to drive forward its delivery:

SO1 Planning for future growth

- Satisfy future demand from residents
- Residents have access to basic provision close to home and a choice of activities within their sub areas and across the District

SO2 Strengthening the infrastructure

- Village and neighbourhood communities are actively engaged and are growing their assets
- Connected network of high quality facilities and places to be active
- Improved and co-ordinated provision in District and across boundaries

SO3 Widening the reach and social impact

- Inactive residents are engaged and aware of local opportunities
- Evidence of social impact of interventions

3.6 Priority actions have been identified for each of the three strands of the Strategy:

**Built facilities**

- Address shortfall for Sports Halls (equivalent to 14 courts), Gyms and an Artificial Grass Pitch
- Cater for future supply of community infrastructure created by high population growth
- Understand the current offer and future needs of community buildings
- Address future shortfall of pool space by increasing provision at existing site

**Playing pitches**

- Additional Artificial Grass Pitch required to meet future need
- Current and future shortfall for junior football pitches and training areas identified
- Future shortfall of cricket pitches identified
- Future shortfall of Rugby pitches identified

**Open space**

- Ensure all Play Facilities are graded at “Good” standard as minimum
- Support the development of youth/extreme sport facilities in each sub area
- Address issue of habitat loss and fragmentation as a result of development and lack of management
- Support the development of a South Derbyshire Greenways strategy
- Develop and promote outdoor activity hubs with connections through Greenways

3.7 The Strategy Action Plan is located at Annexe A.

3.8 Profiles have been produced for each of the five sub areas. Each contains an action plan which relates to local priorities within the locality. This information is currently being compiled, to be complete by Summer 2016 and brought to Committee for approval in June.

3.9 An important next phase of the strategy is the production of site development plans for facilities of district significance, and which have been identified as recipients of Section 106 (developer contribution) monies. In order to secure the Section 106 funding under the CIL regulations, these facilities require the investment of professional services (e.g. engineers, designers, architects) to produce an itemised and costed scheme.

3.10 On 16 March 2016, the Finance & Management Committee approved the principle of setting aside £30,000 from excess Planning Fee income for the establishment of a Capital Facility Investment fund.

3.11 The proposal is to use this money to commission a series of site development plans/studies for priority projects, e.g. Rosliston Forestry Centre; Woodhouse Sports Ground; Etwall Leisure Centre; Community Facility Audit.

#### **4.0 Financial Implications**

4.1 There are no increased financial implications currently arising from this strategy itself, although £30,000 Planning Income is being requested for use to fund Site Development Plans for locations that will benefit from s106 funding. Members are asked to request the Finance and Management Committee to approve this allocation .

4.2 If the strategy was not adopted then the Council is vulnerable to challenge from developers when entering into s106 negotiations, as there is no firm and robust evidence base. This source of funding is potentially at risk without this Strategy in place.

#### **5.0 Corporate Implications**

5.1 The Strategy is a key action within the emerging Corporate Plan and contributes towards both the 'Place' theme but also 'People' and 'Progress' theme areas. The implementation of the Strategy and its action plan will be important in ensuring the Councils own stock of facilities remain well maintained and fit for purpose for an increasingly sophisticated and growing community.

## **6.0 Community Implications**

6.1 The ongoing consultation and engagement with local people, community sports groups and Parish Councils throughout the development and delivery of the strategy will identify opportunities for significant investment and improvement in sport, recreational and community facilities across the District.

## **7.0 Conclusions**

7.1 South Derbyshire is continuing to plan for and provide its growing community with quality sport and recreation facilities which will promote health and wellbeing as well as enabling people to achieve their sporting potential.