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AGENDA for a MEETING OF THE CABINET Tuesday, 30 March 2021 at 2.00 pm Virtual Meeting

**Contact Officer: Linden Vernon Email: linden.vernon@staffsmoorlands.gov.uk
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Membership

Councillors:-

S. Ralphs MBE	Leader of the Council (Chair)
M. Deaville	Leisure and Sports (Deputy Leader)
M. Bowen	Communities
T. Hall	Customer Services
J. Porter	Climate Change and Biodiversity
S. Scalise	Environment
E. Wain	Planning, Development and Property

Reports enclosed unless noted otherwise.

1. Apologies
2. Minutes of the previous meeting (previously circulated) (**Pages 3 - 6**)
3. Urgent items of Business, if any (24 hours notice to be provided to the Chairman)
4. Declarations of Interest, if any
 1. Disclosable Pecuniary Interests
 2. Other Interests
5. Matters referred by an Overview and Scrutiny Panel, if any

P.T.O.

**Available in an alternative format by prior request and on
the Council's website: www.staffsmoorlands.gov.uk**

A G E N D A (Continued)

6. Items requested by Cabinet and/or Non-Cabinet Members in accordance with Cabinet Procedure Rules 8.5(b) and (e), if any
7. Reports of Monitoring Officer and/or Chief Finance Officer, if any
8. Leader
 - 8 .1 Forward Plan (**Pages 7 - 12**)
 - 8 .2 Performance Framework 2021/2024 (**Pages 13 - 40**)
9. Environment
 - 9 .1 Household Duty of Care (**Pages 41 - 44**)
10. Exclusion of the Press and Public

The Chair to Move:-

“That, pursuant to Section 100A(2) and (4) of the Local Government Act, 1972, the public be excluded from the meeting in view of the nature of the business to be transacted or the nature of the proceedings whereby it is likely that confidential information as defined in Section 100A (3) of the Act would be disclosed to the public in breach of the obligation of confidence or exempt information as defined in Section 100 I (1) of Part 1 of Schedule 12A of the Act would be disclosed to the public by virtue of the Paragraphs indicated.”
11. Leader
 - 11 .1 New Management Structure (**Pages 45 - 74**)
(Paragraph 1 - Information relating to any individual.)
12. Planning, Development and Property
 - 12 .1 Building Control Operation - Transfer to Derbyshire Consortium (**Pages 75 - 82**)
(Paragraph 3, 4 - Information relating to the financial or business affairs of any particular person (including the authority holding that information)
Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under the authority.)

STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL

CABINET DECISIONS

TUESDAY, 9 FEBRUARY 2021

PRESENT: Councillor S E Ralphs MBE (Chair)

Councillors M Bowen, M A Deaville, T Hall, J Porter, S Scalise and E Wain

IN ATTENDANCE: Councillors J Aberley, G Bentley, E Fallows, N Hawkins, K Hoptroff, L Malyon, I Plant, P Roberts, J Salt, L Swindlehurst and N Yates.

93 **MINUTES OF THE PREVIOUS MEETING (PREVIOUSLY CIRCULATED)**

DECISION:

That the minutes of the meeting of the Cabinet held on 1 December 2020 be approved as a correct record.

94 **DECLARATIONS OF INTEREST, IF ANY**

The following declarations were made:

Agenda Item	Member Declaring Interest	Nature of Interest
Agenda Item 8.2 - Third Quarter Financial, Procurement and Performance Review 2020/21	Cllr. M Deaville Cllr. E Wain	Recipient of Covid-19 Business Grant

95 **FORWARD PLAN**

DECISION:

That the Forward Plan be approved for publication.

96 **THIRD QUARTER FINANCIAL, PROCUREMENT AND PERFORMANCE REVIEW 2020/21**

The purpose of the report was to inform members of the Council's overall performance and financial position for the period ended 31st December ("Third Quarter 2020/21"). The report was considered by the Resources Overview and Scrutiny Panel on 3 February 2021. The position can be summarised as follows:

Subject	Headline	Reference
Finance	The Finance headlines for the Third Quarter were: <i>Performance against Budget</i> • At the Third Quarter stage the General Fund projected outturn for 2020/21	Appendix A

Cabinet - 9 February 2021

	<p>was an underspend of £335,180 (included £106,000 draw from Covid earmarked reserve).</p> <p><i>Efficiency Programme</i></p> <ul style="list-style-type: none"> At Quarter Three £137,000 in savings had been taken against the 2020/21 general fund efficiency target of £519,000. It was anticipated that there would be a £380,000 shortfall in the year. <p><i>Capital Programme</i></p> <ul style="list-style-type: none"> The revised Capital Programme budget for 2020/21 was £6.67 million including the carry forward of capital underspends from 2019/20. The projected outturn for the year was £3.08million; a variance of £3.59 million – mostly in respect of programme slippage due to Covid19. <p><i>Treasury Management</i></p> <ul style="list-style-type: none"> Cash investments held at 31 December 2020 totalled £24 million. The Ascent loan and debenture stood at £19 million. Council borrowing at 31 December 2020 was forecast to total £15 million by the year end (£14m relates to the Ascent loan) The Council's net interest income receipts was projected as a £48,380 surplus above budget. <p><i>Revenue Collection</i></p> <ul style="list-style-type: none"> 83.03% of Council Tax was collected by 31 December 2020 compared to 83.92% for the same period last year. 80.61% of Business Rates was collected by 31 December 2020 compared with 80.45% for the same period last year. At the end of the Third Quarter debt that was over 60 days old was £71,620 which compares with £70,430 at 31 December 2019 	
Procurement	<p>The Procurement headlines for the Third Quarter were:</p> <ul style="list-style-type: none"> 6 procurement activities were completed The Procurement forward plan included 49 procurement activities for completion in 2020/21 (either SMDC only or joint) At the 31 December 2020, 68% of procurement activity undertaken was on the forward plan and the Council paid 93% of its invoices within 30 days during the year 	Appendix B
Performance	<p>The Performance headlines for the Third Quarter were:</p> <ul style="list-style-type: none"> 83% of the key performance indicators on track (47% of which are better than the previous year) The Council received 34 complaints, 113 comments and 72 compliments Priority Actions - 13 green, 3 completed, 1 red rated, remainder yet to commence 	Appendix C

Options considered:

Detailed Analysis is contained within the main body of the Report.

DECISION:

Cabinet - 9 February 2021

That the Third Quarter 2020/21 financial, procurement and performance position detailed in Appendices A, B and C and summarised at 3.3 of the covering report be noted.

97 **2021/22 BUDGET & MEDIUM TERM FINANCIAL PLAN 2021/22 TO 2024/25**

The purpose of the report is to present the proposed Budget for 2021/22, updated Medium-Term Financial Plan 2021/22 – 2024/25, Capital Strategy 2021/22, proposed Fees and Charges for 2021/22 and Procurement Forward Plan 2021/22. The report was considered by the Resources Overview and Scrutiny Panel on 3 February 2021.

The Leader of the Council confirmed that an earmarked reserve had been established to support climate change related activities. Climate Change considerations were indirectly included in many aspects of the MTFP – including capital programme projects focused on Council buildings and vehicle purchases.

Options considered:

There were no options to consider at this stage.

RECOMMENDED:

Cabinet supported the following **recommendations** to Council:

1. Approves the General Fund Budget for 2021/22 as detailed in **Appendix A (section 9)**
2. Approves the revised Medium-Term Financial Plan (2021/22 to 2024/25) as detailed in **Appendix A**, including the revised Capital Programme (attached at Annex A)
3. Approves the Capital Strategy 2021/22 as set out in **Appendix B**
4. Approves the proposed Fees and Charges for 2021/22 as detailed in **Appendix C**
5. Approves the proposed Procurement Forward Plan for 2021/22, providing the authority to procure based on procurement activity detailed in **Appendix D**
6. Approves a Band D Council Tax of £158.40 for 2021/22 (an increase of £5 or 3.26% from 2021/22)
7. Approves a Band D Council Tax of £52.92 for Leek and £10.64 for Biddulph for 2020/21 (no increase from 2020/21) in respect of Special District Expenses
8. Notes the Chief Finance Officer's view that the level of reserves are adequate for the Council based on this budget and the circumstances in place at the time of preparing it (**Appendix A Annex D**)

98 **DISABLED FACILITIES GRANT UPDATE - INCLUDING PROPOSALS FOR THE EXPANSION OF THE GRANT OFFER**

The report outlined proposals for the expansion of the Council's current Disabled Facilities Grant (DFG) offer as part of the wider review of the Council's Housing Renewal Assistance Policy. The report was considered by the Resources Overview and Scrutiny Panel on 3 February 2021.

Options considered:

Cabinet may determine whether to approve some, all or none of the proposals to go forward to inform the Housing Renewal Assistance Policy review.

DECISION:

That the revised Grant criteria as attached at appendices 1 to 4 for inclusion in the Council's Housing Renewal Assistance Policy be approved.

99 **PUBLIC SPACES PROTECTION ORDER**

The report sought to introduce measures to improve community safety by restricting on-street drinking in Biddulph, Cheadle and Leek. The report was considered by the Community Overview and Scrutiny Panel on 1 February 2021.

Options considered:

To decide not to introduce a Public Spaces Protection Order in the designated areas (not recommended).

DECISION:

1. That the necessary consultation, publication and notification in relation to the draft Order appended to the report be carried out.
2. That the draft Order be subsequently approved by delegated decision unless the responses from the consultation necessitate material changes to the draft Order.

The meeting closed at 3.10 pm

_____Chairman



CABINET FORWARD PLAN

March – May 2021

The Forward Plan is a list of decisions the Council's Cabinet intends to take shortly. Some of these decisions are known as 'Key Decisions.' The Plan is updated and published 28 days before each meeting of the Cabinet and is available, together with all public reports referred to, from our website www.staffsmoorlands.gov.uk and offices, Moorlands House, Stockwell Street, Leek, Staffordshire Moorlands, ST13 6HQ. Should you have any questions regarding these documents please contact the Council's Member Services Team via our website or by telephoning 01538 395613.

A key decision is one defined as:

"One likely to result in expenditure or savings which are significant having regard to the Council's budget for the service or function to which the decision relates."

OR

"To be significant in terms of its effect on communities living or working in an area comprising two or more District Wards."

Documents relating to matters listed, and which are open to the public, will be available five working days before the date of the meeting by visiting the Council's website www.staffsmoorlands.gov.uk or by telephoning 01538 395551. They are also available from our offices – Moorlands House, Stockwell Street, Leek Staffordshire Moorlands, ST13 6HQ. Other documents relevant to decisions to be taken may be submitted to the decision maker.

Meetings of the Cabinet are held in public. However, occasionally, some meetings, or part of meetings, may need to be held in private due to the content of the reports to be discussed (e.g. commercially sensitive or personal information). This document indicates which reports and dates of meetings where this will apply and the reason for this.

Five days before a private meeting takes place the Council will publish a further notice of its intention to hold a meeting in private. This will again state why this is necessary and give the details of any representations received about why the meeting should be open to the public. This will also include a statement of the Council's response to any such representations.

INDEX

Matter to be decided	Date of decision to be made	Page No.
<u>ENVIRONMENT</u>		
Household Duty of Care	30 March 2021	3
<u>LEADER</u>		
Performance Framework 2021/2024	30 March 2021	4
New Management Structure	30 March 2021	5
<u>PLANNING, DEVELOPMENT AND PROPERTY</u>		
Building Control Operation – Transfer to Derbyshire Consortium	30 March 2021	6

Environment

Matter for decision	Household Duty of Care
Key decision to be made on behalf of the Council	Yes
Decision maker	Cabinet
Expected date of decision	30 March 2021
Relevant Portfolio Holder	Cllr Scalise
Relevant Overview & Scrutiny Panel	Community
Documents submitted to the decision taker for consideration	Executive Director (People)
Public/Private report	Public

Leader

Matter for decision	Performance Framework 2021/2024
Key decision to be made on behalf of the Council	Yes
Decision maker	Cabinet
Expected date of decision	30 March 2021
Relevant Portfolio Holder	Cllr Ralphs
Relevant Overview & Scrutiny Panel	Resources
Documents submitted to the decision taker for consideration	Chief Executive
Public/Private report	Public

Leader

Matter for decision	New Management Structure
Key decision to be made on behalf of the Council	Yes
Decision maker	Cabinet
Expected date of decision	30 March 2021
Relevant Portfolio Holder	Cllr Ralphs
Relevant Overview & Scrutiny Panel	Resources
Documents submitted to the decision taker for consideration	Chief Executive
Public/Private report	Private - Information relating to any individual

Planning, Development and Property

Matter for decision	Building Control Operation - Transfer to Derbyshire Consortium
Key decision to be made on behalf of the Council	Yes
Decision maker	Cabinet
Expected date of decision	30 March 2021
Relevant Portfolio Holder	Cllr Wain
Relevant Overview & Scrutiny Panel	Resources
Documents submitted to the decision taker for consideration	Executive Director (Place)
Public/Private report	Private - Information relating to the financial or business affairs of any particular person and Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority.

Cabinet

30 March 2021

TITLE:	Performance Framework 2021/2024
PORTFOLIO HOLDER:	Councillor S Ralphs - Council Leader SMDC
CONTACT OFFICER:	Vanessa Higgins - Information Business Partner
WARDS INVOLVED:	All

Appendices Attached:

Appendix 1: Performance Framework 2021/24

1. Reason for the Report:

- 1.1 The purpose of this report is to provide members with an opportunity to scrutinise the draft Performance Framework and associated targets for 2021/24.

2. Recommendation

- 2.1 That the Cabinet approves the Performance Framework 2021/2024.

3. Executive Summary

- 3.1 The Council's Corporate Plan articulates the aims, objectives and priority actions, which the Council is working to achieve. Its delivery is measured through the Performance Framework, which has at its centre the three pillars of value for money - efficiency, economy and effectiveness.
- 3.2 This report seeks to provide a revised Performance Framework that will enable the council to monitor, measure, and report back on its progress against the stated priorities set out in the Council's 4-year Corporate Plan.

4. How this report links to Corporate Priorities

- 4.1 The purpose of the report is to enable the monitoring of progress against the Council's corporate priorities. As such this report has linkages to each of the Council's Corporate Plan aims.

5. Options

- 5.1 Members are asked to consider the proposed targets and to suggest amendments if they consider that they are necessary.

6. Implications

- 6.1 Community Safety - (Crime and Disorder Act 1998)
None
- 6.2 Workforce
None
- 6.3 Equality and Diversity/Equality Impact Assessment
This report has been prepared in accordance with the Council's Diversity and Equality Policies
- 6.4 Financial Considerations
Effective Performance Management contributes to the Council's financial objectives
- 6.5 Legal
None
- 6.6 Climate Change
The Council's action plan for a carbon neutral future will be fully integrated into the Performance Framework
- 6.7 Internal and External Consultation
The targets proposed have been agreed in conjunction with senior managers through the service planning process
- 6.8 Risk Assessment
A robust Performance Framework is a critical tool in identifying, controlling and mitigating risks.

ANDREW P STOKES
Chief Executive

Background Papers

Performance Framework 2021/24
Service Plans

Location

Available on request

Contact details

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Information Business
Partner
Vanessa.higgins@highpeak.gov.uk

7. Background and Introduction

- 7.1 The Council's 4-year Corporate Plan (2019-2023) articulates the aims, objectives and priority actions, which the Council is working to achieve over that period. The Plan was approved in October 2019 and required a new Performance Framework that could measure its delivery and also aid effective scrutiny through more focused and balanced reporting; celebrating success and promoting improvement.
- 7.2 The Performance Framework is built around the Council's key objectives whilst also ensuring that the three pillars of value for money (efficiency, economy and effectiveness) remain central.
- 7.3 The Framework is made up monthly, quarterly and annual measures and the Council reports by exception on all monthly and quarterly measures but has moved away from a 'dashboard' approach to one which reflects the whole Framework. The annual contextual measures are reported in the Annual Report, which also provides an overview of the Council's progress in delivering its Corporate Plan and the results of value for money benchmarking.

8. Performance Framework 2021/24

- 8.1 Targets covering a 3-year period are owned and managed by Heads of Service across the authority, and are communicated to teams through service plans and individual performance objectives via the staff appraisal (PEP) process. Managers have been asked to review and refresh these targets for the period 2021/22 to 2023/24 based upon current performance levels and national benchmarks, where available.
- 8.2 In some cases managers have proposed the removal, addition or amendment of performance measures. Such instances have been highlighted within the Appendix to this report and have been considered by senior management.
- 8.3 As well as measuring our performance against these targets, the Council will also monitor and report back to this committee on the priority actions contained within the Corporate Plan. These are shown within Appendix 1 and will be overseen internally by the Transformation Board.

9. Impact of COVID-19 on Performance

- 9.1 The Council analysed the likely impact of COVID-19 and subsequent lockdown restrictions on its 2020/2021 Performance Framework last year, and refocused a relatively small proportion of targets in response. The 2021/22 Performance Framework remains similarly affected, and as such a number of service area targets reflect this ongoing uncertainty and the national roadmap to recovery.

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Staffordshire Moorlands Performance Framework 2021-2024



Aim 1: Help create a safer and healthier environment for our communities to live and work

Measure	Reported	2019-20 Result	2020-21 Result	2020-21 Target	2021-22 Target	2022-23 Target	2023-24 Target
Objective: Effective relationship with strategic partners							
To be measured through an Annual Report from Democratic and Community Services covering strategic partnerships, community support arrangements and councillor initiative fund allocations.							
Objective: Increased supply of good quality affordable homes							
Housing Benefits Processing: Time taken to process a) new claims b) change of circumstances	Monthly	a)15 days b)8.97 days	a)6.71 days b)5.24 days Q3	a) 18 days b) 7 days	a) 18 days b) 7 days	a) 18 days b) 7 days	a) 18 days b) 7 days
% of initial applications opened at the prevention and relief duty stages.	Monthly	NEW	45%:55% Q3	60%:40%	60%:40% (from70%)	70%:30%	70%:30%
<i>Amended targets for 2021-22 due to the ongoing effects of Covid 19</i>							

Measure	Reported	2019-20 Result	2020-21 Result	2020-21 Target	2021-22 Target	2022-23 Target	2023-24 Target
% of prevention duty discharges resulting in a settled accommodation outcome	Monthly	NEW	71.00% Q3	62%	64%	66%	66%
% of relief duty discharges resulting in a settled accommodation outcome.	Monthly	NEW	59.00% Q3	52%	62%	62%	62%
Total TA placements including number of B&B placements made for families	Monthly	NEW	21 (no families) Q3	Contextual			
Number of TA placements (including B&B made for families) placed over 6 weeks	Monthly	NEW	10 (no families) Q3	5	5 (from 0)	0	0
% of active housing register applicants in priority need (classes A and B) who have been registered in excess of 6 months	Annual	7.69%		30%	30% (from 15%)	15%	15%
<i>Amended targets for 2021-22 due to the ongoing effects of Covid 19</i>							
Housing Benefits Processing: % of cases determined correctly	Annual	99.5%		99.5%	99.5%	99.5%	99.5%
Housing Benefits processing: % of overpayments recovered	Annual	78.58%		Contextual			
Landlord Accreditation Scheme: Numbers signed up to scheme	Annual	3		Contextual			
Number of affordable homes delivered	Annual	18		Contextual			
The number of empty homes	Annual	1146		Contextual			

Measure	Reported	2019-20 Result	2020-21 Result	2020-21 Target	2021-22 Target	2022-23 Target	2023-24 Target
Revenue costs of private sector housing function	Annual	NEW		Contextual			
Number of category 1 hazard properties (descriptor of types)	Annual	NEW		Contextual			
Number of category 2 hazard properties (descriptor of types)	Annual	NEW		Contextual			
Number of complaints received in relation to private sector rented accommodation conditions	Annual	NEW		Contextual			
Enforcement action undertaken: Number of improvement notices served (prohibition, advisory etc)	Annual	NEW		Contextual			
Objective: Develop a positive relationship with communities							
Number of voluntary groups supported	Annual	63		Contextual			
Objective: Provision of sports facilities and leisure opportunities focused upon improving health							
Level of external funding awarded to support the physical activity and sport strategy and number of bids	Quarterly	£2,500	£109,566 Q3	33% success rate. Minimum £60k	33% success rate. Minimum £60k	33% success rate. Minimum £60k	33% success rate. Minimum £60k
Costs of leisure centre provision per households	Annual	£0.35		Contextual			

Measure	Reported	2019-20 Result	2020-21 Result	2020-21 Target	2021-22 Target	2022-23 Target	2023-24 Target
Levels of inactivity among local population groups	Annual	19,800 (24%) Nov 18-19		Contextual			
Number of volunteers within local sports clubs (Sport England's Active Lives Survey)	Annual	10,900 (13.2%) Nov 18-19		Contextual			
Number of priority areas, where place-based work to reduce inactivity, is being undertaken.	Annual	NEW		1	3	4	6
Objective: Effective support of community safety arrangements including CCTV							
Delivery of the Community Safety Partnership Plan (% actions delivered on time)	Annual	NEW		100%	100%	100%	100%
CCTV Monitoring	Annual	NEW		Contextual			
Levels of Crime (by type)	Annual	NEW		Contextual			
Levels of ASB	Annual	NEW		Contextual			

The following Priority Actions will be monitored and reported on during 2021/2022:

- ❖ Develop a strategy for further development of affordable and specialist housing : Ongoing
- ❖ Complete the review of the CCTV system : 2021
- ❖ Develop and implement an ongoing leisure facilities improvement plan : 2021-22

- ❖ Develop and implement an outdoor leisure facilities improvement plan : 2021
- ❖ Develop a Private Sector Housing Strategy : 2021
- ❖ Refresh the Councils Communication Strategy : June 2021
- ❖ Review the Council's community safety arrangements : April 2021
- ❖ Review the Sport and Physical Activity Strategy : 2021-22
- ❖ Implement the Covid 19 Community Recovery Plan : Ongoing

We will also monitor and report on the following Influencing Actions, which rely on effective partnership working:

- Ensuring effective health provision particularly for the elderly
- Combating illegal money lenders such as loan sharks
- Reducing crime, the fear of crime and ASB



Aim 2: To use resources effectively and provide value for money

Measure	Reported	2019-20 Result	2020-21 Result	2020-21 Target	2021-22 Target	2022-23 Target	2023-24 Target
Objective: Ensure our services are easily available to all our residents in the appropriate channels and provided 'right first time'							

Measure	Reported	2019-20 Result	2020-21 Result	2020-21 Target	2021-22 Target	2022-23 Target	2023-24 Target
No. / % of a) assisted contacts (phone & face to face) b) web	Monthly	a) 39253 39% b) 20595 20% c) 41526 41%	a) 30441 44% b) 37975 56% Q3	a)59% b)41%	a)59% b)41%	a)57% b)43%	a)56% b)44%
Avoidable contact (number taken from customer portal)	Annual	N/A		15%	17%	TBD	TBD
Satisfaction with customer services (Joint Alliance Measure)	Annual	N/A		92%	TBD	TBD	TBD
Complaint handling: % dealt with within target	Monthly	98%	98% Q3	97%	97%	97%	97%
Complaint handling: % of repeat issues (compares previous month only)	Monthly	2%	0% Q3	5%	5%	5%	5%
FOI requests: % responded to within statutory time frame and number of requests	Quarterly	83.29% 603/724	75.10% 377/502 Q3	95%	95%	95%	95%
Delete: Website Quality: Socitm Better Connected assessment	Annual	3 stars		4 stars	To be deleted		
NEW: Sitemorse Index compliance rating	Annual	NEW	Q1 2020 5.1	NEW	6	7	8
% of FOI requests diverted to the website / publication scheme	Annual	14.10%		Contextual			
The cost of dealing with FOI requests	Annual	£27,965		Contextual			

Measure	Reported	2019-20 Result	2020-21 Result	2020-21 Target	2021-22 Target	2022-23 Target	2023-24 Target
Complaint handling: Number received	Annual	81			Contextual		
Number of twitter followers	Quarterly	1974	2229 Q3	2000	increase by 240	increase by 240	increase by 240
Number of Facebook followers	Quarterly	1923	3223 Q3	2000	Increase by 480	Increase by 480	Increase by 480
Number of twitter re-tweets	Annual	357			Contextual		
Objective: More effective use of Council assets							
% & number of council owned business units occupied	Annual	95% (37/39)		85% (33/39)	92.1% (35/38)	92.1% (35/38)	92.1% (35/38)
	<i>Amended targets for 2021-22 due to the ongoing effects of Covid 19</i>						
Annual cost of energy across key operational assets	Annual	NEW			Contextual		
Capital receipt from minor asset disposals annually	Annual	NEW			Contextual		
Amount of energy used across key Corporate Buildings (Moorlands House)	Annual	NEW			Contextual		
Objective: Effective use of ICT							

Measure	Reported	2019-20 Result	2020-21 Result	2020-21 Target	2021-22 Target	2022-23 Target	2023-24 Target
IT- % network availability	Monthly	100%	100.00% Q3	99%	99%	99%	99%
IT- % system availability	Monthly	100%	100.00% Q3	99%	99%	99%	99%
Number of Onevu (customer portal) accounts	Quarterly	NEW	26,299 Q3	21,000	26,500	TBD	TBD
Delete: Socitim user satisfaction measures (Joint Alliance Measure)	Annual	NEW			To be deleted		
Objective: A high performing and well motivated workforce							
% of Appraisals completed across the workforce (of those due)(Joint Alliance measure)	Annual	N/A		100%	100%	100%	100%
Number of a) workplace accidents and b) RIDDOR reportable / Lost Time (7days) accidents	Annual	a)12 b)4		a)<20 b) 0	a)<20 b) 0	a)<20 b) 0	a)<13 b) 0
Average days sickness absence per FTE across the Alliance	Monthly	9.28 days	3.17 days Q3	7 days	6 days (from 7 days)	6 days (from 7 days)	6 days
	<i>Reduce from 7 days to 6 days: home working due to Covid has seen a decrease in sickness, the introduction of the agile working policy should maintain this trend.</i>						
Customer Feedback: Level of compliments	Annual	64		Contextual			
Staff Climate Survey	Annual	No survey		Contextual			
Staff turnover rate (Joint Alliance Measure)	Annual	7.6%		Contextual			

Measure	Reported	2019-20 Result	2020-21 Result	2020-21 Target	2021-22 Target	2022-23 Target	2023-24 Target
Number of apprentices by type (i.e. higher/ trade) (Joint Alliance Measure)	Annual	NEW			Contextual		
Number of apprentices completing the apprenticeship (Joint Alliance Measure)	Annual	NEW			Contextual		
Number of apprentices retained by the council (Joint Alliance Measure)	Annual	NEW			Contextual		
% of apprentice levy spent within year (Joint Alliance Measure)	Annual	NEW			Contextual		
Objective: Effective use of financial and other resources to ensure value for money							
Delete: Number & % of press releases taken up in local media	Annual	47 issued, 96% take up		94%	To be deleted		
Collection rates: Business rates	Monthly	99.30%	80.61% Q3	96%	97% (from 98.2%)	98.2%	98.2%
Collection rates: Council Tax	Monthly	98.55%	83.03% Q3	96.2%	97.2% (from 98.2%)	98.2%	98.2%
Collection rates: Sundry Debt (value of SD over 60 days old)	Quarterly	£70,729.41	£71,620.09 Q3	Match 2019/20	Match 2019/20	2% reduction	2% reduction
<i>Amended targets for 2021-22 due to the ongoing effects of Covid 19</i>							
% of invoices paid in line with contract	Monthly	97%	93% Q3	96%	96%	96%	96%

Measure	Reported	2019-20 Result	2020-21 Result	2020-21 Target	2021-22 Target	2022-23 Target	2023-24 Target
Use of Contracts register - annual contract spend as % of gross expenditure budget	Quarterly	83.3%	91.00% Q3	2% improvement to 19/20	2% improvement to 20/21	2% improvement to 21/22	2% improvement to 22/23
% of procurement activity on the Procurement Forward Plan (Joint Alliance measure)	Quarterly	67.38%	68.00% Q3	60%	68%	70%	70%
% of internal audit recommendations implemented within timescale	Quarterly	98.28%	77.87% Q3	92%	93% (from 98.5%)	95% (from 99%)	96%
	<i>Amended targets for 2021-22 due to the ongoing effects of Covid 19</i>						
External Audit Opinion	Annual	Unqualified		Unqualified	Unqualified	Unqualified	Unqualified
% of corporate efficiency savings met	Annual	122%		50% of target	75% of Target (from 100%)	100% of target	n/a
a) Expenditure variance to budget b) Income variance to budget	Annual	a) -9% b) 5%		Net Budget +/- 25% variance	Net Budget +/- 15% (from +/-5% variance	Net Budget +/- 5% variance	Net Budget +/- 5% variance
	<i>Amended targets for 2021-22 due to the ongoing effects of Covid 19. Variance amended to +/- 15% . Possible overspend against budget due to Covid related pressures, possible reduction in income receipts.</i>						
% of income generated against net budget	Annual	54%		Contextual			
External funding levered annually for projects that meet corporate plan aims	Annual	£16,168,000		Contextual			

Measure	Reported	2019-20 Result	2020-21 Result	2020-21 Target	2021-22 Target	2022-23 Target	2023-24 Target
Unit costs per service	Annual	NEW		Contextual			
Objective: Effective procurement with a focus on local business							
Delete: % of expressions of interest that come from businesses within the local area (over £5,000)	Quarterly	NEW	Not yet available	Establish Baseline	To be deleted		
% of contracts awarded to local suppliers following submission of expression of interest (over £5,000)	Quarterly	NEW	Not yet available	Establish Baseline	Change to Contextual		
	<i>A target here could be viewed as a non-compliant incentive to award more contracts locally.</i>						
Supplier (creditor) spend within the local area as a % of total spend	Quarterly	NEW	5.95% Q3	Establish Baseline	Establish Baseline	TBD	TBD
Number of local business training/ supplier engagement events facilitated	Quarterly	NEW	61 Q3	Establish Baseline	Establish Baseline	TBD	TBD
	<i>Unable to establish a satisfactory baseline in 20/21: establish baseline in 21/22</i>						

The following Priority Actions will be monitored and reported on during 2021/2022:

- ❖ Develop and implement a plan to identify new and innovative ways of generating income : 2021
- ❖ Refresh and implement the Asset Management Plan : April 2022
- ❖ Develop an Access to Services Strategy : 2021

- ❖ Implement the Council's Efficiency and Rationalisation Programme : 2022-23
- ❖ Develop a new Organisational Development Strategy : 2021
- ❖ Develop a new Procurement Strategy : 2021-22
- ❖ Develop a new ICT Strategy : April 2021
- ❖ Implement the Covid 19 : Reinstating Service Plan; Financial Recovery Plan; Positive Legacy Plan : Ongoing



Aim 3: Help create a strong economy by supporting further regeneration of towns and villages

Measure	Reported	2019-20 Result	2020-21 Result	2020-21 Target	2021-22 Target	2022-23 Target	2023-24 Target
Objective: Flourishing town centres that support the local economy							

Measure	Reported	2019-20 Result	2020-21 Result	2020-21 Target	2021-22 Target	2022-23 Target	2023-24 Target
% of empty town centre shops	Annual	Leek 8.0%; Cheadle 16.7%; Biddulph 13.1%. District average 11.0%		<national average	<national average	<national average	<national average
Cost to the Council per Market (Subsidy)	Annual	2019-20 Leek outdoor (£36,481.53) Leek craft (£12,695.53) Cheadle (£4,322.38) Leek indoor (£26,436.99) Leek Farmers (£1,514.54) Overheads (£7,088.87)		Contextual			
Objective: High quality development and building control with an open for business approach							
Planning processing times a) Majors b) Minors c) Others	Monthly	a)94% b)94% c)92%	a)100% b)86% c)91% Q3	a)90% b)85% c)90%	a)90% b)85% c)90%	a)90% b)85% c)90%	a)90% b)85% c)90%
% of planning applications with pre-application enquiries	Annual	10%		5%	10%	10%	10%
% of major developments allowed on Appeal	Monthly	0%	0% Q3	10%	10%	10%	10%
% of minor/other developments allowed on appeal	Monthly	1.7%	0.96% Q3	10%	10%	10%	10%

Measure	Reported	2019-20 Result	2020-21 Result	2020-21 Target	2021-22 Target	2022-23 Target	2023-24 Target
Agent satisfaction with the Planning Service (survey)	Annual	75%		80%	80%	80%	80%
% of planning enforcement cases resolved in 13 weeks	Annual	54%		80%	80%	80%	80%
% of priority 1 planning enforcement cases visited within 1 working day	Annual	100%		90%	90%	90%	90%
Planning application processing costs	Annual	£8		Contextual			
Costs awarded against the council from lost planning appeals	Annual	£0		Contextual			
Numbers attending the Planning Surgeries	Annual	283		Contextual			
Objective: Encourage business start-ups and enterprises							
Local Plan Delivery: a) Number of completions for homes: b) sqft of employment space delivered	Annual	a) 205 b) 368m2		Contextual			
Number of businesses supported by the Growth Hub (fair proportion across partnership)	Annual			Contextual			
Number of enterprises operating in the area (considering business starts as well as deaths; as recorded through ONS stats)	Annual	4165		Contextual			
Cost of business support activity	Annual	NEW		Contextual			

Measure	Reported	2019-20 Result	2020-21 Result	2020-21 Target	2021-22 Target	2022-23 Target	2023-24 Target
Number of business reached through the monthly Business Newsletter	Annual	NEW	934 (Q3)	Establish baseline	Establish baseline	TBD	TBD
Business webpage- number of hits	Quarterly	NEW	2411(Q3)	Establish baseline	Establish baseline	TBD	TBD
Number of newsletters x subscriber numbers featuring funding for green growth	Quarterly	NEW	9 newsletters to date (934 subscribers) Q3	Establish baseline	Establish baseline	TBD	TBD
	<i>Unable to establish a satisfactory baseline in 20/21: establish baseline in 21/22</i>						
Objective: Encourage and develop tourism							
Visitor spend in the area	Annual	£312.56m 2018-19					Contextual
TICs online hits	Annual	311					Contextual
Total tourist bed spaces	Annual	7,819 2018-19					Contextual
Total overnight stays (tourism)	Annual	1.68m 2018-19					Contextual

The following Priority Actions will be monitored and reported on during 2021/2022:

- ❖ Develop and implement plans to improve the public market operations : 2021-22
- ❖ Support the development of Cornhill and improved rail links : Ongoing
- ❖ Support the development of the former Churnet Works site in Leek : Ongoing
- ❖ Adopt a new Local Plan : Complete
- ❖ Develop a master plan for bringing redundant mills back into use : 2023
- ❖ Implement the Council's growth strategy : 2020-2024
- ❖ Develop a Tourism Strategy : 2021
- ❖ Implement the Covid 19 Economic Recovery Plan : Ongoing

We will also monitor and report on the following Influencing Actions, which rely on effective partnership working:

- Expand the Growth Deal Partnership to provide inward investment
- Support the Churnet Valley Railway with their plans to bring trains back to Leek
- Provide bus services which connect our villages with our three market towns for services, shopping and leisure.
- Improve access and traffic flows to our town centres



Aim 4: Protect and improve the environment and respond to the climate emergency

Measure	Reported	2019-20 Result	2019-20 Target	2020-21 Target	2021-22 Target	2022-23 Target	2023-24 Target
Objective: Effective recycling and waste management							
Recycling rates	Quarterly	56.4%	60.33% Q3	57%	57.5%	58%	58%
Residual waste per household	Quarterly	379.35kg	328.69kg Q3	385kg	440kg (from 380kg)	435kg (from 375kg)	430kg
<i>Targets should all be treated as provisional until they are discussed and agreed with our contractors/partners</i>							
Missed bins per 100,000 collections (exc. customer error and bad weather)	Monthly	27.1	28.2 Q3	37	36	35	34
Cost per household of the waste and recycling service	Annual	£51.38		Contextual			
Objective: Provision of high quality public amenities, clean streets and environmental health							

Measure	Reported	2019-20 Result	2019-20 Target	2020-21 Target	2021-22 Target	2022-23 Target	2023-24 Target
% of 'high risk' premises (A-C) inspected per annum	Quarterly	100%	60% Q3	75%	75% (from 100%)	100%	100%
% of routine permitted process premises inspected	Quarterly	85%	60% Q3	75%	75% (from 100%)	100%	100%
	<i>Amended targets for 2021-22 due to the ongoing effects of Covid 19</i>						
% food premises compliant with FSA criteria	Annual	98%		95%	98%	98%	98%
Number of fly tipping incidents collected by the Council (exc. sec 46 waste)	Monthly	359	396 Q3	Contextual			
Anti-Social Behaviour enforcements by type (including behaviour adversely affecting the environment) a) number of fixed penalty notices issued b) number of prosecutions	a)Annual b) Annual	a)84 b)0		Contextual: annual report to be produced that will indicate the level of activity			
Street and environmental cleanliness inspection results (% achieving top grades for cleanliness)	Annual	94.3%		90%	90%	90%	90%
Number of community clean-up campaigns	Annual	67		60	65 (from 85)	70 (from 90)	75
	<i>Amended targets for 2021-22 due to the ongoing effects of Covid 19</i>						
Number of pest control contracts	Annual	43		54	58	60	62

Measure	Reported	2019-20 Result	2019-20 Target	2020-21 Target	2021-22 Target	2022-23 Target	2023-24 Target
Private water supplies - % of sampling programme completed	Annual	100%		75%	75% (from 100%)	100%	100%
	<i>Amended targets for 2021-22 due to the ongoing effects of Covid 19</i>						
Cost measures: street cleansing service	Annual	£518,000		Contextual			
Cost measures: Environmental Health Service	Annual	£319,000		Contextual			
Number of premises in each of the 6 food hygiene star rating gradings (from 0 to 5)	Annual	5 Star (478) 4 Star (156) 3 Star 729) 2 Star (8) 1 Star (9) 0 Star (0)		Contextual			
Objective: Provision of quality parks and open spaces							
Green Flag awards maintained	Annual	1		1	1	1	1
Cost of parks and open spaces per capita	Annual	£8.45		Contextual			
Objective: Meeting the challenges of climate change							
Paper consumption across the alliance	Monthly	1740	500 Q3	2000 reams	1700 reams (from 2000)	1700 reams (from 2000)	1700
	<i>Amended target for 2021-22 due to the ongoing effects of Covid 19</i>						

Measure	Reported	2019-20 Result	2019-20 Target	2020-21 Target	2021-22 Target	2022-23 Target	2023-24 Target
Pollution measures - air quality: % compliance against national reporting requirements in relation to air quality	Annual	100%		100%	100%	100%	100%
Number of hits on our website: improving your energy performance	Quarterly	NEW	33 Q3	Establish Baseline	Establish Baseline	TBD	TBD
Emissions per capita	Annual	NEW		Contextual			
Objective: Car parking arrangements that meet the needs of residents, businesses and visitors							
Net income per parking space	Annual	£394.28		Contextual			
Number of parking PCN's issued and % collected	Annual	855 - 86.9%		Contextual			
% of car park spaces accredited with Park Mark	Annual	35.20%		Contextual			
% and number of disabled bays within car parks	Annual	66/3.8%		Contextual			

The following Priority Actions will be monitored and reported on during 2021/2022:

- ❖ Identify and implement an approach to reduce the cost of country parks : 2021-22
- ❖ Develop a plan to improve Brough Park and John Hall Gardens : 2021-22
- ❖ Develop a climate change strategy : Oct 2021

- ❖ Review the Council's waste and recycling arrangements : 2023-24
- ❖ Review the Environmental Enforcement Policy : 2021
- ❖ Develop a new Parking Strategy : 2021-22

We will also monitor and report on the following Influencing Actions, which rely on effective partnership working:

- Provide waste and recycling centres across the district
- The provision of accessible on street parking

Aim 1: Help create a safer and healthier environment for our communities to live and work

Performance Indicator	Reason for proposed deletion

Aim 2: To use resources effectively and provide value for money

Performance Indicator	Reason for proposed deletion
Delete: Number of press releases and % taken up in local media (annual)	This indicator is difficult to measure as it involves manually checking newspapers to count the number of take ups and doesn't reflect the shift towards social media. We will look to incorporate an evaluative measure within the new communications strategy that reports on the team's breadth of work and the effectiveness of communication campaigns.
Delete: Website quality: Socitm website quality assessment	The Socitm assessment is made by one individual and can therefore be subjective and inconsistent. We are proposing a new measure based on the Sitemorse index (see below)
Delete: Socitm user satisfaction measures	The Socitm sessions were a one off piece of work that were used to assess where we are now. The results will be taken forward in the IT strategy
Delete :% of expressions of interest that come from businesses within the local area (over £5,000)	Unable to extract the required data from the Pro Contract system as initially thought. Manual analysis would be untenable: time consuming and onerous. If the appropriate technology becomes available in future years, this measure can be reinstated

Aim 3: Help create a strong economy by supporting further regeneration of towns / villages

Performance Indicator	Reason for proposed deletion

Aim 4: Protect and improve the environment and respond to the climate emergency

Performance Indicator	Reason for proposed deletion

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STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL

Cabinet

30 March 2021

TITLE:	Household Duty of Care
PORTFOLIO HOLDER:	Councillor Sav Scalise - Portfolio Holder for Environment
CONTACT OFFICER:	David Smith - Principal Officer Communities & Partnerships
WARDS INVOLVED:	(All Wards)

Appendices Attached – None

1. Reason for the Report

- 1.1 To help to prevent unlawful depositing of waste within the District by agreeing the level of fixed penalty notices that can be issued to those individuals that do not take reasonable measures to ensure proper disposal of their household waste.

2. Recommendation

- 2.1 That the Cabinet sets the fixed penalty amount for failure to comply with the household duty of care at the maximum permitted level of £400.

3. Executive Summary

- 3.1 Occupiers of domestic properties in England have a duty to take reasonable care of the waste that they produced (the 'household duty of care').
- 3.2 Anyone who fails to comply with the household duty is liable on conviction to an unlimited fine. As an alternative to prosecution, local authorities have the power to issue a fixed penalty notice.
- 3.3 Currently, the fixed penalty amount is set by statute at £200 with no reduction for early payment.

4. **How this report links to Corporate Priorities**

4.1 Aim 4: To protect and improve the environment and respond to the climate emergency.

5. **Alternative Options**

5.1 The Council could keep the fixed penalty amount at the statutory level (£200) with no reduction for prompt payment.

6. **Implications**

6.1 Community Safety - (Crime and Disorder Act 1998)

The proposal would assist the Council to address environmental crime

6.2 Workforce

Responsibility for enforcement will rest with the current Enforcement Officer.

6.3 Equality and Diversity/Equality Impact Assessment

The fixed penalty amount will apply equally to all.

6.4 Financial Considerations

The Council will need to revise the fixed penalty notice booklets to reflect any changes.

6.5 Legal

The power to prosecute for failure to comply with the duty of care in respect of household waste, or to offer a fixed penalty notice, as an alternative is found within s34 (2A) Environmental Protection Act (EPA) 1990 and the Environmental Protection (Miscellaneous Amendments) (England and Wales) Regulations 2018/1227 Pt 2 reg.3(2).

6.6 Climate Change

The setting of an appropriate level of Fixed Penalty Fine may assist in reducing the instance of cases of failure to comply with the household duty of care and, therefore, reduce the climate change impacts of such offences.

6.7 Consultation

N/A

6.8 Risk Assessment

N/A

Mark Trillo

Executive Director (People) and Monitoring Officer

Web Links and Background Papers

Contact details

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Principal Officer Communities &
Partnerships
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7. **Detail**

- 7.1 Occupiers of domestic properties in England have a duty to take reasonable measures to ensure that any household waste is only transferred to (i) an authorised person or (ii) a person for authorised transport purposes. This is commonly referred to as the 'household duty of care'.¹ Authorised persons includes waste collection authorities and registered carriers of controlled waste.
- 7.2 Anyone who fails to comply with the household duty is liable on conviction to an unlimited fine. As an alternative to prosecution, local authorities have the power to issue a fixed penalty notice.² Councils can set the fixed penalty amount between £150 and £400 (inclusive). By default, the amount is set at £200 by statute. Councils can also introduce a reduced amount of no less than £120 if payment is made within 10 days to encourage prompt resolution of matters.
- 7.3 To successfully prosecute someone for fly-tipping, the Authority must show that they deposited controlled waste (or knowingly caused or knowingly permitted it to be deposited) on land without authorisation. This can be difficult to prove beyond reasonable doubt when waste containing identifiable material is found on land within the district without any witnesses to the deposit of the waste.
- 7.4 It is generally easier to prove that the owner of the illegally deposited waste did not comply with their duty of care and failed to transfer their household waste to an authorised person. Increased use of this power would hopefully increase enforcement levels, discourage people from depositing waste themselves or from passing it onto unlicensed waste collection services.
- 7.4 The Council's Constitution delegates the authority to enforce the provisions of Part II of the Environmental Protection Act 1990, which includes the household

¹ s34 (2A) Environmental Protection Act (EPA) 1990

² Environmental Protection (Miscellaneous Amendments) (England and Wales) Regulations 2018/1227 Pt 2 reg.3(2)

duty of care, to the Chief Executive and Executive Director. However, the Council has not set levels for the associated fixed penalty amounts and thus the statutory default of £200 with no reduction for prompt payment.

7.5 In general, the Council will seek to issue a fixed penalty notice in response to someone's failure to comply with their household duty of care but this will be decided by the authorised officer on a case-by-case basis taking into account all relevant facts. There are a number of situations when the Council would consider that the issuing of a fixed penalty notice may not be appropriate and instead would seek to prosecute under the relevant legislation in accordance with the Council's Policy on the Enforcement of Environmental Crimes . These include:

- Large-scale depositing of waste items.
- When the offence is committed by someone that has previously received a fixed penalty notice for the same offence; and
- Where the offender is aggressive to an Enforcement Officer(or other staff member and/or refuses to provide their name and address.

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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By virtue of paragraph(s) 3, 4 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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