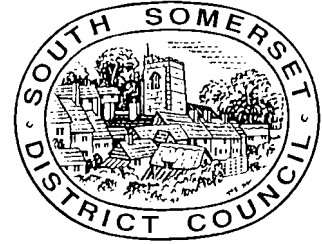


South Somerset District Council

Notice of Meeting



District Executive

Making a difference where it counts

Thursday 4th January 2018

9.30 am

**Council Chamber
Council Offices
Brympton Way
Yeovil
Somerset BA20 2HT**



Disabled access and a hearing loop are available at this meeting venue.

Members listed on the following page are requested to attend the meeting.

The public and press are welcome to attend.

If you would like any further information on the items to be discussed, please contact the Democratic Services Manager on 01935 462148 or democracy@southsomerset.gov.uk

This Agenda was issued on Wednesday 20 December 2017.

Alex Parmley, *Chief Executive Officer*

This information is also available on our website
www.southsomerset.gov.uk and via the mod.gov app



District Executive Membership

Ric Pallister
Peter Gubbins
Henry Hobhouse
Val Keitch
Jo Roundell Greene
Sylvia Seal
Peter Seib
Angie Singleton
Nick Weeks
Derek Yeomans

Information for the Public

The District Executive co-ordinates the policy objectives of the Council and gives the Area Committees strategic direction. It carries out all of the local authority's functions which are not the responsibility of any other part of the Council. It delegates some of its responsibilities to Area Committees, officers and individual portfolio holders within limits set by the Council's Constitution. When major decisions are to be discussed or made, these are published in the Executive Forward Plan in so far as they can be anticipated.

Members of the Public are able to:-

- attend meetings of the Council and its committees such as Area Committees, District Executive, except where, for example, personal or confidential matters are being discussed;
- speak at Area Committees, District Executive and Council meetings;
- see reports and background papers, and any record of decisions made by the Council and Executive;
- find out, from the Executive Forward Plan, what major decisions are to be decided by the District Executive.

Meetings of the District Executive are held monthly at 9.30 a.m. on the first Thursday of the month in the Council Offices, Brympton Way.

The Executive Forward Plan and copies of executive reports and decisions are published on the Council's web site - www.southsomerset.gov.uk.

The Council's Constitution is also on the web site and available for inspection in Council offices. The Council's corporate priorities which guide the work and decisions of the Executive are set out below.

Questions, statements or comments from members of the public are welcome at the beginning of each meeting of the Council. If a member of the public wishes to speak they should advise the committee administrator and complete one of the public participation slips setting out their name and the matter they wish to speak about. Each individual speaker shall be restricted to a total of three minutes. Answers to questions may be provided at the meeting itself or a written reply will be sent subsequently, as appropriate. Matters raised during the public question session will not be debated by the Committee at that meeting.

Further information can be obtained by contacting the agenda co-ordinator named on the front page.

District Executive

Thursday 4 January 2018

Agenda

1. Minutes of Previous Meeting

To approve as a correct record the minutes of the District Executive meeting held on 7th December 2017.

2. Apologies for Absence

3. Declarations of Interest

In accordance with the Council's current Code of Conduct (as amended 26 February 2015), which includes all the provisions relating to Disclosable Pecuniary Interests (DPI), personal and prejudicial interests, Members are asked to declare any DPI and also any personal interests (and whether or not such personal interests are also "prejudicial") in relation to any matter on the Agenda for this meeting.

Members are reminded that they need to declare the fact that they are also a member of a County, Town or Parish Council as a Personal Interest. Where you are also a member of Somerset County Council and/or a Town or Parish Council within South Somerset you must declare a prejudicial interest in any business on the agenda where there is a financial benefit or gain or advantage to Somerset County Council and/or a Town or Parish Council which would be at the cost or to the financial disadvantage of South Somerset District Council.

4. Public Question Time

5. Chairman's Announcements

Items for Discussion

6. Heart of the South West (HotSW) - Joint Committee (Pages 4 - 23)

7. Council Tax Support Scheme 2018/19 (Pages 24 - 30)

8. SSDC Transformation Programme - Progress Report (Pages 31 - 50)

9. Annual review of the Regulation of Investigatory Powers Act 2000 (RIPA) (Pages 51 - 81)

10. 2018/19 Draft Budget and Medium Term Financial Plan Update (Pages 82 - 92)

11. Yeovil Street Markets (Pages 93 - 98)

12. District Executive Forward Plan (Pages 99 - 103)

13. Date of Next Meeting (Page 104)

Agenda Item 6

Heart of the South West (HotSW) – Joint Committee

Executive Portfolio Holder: Councillor Ric Pallister, Strategy and Policy
Chief Executive: Alex Parmley, Chief Executive
Contact Details: Alex.parmley@southsomerset.gov.uk or 01935 462101

Reason for the Report

1. On 23 February 2017, South Somerset District Council gave ‘in principle’ approval to the establishment of a HotSW Joint Committee, subject to approving the Joint Committee’s constitutional arrangements and an inter-authority agreement necessary to support the Joint Committee. This report sets out the necessary documents which, if agreed, will enable the Joint Committee to be formally established.

Forward Plan

2. This report appeared on the District Executive Forward Plan with an anticipated Committee date of 4th January 2017.

Public Interest

3. Under the Localism Act 2011, Councils have a duty to cooperate in planning for the needs and the development of their areas, recognising development can impact across boundaries and can need planning, infrastructure and support at a wider level than local authority boundaries. The Local Government Act 1972 allows Councils to establish Joint Committees to take forward shared responsibilities. The proposed Heart of the South West Joint Committee would involve the County Councils, Unitary Councils, District Councils and National Park Authorities of the Heart of the South West Area coming together formally to share responsibility for planning for the needs and development of the area. This is with a view to increasing cooperation and to securing devolved powers and funding from the Government to support economic growth and improved living standards.

Recommendations:

4. That District Executive recommends the Council to:
 - a) Approve the recommendation of the HotSW Leaders (meeting as a shadow Joint Committee) to form a Joint Committee for the Heart of the South West;
 - b) Approve the Arrangements and Inter-Authority Agreement documents set out in appendices A and B for the establishment of the Joint Committee with the commencement date of Monday 22nd January 2018;
 - d) Appoint Councillor Ric Pallister and Councillor Jo Roundell Greene as the Council’s named representative and substitute named representative on the Joint Committee;
 - c) Appoint Somerset County Council as the Administering Authority for the Joint Committee for a 2 year period commencing 22nd January 2018;
 - e) Approve the transfer of the remaining joint devolution budget to meet the support costs of the Joint Committee for the remainder of 2017/18 financial year subject to approval of any expenditure by the Administering Authority;

- f) Approve an initial contribution of £1,400 for 2018/19 to fund the administration and the work programme of the Joint Committee, noting that any expenditure will be subject to the approval of the Administering Authority;
- g) Agree that the key function of the Joint Committee is to approve the Productivity Strategy (it is intended to bring the Strategy to the Joint Committee for approval by February 2018);
- h) Authorise the initial work programme of the Joint Committee aimed at the successful delivery of the Productivity Strategy;
- i) Agree the proposed meeting arrangements for the Joint Committee including the timetable of meetings for the Joint Committee as proposed in para 23.

Introduction

5. Since August 2015, Devon and Somerset County Councils, all Somerset and Devon Districts, Torbay Council, Plymouth City Council, Dartmoor and Exmoor National Parks, the Local Enterprise Partnership (LEP) and the three Clinical Commissioning Groups have worked in partnership to progress towards securing a devolution deal for the HotSW area focusing on delivering improved productivity. Since that time the partnership has continued to progress its objectives in spite of policy shifts at a national level.
6. On 23 February 2017 (Minute 106 refers) South Somerset District Council gave 'in principle' approval to the establishment of a HotSW Joint Committee, subject to approving the Joint Committee's constitutional arrangements and an inter-authority agreement necessary to support the Joint Committee. This report sets out the necessary documents which, if agreed, will enable the Joint Committee to be formally established.
7. Since then the General Election has further shifted the national policy position. On the 13th October representatives of HotSW (from the Somerset, Devon, Plymouth and Torbay upper tier authorities) met Jake Berry MP, Minister for devolution to clarify the position of the Government and the HotSW Partnership on the devolution issue. The meeting was very positive and although no agreements were reached at the meeting, the partnership's representatives were given a clear message that the Government would welcome a bid from the partnership to progress our productivity ambitions by identifying areas where we can work together with Government. Importantly the Minister indicated that there would be no requirement to have an elected mayor for Devon and Somerset as a condition of any deal. This statement has removed one significant blockage to moving our ambitions forward and we now need to agree what we want from this initiative and then find practical ways to work with the Government on delivery.
8. There is now no doubt that the Government is keen to engage with wider areas that can demonstrate:
 - Unity, clarity of purpose and a shared, ambitious vision built on local strengths
 - Strong partnership between business and the public sector with solid governance arrangements that provide assurance in capacity to deliver
 - Compelling ideas that can help to deliver Government objectives
 - Clarity about the offer to Government in terms of savings and is prepared to take hard decisions based on a robust analysis of risk and benefits.

9. The Joint Committee will provide the ideal governance framework at this stage to take forward this dialogue with Government.
10. The key role of the HotSW Joint Committee is to develop, agree and ensure the implementation of the Productivity Strategy. This can only be achieved by working, where appropriate, in collaboration with the individual constituent authorities and the LEP. The Strategy will agree a common vision for increased prosperity through economic growth informed by a local evidence base and engagement with local stakeholders. It will also link to Government policy initiatives, particularly in relation to the Industrial Strategy, and will form the basis for developing our collective 'ask' of Government.

HotSW Joint Committee Proposal

11. The detail of the proposed functions of the Joint Committee and how it will operate are set out in appendix A attached – the Arrangements document. Appendix B attached sets out an Inter-Authority Agreement for consideration which details how the Joint Committee will be supported and sets out the obligations of the Council if it agrees to become a constituent member.
12. The documents detail the Administering Authority functions in support of the operation of the Committee including the provision of financial, legal, constitutional and administrative support to the Committee.
13. At this stage the Arrangements and Inter-Authority documents have been 'scaled' to fit the functions of the Joint Committee and the limited liabilities that each authority faces in signing up to be a Constituent Authority. In the event that the remit of the Joint Committee expands to take on more decision-making responsibilities and functions of the constituent authorities, the Arrangements and Inter-Authority agreement will be revisited to ensure that they remain fit for purpose and proportionate. Any expansion of the functions and responsibilities would require the approval of the Constituent Authorities.
13. The Joint Committee has a much more limited role than a Combined Authority. It does not have the statutory or legal status of a Combined Authority and cannot deliver the full range of benefits that a Combined Authority can, but it does have the potential to provide cohesive, coherent leadership and a formal governance structure. Its role will focus on collaboration, negotiation and influencing with full decision making responsibilities limited to developing and agreeing the Productivity Strategy. The principle of subsidiarity will apply to the relationship between the Joint Committee, the Constituent Authorities and local Sub-Regional Partnerships with decisions to deliver the Productivity Strategy and decisions necessary as a result of the other functions of the Joint Committee being taken at the most local and appropriate level.
14. The aim of the Joint Committee through the delivery of the Productivity Strategy will be to:
 - Improve the economic prosperity of the wider area by bringing together the public, private and education sectors;
 - Work together to realise opportunities and mitigate impacts resulting from Brexit;
 - Increase understanding of the local economy and what needs to be implemented locally to improve prosperity for all;

- Ensure the necessary strategic framework, including infrastructure requirements, is in place across the HotSW area to enable sub-regional arrangements to fully deliver local aspirations; and improve the efficiency and productivity of the public sector. This work will be supported by a Joint Committee budget based on an agreed work programme.
15. The creation of a single strategic public sector partnership covering the HotSW area will: facilitate collaborative working; help us to remove barriers to progress; as well as provide a formal structure to engage with Government at a strategic level on major areas of policy. It also has the potential to enable the Constituent Authorities and partners to have discussions with neighbouring Councils / Combined Authorities / LEPs on South West peninsula priorities and issues as well as the ability to move swiftly towards a Combined Authority model in the future (by potentially acting as a shadow Combined Authority) if the conditions are deemed acceptable to the Constituent Authorities.
 16. Critically, the Joint Committee will also provide a formal mechanism for the Constituent Authorities to engage effectively with the LEP across common boundaries and agendas. District Council partners, in particular, might view this as an opportunity to engage more effectively with the LEP. The LEP, which will sit alongside the Joint Committee, has recently adopted new governance requirements to ensure greater transparency and accountability and wishes to further improve its democratic accountability in discussion with HotSW partners. The Joint Committee will provide a formal structure to take these discussions forward and for the Constituent Authorities to have greater influence over the activities of the LEP on our common agendas.
 17. Although the Joint Committee is a cost-effective formal structure, some provision needs to be made to meet the support costs of what will be a fully constituted local authority joint committee. It is proposed that Somerset County Council (who have provided the lead for the governance workstream of the devolution project over the last two years) takes on the support role (with the option of rotating the role after 2 years of operation), to provide the financial, legal, democratic support to the Joint Committee from 22nd January 2018.
 18. There is currently the remainder of the joint devolution budget raised from an initial contribution from all Authorities and the LEP in 2015. It is recommended that the remaining funds from this budget - £42,000 - are transferred to the Administering Authority and the budget is used to support the costs of the Joint Committee for the remainder of 2017/18 financial year and for some of 2018/19.
 19. In addition, the Joint Committee will need a budget to undertake its work programme in order to oversee the implementation of the Productivity Strategy. The overall budget required to support the Joint Committee and enable it to undertake its work programme will be dependent, to an extent, on the level of 'in-kind' officer resources provided to the Committee by the constituent authorities. The Administering Authority will review the in-kind support which has been provided for the devolution project in consultation with the constituent authorities and bring forward revised budget figures as part of a budget and cost sharing agreement as necessary in due course to the Joint Committee for consideration and recommendation to the Constituent Authorities. The budget figures set out in this report in paragraph 2.11 are therefore provisional at this stage. The initial Joint Committee work programme is set out in section 3 below for approval.
 20. Through work undertaken by the partners it is estimated that the operating cost of a Joint Committee will be £89,000 in 2018/19 (and to cover the remainder of 2017/18) excluding any in-kind support. This estimate is made up of the following:

- £40,000 for the Administering Authority to undertake its duties. This is seen as a minimum cost and assumes that 'in-kind' officer resource remains in place at the same level; the Joint Committee meeting venues are provided by partners as 'in-kind' contribution
 - £25,000 (estimate) for work the Joint Committee would wish to commission
 - £24,000 for the Brexit Resilience and Opportunities Group Secretariat.
21. The Shadow Joint Committee recommends the budget is met by contributions from the Constituent Authorities. This would exclude the LEP and the CCGs from contributing as non-voting partners. As stated above it is estimated there will be a funding carry forward of £42,000 from the 2015 devolution budget. This would leave a shortfall of £47,000 to meet the total estimated budget requirement of the Joint Committee in 2018/19. Using the formula of contributions agreed in 2015 to support the devolution project the contribution requested of each Constituent Authority for 2018/19 is set out below. This assumes that all authorities agree to become members of the Joint Committee and would have to be recalculated should fewer than 19 Authorities become Members.
- County Councils - £10,500
 - Unitary Councils - £4,000
 - District Councils and National Parks £1,400
22. Under this formula it is recommended this Council contributes £1,400 for 2018/19 as a Constituent Authority. Any expenditure against this budget would be subject to the formal approval of the Administering Authority.
23. In terms of the proposed meeting arrangements for the Joint Committee, it is recommended:
- (a) That the Joint Committee should meet formally immediately after the LEP Board meetings to assist with engagement and co-operation between the bodies and allow co-ordination of the respective work programmes.
 - (b) That the following dates are reserved for meetings of the Joint Committee in 2018:
 - Friday 26th January
 - Friday 23rd March
 - Friday 25th May
 - Friday 20th July
 - Friday 28th September
 - Friday 30th November
 - (c) That the Joint Committee meetings should start at 10am with the venues rotated throughout the HotSW area. The assumption will be that the host authority for that meeting will provide appropriate accommodation and facilities 'in kind'.

HotSW Productivity Plan and the Joint Committee Work Programme

24. The Partnership has, since its inception, been focused on working together to tackle low productivity as this is seen as the key to future economic growth. The academic research undertaken in the HotSW Green Paper on Productivity - <http://www.torbay.gov.uk/council/how-the-council-works/devolution/productivity-plan-green-paper/> highlighted that whilst Devon and Somerset have one of the highest employment rates in the country too many of those jobs are part-time and low paid.

This means that our area has one of the lowest productivity rates in the Country and this is a major barrier to future prosperity.

25. The Partnership has continued to lobby Government to work more closely with our area in order to make good on its promise to spread economic growth across the Country and we now need to build on the recent meeting of the Minister and the momentum achieved. This work is urgently needed to ensure that areas such as the Heart of the South West don't get left behind as Government look to focus investment in areas where there are strong, cross boundary strategic partnership arrangements such as the six Mayoral Combined Authorities.

25. The Productivity Strategy is being developed through an academic evidence base and engagement with stakeholders and the community. The draft plan is currently out to consultation (<http://www.torbay.gov.uk/devolution>). The deadline for response is 30th November 2017. Members are encouraged to respond to the draft strategy.

26. In summary the Strategy proposes to deliver prosperity and productivity across the entire HotSW and to do so in an inclusive way. It proposes to build on existing strengths such as aerospace, advanced manufacturing, nuclear energy and agri-tech as well as exploiting new opportunities and releasing untapped potential.

27. The Strategy is built around three key objectives:

- Developing **leadership and knowledge** within businesses in our area;
- Strengthening the **connectivity and infrastructure** our businesses and people rely on; and
- Developing the ability of people in our area to **work and learn** in a rapidly changing economy.

	Leadership and knowledge	Connectivity and infrastructure	Working and learning
Aspiration	To substantially improve the productivity of businesses in the area.	Improve our physical and natural assets to support wellbeing and economic opportunities.	Meet the potential of every individual within the area to work and contribute to our shared prosperity.
High-level aim	Help develop innovative, ambitious, growing businesses that can compete internationally.	Create vibrant places that are attractive to skilled people and new investment, with infrastructure to support productivity growth.	Develop, attract and retain a highly skilled and adaptable workforce.
Strategic objective	Programmes <ul style="list-style-type: none"> • Management excellence • New markets, new opportunities • Remove barriers to expansion • Attract talent and investment 	Programmes <ul style="list-style-type: none"> • Clean energy infrastructure • Connectivity and resilience • Land for business and housing needs • Natural capital to support productivity 	Programmes <ul style="list-style-type: none"> • Skills for a knowledge-led economy • Pathways to success • Access to work and opportunities • Skills for our 'golden opportunities'

28. It is recommended that one of the first tasks of the Joint Committee will be to approve the Productivity Strategy early in the New Year;
29. The Partnership has been meeting as a Shadow Joint Committee since 22nd September 2017. Its focus is to ensure the Joint Committee can immediately move into action and take advantage of major funding streams, national policy debates and lobbying around the economy. The Partnership will be working with the LEP to deliver the Productivity Strategy and will be supporting a joint work programme which initially will involve:
 - Developing and recommending a delivery and investment Framework, to implement the Productivity Strategy and demonstrating our capacity to deliver. This will complement the LEP's Strategic Investment Panel which oversees the LEP's investments;
 - Investigating ways to complement existing work to draw out opportunities to attract infrastructure investment in line with the Productivity Strategy aims, building our track record for ambitious and compelling propositions;
 - Investigating ways to complement existing work on improving the delivery of skills in line with the Productivity Strategy aims
 - Investigating ways to complement existing work on strengthening leadership & knowledge within the area's SMEs in line with the Productivity Strategy aims;
30. Any Joint Committee expenditure on the joint work programme will be subject to approval by the Administering Authority.

Consultation, communication and engagement

31. Members, partners and the public have been kept informed of developments of the HotSW Devolution Partnership and the Productivity Strategy through press releases, newsletters, presentations, workshops and publications. This information flow will be maintained by the Joint Committee. In addition, all of the Authorities within the Partnership have taken formal decisions as required during the various stages of consideration of devolution proposals and the proposed creation of the Joint Committee.
32. A draft Productivity Strategy has been released for public consultation. To complement the on-line consultation there will be; Council-based briefings and targeted key stakeholder events through 6 sub-regional roadshows held in Plymouth, Northern Devon, Cullompton/Exeter, Torbay, Taunton/Bridgwater and Yeovil/Shepton Mallet. The consultation will end on 30th November 2017 and feedback will influence the final strategy which is due for approval in early 2018.

Equality Considerations

33. The Inter-Authority Agreement requires all Constituent Authorities to support, promote and discharge its duties under the Equality Act through the work of the Joint Committee. The Partnership is developing an Equality Impact Needs Assessment to inform the development of the Productivity Strategy. The Joint Committee will consider this assessment alongside the Productivity Strategy before adoption.

Public Health Considerations

34. There is a strong correlation between economic prosperity and health of the population. Public Health specialists will be key stakeholders within the consultation process and

will be asked to advise on ways in which the Productivity Strategy could be connected to public health strategies to maximise the benefits to our communities.

Risk Management Considerations

35. The creation of a Joint Committee will place a formal governance structure around the preparation and implementation of the Productivity Strategy. The Strategy will be used as a tool to attract a greater share of Government funding around the Industrial Strategy to mitigate the risk of Devon and Somerset being left behind other areas of the country.
36. Without a Productivity Strategy and Joint Committee in place, the Council and its partners will lack credibility and be at a disadvantage in negotiating and lobbying Government on a range of policy initiatives including the growth agenda and are likely to miss out on potential funding streams.
37. The individual financial risk to the individual Constituent Authorities of establishing the Joint Committee is limited to their financial contributions to the running and operational costs of the Joint Committee. The risk is shared between all of the Constituent Authorities.

Legal considerations

38. Each of the partners' legal teams and Monitoring Officers have been involved in the development of the Arrangements and Inter-Authority documents set out as Appendices A and B. The documentation also aligns to the LEP's Assurance Framework.
39. This simple documentation sets out the functions, membership and operations of the Joint Committee and the requirements upon the constituent authorities in supporting it.

Financial considerations

40. The costs associated with the early work on the Productivity Strategy preparation largely relate to officer time which is being provided 'in kind' by the authorities and partners. Specifically the LEP has met some direct costs.
41. The establishment of the Joint Committee provides a low cost option compared to a Combined Authority model of governance. As part of the Inter-Authority Agreement the assumption is that the Constituent Authorities will continue to provide in-kind support although this will be reviewed by the Administering Authority to ensure that the levels of support are appropriate, sustainable into the future and acceptable to the authorities providing the support. The direct running costs of the Joint Committee will be limited to providing officer support for the meetings, if there is insufficient 'in-house' capacity, and the costs of the meetings themselves. At this stage direct support costs will be kept to a minimum and for 2017/18 and some of 2018/19 will be covered by the residual joint devolution budget established in 2015.
42. In addition to the direct costs of administering the Joint Committee there is also the issue of a budget to fund its Work Programme. Further details of the provisional budget requirements are set out in section 2 together with the proposed funding mechanism for contributions from individual Constituent Authorities. For South Somerset District Council the proposed funding contribution is £1400 for 2018/19.
43. In coming to their decision about a Joint Committee and whether the potential costs provide good value for money, Members might like to consider the potential cost/impact

of not working in this way and the potential loss of influence with the Government and investment to the area. Through recent funding initiatives and policy – including through the recent meeting with the Minister, it is clear that Government is looking for areas to come together and articulate their vision and priorities across footprints wider than their organisational boundary or sub-regional areas.

44. The proposal put before Members sets out a low risk, low cost option to work in a more formal way to capitalise on opportunities arising from future Government strategies, funding announcements and in preparation for Brexit.

Options/Alternatives

45. There are two options and alternatives that Members might consider:

Option 1 – Do nothing and continue with informal arrangements within the Partnership. As set out above the feedback from Government is they prefer to work ‘at scale’ and are looking more favourably at areas that have a unity of vision and purpose.

Option 2 – move to a Combined Authority. The Partnership now need to review the option of establishing a Combined Authority at some point following the indication from the Minister that there will be no requirement to have an elected mayor in order to pursue our ambitions. Establishing a Combined Authority requires a substantial lead in time to allow for the Parliamentary approval process and would inevitably require the creation of a shadow Combined Authority to test and confirm the concept. The potential benefits of moving to a Combined Authority model will have to be judged against the implications of doing so, including the cost implications. The Joint Committee has the benefit of allowing the Partnership to move relatively quickly to establish a Combined Authority if that is the wish of the partners.

Reason for Recommendation/Conclusion

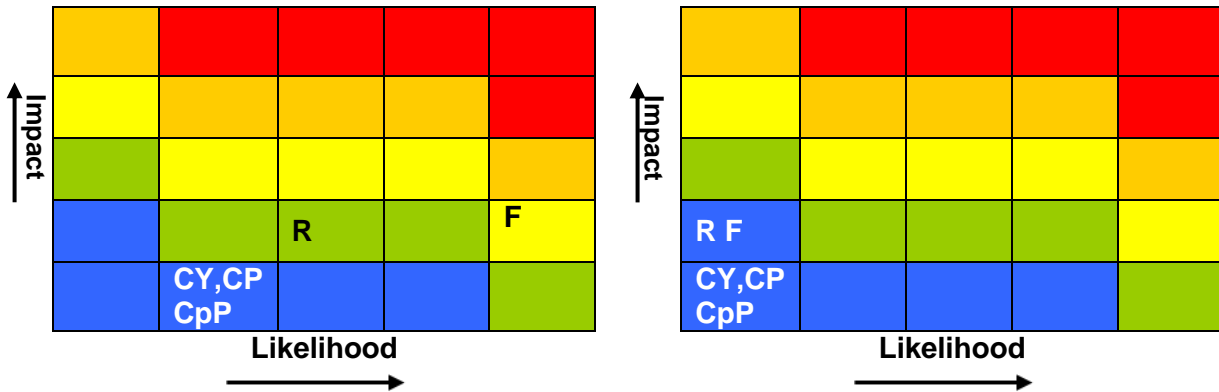
46. Working together will deliver better results if we are to help our businesses improve their productivity levels and deliver greater prosperity across the Heart of the South West. By collaborating across local geographies we will strengthen the area’s voice to Government and strengthen the actions the area can take to improve productivity.
47. The Productivity Strategy will replace the Local Enterprise Partnership’s Strategic Economic Plan. It will be the key strategic document for the partners to engage with Government and each other on a range of investment opportunities and powers emerging from the Industrial Strategy, Brexit and other policy opportunities.
48. The HotSW Joint Committee will provide a formal strategic partnership to complement and maximise the ability of individual authorities and sub-regional arrangements to deliver their aspirations. It will provide the formal arrangements for collaboration on productivity.
49. Through the Joint Committee the partners can test and improve their ability to work together as a potential precursor to the possible establishment of a Combined Authority at some point in the future. It will also provide a mechanism to further strengthen democratic input and influence with the LEP and align more effectively with the LEP’s new model of governance and accountability.
50. Without a Joint Committee in place, the HotSW area will continue to struggle to position itself to be able to take advantage of Government policy initiatives and new funding

opportunities compared to those areas that have and are establishing formal strategic partnerships.

Risk Matrix

Risk Profile before officer recommendations

Risk Profile after officer recommendations



Key

Categories	Colours (for further detail please refer to Risk management strategy)
R = Reputation	Red = High impact and high probability
CpP = Corporate Plan	Orange = Major impact and major probability
Priorities	Yellow = Moderate impact and moderate probability
CP = Community Priorities	Green = Minor impact and minor probability
CY = Capacity	Blue = Insignificant impact and insignificant probability
F = Financial	

Background Papers

South Somerset District Council: 23 February 2017 (Minute 106 refers)

Julian Gale
Monitoring Officer
Somerset County Council
30th October 2017

APPENDIX A

HEART OF THE SOUTH WEST (HOTSW) JOINT COMMITTEE – DRAFT ARRANGEMENTS

1. Introduction:

1.1 Legal status: The HotSW Joint Committee is a Joint Committee of the local authorities listed in 1.5 below that comprise the HotSW area and established under Sections 101 to 103 of the Local Government Act 1972 and all other enabling legislation to undertake the functions detailed in section 2 of this Agreement.

1.2 Key purpose: The key purpose of the Joint Committee is to be the vehicle through which the HotSW partners will ensure that the desired increase in productivity across the area is achieved.

1.3 Aims and objectives: The aim is to provide a single strategic public sector partnership that covers the entire area and provides cohesive, coherent leadership and governance to ensure delivery of the Productivity Strategy for the HotSW area. The specific objectives of the Joint Committee are to:

- (a) Improve the economy and the prospects for the region by bringing together the public, private and education sectors;
- (b) Increase our understanding of the economy and what needs to be done to make it stronger;
- (c) Improve the efficiency and productivity of the public sector;
- (d) Identify and remove barriers to progress and maximise the opportunities /benefits available to the area from current and future government policy.

1.4 Commencement: The Joint Committee will be established in accordance with the resolutions of the Constituent Authorities listed below in paragraph 1.5 with effect from the Commencement Date (22nd January 2018) and shall continue in existence unless and until dissolved by resolution of a majority of the Constituent Authorities.

1.5 Membership: Each of the Constituent Authorities listed below shall appoint 1 member and 1 named substitute member to the Joint Committee on an annual basis. Each member shall have 1 vote including substitute members. For the Councils, the member appointed shall be that Council's Leader except in the case of Torridge District Council where the member appointed by the Council shall have authority to speak and vote on matters on behalf of the Council. Political balance rules do not apply to the Joint Committee membership. The substitute member shall also be a cabinet member where the Council is operating executive arrangements. For the National Park Authorities the member appointed shall have authority to speak and vote on matters on behalf of the Authority:

- Dartmoor National Park Authority
- Devon County Council
- East Devon District Council
- Exeter City Council
- Exmoor National Park Authority
- Mendip District Council
- Mid Devon District Council
- North Devon Council

Leaders

for the Heart of the South West

- Plymouth City Council
- Sedgemoor District Council
- Somerset County Council
- South Hams District Council
- South Somerset District Council
- Torbay Council
- Taunton Deane Borough Council
- Teignbridge District Council
- Torridge District Council
- West Devon Borough Council
- West Somerset Council.

1.6 In addition to the Constituent Authorities the partner organisations listed below shall each be invited to appoint 1 co-opted representative and 1 named substitute co-opted representative to the Joint Committee. Co-opted members shall not have voting rights:

- Heart of the South West Local Enterprise Partnership (the LEP)
- NHS Northern, Eastern and Weston Devon Clinical Commissioning Group
- NHS South Devon and Torbay Clinical Commissioning Group
- NHS Somerset Clinical Commissioning Group

1.7 The Joint Committee may co-opt further non-voting representatives from the private, public and/or voluntary sectors at any time.

1.8 Each appointed member / representative shall remain a member of the Joint Committee until removed or replaced by the appointing authority / organisation. Appointments to fill vacancies arising should be notified to the Joint Committee Secretary as soon as possible after the vacancy occurs.

1.9 Standing Orders / Rules of Procedure: Outside of the contents of this 'Arrangements' document, the Standing Orders and Rules of Procedure for the Joint Committee shall be those contained in the Constitution of the Administering Authority to the Joint Committee, subject, in the event of any conflict, to the provisions in the Arrangements document taking precedent.

1.10 Administering Authority: A Council shall be appointed by the Constituent Authorities as the Administering Authority for the Joint Committee and shall provide legal, democratic services, financial and communications support to the Committee. The Joint Committee's Forward Plan of business and papers for its meetings shall be published on the Administering Authority's website with links provided to the websites of the other Constituent Authorities and partner organisations.

2. Joint Committee Functions:

2.1 The only delegated function of the Joint Committee relates to the approval of the HotSW Productivity Strategy. All other matters referred to in 2.3 are 'referred' matters where the Joint Committee will make recommendations to the Constituent Authority or Authorities for decision. Additional delegated or referred functions may be proposed for the Joint Committee in the future by the Joint Committee or any of the Constituent Authorities, but shall only be agreed if approved by all of the Constituent Authorities.

2.2 The principle of subsidiarity will apply to the relationship between the Joint Committee, the Constituent Authorities and local Sub-Regional Partnerships with decisions

being made at the most local and appropriate level on all matters to do with the delivery of the Productivity Strategy and in relation to the other functions of the Joint Committee.

2.3 The Joint Committee shall:

- (a) Develop and agree the HotSW Productivity Strategy in collaboration with the LEP.
- (b) Ensure delivery of the HotSW Productivity Strategy in collaboration with the LEP and the Constituent Authorities.
- (c) Continue discussions /negotiations with the Government on the possibility of achieving devolved responsibilities, funding and related governance amendments to assist with the delivery of the Productivity Strategy. Joint Committee proposals arising from these discussions /negotiations would require the formal approval of the Constituent Authorities / partner agencies.
- (d) Continue discussions / negotiations with the Government / relevant agencies to secure delivery of the Government's strategic infrastructure commitments, e.g, strategic road and rail transport improvements
- (e) Work with the LEP to identify and deliver adjustments to the LEP's democratic accountability and to assist the organisation to comply with the revised (November 2016) LEP Assurance Framework. This includes endorsing the LEP's assurance framework on behalf of the Constituent Authorities as and when required. However, this is subject to the Framework being formally approved by the LEP's Administering Authority.
- (f) Ensure that adequate resources (including staff and funding) are allocated by the Constituent Authorities to enable the objectives in (a) to (e) above to be delivered.

3. Funding

3.1 The Constituent Authorities shall agree each year and in advance of the start of the financial year (except in the year of the establishment of the Joint Committee) a budget for the Joint Committee in accordance with a Budget and Cost Sharing Agreement to cover the administrative costs of the Joint Committee and costs incurred in carrying out its functions. All funds will be held and administered by the Administering Authority on behalf of the Constituent Authorities and spent in accordance with that Authority's financial regulations and policies.

3.2 In the Joint Committee's first year of operation, the budget will be approved by the constituent authorities on the recommendation of the Joint Committee as soon as possible after the establishment of the Joint Committee.

3.3 Joint Committee members' costs and expenses will be funded and administered by the respective Constituent Authority.

4. Review of the Joint Committee Arrangements

5.1 The Joint Committee may at any time propose amendments to the Arrangements document which shall be subject to the approval of all of the Constituent Authorities.

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5.2 Any Constituent Authority may propose to the Joint Committee amendments to the Arrangements. Such amendments shall only be implemented if agreed by all of the Constituent Authorities on the recommendation of the Joint Committee.

5. Members' Conduct

5.1 All members of the Joint Committee shall observe the "Seven Principles of Public Life" (the 'Nolan' principles) and will be bound by their own authority's code of conduct in their work on the Joint Committee.

5.2 Joint Committee members / representatives shall be subject to the code of conduct for elected members adopted by the Constituent Authority that nominated them to be a Joint Committee member or to the conduct requirements of the organisation that appointed them. This includes the requirement to declare relevant interests at formal meetings of the Joint Committee.

6. Requirements of Joint Committee members

6.1 Joint Committee members shall:

- (a) Act in the interests of the Joint Committee as a whole except where this would result in a breach of a statutory or other duty to their constituent authority or would be in breach of their Constituent Authority's Code of Conduct.
- (b) Be committed to, and act as a champion for, the achievement of the Joint Committee's aims.
- (c) Be an ambassador for the Joint Committee and its work.
- (d) Attend Joint Committee meetings regularly, work with others to achieve consensus on items of business and make a positive contribution to the Committee's work.
- (e) Act as an advocate for the Joint Committee in any dealings with their organisation including seeking any approvals from their Constituent Authority/partner organisation to Joint Committee recommendations.
- (f) Adhere to the requirements of the 'Arrangements' document and maintain high ethical standards.

7. Appointment of Chairman and Vice-Chairman

7.1 The Joint Committee shall elect a Chairman and Vice-Chairman from amongst the voting membership as the first items of business at its inaugural meeting and at each Joint Committee Annual General Meeting thereafter. The appointments shall be confirmed by a simple majority vote of Constituent Authority members. If a deadlock occurs between two or more candidates a secret ballot shall immediately be conducted to confirm the appointment. If there is still deadlock following a secret ballot then a further meeting of the Joint Committee shall be held within 14 days and a further secret ballot shall be held to resolve the appointment.

7.2 A vacancy occurring in the positions of Chairman or Vice-Chairman between Annual General Meetings shall be filled by election at the next meeting of the Joint Committee. The person elected will serve until the next Annual General Meeting.

7.3 The Chairman and Vice-Chairman shall, unless he or she resigns the office or ceases to be a member of the Joint Committee and subject to 7.5 below, continue in office until a successor is appointed.

7.4 In the absence of the Chairman and the Vice-Chairman at a meeting, the voting members of the Committee present shall elect a Chairman for that meeting.

7.5 The Chairman or Vice-Chairman may be removed by a vote of all of the Constituent Authority members present at a meeting of the Joint Committee.

8. Quorum

The quorum for any meeting of the Joint Committee shall be 9 Constituent Authority members. The Chairman will adjourn the meeting if there is not a quorum present. In the absence of a quorum, the meeting shall be adjourned to a date, time and venue to be agreed by the Chairman.

9. Voting

9.1 Wherever possible the elected and co-opted members of the Joint Committee shall reach decisions by consensus and shall seek to achieve unanimity.

9.2 In exceptional circumstances where a formal vote is required, the proposal will be carried by a simple majority agreement of the voting members present and voting by a show of hands. The Chairman of the Joint Committee shall not have a casting vote in the event of a tied vote.

10 Decision making Arrangements

10.1 Only the Joint Committee shall approve the Productivity Strategy.

10.2 The Joint Committee may at any time appoint working groups consisting of Joint Committee members and/or co-opted representatives / officers to consider specific matters and report back / make recommendations to the Joint Committee.

11 Formal Meeting Arrangements

11.1 The Joint Committee will hold an Inaugural Meeting within 30 days of the agreed commencement date and thereafter shall meet on a regular basis as agreed by the Joint Committee annually at its Annual General Meeting.

11.2 The Chairman or in his/her absence the Vice-Chairman, may call a special meeting of the Joint Committee following consultation with the Chief Executives' Advisory Group to consider a matter that falls within the Committee's remit but cannot be deferred to the next scheduled meeting, provided that at least ten clear working days notice in writing is given to the Joint Committee membership.

11.3 Formal meetings of the Joint Committee shall normally be held in public, in accordance with the Access to Information Rules and the Standing Orders / Rules of Procedure of the Administering Authority.

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11.4 Meetings of any working groups or task groups established by the Joint Committee shall, unless otherwise agreed, be held in private.

12. Who can put items on the Joint Committee's agenda?

- (a) The Joint Committee itself;
- (b) Any of the members of the Joint Committee appointed by the Constituent Authorities
- (c) A Constituent Authority by way of a formal resolution
- (d) The Chief Executives' Advisory Group
- (e) The Monitoring Officer and / or the Chief Finance Officer of the Administering Authority.

13. Reporting Arrangements

13.1 In addition to any ad hoc reports to the Constituent Authorities, the Joint Committee shall supply an annual report of its activities to the Constituent Authorities in May of each year.

13.2 The Joint Committee shall co-operate with the public scrutiny arrangements of the Constituent Authorities.

14 Record of attendance

14.1 All members present during the whole or part of a meeting are asked sign their names on the attendance sheets before the conclusion of every meeting to assist with the record of attendance.

Julian Gale
Monitoring Officer
Somerset County Council

30.10.17

APPENDIX B

HOTSW JOINT COMMITTEE DRAFT INTER – AUTHORITY AGREEMENT

1. Commencement and Duration:

1.1 This Agreement (and the obligation of the Constituent Authorities [CAs]) shall take effect on the agreed Commencement Date – Monday 22nd January 2018 - and shall continue until the Joint Committee (JC) is dissolved.

2. Formation provisions:

2.1 The CAs agree to form the JC from the agreed Commencement Date and to delegate / refer the functions specified to the JC from that date as set out in section 2.3 of the Arrangements document.

2.1 The JC shall operate in accordance with the Arrangements document and the Standing Orders and Rules of Procedure of the Administering Authority (AA).

3. Administering Authority (AA) arrangements

3.1 The AA shall be appointed by resolution of the CAs for a 24 month period (24 months is considered as appropriate to provide sufficient continuity but also to provide the option to rotate the role on a regular basis).

3.2 The AA shall provide:

- Financial, legal, constitutional and administrative support to the JC and its meetings
- An on-line presence for the JC via the AA website with links to the CAs / partner organisations websites.
- Ensure it has appropriate insurance arrangements in place to cover the AA role.

3.3 The AA may resign from the role by giving 6 months' notice to the CAs.

3.4 The AA may be removed and replaced by a majority vote of the CA members at a formal meeting of the JC.

3.5 The JC shall cease to exist in the event that no CA or organisation can be identified to undertake the AA role.

4. JC Finance

4.1 The JC's budgetary arrangements shall be detailed in a budget and cost sharing agreement (**to be drafted**) to be agreed by all of the CAs annually on the recommendation of the JC and in advance of the financial year. The only exception to this will be in the JC's first year of operation when the JC shall recommend a budget and cost sharing agreement to the CAs for approval at the first opportunity following its establishment.

4.2 The budget and cost sharing agreement shall cover:

- (a) The responsibilities of the CAs for providing funding for the JC
- (b) The anticipated level of expenditure for the JC for the year ahead

- (c) The cost sharing mechanism to be applied to the CAs
- (d) Details of how the budget will be set and agreed each year
- (e) Who is to be responsible for maintaining financial records on behalf of the JC (the 'accountable body');
- (f) What financial records are to be maintained;
- (g) What financial reports are to be made, to whom and when;
- (h) What arrangements and responsibilities are to be made for:
 - auditing accounts;
 - insurance including ensuring all partners have sufficient cover;
- (i) How any financial assets held by the JC on behalf of the CAs will be redistributed to the CAs in the event of the dissolution of the JC or in the event of a CA formally withdrawing from the CA.

5. Roles and responsibilities of the CAs

5.1 The CAs shall:

- (a) Appoint Members and named substitutes to the JC in accordance with the 'Arrangements'.
- (b) Undertake to share the costs of the JC in accordance with the budget and cost sharing agreement and pay their contribution to the JC to the AA in good time.
- (c) Make appropriate arrangements for recommendations of the JC to be considered and decisions made by the CA.
- (d) Support the work of the JC by offering services, resources or other 'in kind' support to assist with JC projects and activities.
- (e) Within the terms of the Inter-Authority Agreement, agree to share information to support the work of the JC.

6. Chief Executives' Advisory Group

6.1 The Group shall:

- (a) Ensure that the JC fulfils its functions and responsibilities and in accordance with all legal and constitutional requirements.
- (b) Plan and co-ordinate the JC's activities to ensure the achievement of its aims and objectives
- (c) Consider the performance and effectiveness of the JC on an on-going basis and make recommendations for changes for consideration by the JC and CAs as necessary.
- (d) Ensure that professional advice is available and provided as necessary to the JC to enable it to carry out its functions.
- (e) Rigorously monitor and scrutinise the JC's budget.
- (f) Consider disputes between the CAs over the application or interpretation of this Agreement together with any potential breaches of this Agreement.

7. Withdrawal from / dissolution of the JC

7.1 A CA wishing to withdraw from the JC shall give a minimum of 6 months' notice in writing to the other CA via the AA. The CAs shall co-operate with any such request.

7.2 If two or more CAs give notice of withdrawal from membership of the JC in the same Financial Year, the JC shall consider and make recommendations to the remaining CA as to the future operation of the JC and, if appropriate, recommend any necessary amendments required to the JC's functions and operating arrangements.

7.3 Where a majority of the CAs at any time agree (via formal resolutions) that the JC should be dissolved or terminated on a specified date then the JC shall cease to exist from that date.

8. Accounts, Audit and Reporting arrangements

8.1 The AA's accounts and audit arrangements will apply to JC business.

8.2 The AA will ensure appropriate reporting arrangements are in place for the JC.

9. Review of Inter-Authority Agreement

9.1 At any time one or more of the CAs may seek a review of this agreement and the operation of the JC by giving notice to the CAs via the AA.

9.2 The review shall be undertaken by the Chief Executives Advisory Group for report to the JC. Any recommendations for changes to the agreement from the JC shall only be implemented if agreed by all of the CAs.

10. Insurance, Indemnities, and Conduct of Claims

10.1 The JC as a scrutiny and policy making group rather than a commissioning body undertakes administrative functions and therefore carries relatively little risk.

10.2 Each authority's insurance cover will automatically extend to provide protection for their members and officers participating in the work of the JC and in their capacity as officers or members of that authority.

11. Information Sharing, Data Protection, Confidentiality, Publicity and Freedom of Information (FOI) Requests

11.1 The CA shall share information about their organisations where that information is relevant to the aims and objectives of the JC.

11.2 Where such information is confidential or privileged, for example for reasons of commercial, customer or client confidentiality, the CA concerned shall seek to provide the information in such as form as to assist the JC whilst maintaining confidentiality, for example by the use of statistical and other non-identifiable forms of data. If confidential information is provided by a constituent authority to assist the work of the JC, then each CA will respect that confidentiality and shall not use or disclose such information without the permission of the authority that provided the information.

11.3 In respect of FOI requests, the AA will ensure that the requirements of the FOI Act 2000 are met in respect of the activities of the JC. In particular the AA will consult the officers of the CA as necessary regarding any potentially contentious enquiries and will then respond to them accordingly on behalf of the JC.

11.4 The JC and the CAs shall at all times abide by the requirements of the Data Protection Act.

11.5 All press releases and public statements to be sent out on behalf of the Joint Committee shall be the responsibility of the press office of the Administering Authority.

12. Promoting Equality, Diversity and Social Inclusion

12.1 All CAs will support and promote the principles of inclusiveness and equality for all through the work of the JC.

13. Extent of obligations and further assurance

13.1 Nothing in this Agreement is to require any of the CA to act in any way that is inconsistent with its obligations or duties as a local authority.

14. Variations of the Agreement

14.1 Subject to the express provisions of this Agreement, no variation of this Agreement will be valid or effective unless agreed by formal resolution of all of the CA.

15. Dispute Resolution / Breach of this Agreement

15.1 In the event of a dispute arising from the interpretation and operation of this Agreement or a breach of this Agreement by any CA or JC member, the matter shall first be considered by the Chief Executives' Advisory Group. The Group shall seek to resolve the matter by discussion and mutual agreement and report to the JC and CA as necessary.

15.2 Where this fails to achieve a resolution, then the JC may give formal consideration to further action. Such action may include:

- (a) A request to a CA to replace a JC member;
- (b) A request to a CA to withdraw from the JC;
- (c) A recommendation to the other CAs for the termination of the participation of a CA.

Julian Gale
Monitoring Officer
Somerset County Council

30.10.17

Agenda Item 7

Council Tax Support Scheme 2018/19

Executive Portfolio Holder: Peter Seib, Finance and Legal Services
Director: Martin Woods, Director – Service Delivery
Service Manager: Ian Potter, Revenues and Benefits Manager
Lead Officer: Ian Potter, Revenues and Benefits Manager, Revenues and Benefits
Contact Details: ian.potter@southsomerset.gov.uk or 01935 362690

Purpose of the Report

1. To request that the District Executive recommend the proposed amendments to the Council Tax Support scheme for the 2018/19 financial year to Full Council for approval.

Forward Plan

2. This report appeared on the District Executive Forward Plan with an anticipated Committee date of 4 January 2018.

Public Interest

3. From April 2013 the Government changed the way in which financial help is given to residents to pay their Council Tax. The national Council Tax Benefit scheme was replaced with a local Council Tax Support scheme to help with the costs of Council Tax for those with low incomes. As part of the change the Government also cut the amount of money they give councils towards the scheme by 10%. The original South Somerset scheme was set taking this into account. By January 31st each year the council is required to review and set a Council Tax Support scheme for the next financial year.
4. In setting the scheme each year the Council has to balance the needs of those who require help towards paying their Council Tax with the Council Tax payers who help to pay for the scheme. The Council also looks to see if there are any ways the scheme can be simplified to make it easier for customers and reduce the cost of administering the scheme. The administration grant provided by the Department of Communities and Local Government to help pay for the administration of the scheme reduces each year. During 2017 the Council has removed the need for residents who get Universal Credit to make a separate claim for Council Tax Support, simplifying the process for customers and reducing costs.
5. There are only minor changes being proposed for the 2018/19 scheme. These are inflationary increases in personal allowances and premiums, and to non-dependent income bands and deductions. The Council also intends to disregard Bereavement Support payments.

Recommendations

6. That District Executive is requested to recommend to Council:
 - (a) that personal allowances and premiums are updated in line with those for Housing Benefit;
 - (b) that non-dependent deductions are updated in line with the annual percentage increase in Council Tax;

- (c) that the non-dependent income bands are increased by the same percentage as those applied to the national Council Tax Support scheme for pensioners;
- (d) that Bereavement Support payments are disregarded in line with their treatment in Housing Benefit;
- (e) that the hardship scheme budget be set at £30,000 for the 2018/19 financial year;
- (f) to note the recommendations of the Scrutiny Task and Finish Group attached at Appendix 1 (published as a separate appendix to this report);
- (g) to note the scheme has been amended to reflect changes to the Prescribed Requirements;
- (h) that the 2018/19 Council Tax Support Scheme attached at Appendix 2 is adopted (published as a separate appendix to this report);
- (i) to note that the proposed Council Tax Support Scheme has been reflected within the overall Council Tax Base.

Background

- 7. The South Somerset Council Tax Support scheme (CTS) was introduced on 1 April 2013 and has now been running for almost four years. Councils are required to review and set their CTS scheme for each financial year by 31 January in the preceding financial year. Applications to the CTS hardship scheme are monitored, along with the Council Tax collection rate and reported to members each quarter.
- 8. We carried out an extensive consultation process prior to the introduction of CTS in April 2013 and the scheme proposals were carefully and fully considered by the Scrutiny Task and Finish Group. Each year we have carried out further consultation and some additional changes have been made to the scheme. It was the view of the Scrutiny and Overview Task and Finish Group that all previously adopted proposals be retained.
- 9. The SSDC Council Tax Support scheme states that certain elements of the needs assessment may be uprated each financial year but does not specify the level of that uprating.

The Scrutiny Task and Finish Group originally considered what would be the most appropriate method of uprating certain figures used in calculating CTS awards and recommended the following:

- a) That while Housing Benefit (HB) still exists it would be appropriate for the CTS applicable amount figures (basic need allowance) to mirror those in the HB scheme
- b) That non-dependent deductions are uprated in line with the annual percentage increase in Council Tax
- c) That the non-dependent income bands are increased by the same percentage as those in the national CTS scheme for pensioners

These methods were adopted in the original scheme and have retained.

Equality Impact Assessment

10. Councils have a legal responsibility to have due regard to the Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 when setting a Council Tax Support scheme. There has been a High Court ruling that there was insufficient evidence that members making the decision to implement a CTS scheme had given due regard to the Equality Impact Assessment (EIA) that had been attached to the council report in order that they could discharge their statutory obligation.

It is important that members have due regard to the PSED when making their decision on the various scheme proposals.

There are no equalities issues associated with recommendation (d) which is the only change to the scheme. The current EIA is attached at Appendix 3 (published as a separate appendix to this report) for information purposes.

Council Tax Support scheme 2018/19 (Year 6)

The 15% minimum payment

11. The SSDC CTS scheme requires all working age recipients of CTS to pay a minimum of 15% Council Tax. This level was set for the first year of the scheme.

The Scrutiny and Overview Task and Finish Group reviewed the minimum payment level when considering the 2017/18 and some research carried out to determine the possible impact of increasing it.

12. The evidence showed that those councils who had increased the minimum payment level had experienced a decline in their Council Tax collection rates and an increase in the level of Council Tax arrears. This leads to an increase in risk of bad debt and in resource demand for the recovery and enforcement of those debts. This risk is further heightened by other Welfare Reforms that are impacting on the working age group. It was therefore determined that it would be counter-productive to increase the minimum payment level for 2017/18.
13. Consideration was also given to reducing the minimum payment. Reducing the minimum payment from 15% to 12.5% would provide extra support in the range of 40p to 74p a week. There is no evidence to suggest that there are widespread affordability issues across the district and such a small increase is unlikely to make a material difference.
14. In addition, although a small increase in support for individual recipients it would increase the cost of the scheme by approximately £250k which would not be supported by the major preceptors given their financial pressures.

There is no new evidence to suggest a change to these conclusions.

Bereavement Support Payment

15. Bereavement Support Payments (BSP) can be made where a husband, wife or civil partner died on or after 6 April 2017 and they either:
 - paid National Insurance contributions for at least 25 weeks
 - died because of an accident at work or a disease caused by work

When they died the surviving partner must have been:

- under State Pension age

16. There are two rates of BSP, a standard rate and a higher rate. The payments are comprised of an initial lump sum and up to 18 monthly payments. The higher rate is paid to pregnant women and people with dependent children. The standard rate is paid to people without dependent children. For the higher rate, the initial lump sum will be £3,500 and the monthly payments £350. For the standard rate, the initial lump sum will be £2,500 and the monthly payments will be £100.

Housing Benefit rules

17. The initial lump sum is treated as capital and disregarded for a period of 12 months. The monthly payment which is made for a maximum of 18 months is treated as income and disregarded for one month. If part or all of each monthly payment is unspent after one month it is treated as capital and not disregarded.

It is proposed that the same rules be applied in the 2018/19 Council Tax Support Scheme.

Cost of CTS scheme

Effect of caseload

18. The number of recipients of CTS has fallen consistently year on year in both the working age and pensioner groups which reduces the overall cost of the scheme. Details of the caseload reduction since the introduction of CTS are shown in the following table.

Financial year	Caseload count at beginning of year	Caseload count at end of year	Reduction in caseload
2013/14	11,925	11,568	357
2014/15	11,568	11,023	545
2015/16	11,023	10,411	612
2016/17	10,411	9,997	434
2017/18	9,997	9,832 (@31/10/17)	145

19. The scale of caseload reduction is smaller so far this year with a projection that it fall by somewhere between 220 and 250 but still significant. With effect from 1 June 2017 we removed the requirement for recipients of Universal Credit to make a separate claim for Council Tax Support. It is likely that this has contributed the smaller reduction in caseload as fewer people are missing out on Council Tax Support.

20. It has also been identified that since the beginning of the financial year the average weekly award of CTS has fallen by 3.1% for employed working age cases and by 0.5% for pensioner cases. This suggests there has been a small improvement in income levels in these groups.

Overall the cost (total value of awards) of the scheme at the end of October 2017 is £90k below the anticipated overall cost of the scheme.

Effect of increases in Council Tax

21. The cost of the scheme will increase where SSDC and other preceptors put up their share of the Council Tax.

Legislation Changes – Prescribed requirements

22. At the time of writing we are awaiting details of any changes to the prescribed requirements – these are elements of the scheme that are set by central government. Confirmation of any such changes will be sent to members along with a revised version of the scheme document once announced by government.

Hardship Scheme

23. A Hardship Scheme was set up as a safety net for households who could demonstrate they could not afford to pay their Council Tax contribution following the introduction of the SSDC Council Tax Support Scheme. The level of demand in 2017/18 suggests that a Hardship Scheme budget of £30,000 for 2018/19 should be sufficient. This spend is monitored monthly and reported to members each quarter.

Council Tax Collection Rate

24. It was anticipated that the in-year Council Tax collection rate would fall as a result of the introduction of the CTS scheme in April 2013. There were also a number of changes to Council Tax discounts and exemptions introduced from April 2013 which impacted on the in-year collection rate.

Financial Year	Collection rate	Change on previous year
2012/13	97.80%	
2013/14	97.40%	-0.40%
2014/15	96.88%	-0.58%
2015/16	97.24%	+0.36%
2016/17	97.73%	+0.49%

The in-year collection rate fell in 2013/14 and again in 2014/15. However, collection performance improved in 2015/16 and again in 2016/17 almost returning to pre CTS levels.

25. At the end of October 2017 the collection rate was 0.18% lower than October 2016. However, there has been a 21% increase in the number of taxpayers paying their charge over the maximum number of instalments. This makes accurate in-year collection rate comparisons, and end of year outturn predictions more difficult with higher levels of Council Tax payment expected during February and March 2018 than in the same period this year.

There is no evidence to suggest that the current Council Tax Support scheme design is adversely impacting collection rates.

Risks

26. The continued risk is that demand could rise and the current reductions we are seeing in the number of recipients and average level of award reverses with a downturn in the economy. There is also a risk that reductions in other welfare support might result in an increase in entitlement to Council Tax Support. We will take any such changes into account when considering the Council Tax Support scheme for 2019/20 and beyond. It should be noted that the Task and Finish Group have previously raised concerns about the ability to make further reductions in the level of Council Tax Support in future years as the burden is placed solely on the working age recipients while the Government continues to protect pensioners.

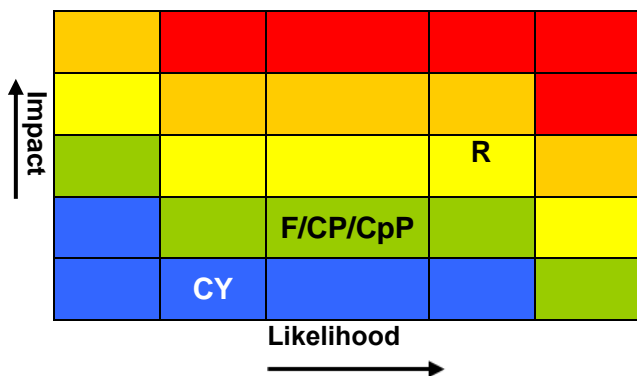
Financial Implications

27. If members agree the recommendations set out in this report there will be no financial implications associated with this report. An estimate of the costs of the CTS scheme along with assumptions for the number of new properties and Council Tax levels has been reflected within the Council Tax Base for 2018/19.

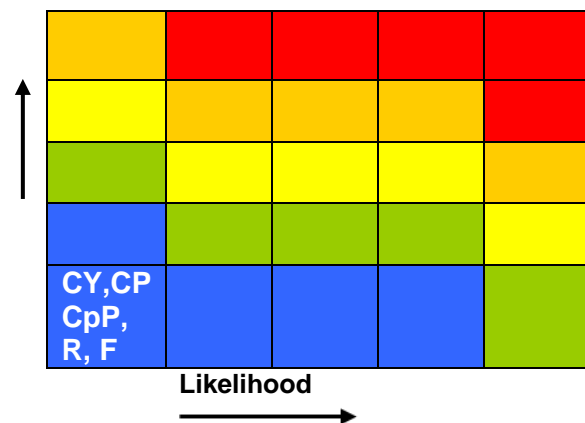
Risk Matrix

28. The risk matrix shows risk relating to the Corporate Plan headings.

Risk Profile before officer recommendations



Risk Profile after officer recommendations



Key

Categories	Colours (for further detail please refer to Risk management strategy)
R = Reputation	Red = High impact and high probability
CpP = Corporate Plan Priorities	Orange = Major impact and major probability
CP = Community Priorities	Yellow = Moderate impact and moderate probability
CY = Capacity	Green = Minor impact and minor probability
F = Financial	Blue = Insignificant impact and insignificant probability

Council Plan Implications

29. Health and Communities - Support residents through national benefit changes including universal credit

Carbon Emissions and Climate Change Implications

30. None associated with this report

Equality and Diversity Implications

31. None associated with this report - The current EIA is attached at Appendix 3 for information purposes.

Privacy Impact Assessment

32. None associated with this report

Background Papers

33. The following background papers can be viewed on the council's website www.southsomerset.gov.uk

- Report to District Executive – January 2017 - Item 8
 - Report to District Executive – January 2016 - Item 6
 - Report to District Executive – January 2015 - Item 8
 - Report to District Executive – December 2013 - Item 10
 - Report to District Executive – January 2013 – item 8
-

Agenda Item 8

SSDC Transformation Programme – Progress Report

Executive Portfolio Holder: Jo Roundell Greene, Environment, Economic Development, Transformation
Director: Alex Parmley, Chief Executive
Lead Officer: Caron Starkey, Strategic Lead for Transformation
Contact Details: caron.starkey@southsomerset.gov.uk Tel. 07884117861

Purpose of the Report

1. This progress report has been prepared in accordance with the Transformation Programme Governance arrangements agreed by Full Council in April 2017 where it was agreed that the District Executive would receive quarterly updates on the progress of the council's Transformation Programme. The detailed update is attached in Appendix A, it sets out the activities undertaken and in progress and also highlights achievements within each of the work streams. This cover report provides some context and outlines the revised timeline for phases 2 and 3 which is also set out in a chart at Appendix B.

Forward Plan

2. This report appeared on the District Executive Forward Plan with an anticipated Committee date of January 2018.

Public Interest

3. The Council has embarked on an ambitious plan to totally redesign its service delivery to ensure an improved experience for the customers and the communities it serves whilst at the same time reducing the cost to the tax payer. This will be achieved through a radical change in the way our services are designed, the way service teams are structured to support service delivery and by making more use of digital technology including Electronic Document Management (EDM), workflow and web based technologies. Rather than cutting services, this is an investment based approach that will realise genuine efficiencies, whilst also realising improvements in levels of services for customers and modernising service delivery.

Implementation of the agreed business case will deliver: -

- recurring net annual savings of £2,483,925 from an investment of up to £7,448,155 (the savings comprise £2,541,821 reduction in staff costs, partly offset by £57,896 net increase in IT systems ongoing maintenance)
- a 'fit for purpose' organisation that will be in a position not only to drive continuous improvement but also to generate additional income to fund and support the council's future priorities.

Recommendation

4. The District Executive is asked to note and comment on the report.

Background

5. The previous quarterly progress report was made to District Executive in October 2017. The Transformation Programme board continues to meet twice each month to resolve emerging issues and drive the programme forward. The programme is now in full delivery, there are three phases to

the programme ending in January 2019. Phase 1 which involves the repositioning of management roles and support services into the new operating model is in implementation, with a 60 day “go live window” starting on 23rd January 2018. Phases 2 and 3 have been combined, the new timeline can be found at appendix B.

Programme Status – The programme is on track and within budget to deliver expected benefits

6. The Programme Board is provided with monthly updates in the form of programme and work stream level status reports. A consolidated version of these, covering the period from October to December 2017, are at Appendix A.
7. The new operating model is being delivered in three phases:
 - Phase 1 – New management roles and support services activity
 - Phase 2 – Strategy and Commissioning activity
 - Phase 3 – Service Delivery and Commercial activity
8. Phase 1 is currently in progress and on track to deliver the expected benefits in January and April 2018 as outlined in the Business Case.
 - Support Services is on track to deliver the forecasted benefits. Appointments into role were within the required budget in October 2017.
 - Leadership and Management is also on track to deliver the required benefits with most appointments to new roles having been made in October 2017.
 - In-year saving details are finalised as exit dates for individuals are confirmed. Service budgets for 2018/19 are in development.
 - Final redundancy and pension strain figures are also being prepared as final outcomes are agreed.

Transformation Savings profile from updated July 2017 Business Case	2017/18 Target	2017/18 Projected Actual @ Dec 17	2018/19 Target	2019/20 Target	Total stated in Business Case
Phase 1	124,830	124,830	711,744		836,574
Phase 2			205,501		205,501
Phase 3			357,812	1,141,934	1,499,756
Total Incremental savings	124,830	124,830	1,275,057	1,141,934	2,541,821
Sub-total: Cumulative staff cost savings	124,830	124,830	1,399,887	2,541,821	
IT support and maintenance	-84,040	-84,040	6,025	75,935	2,080
Total Cumulative Savings 2017/18 to 2019/20					2,543,901
Less: Increase in IT costs added in 2016/17 budget					-59,976
Net Full Year Ongoing Savings					2,483,925

9. The latest updated transformation budget position is included in the progress report detailed at Appendix A. Budget monitoring is currently as at October 2017, all budgeted costs are within profile.
10. The Council’s draft Medium Term Financial Plan (MTFP) incorporates ongoing assumptions for budget purposes that would see annual savings being delivered quicker than shown in the table

above. It is anticipated for budgeting purposes that the MTFP assumption will be delivered as the Council is holding a number of vacancies in advance of the implementation of the new model. This approach effectively means the savings can be delivered in line with budget assumptions and earlier than planned in the updated business case approved in April.

Phase 1 – Leadership & Management and Support Services

11. The new Leadership & Management team formed in October 2017 following an internal competitive selection process. A number of roles were not recruited which have since been marketed externally on a new microsite mysouthsomersetfuture.co.uk which was created to highlight the opportunities and ambitions of the Council. The microsite has proved to be popular in attracting candidates. Selection activities for the vacant roles are scheduled for early January 2018.
12. The Support Services are preparing to start going live with the new operating model, roles, processes and systems in January. Transition Plans are in place to move from the current roles and ways of working to the new roles and new ways of working. This transition planning is being led by the new management roles and supported by our Ignite partners. The planned “go live” window of 60 days aims to have business critical activity ready for day one and incrementally introducing new ways of working over the 60-day period. This approach minimises the risk of operational failure and allows for the steady adoption of the new technology and processes as the new teams settle into the new operating model.

Phase 2 – Strategy & Commissioning and Phase 3 - Service Delivery

13. The original timeline for Phase 2 - Strategy & Commissioning services planned selection for roles to commence in February 2018 with outcomes known by May. The selection timeline for all customer facing service delivery teams in phase 3 had been scheduled to start in July 2018 with outcomes notified in November.
14. The previous update report to the District Executive informed members of the intention to bring forward and combine the timelines for phases 2 and 3. This was in response to feedback from staff and learning from the selection activity for roles in phase 1. It was clear from staff engagement that anxiety levels within workforce could be reduced by undertaking the selection process earlier so that individuals could achieve security of roles as soon as practically possible. It was also identified that many staff would wish to apply for roles in both phases 2 and 3 because within the current structure there are many existing roles that cover elements of both strategy and delivery of services. So, for ease of administration it would be less complex to combine the phases so that staff can apply for a range of roles across the functions and the selection done simultaneously.
15. The design of the functions and roles for phases 2 and 3 was brought forward and has now been completed by the Senior Leadership Team with input from new managers, allowing for consultation to commence in January 2018.
16. Outcomes for selection for all roles in phases 2 and 3 will now be known by June 2018. This revised timeframe for selection affords a longer lead-in time for the transitioning of the customer facing service delivery teams and as staff will have certainty of their roles will enable the new teams to be actively involved in the redesign of services and the development of their new ways of working. The go-live window of 90 days for service delivery teams is still intended to commence in January 2019.

17. The process redesign and technology work streams for phase 3 will still need to be undertaken over the original timeframe. It will take until January 2019 for all processes to be redesigned and the outputs to be translated into automated workflows within new systems. The new website will also require the full timeline to be properly developed with the required input from a range of stakeholders.
18. The new timelines for the work streams are outlined in Appendix B. This provides an outline of the scheduled activity. Detailed project plans have been developed and sit behind this summary.

Balancing Transformation and Business as Usual – impacts and assurance

19. The council has significant internal audit resourcing agreed with the South West Audit Partnership (SWAP) for 17/18 and 18/19. This resourcing will be used to inform the transformation of the organisation and provide assurance in terms of business continuity of performance and service delivery.
20. The Senior Leadership Team is very aware of the need to balance the organisational resources and effort effectively between the transformation programme and business operations. Managers have been engaged in identifying, within their service areas, business critical activities that must be maintained and lower priority actions that could be stopped, reduced or deferred if need be to release capacity. Performance levels are also being examined and questioned as to what minimum levels are acceptable and identifying trigger points which would prompt intervention activity. SWAP have been engaged to assist in this process, again providing managers with assurance and also to give some challenge to preconceptions of priority. The outputs from these activities will be a range of service impact assessments and an overall assessment of the cumulative impact. These will form the basis of a business continuity plan to ensure that business critical functions and essential customer needs are not compromised by the resourcing and effort directed to the delivery of the transformation programme.
21. SWAP have also been engaged to provide both support and challenge to service redesign; their invaluable insight and assurance has been sought at the very start of the redesign process. This will ensure the new ways of working in the new operating model have been considered alongside latest best practice in terms of assurance and compliance and provide a degree of confidence that future audits should not identify unknown risks associated with the new processes.

Financial Implications

22. There are no direct financial implications related to this report. The programme remains in budget and is forecast to deliver the expected financial savings.

Risk Matrix

23. A programme risk matrix is included in the report. The level of risk described is within acceptable limits. Risks are monitored regularly by the Programme Board and the High Level Steering Group.

Council Plan Implications

24. This report is consistent with the Council Plan 2016 – 2021. Transformation is a priority of the current Plan.

Carbon Emissions and Climate Change Implications

25. There are no direct implications

Equality and Diversity Implications

26. There are no direct implications in this report. The redesign of services will require impact assessments to ensure new service delivery options meet with all relevant requirements. The assessment process will be embedded into the service redesign work stream.

Privacy Impact Assessment

27. There are no direct implications

Background Papers

Reports to District Executive and Transformation Programme Board as mentioned in this report.

Programme Update

Programme Status Report
Workstream Status Reports
Strategic Risk Register



Reporting date

October to December 2017

Overall	Budget	Resources	Risks	Issues	Schedule	Stakeholders
1	1	1	1	1	1	1

One Team Programme Status Report

Key activities this period:

- Review and reallocation of programme budget to meet requirements
- Reviewed workstream risk registers
- Staff engagement and communications plan
- Work ongoing on benefits (financial and non financial) tracking and monitoring
- Detailed design for phase 2 and 3
- Development of members development and leadership project plan
- Re-planning session held with workstream leads to review impact of timeline change and detail. Programme timeline adjustments approved by Programme Board
- Revised resourcing for the programme following phase 1 decisions
- Engaging the new managers and leads with programme activity – design and transition
- Leadership and Management Development programme commenced

Key activities next period:

- Content and logistics of revised plans for new timeline
- Benefits strategy and realisation plan
- Engaging with Yeovil College placement students on how they can support the programme
- Recruitment for project manager and programme support
- Call out to staff for additional programme involvement

Achievements:



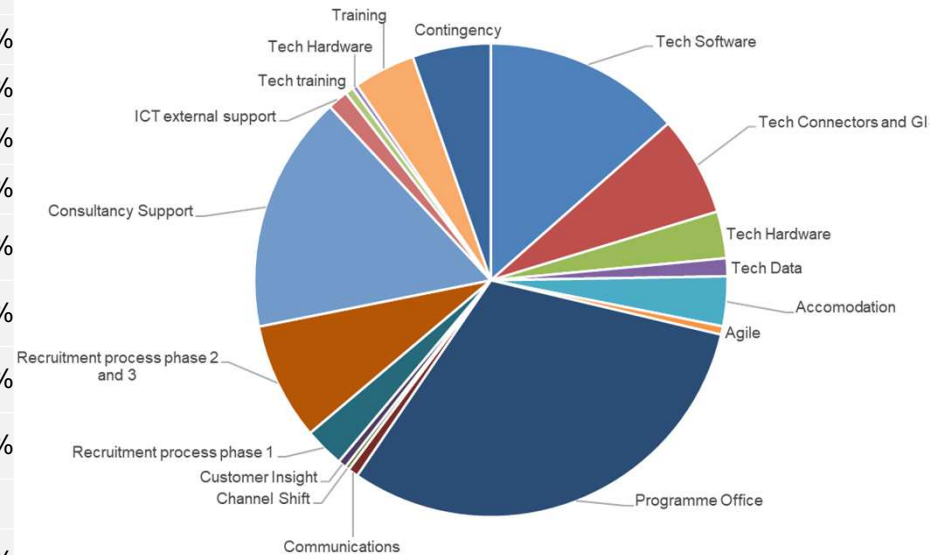
- Decant and clearance activities being embraced by staff
- Phase 2 and 3 timeline revision
- Staff briefing for phase 1 outcomes positively received
- Team visits with staff going well and generating momentum for change
- Budget adjusting allowed additional resourcing for phase 2 and 3 recruitment
- Additional internal resource secured to support communications
- Yeovil College Design Concept presentation
- Lead Specialist for Learning & Development (L&D) joined the Transformation Team

	Risks	Issues	Scope	Resources - people	Schedule	Stakeholder management	COMMENTS
Operating Model Design	1	1	1	1	1	1	<p>Demand on design team resource for engagement activity currently unknown</p> <p>Sign off on design content for consultation (by Christmas). Approval of engagement material for soft engagement pre consultation.</p>
People and Change	1	1	1	1	1	1	Some risks from outcomes of phase 1 being managed
Customer focus and service redesign	1	1	1	1	1	1	<p>Risks around detailed design and delivery of intranet project – plus dependency with build team work to deliver Day 1 priorities. Outputs from the redesign programme not fully completed as planned due to delayed workshops. These have been rescheduled, and outcomes to be passed to the new management team (as part of change and transition) to ensure delivery completed during day 1-60 and beyond. Final workshops (Finance / HR) planned or completed, some processes with finance not progressed through service redesign. Working with change & transition group to prioritise Day 1 and Day -1 60 live processes.</p>

	Risks	Issues	Scope	Resources - people	Schedule	Stakeholder management	COMMENTS
Technology	1	1	1	1	1	1	Build work needs to be prioritised following feedback from change and transition group Staff Portal project behind schedule, all other projects on schedule
Accommodation	1	1	1	1	1	1	Building Contractor partner, has indicated terminating contract with SSDC by 31 March 2018 so potential delay to appoint contractor for phase 3 building works depending on timeline. Appointed managers/staff under different phases of the programme and existing managers/staff involved in decant moves. Accommodation ready on time for Phase 1 and 2.
Agile	1	1	1	1	1	1	New managers appointed yet to be engaged in project this will take place in next period and risk should then reduce. Requirement for back scanning of documents yet to be scoped, dependency on Digital mailroom could effect schedule. This could partially be resolved by delay of second floor south wing building works. Additional resources required – plans to engage change champions and new LMT to meet resource requirements.
Communications	1	1	1	1	1	1	Resources from January 2018

One Team budget update

	Budget 9 October 2017	Spend to date 31 October 2017	Forecast to completion	% spend
Tech Software	477,450	273,445	204,005	57%
Tech Connectors and GIS	242,000	128,886	113,114	53%
Tech Hardware	113,000	42,078	70,922	37%
Tech Data	43,500	0	43,500	0%
Accomodation	120,000	0	120,000	0%
Agile	20,000	563	19,437	3%
Programme Office	1,093,088	317,423	775,665	29%
Communications	25,000	0	25,000	0%
Channel Shift	10,000	0	10,000	0%
Customer Insight	20,000	0	20,000	0%
Recruitment phase 1	96,580	81,382	15,198	84%
Recruitment phase 2 and 3	284,300	0	284,300	0%
Consultancy Support	574,700	203,322	371,378	35%
ICT external support	50,000	5,002	44,998	10%
Tech training	20,000	0	20,000	0%
Tech Hardware	12,000	0	12,000	0%
Misc		32,832	(32,832)	
Training	150,000	0	150,000	0%
Contingency	189,570	0	0	0%



Changes	3,541,188	1,084,933	2,266,685	31%
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Workstream name	People and Change
Reporting date	October to December 2017
Workstream lead	Julie Jordan

One Team Workstream Status Report

Key activities this period:

- Phase 1 121 feedback meetings
- Producing individual packs for each person depending on the outcome
- Supporting displaced individuals
- HR operations activities
- Advertising and recruitment of roles not filled (internal and external)
- New Leadership & Management Team (LMT) launch
- Appointment of L&D Specialist
- Reviewed and agree timeline for P2/P3 selection activity
- Outline of Management Development Programme
- Mobilisation of LMT
- Identifying development partners and resources for 2018 plan
- Working with local partners to offer Work Placements and Apprenticeships

Key activities next period

- Selection process for external roles advertised on recruitment microsite
- Re-plan of Phase 2&3 with key activities including resources
- Establish Employee Consultation Group (ECG) with elected representative
- Management of one appeal hearing

Achievements:



- 114 individuals through individual outcome meetings competed in 4 days
- Appropriate support in place for all individuals
- Sign-off of revised plan for P2 & P3
- Lead Specialist L&D hired
- Outline proposal for Management Development Programme agreed
- Only one appeal hearing from Phase 1
- Case Officer resource identified to support recruitment activities

Workstream name	Communications
Reporting date	October to December 2017
Workstream lead	Catharina Weegh

One Team Workstream Status Report

Key activities this period:

- Transformation Tuesday
- Content development and communication support Phase 1 Selection
- Phase 1 Selection Outcomes
- Project initiation meeting & Discovery workshop for Staff Portal
- Members Transformation Update
- 'Supporting Colleagues' training for Change Champions & Transformation team
- Staff Portal testing
- Communications planning
- Change Champions event
- 'Team Visits' continue
- Delivery of recruitment website
- Design presentation by Yeovil college
- Change Readiness Survey

Key activities next period:

- Develop engagement activities and content for January
- Continue work on communications plan
- Staff Portal (content & design)

Achievements:



- Steady increase of Yammer users (300+ staff on main company channel)
- Good up take and feedback on training offer to Change Champions 'Supporting Colleagues' through change (30 staff attended)
- Team Visits held , good engagement and feedback from staff on format and content
- Recruitment website
- Successful Change Champions event – good feedback and insight



Workstream name	Operating Model Design and Transformation Benefit
Reporting date	October to December 2017
Workstream lead	Caron Starkey

One Team Workstream Status Report

Key activities this period:

- Programme timeline revised therefore workstream plan updated
- Two members sessions for locality design activity
- Work with Finance to review benefits tracking
- Design activity completed for phase 2 and 3.
- 121s held with new LMT team to review new organisation
- Drafting of engagement material to explain the new design
- Cost modelling of emerging design
- Drafting of new role descriptions ready for JE process and consultation
- Development of locality model with member principles and new Locality Manager

Key activities next period:

- All engagement material complete and enhanced by Comms team (presentation etc)
- New role descriptions JE complete
- Consultation document / material completed

Achievements:



- Locality model design shaping up well
- Great engagement with new managers and leads
- Good engagement sessions with members on locality principles and framework



Workstream name	Customer Focus and Service Redesign
Reporting date	October to December 2017
Workstream lead	Charlotte Jones

One Team Workstream Status Report

Key activities this period:

- Twenty redesign workshops held
- Business analysis (BA) team joined a Civica training day
- Issues and Decisions group (s151, director, programme manager) to help facilitate decisions on phase 1 processes
- Steering group for customer focus cycle of projects agreed; further scoping of projects
- Supporting intranet project – user insight & content mapping
- Steering group for customer focus cycle of projects established; further scoping of projects completed
- Rescheduled workshops took place
- Ways of working with build team established
- Outline scope for assurance work with SWAP agreed

Key activities next period:

- Detailed look at Day 1 / Day 1-60 – and the training and transition activity required
- Completing the phase 1 sprint programme and delivery of requirements to build team
- Transition plan for team due to outcomes of phase 1 selection
- Begin planning for phase 2/3 redesign activity

Achievements

- Clear roles for case officers emerging
- BA team contributing to agile project and practical help to People and Change
- Project manager for channel shift identified
- Increased engagement for finance processes
- Positive feedback from SMEs in workshops.
- Business analysts taking responsibility for learning and improvement of sprint programme.



Workstream name

Technology

Reporting date

October to December 2017

Workstream lead

Dave Chubb

One Team Workstream Status Report

Key activities this period:

- Continued training of Build Team.
- Input into change and transition plan.
- Held Civica Technology awareness day.
- Preparing technology decant of 2nd floor.
- Commenced work with web design company
- Build Team now fully trained and building workflows.
- Supporting the increased number of Agile workers.
- Continuing to work with Civica on Staff Portal proof of concept.

Key activities next period:

- Staff Portal development
- Continuing the build of workflows
- Testing and sign off of completed workflows
- Configure and Implement module for Absence Management.

Achievements:



- Civica Technology Awareness well received and attended by over 110 staff.
- Positive feedback from both the build team and Civica about how the training programme is going
- First workflows built
- Technology demonstrated to Members.
- 2nd floor North wing cleared of technology and staff equipped to work elsewhere.
- Recruitment microsite developed and now live.
- Data Sync between HR system and Civica written and tested.
- Security groups and user roles created within Civica

Workstream name	Accommodation
Reporting date	October to December 2017
Workstream lead	Garry Green

One Team Workstream Status Report

Key activities this period:

- Produced high level accommodation plan including Phase 3
- Initial Costings
- Options for decanting staff. On site or off site
- Power/data capacities
- Commence building works 30th October for phase 1 and 2, indication 6 weeks work.
- Works to electrics to accommodate new desk layout and desk top units in parallel with building work.
- Complete building works for phase 1 and 2 by 17th December.
- Desktop power and data units to be installed from 14th December.
- Agreed required storage and lockers in space for phase 1 and 2.
- Decant plan for phase 3 submitted for approval/comments

Key activities next period:

- To monitor ongoing accommodation works and resolve any potential issues
- Update programme to decant staff for phase 3 works as necessary
- Commence works for additional break out area (Feb18) and agree timescales with contractors.
- Agree disposal of surplus furniture from phase 1 and 2 to accommodate space for phase 3 surplus furniture.

Achievements:



- Firm costings and timescales for new furniture obtained
- Building works and completion of new workspace for phase 1 and 2 on programme
- Desks ordered and installed 12th and 13th December.

Workstream name	Agile
Reporting date	October to December 2017
Workstream lead	Anna-Maria Lenz

One Team Workstream Status Report



Key activities this period:

- Preparations & mobilisation for office decant (North wing 2nd floor)
- De-clutter challenge (messaging re Data protection; holding on to stationary, fixtures & fittings)
- The Agile principles have been agreed by Board
- Basic decisions regarding the new office environment have been made (wall colours, layout)
- Teams that have decanted the North wing have used some of the Agile principles to reduce their desk ratio/improve space utilisation
- Facilitated reduction in paper and storage facilities
- Workshops are underway to develop the draft Workplace framework and Workstyles
- Phase 2 and 3 services contacted to promote take up of Agile and reduce paper storage requirements
- Collated feedback from teams that had to decanted to inform learning for phases 2 and 3

Key activities next period:

- Finalise Workplace framework and Workstyles and begin engagement with LMT
- Progress review of HR policies to support Agile working
- Define SSDCs approach to workstation assessments for Agile
- Determine location/approach for paper storage
- Develop a programme of scanning activities in line with implementation of technology

Achievements:

- Very proactive take up of de-clutter challenge
- Decanted staff settled in well into their new spaces and routines (great team work from IT and Property and engineering)
- Good engagement from staff discussing and promoting Agile. Workshops are very well attended
- Generally good feedback from decanted teams

Strategic Risk Register

Heatmap – Residual Scores

Catastrophic					
Major					
Moderate			8		
Minor		2	1		
Insignificant					
	Remote	Unlikely	Possible	Probable	Highly Probable

Individual Risk Scores - Key

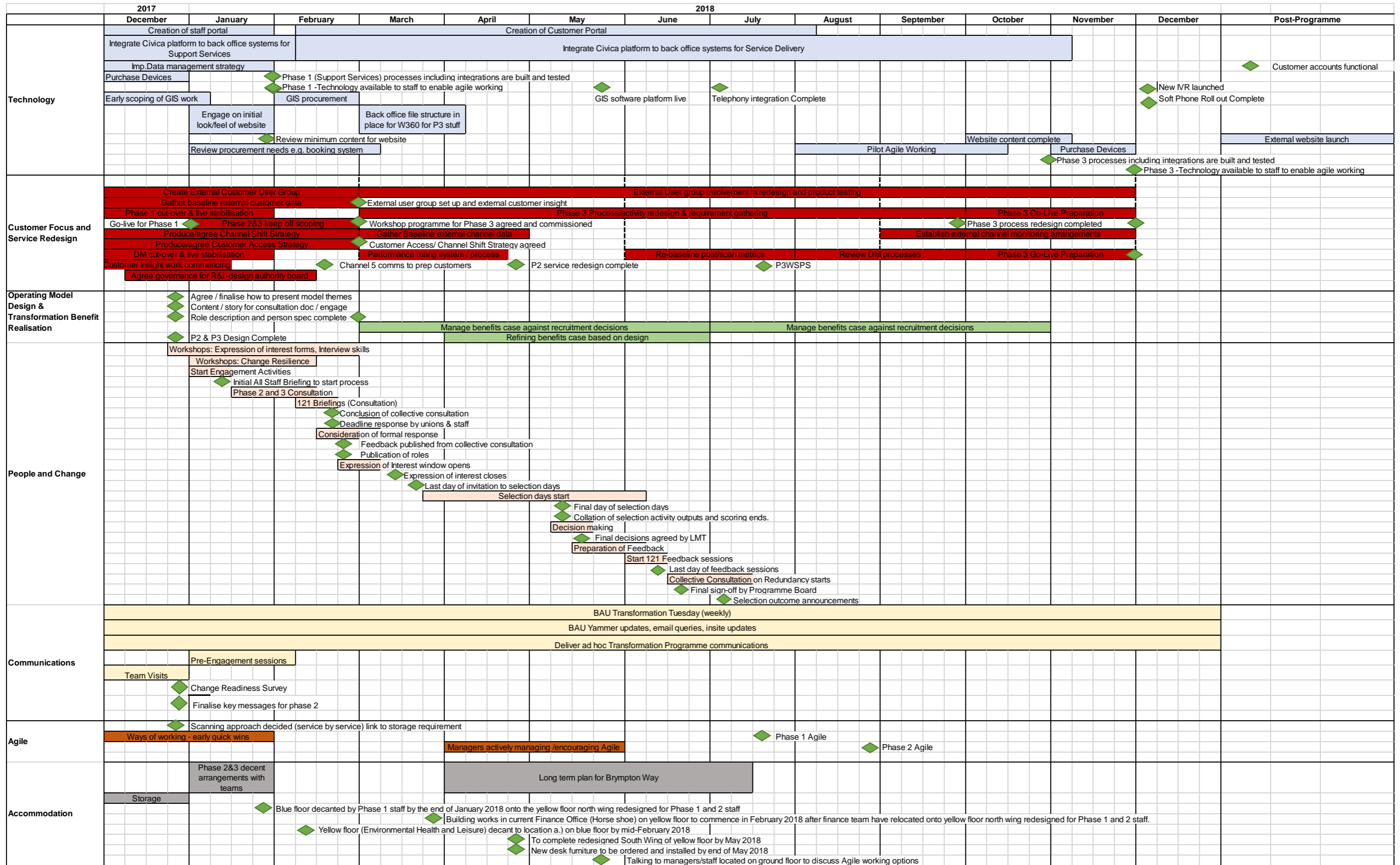
Catastrophic	17	22	23	24	25
Major	12	18	19	20	21
Moderate	6	13	14	15	16
Minor	2	8	9	10	11
Insignificant	1	3	4	5	7
	Remote	Unlikely	Possible	Probable	Highly Probable

Risk Creation Date	Risk	Risk Category	Owner	Inherent Scoring (Before controls and actions)	Controls	Actions	Residual Score (after controls and actions)
07/04/2016	R 46 - Transformation project budget overspends	03 - Financial	Caron Starkey	High = 20	C 046.1 - Detailed business case. C 046.2 - Robust contractual arrangement. C 046.3 - Contingency fund	A 46.1 - Prepare and present detailed business case. A.46.2 - Ongoing monitoring, challenge and review. A 46.3 - Review and maintain contingency fund	Low = 8
07/04/2016	R 47 - Transformation Project Unexpected external cost	03 - Financial	Caron Starkey	High = 20	C 047.1 - Review level of corporate priority against the new cost pressure. C 047.2 Change control with early identification of new / merging new costs	A 47.1 - Continuous review	Medium = 14
08/04/2016	R 48 - Transformation Project ICT solutions fail to deliver to expectations	08 - Quality	Dave Chubb	High = 20	C 048.1 - Achieve "fit for purpose" specification; Ensure deliverables are implemented to agreed milestones.	A 048.1 - Continuous challenge and review to ensure milestones are realistic and resources are appropriate to deliver against the project plan	Medium = 14
08/04/2016	R 49 - Transformation Project Insufficient capacity to deliver the Transformation	07 - Professional	SLT	High = 19	C 049.1 - Programme identified as a key corporate priority. C 049.2 Ensure the organisation has a sufficient balance between BAU activities and transformation activities	A 049.1 - Ongoing review of BAU to identify the areas that can be stopped or reduced during periods of intense activities for Transformation. A 049.2 - Ongoing review of Transformation support resources and appropriate recruitment / retasking of individuals. So there is more individuals around when we need them.	Medium = 14
08/04/2016	R 50 - The shared vision for the Transformation Project during periods of significant changes is not maintained	07 - Professional	SLT	Medium = 15	C 050.1 - Effective communication strategies to engage with members staff and other stakeholders embedded within TP.	A 050.1 - Implement Communication plan	Low = 8

Strategic Risk Register (cont.)

08/04/2016	R 51 - Transformation Project Organisation transition to the new operating model is not managed effectively.	09 - Reputational	LMT	High = 20	C 051.1 - Sufficient organisation capacity to achieve programme timeframes. C 051.2 - Transition Plans	A 051.1 - Complete programme implementation plan with Ignite A 051.2 - Transition steering group set up to ensure transitions plans produced by managers are sufficient and aligned to expectations	Medium = 14
08/04/2016	R 52 - TP Programme management arrangements are not robust or resilient.	07 - Professional	Caron Starkey	High = 20	C 052.1 - Maintain appropriate Member and officer TP governance arrangements.	A 052.1 - Continue to review programme governance	Medium = 14
08/04/2016	R 54 - TP Reduced capacity and morale during significant corporate change	09 - Reputational	SLT	High = 20	C 054.1 - TP communication strategy. C 054.2 - reducing lost of staff through effective engagement to ensure the vision of future organisation is understood C 054.4 - Supporting people through change	A 054.1 Implementation of Communication Plan. A 054.2 - Change Resilient Workshops. A 054.3 - Managing change as a core component of Leadership and Development Programme. A 054.4 - Working with SWAP to identify and maintain business continuity	Medium = 14
08/04/2016	R 55 - TP New skills and approaches to work styles are not adopted	09 - Reputational	LMT	High = 20	C 055.1 - Support cultural change with a comprehensive corporate training and development programme. C 055.2 - Ensure new systems are resilient and stable. C 055.3 - Transformation Programme Communication Strategy	A 055.1 - Complete implementation programme plan. A. 055.2 - Embed Attitudes and Approaches framework into Corporate policies and Performance Framework. A. 055.3 - Produce personal development plans for all staff to include ways of working and attitudes / approaches. A. 055.4 - Develop and implement work place framework and work styles for Agile new ways of working. A 055.5 - Leadership and Management Development Programme to include managing an Agile workforce as a core component.	Medium = 14
29/06/2016	R 56 - TP detailed design fails to meet data privacy/protection or access requirements	09 - Reputational	LMT	Medium = 15	C 056.1 - Privacy Impact Assessment. C 056.2 - Equalities Analysis	A 056.1 - Continue to maintain relevant assessments as part of the blueprinting process	Low = 8
18/05/2017	R 62 - TP SSSC suffers loss of reputation through temporary increase in service delivery/performance failures	09 - Reputational	SLT	Medium = 14	C 062.1 - "Early warning" notification needed to assess and address as quickly as possible	A 062.1 - Managers will escalate unresolved issues to SLT	Low = 8





Agenda Item 9

Annual review of the Regulation of Investigatory Powers Act 2000 (RIPA)

Portfolio Holder: Peter Seib, Finance and Legal Services
Director: Martin Woods, Director - Service Delivery
Lead Officer: Paula Goddard, Senior Legal Executive
Contact Details: Paula.goddard@southsomerset.gov.uk or 01935 462186

Reason for the Report

1. The Council must have arrangements in place to ensure compliance with the Regulation of Investigatory Powers Act 2000 (RIPA) and those arrangements are subject to inspection by the Office of Surveillance Commissioners (OSC). This is achieved through the adoption of a set of Policy and Procedures that ensure compliance with the requirements of the legislation. The Council has had arrangements and procedures in place for authorising and conducting necessary surveillance since 2002. Members should review the use of RIPA and set the policy at least once per year. They should also consider internal reports on use of RIPA periodically to ensure it is being used consistently with the policy and that the policy remains fit for purpose.

Recommendations

2. That District Executive:
 - a. notes the Council's use of RIPA powers;
 - b. approves and adopts the revised Regulation of Investigatory Powers Act 2000 Policy and Procedures attached at Appendix A along with the new Using Social Media and Networking Sites in Investigations Policy (Appendix 5);
 - c. appoints the Director of Service Delivery as Senior Responsible Officer and amendments to authorising officers are noted.

Background

3. RIPA provides a statutory mechanism to make sure that the way investigatory powers are used by organisations like councils and government departments complies with human rights law, in particular the European Convention on Human Rights.
4. As mentioned above the Council must have arrangements in place to ensure compliance and is subject to inspection by the (OSC).
5. RIPA was introduced in order to provide the correct balance between an individual's right to privacy under the Human Rights Act 1998 and the proper use of data and surveillance by public authorities, such as the police and local councils, who are entrusted by law to carry out certain enforcement duties. The Act identifies certain areas where carrying out these enforcement duties will inevitably conflict with individuals' rights to privacy. The main areas which are of concern to the Council are:
 - The use of directed surveillance ; and
 - The use of covert human intelligence sources (CHIS).

6. Some of the Council's activities necessarily require surveillance as part of their enforcement functions such as benefit fraud investigations, environmental, planning and licensing enforcement and other fraud investigations. However, the use of RIPA powers by the Council has been very limited (Appendix 1). This summary shows there have only been two authorisations sought since 2008 which reflects the fact that the powers are used very much as a "last resort" and other means of obtaining the necessary evidence are relied upon first.
7. The Council has had arrangements and procedures in place for authorising and conducting necessary surveillance since 2002; training for practitioners from relevant services and authorising officers has been provided and the current policy and procedures were adopted in October 2015 following changes in the legislation and a previous inspection.
8. In October 2014 the Office of Surveillance Commissioners carried out another routine inspection of the Council's arrangements for managing the use of RIPA authorisations. The Inspector commended the Council for having a comprehensive RIPA policy and procedure and training strategy and also found that responsible senior managers had a good grasp of the key issues. The main recommendation made was to include guidance on the use of social networking sites and internet within the Policy and Procedures now that these are now more commonly being used as an investigative tool.
9. The revised policy and procedures (Appendix A) therefore includes a new section on social networking / internet and is based upon current legislation, Home Office Codes of Practice and OSC procedures and guidance. A new social networking guidance note and policy has also been incorporated as this area is now being widely used in investigations.
10. The Policy and Procedures also include details of the Authorising Officers, most of whom have had recent relevant training for their authorising role, further training is currently being reviewed.

How this report links to Corporate Priorities

11. Maintaining up-to date policy and procedures and reporting on their use will ensure that the Council complies with its legislative duties under RIPA.

Equality and Diversity Implications

12. Equality and Diversity/Equality Impact Assessment - This report has been prepared in accordance with the Council's Diversity and Equality Policies.

Financial Implications

13. There are no financial considerations associated with this report.

Legal Implications

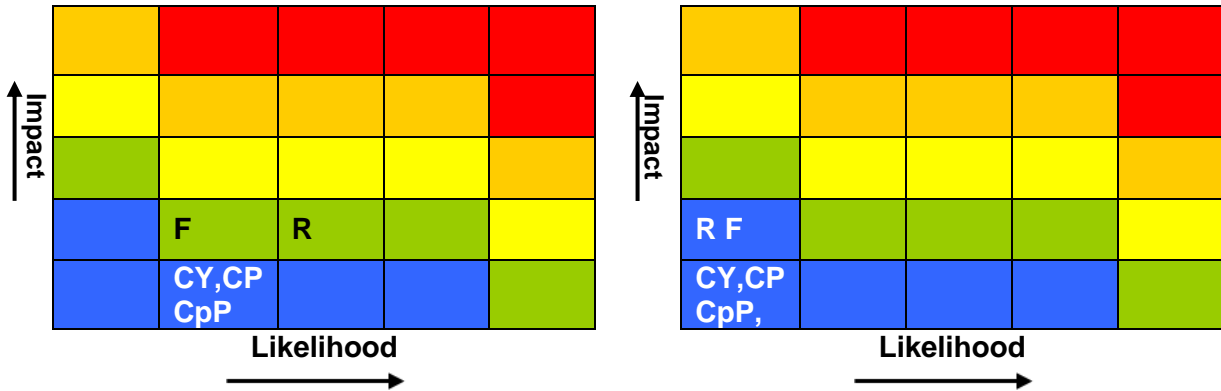
14. Surveillance investigations which are not authorised could leave the Council open to legal challenge by individuals who consider that there has been an intrusion of their privacy.

Risk Assessment

15. An up to date policy, properly trained officers and regular monitoring of the use of RIPA reduces the risks that would accompany any improper use.

Risk Profile before officer recommendations

Risk Profile after officer recommendations



Key

Categories		Colours (for further detail please refer to Risk management strategy)	
R	= Reputation	Red	= High impact and high probability
CpP	= Corporate Plan	Orange	= Major impact and major probability
CP	= Community Priorities	Yellow	= Moderate impact and moderate probability
CY	= Capacity	Green	= Minor impact and minor probability
F	= Financial	Blue	= Insignificant impact and insignificant probability

Background Papers

Regulation of Investigatory Powers Act 2000 Policy and Procedures (Appendix A)
 Using Social Media and Networking Sites in Investigations Policy (Appendix 5)



CORPORATE POLICY & PROCEDURES GUIDE

ON

THE REGULATION OF INVESTIGATORY POWERS ACT 2000

(‘RIPA’)

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Appendix 5 - Using Social Media and Networking Sites in Investigations Policy

NB:

The Regulation of Investigatory Powers Act 2000 ('RIPA') refers to 'Designated Officers'. For ease of understanding and application, this Corporate Policy & Procedures Guide refers to 'Authorising Officers'. Such Officers can only act under RIPA if they have been duly certified by the Council's Assistant Director Legal & Corporate Services (or his authorised deputy for such purposes). For the avoidance of doubt, all references to duly certified Authorising Officers in this Guide are the same as references to 'Designated Officers' under RIPA.

A. Introduction and Key Messages

1. This South Somerset District Council ('SSDC') *Corporate Policy & Procedures Guide on the Regulation of Investigatory Powers Act 2000 ('RIPA')* is based on the requirements of RIPA and the Home Office's Codes of Practice on Covert Surveillance and Covert Human Intelligence Sources ('CHIS'). Further explanation of these terms is given below, but it can be said immediately that what we in SSDC are primarily concerned with is covert surveillance and not CHIS.
2. The authoritative position on RIPA is, of course, the Act itself (and the interpretation of the Act by the courts). Any officer who is unsure about any aspect of this Guide should contact, at the earliest possible opportunity, the Director of Service Delivery who is the Senior Responsible Officer (SRO) for RIPA, for advice and assistance. Appropriate training and instruction will be organised by the SRO for relevant Authorising Officers and other appropriate senior managers. Further information and guidance on RIPA can be found on the Home Office website and the website of the Office of Surveillance Commissioners.
3. Once approved, copies of this Guide and the RIPA authorisation forms will be placed on the SSDC InSite intranet, a list of useful websites linking to legislation and guidance documents will also be placed on the intranet. The Guide minus the appendices will be put on the SSDC public website.
4. Since the introduction of the Protection of Freedoms Act 2012 the authorisation procedure must now undergo judicial scrutiny. Following an internal authorisation being made by an authorising officer judicial approval by a Justice of the peace at the Magistrates Court is necessary before the surveillance can take place.
5. The SRO will maintain (and check) the Corporate Register of all RIPA authorisations, reviews, renewals, cancellations and rejections as well as the judicial applications and approvals. However, it is the responsibility of the relevant Authorising Officer to ensure that the SRO receives a copy of any completed RIPA form within 1 week of the date of authorisation, review, renewal, cancellation or rejection or judicial approval.
6. RIPA and this Guide are important for the effective and efficient operation of the Council's actions with regard to covert surveillance and the use of CHIS. This Guide will be reviewed every 6 months by the SRO to keep it up to date. Authorising Officers and other officers involved with RIPA are asked to bring any suggestions for the improvement of this Guide to the attention of the SRO at the earliest possible opportunity (in writing please). The Council wishes to ensure that RIPA procedures are continuously monitored and improved or updated as necessary.
7. In terms of monitoring e-mails and internet usage, it is important to recognise the interplay and overlaps with the Council's e-mail and internet policies and guidance, together with the Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations 2000, the Data Protection Act 1998 and its Codes of Practice. RIPA forms should be used where relevant and they will be only relevant where the criteria listed on the RIPA forms are fully met.
8. **If you are in any doubt about RIPA, this Guide or the related legislative provisions, please consult the SRO at the earliest possible opportunity.**

B. Council's Policy Statement

1. SSDC takes its statutory responsibilities seriously and it will at all times act in accordance with the law and take action that is both necessary and proportionate to the discharge of such statutory responsibilities. In that regard, the SRO is duly authorised by SSDC to keep this Guide up to date and 'user friendly'; and to amend, delete, add or substitute any provisions of this Guide as he deems necessary, whereupon such amendments, deletions, additions or substitutions shall stand as duly approved by SSDC. For administrative and operational effectiveness, the SRO is also authorised to add or substitute officers authorised for the purposes of RIPA (known as 'Authorising Officers') – see Appendix 1.

C.**Authorising Officer Responsibilities**

1. It is essential that Authorising Officers in those Services take personal responsibility for the effective and efficient operation of this policy Guide.
2. The SRO will ensure the authority have sufficient numbers of officers (after suitable training and instruction on RIPA and this policy Guide) duly certified to act as Authorising Officers.
3. The Authority will also ensure that all relevant members of staff likely to use RIPA are suitably trained as 'Applicants' for seeking RIPA authorisation, so as to avoid common mistakes appearing on RIPA forms. This can be done in conjunction with the SRO
4. Authorising Officers will need to ensure that relevant staff in their Service all follow the procedures set out in this Guide and do not undertake or carry out any type of surveillance without first obtaining the relevant RIPA authorisation.
5. Authorising Officers must also pay particular attention to Health and Safety issues that may arise from any proposed surveillance or CHIS activity. Under no circumstances should an Authorising Officer approve any RIPA form until s/he is satisfied that the health and safety of Council employees/agents has been suitably addressed and a risk assessment carried out. Risks should be minimised as far as possible. Health and safety considerations and risks should be proportionate to the surveillance or CHIS activity being proposed. If an Authorising Officer is in any doubt, s/he should obtain prior guidance on these issues from his/her Service Manager, the Council's Safety Adviser and/or the SRO.
6. Authorising Officers must also ensure that RIPA forms (originals or copies) sent to the SRO (or any other relevant authority) are sent in sealed envelopes and marked 'Strictly Private & Confidential'.

D. General Information on RIPA

1. The Human Rights Act 1998 (which enacted much of the European Convention on Human Rights and Fundamental Freedoms 1950 into UK domestic law) requires SSDC (and agencies working on its behalf) to respect the private and family life of citizens, their home and their correspondence. See Article 8 of the European Convention.
2. However, the European Convention does not make this an absolute right, but a qualified right. Accordingly, in certain circumstances SSDC may interfere with the citizen's right mentioned above if such interference is:
 - (a) in accordance with the law;
 - (b) necessary; and
 - (c) proportionate.
3. RIPA provides a statutory mechanism for authorising covert surveillance and the use of a 'covert human intelligence source' ('CHIS'), such as undercover agents. (SSDC will rarely use a CHIS and the advice of the SRO must be sought before any authorisation is sought for the use of a CHIS). RIPA seeks to ensure that any interference with an individual's right under Article 8 of the European Convention is necessary and proportionate. In doing so, RIPA seeks to ensure that both the public interest and the human rights of individuals are suitably balanced. This balancing exercise has to be carried out every time that action is taken that may affect an Article 8 right, as it is part of the assessment of the proportionality of the proposed action.
4. Directly employed SSDC staff and external agencies working for SSDC are covered by RIPA during the time they are working for SSDC. Therefore, all external agencies used by SSDC must comply with RIPA. Work carried out by agencies on SSDC's behalf must be properly authorised by an SSDC RIPA designated Authorising Officer. Authorising Officers are those whose posts appear in Appendix 1 to this Guide (as may be added to or substituted by the SRO).
5. If the correct RIPA procedures are not followed, evidence could be disallowed by the courts, a complaint of maladministration could be made to the Ombudsman, and the Council could be ordered to pay compensation. If this happened, the good reputation of the Council would be damaged and the matter would undoubtedly be the subject of adverse press and media comment. Therefore, it is essential that all SSDC staff and agents involved with RIPA regulated activities comply with the procedures set out in this Guide, and any further guidance that may be issued from time to time by the SRO.
6. A flowchart of the procedures to be followed appears at Appendix 2.

E. What RIPA Does and Does Not Do

1. RIPA does:

- require prior authorisation of directed surveillance.
- prohibit the Council from carrying out intrusive surveillance.
- require authorisation of the conduct and use of a CHIS.
- require safeguards for the conduct and use of a CHIS.

2. RIPA does not:

- make unlawful conduct which is otherwise lawful.
- prejudice or disallow any existing powers available to SSDC to obtain information by any means not involving conduct regulated by RIPA. For example, it does not affect SSDC's current powers to obtain information from the DVLA about the keeping of a vehicle or from the Land Registry about the ownership of a property.

3. If an Authorising Officer or any officer is in doubt about the above or any other aspect of RIPA, s/he should ask the Assistant Director Legal & Corporate Services BEFORE any directed surveillance and/or CHIS is applied for, authorised, renewed, cancelled or rejected. As stated elsewhere, CHIS applications must in any case be subject to prior legal advice before they are submitted.

F. Types of Surveillance

1. 'Surveillance' includes
 - monitoring, observing, listening to people, watching or following their movements, listening to their conversations and similar activities.
 - recording anything mentioned above in the course of authorised surveillance.
 - surveillance by, or with the assistance of, appropriate surveillance devices.

Surveillance can be overt or covert.

2. Overt Surveillance

Most of the surveillance carried out by the Council will be done overtly - there will be nothing secretive, clandestine or hidden about it. In many cases officers will be behaving in the same way as a normal member of the public (e.g. in the case of most test purchases carried out by Environmental Health for food hygiene or other purposes), or will be going about Council business openly (e.g. a car parks inspector walking through a Council car park).

3. Similarly, surveillance will be overt if the subject has been told it will happen. Examples could be where a noisemaker is warned (preferably in writing) that noise will be recorded if the noise continues; or where an entertainment licence is issued subject to conditions, and the licensee is told that officers may visit without notice or without identifying themselves to the owner/proprietor to check that the conditions are being met. Such a warning should be repeated if the surveillance is prolonged – say every 2 months.

4. Covert Surveillance

Covert Surveillance is carried out in a manner calculated to ensure that the person subject to the surveillance is unaware of it taking place. (Section 26(9)(a) RIPA).

5. RIPA regulates two types of covert surveillance - **Directed Surveillance** and **Intrusive Surveillance** (plus the use of **Covert Human Intelligence Sources (CHIS)**).

6. Directed Surveillance

Directed Surveillance is surveillance that:

- is covert; and
- is not intrusive surveillance (see definition below - the Council must not carry out any intrusive surveillance);
- is not carried out as an immediate response to events that would otherwise make seeking authorisation under the Act unreasonable (e.g. spotting something suspicious without prior knowledge and continuing to observe it); and
- is undertaken for the purpose of a specific investigation or operation in a manner likely to obtain private information about an individual (whether or not that person is specifically targeted for purposes of an investigation). (Section 26(10) RIPA).

7. Private information in relation to a person includes any information relating to his private

and family life, his home and his correspondence. The fact that covert surveillance occurs in a public place or on business premises does not mean that it cannot result in the obtaining of private information about a person. Prolonged surveillance of a single person will undoubtedly result in the obtaining of private information about that person - and other persons who he contacts or with whom he associates.

8. Similarly, although overt town centre CCTV cameras do not normally require authorisation, an authorisation will be required if the camera is used for a specific purpose that involves prolonged surveillance of a particular person. The way a person runs their business may also reveal information about their private life and the private lives of others.
9. For the avoidance of doubt, only those officers designated and certified to be 'Authorising Officers' for the purpose of RIPA can authorise 'Directed Surveillance' - and only if the RIPA authorisation procedures set out in this Guide and effective from the operative date are followed. Authorising Officers not yet 'certified' for the purposes of RIPA cannot carry out any such procedures, including approving or rejecting RIPA authorisations. Further, notwithstanding anything to the contrary in the Council's 'Schedule of Functions Delegated to Officers' (i.e. the officer delegation scheme) as set out in the Council's Constitution, or in any other statutory provisions, RIPA Authorising Officers cannot delegate their power of authorisation to another officer unless that officer is also an Authorising Officer for RIPA purposes (and listed in Appendix 1), in which case the officer would be authorising in his/her own right. If in doubt, check with the SRO. Officers will bear personal responsibility for ensuring correct RIPA authorisation procedures.

10. **Intrusive Surveillance**

This is when surveillance:

- is covert;
 - relates to activities inside residential premises and private vehicles; and
 - involves the presence of a person in the premises or in the vehicle or is carried out by a surveillance device in the premises/vehicle. Surveillance equipment mounted outside the premises will not be intrusive, unless the device consistently provides information of the same quality and detail as might be expected if it was in the premises or vehicle.
11. Intrusive surveillance can only be carried out by the police and certain other law enforcement agencies. Council officers must not carry out intrusive surveillance.

12. **Examples of different types of Surveillance**

Type of Surveillance	Examples
Overt	<ul style="list-style-type: none"> - Police Officer or Countryside Ranger on patrol. - Signposted Town Centre CCTV cameras (in normal use). - Recording noise emitted from premises after the occupier has been warned that this will occur if the noise persists. - Most test purchases (where the officer behaves no differently from a normal member of the public).
Covert but not requiring prior RIPA authorisation	<ul style="list-style-type: none"> - CCTV cameras providing general traffic, crime or public safety information.
Directed (must be RIPA authorised)	<ul style="list-style-type: none"> - Officers following someone over a period to establish whether they are working when claiming benefit, or genuinely on long term sick leave from employment. - Test purchases where the officer has a hidden camera or other recording device to record information, which might include information about the private life of a shop-owner, e.g. where they are suspected of running their business in an unlawful manner.
<u>Intrusive (the Council cannot do this)</u>	<ul style="list-style-type: none"> - Planting a listening or other device (bug) in a person's home or in their private vehicle.

G. Conduct and Use of a Covert Human Intelligence Source ('CHIS')

Who is a CHIS?

1. Someone who establishes or maintains a personal or other relationship for the covert purpose of covertly using or covertly disclosing information obtained by that relationship. In common parlance, an 'undercover' police officer or, indeed, council officer. The archetypal CHIS would be a police officer carrying out an undercover drugs investigation where the 'target' does not know the officer's true identity. It would be most unusual for a local authority to use a CHIS.
2. RIPA does not apply in circumstances where members of the public volunteer information to the Council as part of their normal civic duties, or where the public contact telephone numbers set up by the Council to receive information.

What must be authorised?

3. The Conduct or Use of a CHIS requires prior authorisation.
 - **Conduct of a CHIS means:** Establishing or maintaining a personal or other relationship with a person for the covert purpose of (or incidental to the covert purpose of) obtaining and passing on information.
 - **Use of a CHIS means:** Inducing, asking, or assisting a person to act as a CHIS and the decision to use a CHIS in the first place.
4. The Council can only use a CHIS if the RIPA procedures in this Guide are followed. As mentioned above, it will be most unusual for the Council to use a CHIS. **THE ADVICE OF THE SRO MUST BE SOUGHT BEFORE ANY AUTHORISATION IS SOUGHT FOR THE USE OF A CHIS.**

Juvenile Sources

5. Special safeguards apply to the use or conduct of juvenile sources (i.e. sources under 18 years of age). On no account can a child under 16 years of age be authorised to give information against his or her parents. **Only the Chief Executive and Head of Paid Services are authorised by the Council to use Juvenile Sources**, as there are other onerous requirements that apply.

Vulnerable Individuals

6. A Vulnerable Individual is a person who is or may be in need of community care services by reason of mental or other disability, age or illness, and who is or may be unable to take care of himself or herself, or unable to protect himself or herself against significant harm or exploitation.
7. A Vulnerable Individual will only be authorised to act as a source in the most exceptional circumstances. **Only the Chief Executive and Head of Paid Services are authorised by the Council to use Vulnerable Individuals**, as there are other onerous requirements that apply.

Test Purchases

8. As mentioned above, carrying out test purchases will not require the purchaser to establish a relationship with the supplier for the covert purpose of obtaining information. Therefore, the purchaser will not normally be a CHIS. For example, authorisation would not normally

be required for test purchases carried out in the ordinary course of business (e.g. walking into a shop and purchasing a product over the counter).

9. However, developing a relationship with a person working in the shop for the purpose of obtaining information about the seller and his/her business (e.g. the seller's suppliers who are supplying illegally imported products) will require authorisation as a CHIS. Similarly, using mobile hidden recording devices or CCTV cameras to record what is going on in the shop will require authorisation as directed surveillance. A combined authorisation can be given for a CHIS_and also for directed surveillance.

Anti-social behaviour activities (e.g. noise, violence, race etc.)

10. Persons who complain about anti-social behaviour (such as playing music too loudly) and who are asked to keep a diary of incidents will not normally be a CHIS, as they are not required to establish or maintain a relationship for a covert purpose. Recording the level of noise (e.g. the decibel level) will not normally capture private information; therefore, it does not require authorisation.
11. Recording sound on private premises could constitute intrusive surveillance unless it is done overtly. It will be possible to record noise levels without it being intrusive surveillance if the noisemaker is given written warning that such recording or monitoring will occur. (Such a warning should be repeated at least every 2 months if the operation is on-going). Placing a stationary or mobile video camera outside a building to record anti-social behaviour on residential estates will require prior authorisation.

Social Networking and Internet Site

12. Rapidly increasing use of the Internet and social networking sites across communities and businesses has resulted in law enforcement having access to an array of investigative tools, Social network sites (and other 'open source' intelligence resources) contain a wealth of information, intelligence and evidence about suspects, victims, witnesses, members of organised crime groups and other aspects of crime and anti-social activity.
13. Although social networking and internet sites are easily accessible, if they are going to be used during the course of an investigation, consideration must be given about whether RIPA authorisation should be obtained.
14. Care must be taken to understand how the social media site being used works. Officers must not be tempted to assume that one service provider is the same as another or that the services provided by a single provider are the same.
15. Whilst it is the responsibility of an individual to set privacy settings to protect against unsolicited access to their private information on a social networking site, and even though the data may be deemed published and no longer under the control of the author, it is unwise to regard it as 'open source' or publicly available; the author has a reasonable expectation of privacy if access controls are applied. Where privacy settings are available but not applied the data may be considered open source and an authorisation is not usually required. If you are scoping (this includes an initial look at someone through open source material) no authority would be required, however if from this you then identify the subject and a plan is made for the gathering of evidence and you access the same websites to monitor that person a RIPA authority must be considered. You must consider any collateral intrusion on third parties when accessing websites. You should keep details of the websites accessed, information obtained and your reasons for using the website and the information gained or for discounting it from your investigation.
16. If it is necessary and proportionate for the Council to covertly breach access controls, the minimum requirement is an authorisation for directed surveillance. An authorisation for the

use and conduct of a CHIS is necessary if a relationship is established or maintained by the officer (ie the activity is more than mere reading of the site's content). This could occur if the officer covertly asks to become a 'friend' of someone on a social networking site.

17. CHIS authorisation is only required when using an internet trading organisation such as E-bay or Amazon Marketplace in circumstances when a covert relationship is likely to be formed. The use of disguised purchaser details in a simple, overt, electronic purchase does not require a CHIS authorisation, because no relationship is usually established at this stage.
18. See Appendix 4 – The Social Media and Networking Sites in Investigations Policy for more information

H. Authorisation Procedures

1. Directed surveillance and the use of a CHIS can only be lawfully carried out if properly authorised and in strict accordance with the terms of the authorisation. Appendix 2 gives a flow chart of the authorisation process from application consideration to recording of information. Although this flow chart covers both Directed Surveillance and CHIS authorisations, remember that CHIS forms must not be completed without obtaining prior legal advice, as CHIS authorisations will be very unusual.
2. Once the Authorising officer has authorised the application, an application must be made on the correct form to the Magistrates Court for the Justice of the Peace to authorise.

Authorising Officers

3. Forms can only be signed by Authorising Officers holding a 'RIPA Authorising Officer Certificate' issued by the SRO (as shown at Appendix 3). Authorising Officer posts are listed in Appendix 1. Any Authorising Officer filling a post shown in Appendix 1 and holding such a Certificate can sign the forms.
4. Appendix 3 training will be kept up to date by the SRO and revised as necessary. If a Service Manager wishes to add, delete or substitute a post, s/he must refer such a request to the SRO for consideration. The SRO is authorised to add, delete or substitute posts listed in Appendix 1.
5. Remember that RIPA authorisation procedures are separate from powers delegated to officers under the Council's 'Schedule of Functions Delegated to Officers' (forming part of the SSDC Constitution). RIPA procedures are governed by this Guide. RIPA authorisations are for specific investigations only, and they must be renewed or cancelled once the specific surveillance is complete or about to expire. The authorisations do not lapse with time.

Training Records

6. Proper training in RIPA procedures will be given or approved by the SRO before Authorising Officers are issued with a RIPA Authorising Officer Certificate enabling them to sign RIPA forms. RIPA training already undertaken or to be undertaken will need to be verified and approved by the SRO. Instruction on RIPA procedures will be by means of a one-to-one meeting with the SRO (or his nominated representative). The issue of a RIPA Authorising Officer Certificate will be confirmation that the Authorising Officer has been properly trained in RIPA procedures. The SRO will keep a 'Central Register of Issued RIPA Authorising Officer Certificates' containing copies of Certificates issued to individual officers.
7. If the SRO considers at any time that an Authorising Officer has not fully complied with the requirements of this Guide, or is no longer properly trained in RIPA procedures or requires additional training, the SRO is duly authorised to revoke that Officer's RIPA Authorising Officer Certificate until such time as he is satisfied that the Certificate should be re-issued. SRO will need to be satisfied that the Officer concerned is a fit and proper person to be an Authorising Officer for RIPA purposes. RIPA forms cannot be signed by an officer who does not hold a RIPA Authorising Officer Certificate.

Application Forms

8. Only the current RIPA forms downloadable from the Home Office Security (Surveillance) website (and also available on the SSDC intranet or from the SRO) must be used. Any other forms used after the operative date will be rejected by Authorising Officers and/or the SRO. Remember that CHIS forms must not be completed without obtaining prior legal advice, as CHIS authorisations will be very unusual. In respect of all forms, while we will do our best to ensure that the version on the intranet is the latest version, it is good practice to check the Home Office website (as above) to ensure that the SSDC version is the current version. Do not rely on the intranet version being the latest version.

9. **Types of Directed Surveillance Forms**

Application for Authorisation to Carry Out Directed Surveillance
Review of a Directed Surveillance Authorisation
Application for Renewal of a Directed Surveillance Authorisation
Cancellation of Directed Surveillance Authorisation

10. **Types of CHIS Forms – not to be used without obtaining prior legal advice**

Application for Authorisation of the Conduct or Use of a CHIS
Review of CHIS Authorisation
Application for Renewal of CHIS Authorisation
Cancellation of CHIS Authorisation

11. Any boxes not needed on the form(s) must be clearly marked as being 'NOT APPLICABLE', 'N/A' or a line put through the box. Great care must also be taken to ensure that accurate information is used and inserted in the correct boxes. Reasons for any refusal of an application must also be put on or stapled to the form and the form retained for future audits. Such refusal reasons must be signed and dated by the Authorising Officer.

Grounds for Authorisation

12. Directed Surveillance or the Conduct and Use of a CHIS can be authorised by the Council only on the following ground:

- For the prevention or detection of crime or preventing disorder

12A The Crime being investigated can only be an offence punishable on summary conviction or indictment by a maximum term of at least 6 months imprisonment or is an offence under:

- i) Section 146 of the Licensing Act 2003 (sale of alcohol to children)
- ii) Section 147 of the Licensing Act 2003 (allowing the sale of alcohol to children)
- iii) Section 147A of the Licensing Act 2003 (persistently selling alcohol to children)
- iv) Section 77 of the Children and Young Persons Act 1933 (sale of tobacco etc to persons under eighteen).

Assessing the Application Form

13. Before an Authorising Officer signs a form, s/he must:

- (a) Have regard to this Corporate Policy & Procedures Guide, the training provided or approved by the SRO and any other guidance and advice issued by the SRO on such matters generally, or the authorisation sought specifically;
- (b) Satisfy his/herself that the RIPA authorisation is:

- (i) in accordance with the law;
 - (ii) necessary in the circumstances of the particular case on the ground mentioned in paragraph 10 above; and
 - (iii) proportionate to what it seeks to achieve;
- (c) In assessing whether or not the proposed surveillance is proportionate the authorizing officer must be satisfied that the surveillance is proportionate to the mischief under investigation, that it is proportional to the degree of anticipated intrusion on the target and others and it is the only option after considering other appropriate means of gathering the information. The least intrusive method will be considered proportionate by the courts;
- (d) Take into account the risk of intrusion into the privacy of persons other than the specified subject of the surveillance (called 'Collateral Intrusion'). Measures must be taken wherever practicable to avoid or minimise collateral intrusion as far as possible, and this issue may be an aspect of determining proportionality;
- (e) Set (and diarise) a date for review of the authorisation and review on that date;
- (f) Allocate a Unique Reference Number (URN) for the application as follows:
- Year / Service Code (see Appendix 1) / Number of Application
- e.g. 2006/HRB/01
- (g) Ensure that the RIPA Service Register is duly completed, and that a copy of the RIPA form is forwarded for inclusion in the SRO's Central Register within 1 week of the relevant authorisation, review, renewal, cancellation or rejection.

Additional Safeguards when Authorising a CHIS

14. When authorising the conduct or use of a CHIS, the Authorising Officer must also:

- (a) be satisfied that the conduct and/or use of the CHIS is proportionate to what is sought to be achieved;
- (b) be satisfied that appropriate arrangements are in place for the management and overseeing of the CHIS. These arrangements must address health and safety issues by the carrying out of a formal and recorded risk assessment;
- (c) consider the likely degree of intrusion for all those potentially affected;
- (d) consider any adverse impact on community confidence that may result from the use or conduct of the CHIS or the information obtained; and
- (e) ensure that records contain particulars of the CHIS and that they are not available except on a 'need to know' basis.

Judicial Approval

15. The judicial approval process introduced by the Protection of Freedoms Act 2012 and effective from 1st November 2012 requires that once the form has been approved by the Authorising Officer, judicial approval of a Justice of the Peace at the Magistrates Court is necessary.

The JP will decide whether a local authority grant or renewal of an authorization or notice to use RIPA should be approved and it will not come into effect unless and until it is approved by a JP. Although it is possible for local authorities to request judicial approval for the use of more than one technique at the same time, in practice, as different considerations need to be applied to different techniques, this would be difficult to perform with the degree of clarity required. As a rule authorisations or notices should be submitted separately for each different technique.

Following the authorisation or renewal of an application the Authorising Officer must forward the authorisation and supporting documents to a Legal Officer, who will liaise with the investigation officer and assist in the making of an application to the Magistrates Court for judicial approval. The forms for this application will be kept by the SRO or are found on the Home Office website.

The Legal Officer assist in obtaining a court hearing date and time and will if necessary attend court along with the Authorising Officer or the Investigating Officer whoever is the most appropriate, to give evidence of the case and the technique required.

In emergency situations applications can be made to the Court outside usual office hours, Authorising Officers are advised to refer to Appendix 4. In such cases the investigating officer will need to provide two partially completed judicial application forms so that one can be retained by the JP. The Investigating Officer will have to provide a copy of the application form signed by the authorisation officer to the court on the next working day.

A copy of the signed Judicial Application form must be retained and sent to the SRO who will place it on the central register and enter it on the spreadsheet. There is not a requirement for the JP to consider either cancellations or internal reviews.

Duration of Authorisations

16. The authorised RIPA form must be reviewed in the time stated and cancelled once it is no longer needed. The authorisation to carry out/conduct the surveillance lasts for a maximum of 3 months from authorisation for Directed Surveillance, and 12 months from authorisation for a CHIS. However, whether or not the surveillance is carried out or conducted in the relevant period has no bearing on the authorisation becoming spent. In other words, authorised RIPA forms do not expire. The authorised forms have to be reviewed and/or cancelled once they are no longer required.
17. An urgent oral authorisation (if not already ratified in a written authorisation) will cease to have effect after 72 hours, beginning with the time when the authorisation was granted.
18. Authorisations can be renewed in writing before the maximum period has expired. The Authorising Officer must consider the matter afresh, including taking into account the benefits of the surveillance to date and any collateral intrusion that has occurred. Renewal's must be authorised by a JP, an application being made in the way described above.
19. The renewal will begin on the day when the authorisation would have expired. In exceptional circumstances, renewals may be granted orally in urgent cases (but see above) and they last for a period of seventy-two hours only.

I. Working With Or Through Other Agencies

1. When another agent or agency (such as a private investigator) has been instructed by or on behalf of the Council to undertake any action under RIPA, this Guide and the appropriate RIPA forms and Judicial approval mentioned must be used by the Council officers concerned (in accordance with the normal RIPA procedures) and the agency advised and kept informed of the various RIPA requirements. They must be made explicitly aware of what they are authorised to do by means of written instructions from the instructing officer, with a copy of the written instructions countersigned by the agency by way of acknowledgement of their instructions and returned to the instructing officer to be kept on the case file. If for reasons of urgency oral instructions are initially given, written confirmation must be sent (and acknowledged) within 4 working days. Officers should be satisfied that agencies are RIPA competent and RIPA trained before they are used, and a written record of that satisfaction (and the evidence for it) must be placed on the SSDC case file.
2. When some other agency (e.g. Police, Customs & Excise, Inland Revenue etc):
 - (a) wishes to use the Council's resources (e.g. CCTV surveillance systems), that agency must use its own RIPA procedures. Before any Council officer agrees to allow the Council's resources to be used for the other agency's purposes, s/he must obtain a copy of that agency's completed RIPA form for the Council's records (a copy of which must be passed to the SRO for the Central Register), or relevant extracts from the agencies RIPA form which are sufficient for the purposes of protecting the Council and the use of its resources;
 - (b) wishes to use the Council's premises for their own RIPA authorised action, the Council officer concerned should normally co-operate with such a request, unless there are security or other good operational or managerial reasons as to why the Council's premises should not be used for the agency's activities. The request must be put in writing and any consent from the Council must also be in writing. Suitable insurance or other appropriate indemnities may need to be sought from the other agency to protect the Council's legal position (the Council's Insurance Officer and/or the SRO can advise on this issue). However, in such cases the Council's own RIPA forms should not be used as the Council is only 'assisting' and not being 'involved' in the RIPA activity of the external agency.
3. With regard to 2(a) above, if the Police or other agency wish to use Council resources for general surveillance (as opposed to specific RIPA authorised operations), an appropriate letter requesting the proposed use (and detailing the nature and extent of the use, duration, who will be undertaking the general surveillance, the purpose of it, and why it is not subject to RIPA) must be obtained from the Police or other agency before any Council resources are made available for the proposed use. The insurance/indemnity considerations mentioned above may still need to be addressed.
4. **If in doubt, please consult with the SRO at the earliest opportunity.**

J. Record Management

1. The Council must keep a detailed record of all authorisations, renewals, cancellations and rejections generated by Services and a Central Register of all authorisation forms will be maintained and monitored by the SRO.

2. **Records maintained in the individual Service**

The following documents must be retained by the relevant Service Manager or his/her designated RIPA Service Co-ordinator (such Co-ordinator to be appointed by the Service Manager and the name notified to the SRO)

- Copies of any completed application form together with any supplementary documentation, plus notification of the approval given by the Authorising Officer;
 - A copy of the signed Judicial Approval;
 - a record of the period over which the surveillance has taken place;
 - the frequency of reviews prescribed by the Authorising Officer;
 - a record of the result of each review of the authorisation;
 - a copy of any renewal of an authorisation, together with the supporting documentation submitted when the renewal was requested;
 - a copy of any cancellation of an authorisation;
 - the date and time when any instruction was given by the Authorising Officer and a note of that instruction;
 - the Unique Reference Number for the authorisation (URN).
3. Each form will have a URN. The Service Manager or RIPA Service Co-ordinator will issue the relevant URN to applicants. The cross-referencing of each URN takes place within the forms for audit purposes. The relevant Service code to be followed is shown in Appendix 1. Rejected forms will also have URN's.
 4. A 'Surveillance Log Book' will be completed by the investigating officer(s) to record all operational details of authorised covert surveillance. Once completed, the Log Book will be passed to the Service Manager or the designated RIPA Service Co-ordinator for safe keeping in a secure place. Each Service will also maintain a 'Surveillance Log Book Issue and Movement Register' for such Surveillance Log Books. The maintenance of the latter Register will be the responsibility of the Service Manager or the designated RIPA Service Co-ordinator. The SRO will prescribe the form of the latter Registers and Services must substantially follow that form.

Central Register maintained by the Assistant Director Legal & Corporate Services

5. Authorising Officers must forward details of each issued RIPA form to the SRO for keeping on the Central Register within 1 week of the issue of the authorisation, review, renewal, cancellation or rejection. The SRO will monitor forms, give appropriate guidance from time to time, and amend this Guide, as necessary.
6. The Council will retain records for a period of at least three years from the ending of the authorisation. The Office of the Surveillance Commissioners (OSC) can audit and review the Council's policies and procedures, and individual authorisations.

K. Concluding Remarks of the SRO

1. Where there is an interference with a European Convention right such as the right to respect for private and family life guaranteed under Article 8 of Convention, and where there is no other source of lawful authority for the interference, or if it is held to be unnecessary and disproportionate in the particular circumstances, the consequences of not obtaining or not following the correct authorisation procedures set out in RIPA, RIPA Regulations and associated Codes of Practice may be that the action taken (and the evidence obtained) will be held by a court to be an infringement of a Convention right (possibly more than one) and thus unlawful behaviour under Section 6 of the Human Rights Act 1998. This could result in the Council losing a case and having costs (and possibly damages) awarded against it. Following this Guide should ensure that this does not happen.
2. It needs to be stressed that the concept of proportionality, i.e. proportional action, is very important under RIPA and under human rights. Action that is disproportionate in terms of the end to be achieved when judged against the Convention right infringed will be unlawful, even if a RIPA authorisation has been issued. Therefore, it is probably best to err on the side of caution when considering if covert surveillance is really required for an investigation. If the information can be obtained by other overt means, then it should be. Ask yourself the question: "Do I really need to do this, what will be the effect on others if I do it, and is there any other way to achieve the same ends?" Weigh it all in the balance. If possible, do a file note of your reasoning.
3. Authorising Officers must exercise their minds as to their RIPA obligations every time they are asked to sign a form. They must never sign or rubber stamp form(s) without thinking about both their personal responsibilities and the Council's responsibilities under RIPA, the Human Rights Act 1998 and the European Convention. Again, ask yourself the question: "Do I really need to do this, what will be the effect on others if I do it and is there any other way to achieve the same ends?" Weigh it all in the balance. If possible, do a file note of your reasoning.

Definition of Roles

(1) SRO – Senior Responsible Officer

Director Service Delivery, maintains central records of authorisations and collating the authorisations, reviews, renewals and cancellations also has oversight of submitted RIPA documents. Is responsible for – integrity of the process, comply with RIPA and its regulatory framework, engage with the Commissioners and Inspectors when they conduct an inspection, oversee the implementation of recommendations made by the OSDC to ensure authorizing officers are of the appropriate standard

(2) RIPA Co-ordinating Officer

Lead Specialist Legal or Specialist Legal, organises training and raises awareness.

(3) RIPA Authorising Officer

Is certified to authorise applications before referral to the Magistrates Court.

(4) RIPA Services Co-ordinating Officer

Officer in relevant service who ensures relevant RIPA documents are retained.

4. For further advice and assistance on RIPA, please contact the SRO. Contact details are provided at the front of this Guide.

List of Authorising Officer Posts

Post	Service Identifier
Lead Specialist Legal	LSM
Director Commercial Services and Income Generation	DCSIG
Director of Strategy and Commissioning	DSC
Chief Executive	CE

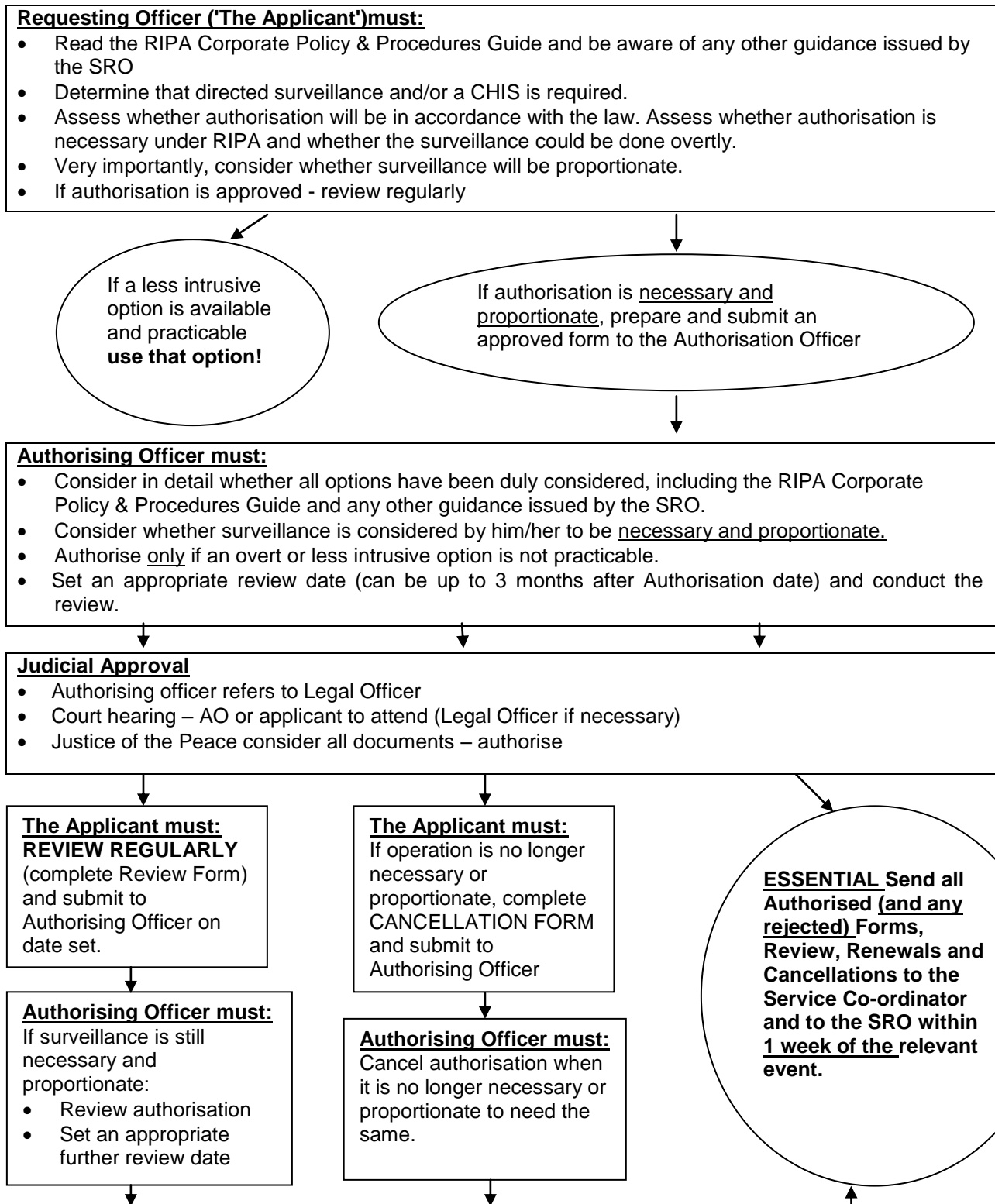
IMPORTANT NOTES

- A. Even if a post is identified in the above list, the persons currently employed in such posts are not authorised to sign RIPA forms (including a renewal or cancellation) unless s/he has been certified by the SRO to do so by the issue of a RIPA Authorising Officer Certificate.
- B. Only the Chief Executive and the head of Paid services are authorised to sign forms relating to Juvenile Sources and Vulnerable Individuals (see paragraph G of this Guide).
- C. If a Service Manager wishes to add, delete or substitute a post, s/he must refer such request to the SRO for consideration.
- D. If in doubt, ask the SRO BEFORE any directed surveillance and/or CHIS is authorised, renewed, rejected or cancelled.

Summary of use of RIPA powers by SSDC

Year	No. Authorisations	Type of Authorisation	Service Requesting
2008	0		
2009	0		
2010	1	Directed Surveillance	Benefit Fraud
2011	0		
2012	0		
2013	1	Communication Data	Environmental Services
2014	0		
2015	0		
2016	0		
2017	0		

RIPA FLOW CHART



NB: If in doubt, ask the SRO BEFORE any directed surveillance and/or CHIS is authorised, renewed, cancelled, or rejected. Appropriate Managers will designate one of their staff to be a Service Co-ordinator for the purpose of RIPA and advise the SRO accordingly. CHIS forms are not to be used without prior legal advice.



SOUTH SOMERSET DISTRICT COUNCIL

RIPA AUTHORISING OFFICER CERTIFICATE

No. [] / 20

I HEREBY CERTIFY that the Officer whose personal details are given below is an Authorising Officer for the purposes of authorising covert surveillance and the use and/or conduct of Covert Human Intelligence Sources ('CHIS') under the provisions of the Regulation of Investigatory Powers Act 2000.

It is further certified that this Officer has received training to perform such authorisation procedures.

Certificate issued to: [Full name of Officer]

Job Title:

Service:

Location:

Certificate date:

(signed)

Martin Woods
Senior Responsible Officer
Director Service Delivery
South Somerset District Council

(PLEASE NOTE: This certificate and the authorisation granted by it is personal to the officer named in it and cannot be transferred. Any change in personal details must be notified in writing to the SRO immediately. This certificate can be revoked at any time by the Director of Service Delivery by written revocation issued to the officer concerned. It is the named officer's personal responsibility to ensure full compliance with RIPA authorisation procedures and to ensure that s/he is fully trained in such procedures and that such training is kept up to date).

MAGISTRATES' COURTS IN AVON AND SOMERSET **OTHER THAN BRISTOL**

Procedure for dealing with Applications/Warrants out-of-hours

i.e. between: 5pm and 8.30 am Mondays – Thursdays
 5pm on Friday and 8.30am Monday
 Bank Holidays

(but please note the at the Magistrates Court sits at Bristol and Taunton on Saturdays and Bank Holidays at 10am and where possible applications should be made to the Court rather than using the Out of Hours procedures on these days)

PLEASE MAKE EVERY EFFORT TO RESTRICT APPLICATIONS TO THOSE OF EXTREME URGENCY. NON URGENT APPLICATIONS MAY NEED TO BE REFUSED.

APPLICATIONS BY OTHER AGENCIES

- **Agencies may only make contact with a Legal Adviser via the Avon and Somerset Constabulary Force Control Inspector Telephone 08454 567000**
- Force Control Inspector/his staff shall contact a Legal Adviser working in the area where the application is sought giving contact details of the agency to enable the Legal Adviser to contact the person requesting the warrant/making the application under the Children Act 1989. **Agency staff must not retain any contact details.**
- Where the officer is unable to contact a legal adviser in his/her area, he/she should make contact with a Legal Adviser in nearest proximity.
- The person making the application/requesting the warrant will give the Legal Adviser a summary of the nature of the application and its urgency.
- Legal Adviser then to make contact with a Magistrate who is able to hear the application.
- Arrangements to be agreed between the Legal Adviser and the agency regarding the venue and time the application to be heard.
- Agency staff may be required to collect the Legal Adviser from his/her home address and then go to the Magistrates home, returning the Legal Adviser thereafter. The Legal Adviser will have the discretion to make other arrangements where the need arises.
- Applications under the children Act 1989: The list of Legal Advisers states who can deal with these applications. (Only Legal Advisers with delegated powers are able to deal with applications for emergency process under Part IV of the Children Act, 1989). Please direct the application in the first instance to a Legal Adviser working in the area where order sought.

Using Social Media and Networking Sites in Investigations Policy

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A. Introduction

- 1.0 Social Media has become a significant part of many people's lives. By its very nature, Social Media also often known as Social Networking sites can accumulate a sizable amount of information about a person's life. Their accessibility on mobile devices can also mean that a person's precise location at a given time may also be recorded whenever they interact with a form of Social Media on their devices. This means that incredibly detailed information can be obtained about a person and their activities.
- 1.2 Social Media can therefore be a very useful tool when investigating alleged offences with a view to bringing a prosecution in the courts. However, there is a danger that the use of Social Media can be abused, which would have an adverse effect damaging a potential prosecution and could even leave the Council open to complainants or criminal charges itself.
- 1.3 This Policy sets the framework on which the Council may utilise Social Media when conducting investigations into alleged offences. Whilst the use of Social Media to investigate is not automatically considered covert surveillance, its misuse when conducting investigations can mean that it crosses over into the realms of covert and or targeted surveillance, even when that misuse is inadvertent. It is therefore crucial that the provisions of the Regulation of Investigatory Powers Act 2000 (RIPA), as it relates to covert and directed surveillance, are followed at all times when using Social Media information in investigations.
- 1.4 It is possible for the Council's use of Social Media in investigating potential offences to cross over into becoming unauthorised surveillance, and in so doing, breach a person's right to privacy under Article 8 of the Human Rights Act. Even if surveillance without due authorisation in a particular instance is not illegal, if authorisation is not obtained, the

surveillance carried out will not have the protection that RIPA affords and may mean it is rendered inadmissible.

- 1.5 If is the aim of this Procedure to ensure that investigations involving the use of Social Media are done so lawfully and correctly so as not to interfere with any persons human rights but to ensure that evidence gathered from Social Media is captured and presented to court in the correct manner by obtaining the correct authorisations where necessary.
- 1.6 Officers who are involved in investigations, into both individuals and businesses they suspect to have committed an offence, should consult Legal Services if they are unsure about any part of this Policy and how it affects their investigative practices.

B. Regulation of Investigatory Powers Act 2000 (RIPA)

- 2.0 As there is an increase in the use of smartphones and other personal and portable devices, there is a significant amount of information on an individual's Social Media pages. This information might be relevant to an investigation being undertaken by the Council. However unguided and thought out research into a person's site could fall within the remit of RIPA and therefore require authorisation prior to it being undertaken.
- 2.1 Officers embarking on any form of investigatory action should always do so with RIPA in mind. Whilst RIPA will not always be relevant to every investigation, it is vital that enforcement officers and those involved in investigations regularly review their conduct with respect to investigatory actions. Any investigation is capable of evolving from one not requiring any RIPA authorisation to one that does at any point.
- 2.2 This Policy should be read in conjunction with the Council's current RIPA Policy and Procedures as well as statutory codes of practice issued by the secretary of state and the office of Surveillance Commissioners Guidance.

C. Definition of Social Media

- 3.0 Social Media also referred to as a Social Network can take many forms. Therefore, it is difficult to provide a definitive list of sites.
- 3.1 Current examples of popular forms of Social Media include (but the list is not exhaustive and new ones can be created whilst established ones popularity can wain).

Facebook	Twitter	Instagram
Linkedin	Pinterest	Reddit

- 3.2 Social Media will always be a web-based service that allows individuals and/or businesses to construct a public or semi-public profile which contains personal information and is viewable by others, whether accepted as "friends" or otherwise.
- 3.3 The definition of 'private information' under the Regulation of Investigatory Powers Act (RIPA) includes:

"any information relating to a person's private or family life and should be taken generally to include any aspect of a person's private or personal relationship with others, including family and professional or business relationships.'

D. Privacy Settings

- 4.0 The majority of Social Media services will allow its users to decide who can view their activity, and to what degree, through the use of privacy settings. Whilst some users are happy, or indifferent about who is able to view their information, others prefer to maintain a level of privacy.
- 4.1 Many users may purposely use Social Media with no privacy settings applied, this could be their intention as they are actively promoting something such as a business or event, and therefore require as many people as possible to be able to view their profile. Others may do so for reasons of self-promotion – this is known as a public profile and the information is “open source”.
- 4.2 Persons operating Social Media without or with limited privacy setting do so at their own risk. Whilst the content or information shared by individuals on Social Media remains the property of that individual, it is nonetheless considered to be in the public domain. Publishing content or information using a public rather than a private setting means that person is allowing anyone to access that information.
- 4.3 A private Profile is one set up on Social Media where the individual has set privacy settings and does not want their information open to public view, they will set the privacy setting appropriate to what they require.
- 4.4 By setting a private profile setting a user does not allow everyone to access their content and respect should be shown to that person’s right to privacy under Article 8 of the Human Rights Act. This does not however extend to instances where a third party takes information and shares it on their own profile. So Person A has a private profile but a friend of theirs Person B takes something from Person A’s page and shares it on their public page, this cannot be used from Person A’s page but could from Person B’s as they have a public profile.

E. Process to Follow when considering Using Social Media Sites

- 5.0 If an individual has a public profile an officer needs to be careful only to gather such information that is relevant to proving the offence they are investigating, if in any doubt seek advice from Legal Services. Even with Public profile sites care must be taken to ensure that the correct authorisation is required if the monitoring of an account becomes planned and directed.
- 5.1 Officers must not use their own personal or private account when accessing social media sites for investigation and evidence gathering purposes. Only Council accounts should be used. Interaction and conversations of any kind should be avoided.
- 5.2 Officers should keep in mind that simply using profiles belonging to others, or indeed fake profiles, in order to carry out investigations does not provide them with any form of true anonymity. The location and identity of an officer carrying out a search can be easily traced through tracking of IP Addresses, and other electronic identifying markers.

- 5.3 One off visits or infrequent visits to an individual's Social Media profile spread over time cannot be considered "directed surveillance" for the purposes of RIPA, repeated or frequent visits may cross over into becoming "directed surveillance" requiring RIPA authorisation. A person's Social Media profile should not, be routinely monitored on a daily or weekly basis in search of updates, as this will require RIPA authorisation. If an officer requires more advice on this they should contact Legal Services.
- 5.4 Each viewing of a company or individual's social media profile for the purpose of investigation or evidence gathering must be recorded on the case log.

F. Capturing Evidence

- 6.0 Evidence that is of a readable form, ie text, status updates or photographs should be copied directly from the site or captured via a screenshot, onto a hard drive or some other form of storage device and then subsequently printed to a hard copy. The hard copy of evidence should then be exhibited to a prepared witness statement in the normal way.
- 6.1 If evidence is an audio or video content then efforts should be made to download that content onto a hard drive or some other form of storage device such as CD or DVD. Those CD's and/or DVD's should then be exhibited to a suitably prepared witness statement in the normal way. If you have difficulties with this contact the Council's IT Unit.
- 6.2 Screen shots – should display the time and date in order to prove when the evidence was captured, without this information the effectiveness of the evidence is potentially lost as it may not be admissible in court.
- 6.3 When capturing evidence from a Social Media profile steps should be taken to minimise the collateral damage of inadvertently capturing innocent third parties information. This might be particularly prevalent on Social Media profiles promoting events

G. Retention and Destruction of Information obtained

- 7.0 Where recorded material (in any form or media) is obtained during the course of an investigation which might be relevant to that investigation, or another investigation, or to pending or future civil or criminal proceedings, then it should be retained in accordance with the Data Protection Act 1998, the Freedom of Information Act 2000 and any other legal requirements including the council's Information asset register and Council's retention schedule. Advice should be sought from the relevant officer at the Council.

H. Review

- 8.0 This Policy will be reviewed periodically and in line with the Council's RIPA Policy and Procedure (Section A, para 6) to ensure that both documents remain current and compliant with relevant legal requirements and best practice guidance.

Agenda Item 10

2018/19 Draft Budget and Medium Term Financial Plan Update

Executive Portfolio Holder: Peter Seib, Finance and Legal Services
Director: Netta Meadows, Strategy and Commissioning
Service Manager: Catherine Hood, Finance Manager
Lead Officer: Paul Fitzgerald, S151 Officer, Finance
Contact Details: Paul.Fitzgerald@southsomerset.gov.uk or 01935 462226

Purpose of the Report

1. The purpose of this report is to provide an update the latest estimates for 2018/19 draft budget and Medium Term Financial Plan estimates for the period 2018/19 to 2022/23, together with an update on the Capital Programme.

Forward Plan

2. This report appeared on the District Executive Forward Plan with an anticipated Committee date of December 2017.

Public Interest

3. This report is an update on setting the Council's budget for the next financial year 2018/19 and the council's longer term financial sustainability.

Recommendations

4. That the District Executive:
 - a. Note the current estimates and next steps in respect of the draft Medium Term Financial Plan and Capital Programme.
 - b. Approve in principle the changes to budget estimates in respect of pressures and savings included within the report (paras 13,14,15).

Background

5. The Financial Strategy and Medium Term Financial Plan estimates for the period 2018/19 to 2022/23 were approved and noted by the District Executive on 7 September 2017. This was supported by an informal briefing available to all Members on 30 August 2017. This report provides members with a progress update on the preparation of draft estimates for 2018/19 and towards achieving a balanced budget over the medium term.
6. It is worth noting that the current multi-year finance settlement extends to 2019/20. Beyond 2019/20 the level of uncertainty within our financial plan in terms of funding increases significantly.

The Autumn Statement 2017

7. The Autumn Statement was announced on 22 November 2017. There were a number of announcements that will or may affect the Council's financial plans in future including:
 - Changes to business rates including: bringing forward the switch in indexation from RPI to CPI to 2018/19 rather than 2020/21, reducing bills for rate payers; and continuing the £1,000 business rates discount for public houses with a rateable value up to £100,000.

Local government will be fully compensated for the loss of income as a result of these changes;

- Following the next revaluation of business rates, due in 2022, revaluations will be every three years instead of five;
- Local authorities will be able to increase the Council tax premium on empty homes from 50% to 100%;
- A package of new policy which aims to raise housing supply, through; additional financial support, introducing planning reforms (to ensure more land is available and to make better use of underused land) and providing funding in the construction sector;
- Reforms of Universal Credit were announced such as; removing the 7 day waiting period, Housing Benefit continuing for the first two weeks of UC, roll out of UC more gradually between Feb and Apr 2018 and longer recovery periods for advances.

8. The Department for Communities and Local Government (DCLG) are expected to announce the Provisional Settlement during week commencing 18 December. A verbal update will be provided at the Executive meeting.

2018/19 Budget and MTFP Update

9. The report to District Executive in September showed a projected Budget Gap – the difference between our estimated budget requirement and the estimated funding available – of £195,000 in 2018/19, rising to £2.76m by 2022/23 financial year.

Medium Term Financial Plan (as at September 2017)

	2018/19 £'000	2019/20 £'000	2020/21 £'000	2021/22 £'000	2022/23 £'000
Total Budget Requirement	17,126.5	16,901.6	17,690.8	18,849.6	19,742.6
Total Funding	-16,931.5	-16,461.0	-16,638.6	-16,806.3	-16,982.1
Budget Gap (Cumulative)	195.0	440.6	1,052.2	2,043.3	2,760.5
Budget Gap Increase on Prior Year	195.0	245.6	611.6	991.1	717.2

10. A range of estimates have been updated since the September report was prepared, and are reflected in the up to date MTFP position set out below. It is important to emphasise that the budget estimates and medium term forecasts remain indicative at this stage, with further updates to be provided leading to final budget being presented for approval in February 2018.

Indicative Medium Term Financial Plan Estimates (as at November 2017)

	2018/19 £k	2019/20 £k	2020/21 £k	2021/22 £k	2022/23 £k
Base Budget	17,379.2	16,687.5	16,738.1	17,638.7	18,358.2
<i>Incremental Changes:</i>					
Employment cost inflation	701.2	349.4	340.1	341.1	364.5
Inflation allowance on contracts	128.6	162.0	166.6	171.6	176.6
Unavoidable budget pressures	300.0	250.0	300.0	300.0	300.0
Planned savings	-1,338.0	-712.4	-20.2	-20.2	0.0
Investment Income	-726.0	0.0	-1.0	0.0	-1.0
Revenue effects of Capital Programme	404.8	1.5	115.1	-11.3	24.9
Other	-162.3	0.1	0.0	-61.7	0.0
Total Budget Requirement	16,687.5	16,738.1	17,638.7	18,358.2	19,223.2
Funded By:					

	2018/19 £k	2019/20 £k	2020/21 £k	2021/22 £k	2022/23 £k
<i>Absolute Amounts Each Year:</i>					
Revenue Support Grant	-268.9	327.3	327.3	327.3	327.3
Less: CTRS Grant to Town/Parish	34.9	0.0	0.0	0.0	0.0
Rural Services Delivery Grant	-102.6	-133.4	-133.4	-133.4	-133.4
New Homes Bonus Grant	-2,006.4	-2,229.6	-2,041.8	-1,951.3	-2,280.9
Revenue Support Fund Transfer	-993.6	-520.4	-458.2	-298.7	280.9
Business Rates Retention	-3,958.1	-3,845.1	-3,927.4	-4,009.7	-4,092.0
Collection Surplus – Business Rates	0.0	0.0	0.0	0.0	0.0
BRR Volatility Reserve Transfer	0.0	0.0	0.0	0.0	0.0
Council Tax – SSDC	-9,635.9	-10,091.8	-10,435.1	-10,775.3	-11,106.6
Council Tax – SRA	-111.0	-112.7	-114.3	-115.7	-116.9
Less: Council Tax Paid to SRA	111.0	112.7	114.3	115.7	116.9
Collection Surplus - Council Tax	-36.5	0.0	0.0	0.0	0.0
Sub-total: Funding	-16,967.1	-16,493.0	-16,668.6	-16,841.1	-17,004.7
Other Reserve Transfers					
Other Earmarked Reserves	-11.6	-11.7	-11.7	50.0	50.0
General Reserves	0.0	0.0	0.0	0.0	0.0
Sub-total: Net Reserve Transfers	-11.6	-11.7	-11.7	50.0	50.0
Total Funding	-16,978.7	-16,504.7	-16,680.3	-16,791.1	-16,954.7
Budget Gap	-291.2	233.4	958.4	1,567.1	2,268.5
Budget Gap Increase on Prior Year		524.6	725.0	608.7	701.4

11. As the updated MTFP estimates show, the progress in delivering the Council's agreed financial strategy is making a positive impact on the financial position. Based on the updates incorporated so far – in particular through the effects of the income generation through commercial and treasury investment – good progress has been made towards producing a balanced budget for next year.
12. It is important to note that the above position is not the final position. The current projected surplus in 2018/19 will change. It is strongly recommended that any surplus within the final budget estimates will be used to contribute to the current £956,000 funding shortfall for the transformation one-off costs.

2018/19 Draft Budget Estimates - Main Changes to Date (Work In Progress Position)

13. The main changes included in the forecasts since September in respect of 2018/19 are summarised in the table below. This provides a reconciliation of the change from September to November estimates

	2018/19 £'000	2018/19 £'000
Budget Gap Estimate – September 2017		195.0
Garden Waste Income	-63.6	
SWP Draft Budget requirement changes	-43.0	
Treasury investment income (additional to £40,000 already included in September)	-210.0	
Investment Properties income	-926.0	
Commercial property and investment delivery resources	450.0	
Property investment financing costs (MRP + Interest)	302.7	
Yeovil Refresh Programme Manager (funded from Infrastructure Reserve)	61.6	

	2018/19 £'000	2018/19 £'000
Other minor changes	-10.7	
Sub-total: Changes to Budget Requirement		-439.0
Collection Fund Council Tax Surplus provisional estimate	-36.5	
Transfer from Infrastructure Reserve	-61.6	
Council Tax Base	0.9	
Transfer to treasury investment volatility reserve	50.0	
Sub-total: Changes to Funding and Reserves		-47.2
Budget Gap Estimate – December 2017		-291.2

14. The changes are explained as follows:

- Garden waste income reflects updated estimates of customer demand and the agreed price increases that take effect in April 2018.
- Somerset Waste Partnership (SWP) has produced a business plan for 2018/19. The latest financial estimates have been included in the updated draft budget, with the draft business plan supported by District Executive on 7 September 2017. SWP is due to approve its final budget in February 2018.
- Treasury investment income is increased, reflecting the greater emphasis on investment return within our prudent balance of achieving security, liquidity and return in managing our cash investments.
- Investment properties net income reflects property investments completed to date this year as we start to deliver against the new commercial strategy.
- Council approved the resources needed to manage the acquisition, maintenance and performance management of the investment property portfolio, including staff costs and 'bought in' professional services. As the investment portfolio increases, the proportion of this cost as a percentage of net income will reduce, with investments completed to date covering this management cost.
- The financing costs for the commercial property investment portfolio have been updated for completed acquisitions, comprising minimum revenue provision (MRP) for debt repayment plus interest costs.
- The Yeovil Refresh requires programme management resources to deliver the objectives of the scheme (reported to DX 7 December). This is a proposed post for 3 years, to be funded from the existing Infrastructure Reserve.
- The Collection Fund council tax surplus estimate for 2018/19 is to be formally calculated in 15 January 2018; however we have updated the draft budget for our provisional estimate at this stage.
- It is proposed to set aside a proportion of increased treasury investment income in a contingency fund to mitigate investment performance volatility.

15. It is important to state at this stage that this reflects changes to draft budget estimates to date, and is not the final position. Final budget proposals will be reported to District Executive and Full Council in February.

Unavoidable Pressures and Savings

16. The following table summarises the pressures and savings that are reflected in the current draft budget estimates. District Executive is requested to approve in principle the retention of these items within the draft budget for 2018/19, subject to approval of final budget in February 2018.

	2018/19 £'000	2018/19 £'000
Unavoidable Pressures:		
Waste contract growth in demand (new properties)	21.3	
Strategic management events and sponsorship	10.0	
Markets – Income trend below budget	32.2	
Westlands business plan subsidy increase	83.9	
Local discounts for council tax	4.6	
Somerset Growth Board Contribution	-4.6	
Sub-Total		147.4
<i>Provision for new unavoidable pressures emerging in final budget estimates</i>		152.6
Total Unavoidable Pressures		300.0
Savings:		
Transformation	-1,222.7	
External audit fees	-8.9	
SWP costs of Ex-SSDC transferred to partnership	-3.2	
Income – Private Sector Leasing and Letting Service	-34.6	
Income – Garden Waste	-63.6	
Income – Bulky Waste	-5.0	
Total Planned Savings		-1,338.0

17. It is likely that further changes will be included in final budget proposals, however the above reflects changes identified to date.

Other Background Information Related to Budget Requirement

Main assumptions

18. The main financial planning assumptions underpinning the MTFP forecasts were set out in the report to District Executive in September. This includes explanations around costs pressures such as staff pay award, pension costs, etc. The majority of the assumptions are unchanged.
19. Members will recall we included a provision for a 2% increase in staff pay (an increase on the previous 1% assumption). Local Government has recently published details of a final pay offer of 2% in both 2018/19 and 2019/20, with a higher percentage increase on the lowest paid spinal points reflecting the move towards National Living Wage. Detailed salaries estimates are currently being revised in light of the recent information and any additional cost pressures reflected in the final budget.

Transformation

20. The overall position for transformation remains on track. Costs are expected to be maintained within the overall approved budget. This will be determined largely by the level of staff exit costs which will not be known with certainty until the recruitment to the new operating model has been completed during 2018/19.

21. The expectation within the budget is for the following savings to be achieved:

	2018/19 £'000
2017/18 Savings – delivered through Leadership changes, vacancies held in 2017/18 and Phase 1 implementation from January 2018	625.0
2018/19 Savings – including full year effect of Phase 1, part year effect of Phases 2 and 3, plus vacancy savings	1,222.7
2019/20 Savings – full year effect of Phases 2 and 3	696.2
Full Year Annual Total Savings	2543.9

22. The delivery of savings will continue to be carefully monitored, and vacancies held where appropriate to ensure the timing of savings aligns with the budget. Mitigation exists for the risk of timing delays with some allowance included within General Reserves balance.

Investment Income - Commercial

23. During the summer the Council approved a new Commercial Strategy. This is designed to generate significant additional income from commercial investment in order to mitigate the cuts to government grant funding and protect the council's delivery of services to the community.
24. In order to deliver the Commercial Strategy, the Council has approved a significant investment fund. Part of this fund has been used to acquire property that is rented for retail use in Yeovil town centre. As well as providing a commercial income this investment also demonstrates the Council's commitment to supporting a sustainable town centre retail offer. At this stage the MTFP has been updated to reflect completed acquisitions as at November 2017. The 2018/19 budget therefore reflects net income – after deducting capital financing costs (debt repayment and interest) – of £625,000.
25. The Strategy aims to deliver net income of £3m per year over the medium term. In order to provide the capacity to grow and manage the commercial investment portfolio, Council also approved funding for the commercial property team and associated professional services. The MTFP has been updated to reflect the approved additional costs of £450,000 per year, which will be offset in achieving the net income target of £3m. Good early progress has been made towards achieving this target.

Investment Income – Treasury Management

26. As part of the agreed financial strategy, the Council has also reviewed its approach to treasury management. The Treasury Strategy for 2018/19 is currently being updated, and will be reviewed by Audit Committee in January, prior to being considered for approval at Full Council in February. The approach to our treasury investments continues to follow the principles of the Prudential Code and Guidance issued by CIPFA. Through updating our mix of investments, and taking a longer term view for investing a proportion of the Council's cash reserves, it is anticipated the amount of investment income will increase.
27. The draft budget for investment income in 2018/19 has been increased by £210,000 (in addition to £40,000 already included in the MTFP in September) reflecting an expected increase in returns through a diversified range of investments in higher earning financial instruments. The Council will continue to use advice from Arlingclose to effectively manage its portfolio of investments. As the investment mix will include some increase in risk it is proposed to set aside £50,000 per year into

a Treasury Risk Management Reserve, to provide some resilience to volatility in capital values and/or budget variations on investment income.

28. The Financial Strategy has a target increase for investment income of £400,000, of which £250,000 will therefore be included in the MTFP in 2018/19. It is proposed to monitor the performance of treasury investments for the next twelve months before increasing the budget for income within the MTFP for future years.

Revenue Effects of Capital Programme

29. The revenue effects of capital comprise the interest cost (interest on loans and loss of interest on investments). The current estimates reflect the assumed loss of interest as reserves are used to support already approved capital schemes, plus a contingency for new schemes to be considered for next year's capital programme.
30. The increase in 2018/19 reflects the financing of the Council's commercial investment property acquisitions to date. This includes a Minimum Revenue Provision (MRP) charge to the revenue budget to set aside funds to repay debt, plus interest costs on capital borrowing. As at December 2017 the Council has no external loans, with the capital financing requirement currently provided through internal borrowing from cash reserves.

Funding and Reserves Estimates

New Homes Bonus (NHB)

31. The Financial Strategy relies on utilising £3m of NHB funding to support the budget in 2018/19, and this figure then reduces by £250,000 each year so that by 2022/23 the funding requirement is £2m per year. Members will recall from previous reports that the NHB funding methodology changed in 2017/18, reducing the number of years from 6 to 4 for awards of grant for annual growth in the tax base. A new 'baseline' top-slice of 0.4% (c285 Band D equivalent properties) was also introduced.
32. The initial estimate of actual NHB Grant for 2018/19 was £2.4m. This estimate has been revised to £2.0m (subject to the Provisional Settlement expected in December) with a lower than anticipated tax base figure in October 2017. Therefore £1.0m will need to be taken from the MTFP Support Fund reserve to provide the total of £3m funding required for the year.
33. The projections for 2019/20 onwards have also been updated to reflect updated housing trajectory figures, and to reflect the grant methodology. NHB Grant income estimates are significantly reduced compared to previous forecasts; however the MTFP funding plan remains sustainable at this stage. The estimated Revenue Support Fund balance – representing the balance of deferred NHB funding – is updated as shown below.

MTFP Support Fund Forecast

	2018/19 £k	2019/20 £k	2020/21 £k	2021/22 £k	2022/23 £k
Balance Brought Forward	5,776	4,782	4,262	3,804	3,505
NHB Projected Income	2,006	2,230	2,042	1,951	2,281
Sub-total	7,782	7,012	6,304	5,755	5,786
Allocated to Budget	-3,000	-2,750	-2,500	-2,250	-2,000
Balance Carried Forward	4,782	4,262	3,804	3,505	3,786

34. Government consulted on New Homes Bonus funding arrangements earlier this year. This signalled the Government continues to consider options to incorporate planning 'performance' within the NHB calculations, with the potential for grant to be cut based on planning appeals. In addition, we know the 0.4% baseline will be reviewed each year and may change in 2018/19 and beyond.
35. The NHB Grant for 2018/19 should be confirmed as part of the Provisional Settlement in December 2017.
36. In the longer term it is proposed to consider revising the strategy for use of New Homes Bonus, with the potential to reduce the Council's reliance on this funding for the cost of day to day service delivery, and explore options to invest in schemes such as infrastructure to support wider growth and regeneration for housing and businesses. This will be explored further to inform future financial strategy updates.

Business Rates

37. In 2013 the Government introduced Business Rates Retention (BRR) that passed some of the risks and rewards of business rates collection to local authorities – replacing a fixed annual grant. Each local authority must set a budget for BRR they expect to retain and in South Somerset this has been delegated to the S151 Officer because of the considerable time constraints in place. Central Government requires the budget to be set by the 31 January 2018.
38. The current draft budget reflects business rates income estimates completed in the summer. Updated estimates will be finalised in early January and reflected in the final budget report.

Business Rates Pooling and 100% Retention Pilot

39. On 16 November 2017 Full Council endorsed the decision of the Chief Executive and Leader to apply to Government for the establishment of a new Somerset Business Rates Pool – comprising the County Council and all five district councils in Somerset – and to trial 100% Business Rates Retention (for one year only) in 2018/19. The Government will announce whether these applications have been successful through the Provisional Settlement in December.
40. At this stage the MTFP does not include the additional financial benefits of pooling, or the additional expenditure that the additional funding will support, as this will be dependent on the applications being successful.

Council Tax

41. The S151 approved the 2018/19 Council Tax Base in early December. This was only marginally less than the previous estimate, resulting in less than £1,000 reduction in the council tax income estimate for next year. The Council Tax income estimate is therefore calculated as follows:

	2018/19 £'000	2018/19
Council Tax Base – Band D Equivalents		59,988.28
SSDC Council Tax Rate per Band D Estimate (not yet approved)		£162.48
Council Tax Income Estimate (Tax Base x Tax Rate)		£9,746,896

42. The Council Tax Rate includes £160.63 for SSDC services and £1.85 levied on behalf of the Somerset Rivers Authority (SRA). Therefore, of the council tax income figure shown in the table above, £110,978 will be passported to the SRA.

Earmarked Reserves

43. The S151 Officer will finalise a review of earmarked reserves in December, and include an updated reserves position with the final budget reports at the end of January.

General Reserves

44. The current approach to setting the budget for 2018/19 aims to achieve a balanced budget within the need to use funds from general balances. The current estimates indicate we are on track to meet this aim.
45. The S151 Officer will review the minimum reserves requirement in January in light of the Provisional Settlement and confirmation of the business rates funding arrangements for next year. This will be reported in the final budget report at the end of January. Currently the adequate minimum balance required is in the range £2.8m to £3.1m, and the current balance is as follows:

General Fund Balances	£000
Balance at 1 April 2017	5,078
Area & Economic Development Balances	(124)
Support for 2017/18 budget	(789)
2016/17 Carry Forwards	(246)
Funding for Property Review	(30)
Commitments	(73)
Recommended 2016/17 net underspend to transformation Reserve	(145)
Utilisation of general fund for transformation	(231)
Estimated 2017/18 overspend (Q2 forecast)	(243)
Unallocated General Fund Balance at 30th November 2017	3,197

Capital Programme

46. The Senior Leadership Team is currently reviewing the capital strategy principles, to assist in developing an updated approach to prioritising capital bids for 2018/19 onwards. This will be progressed in December, with recommended principles together with prioritised bids to be included in the next budget report.

Summary of Items To Be Finalised for the 2018/19 Budget

47. Salaries: Detailed salaries estimates to be updated to reflect pay settlement offer.
48. Transformation savings: The delivery of the transformation savings continues to be monitored to ensure to ensure benefits are realised as planned and the budget estimates remain prudent.
49. Transformation funding: The gap in funding transformation up-front costs is currently £956k. Proposals to reduce this gap will be reflected in final budget proposals.
50. Unavoidable costs: The draft budget continues to include a provision for unavoidable costs of £300k for 2018/19. Actual pressures identified to date are less than this, providing some contingency in the event of new information prior to the budget being finalised.
51. Fees and charges: some but not all fees and charges for 2018/19 have been reflected in the MTFP. Final estimates will be included in the proposed budget in January.

- 52. Revenue Effects of Capital: The MTFP has been updated to reflect the revenue implications for commercial property investment, but will need to be updated for the prioritised capital programme bids for 2018/19. A contingency sum is included pending finalising the agreed programme.
- 53. Business Rates Retention (BRR): The detailed budget estimates for BRR will be completed in January, and will inform final estimates. Details regarding next year's baseline and tariff are due to be announced as part of the Provisional Settlement in December. We also expect to hear whether the business rates pool and 100% BRR bid has been successful at the same time.
- 54. Collection Fund: The final estimates for the 2017/18 surplus or deficit for council tax and business rates will be finalised in January, and feed into final budgets for 2018/19.
- 55. New Homes Bonus: The grant allocations for 2018/19 are expected to be confirmed with the provisional settlement. This could include possible updates to the grant calculations if the Government is minded to make changes following the recent consultation.
- 56. Council tax: The MTFP continues to assume the tax rate will increase by £5 on a Band D. The Executive will confirm its final Council Tax proposals in February 2018.
- 57. Earmarked Reserves: The review of earmarked reserves will be completed in December, with any proposed changes brought to Members in the next budget report.

Public/Stakeholder Consultation

- 58. It is recommended that individual savings and additional income plans that are approved in principle are individually consulted upon where there is partnership, economic, or equalities issues to consider.

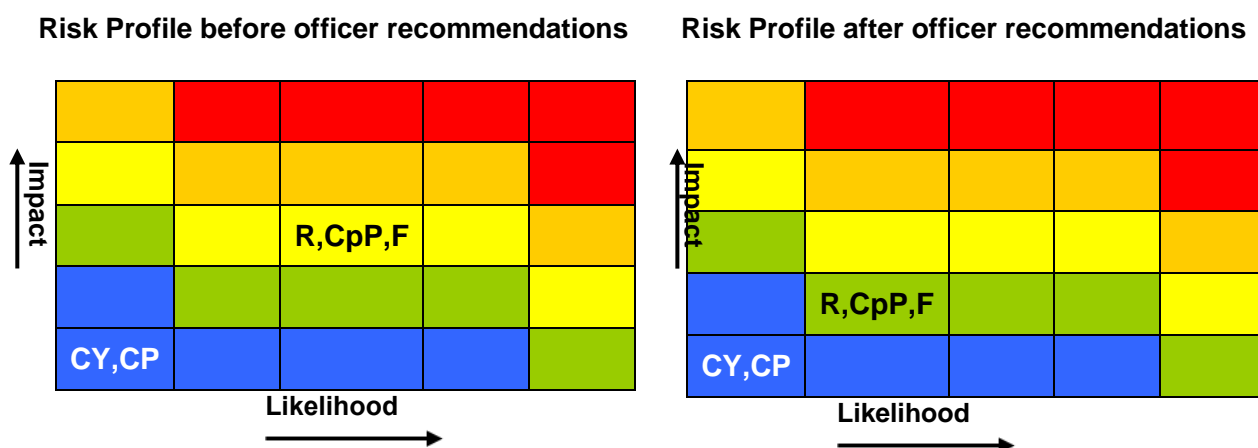
Budget Scrutiny

- 59. This report will be presented to Scrutiny Committee on 2 January 2018, with the final proposed budget presented to Scrutiny on 30 January 2018 before being considered for approval by District Executive and Full Council in February 2017.

Financial Implications

- 60. This report contains financial implications throughout.

Risk Matrix



Key

Categories	Colours <i>(for further detail please refer to Risk management strategy)</i>
R = Reputation	Red = High impact and high probability
CpP = Corporate Plan Priorities	Orange = Major impact and major probability
CP = Community Priorities	Yellow = Moderate impact and moderate probability
CY = Capacity	Green = Minor impact and minor probability
F = Financial	Blue = Insignificant impact and insignificant probability

Council Plan Implications

61. The MTFS and MTFP incorporate costs, income and funding implications directly related to the delivery the Council's aims and priorities. The Council Plan for 2018/19 is due to be presented to Council for approval in February at the same time as the final budget.

Carbon Emissions and Climate Change Implications

62. Not applicable within this report.

Equality and Diversity Implications

63. Not applicable within this report.

Privacy Impact Assessment

64. There are no specific privacy impacts in respect of this report. Individual budget changes will be assessed and salient comments included in budget update reports through the budget setting process.

Background Papers

65. The following reports may provide helpful background information in support of this report:

- Financial Strategy (District Executive 7 September 2017)

Agenda Item 11

Yeovil Street Markets

Executive Portfolio Holder: Cllr Peter Gubbins, Area South Committee Chairman
Ward Member(s) Kaysar Hussain, Andy Kendall & Peter Gubbins
Director: Helen Rutter, Communities Lead.
Service Manager: Natalie Fortt, Area Development Lead
Lead Officer: Marie Ainsworth, Neighbourhood Development Officer
Contact Details: Marie.ainsworth@southsomerset.gov.uk or 01935 462787

Purpose of the Report

1. To request that Members approve the future financial arrangements outlined in this report in line with the newly proposed market management structure.

Forward Plan

2. This report appeared on the District Executive Forward Plan with an anticipated Committee date of 2nd November 2017. The new market structure (outlined in this report) will remove the need for SSDC officers to perform day to day operational aspects of running the market and these tasks will be carried out by an external operator/partner that SSDC needs to attract and procure. The deadline for report submission was 24th October 2017; unfortunately this deadline could not be met as the interviews for candidates took place on 27th October 2017. It was not possible for candidates attend any earlier dates.

Public Interest

3. A confidential report was taken to the District Council's Area South Committee on July 5th 2017 with regards to the future management of Yeovil's street markets. It was resolved to seek an external operator/partner to operate Yeovil's street markets to replace the current position of SSDC officers managing all aspects of the markets. This report seeks member approval for the future financial arrangements as outlined in this report and in line with the newly proposed market management structure.

Recommendations

4. That the District Executive:
 - a) Remove the current income target for Yeovil's markets of £39,020 from 2018/19 as SSDC will no longer be receiving a direct income from market traders. This will be covered within the provision for unavoidable loss as detailed in the financial implications.
 - b) Agree to retain the total annual markets budget of £23,190 for 2018/19 to allow the new market operator/partner to successfully establish. A proportion of the annual budget can be offered up as a saving in year 2019/20.
 - c) To agree that the Market Improvement Group (along with Financial Services) establish a new and realistic income target in year 2019/20 assuming the new operator/partner is successfully established and is showing a reasonable profit.

Background

5. Markets can be a strategically important element to a healthy and thriving town centre. Having a good market can increase footfall and can contribute to a positive perception of the town centre. A poor market can have the opposite effect.
6. South Somerset District Council (SSDC) currently manages all aspects of the markets in Yeovil for Tuesdays, Fridays and Saturdays.

7. Yeovil's street market has been in decline for a number of years. There have been a number of contributory factors: the loss of the market supervisor in 2013; an increased presence of discount stores; internet shopping and a general change in shopping habits. SSDC's Area South Development Team has endeavoured to manage the market since the departure of the market supervisor in 2013 and a casual supervisor has been employed to carry out some of the operational aspects on Fridays, as this tends to be the busiest day.
8. In a bid to steer the future prospects of the markets, a Market Improvement Group (MIG) made up of officers and members began in 2012. The group set out to oversee the future plans for the market and encouraged a number of initiatives to revive the market. Key initiatives included: a re-launch in 2014; a new logo; a detailed advertising campaign; flags and banners; trawling other markets for new traders and issuing incentives for existing traders to bring new traders to the market. However, it became clear over time just how much resource the market required and that, despite best efforts, the decline continued.
9. Taking everything into consideration, the Market Improvement Group concluded that some advice was needed from an external body. SSDC joined 'The National Association of British Market Authorities' (NAMBA) and commissioned a member's free health check to give a steer on what options might be available. The Health Check was commissioned and the results are detailed in the next section

Report Detail

10. Options presented by NABMA for consideration for Yeovil Street Markets

NABMA commenced with the health check on the markets in July 2016 and they were asked to come up with a number of future options. Three options presented were,

- a) Business case 1; Investing in a dedicated team to operate Yeovil's Market
- b) Business case 2; seek a private operator/partner to take over all operational aspects running the markets
- c) Business case 3; retain the current arrangements.

11. The Market Improvement Group (MIG) considered all three options and discounted business cases 1 and 3 as they felt they were not financially viable or sustainable. It was therefore decided to further explore business case 2 seeking an external operator.
12. A confidential report was taken to the District Council's Area South Committee on July 5th 2017. Members were given a breakdown of each business case with financial projections for each, and members agreed to move forward with business case 2 and appoint a dedicated panel of officers and members to work up the detail for seeking expressions of interest and to interview potential candidates.
13. Officers proceeded with the process of seeking expressions of interest and enquiries were received from 5 operators. Two applications were received, one of which was MSD who were invited to an interview on 27th October 2017 (the other candidate declined to attend for reasons outside their control). The interview panel unanimously agreed that MSD should be offered the opportunity to become a market partner based on their excellent presentation during which they were able to demonstrate their expertise and knowledge of operating markets.
14. A subsequent report was submitted to the Area South Committee on the 29th November 2017 where members agreed to delegate the responsibility of drafting the associated Service Level Agreement to the lead officer providing they consult with relevant officers and external agencies prior to MSD signing the agreement. Area South members also supported the recommendations outlined in this report. Members of Area South Committee were keen to retain the whole annual budget of £23,190 to act as a cushion should the new arrangements not proceed successfully. Some of this budget is likely to be used for SSDC staff time to carry out regular meetings and

reviews of the new arrangements and it is possible that a small amount of infrastructure may need to be implemented, however, if all proceeds well it is anticipated that any unused budget will be returned as an underspend at the end of year 2018/19.

15. A meeting was held with MSD on 1st December 2017 to discuss how best to move forward with the process. A Service Level Agreement will be drafted for further consultation with NABMA and key members of SSDC. It is anticipated that this will be signed and agreed with MSD by the end of January 2018.
16. It is worth noting that the Yeovil Refresh document has recognised that markets and events are one of the many key aspects to a town centres overall success, this model offers SSDC the best opportunity of re-invigorating the market and to run themed events alongside. The new market operator will play a key role in advising how best to treat the public spaces to suit markets and events into the future. This will include how new street furniture can be integrated and where essential infrastructure will be required.

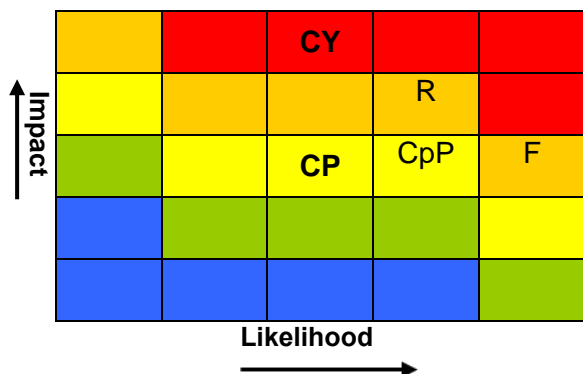
Financial Implications

17. With an external operator on board, SSDC will play a much smaller role and will simply carry out regular checks on progress and ensure the operator adheres to the Service Level Agreement and associated key performance indicators. The operator will be liable for nearly all associated costs of running the markets including NNDR, the only exception will be the maintenance and servicing of the electrical infrastructure (plug in points) and it is possible that there will be a need to extend some of the infrastructure to enable the market area to expand. Improving the market will take a considerable investment from the operator; therefore SSDC will not request an income in the first year (2018/19). However, once the operator has established the new markets, a review will take place in November 2018 to discuss the fee structure going forward, the details of which will be agreed by all parties concerned. SSDC will have access to MSD's financial records for the market (to be included in SLA) to establish a fair sum. This may be in the form of a flat rate fee or on a profit share basis.
18. The large income target of £39,020 has not been achievable for many years and the Area South Development Team has had no choice other than to underspend in other Area South budgets to meet the deficit. With the gap between market income and the income target widening year on year the impact on the team has become untenable. A report was submitted to District Executive in August 2016 to request a temporary reduction of the income target by £7,000 for a period of one year (March 2017-March 2018), which was approved. However, this made little difference as the market income has continued to decline and it still costs far more to administer and operate than it returns in income. Please see Appendix A for yearly income information.
19. Without the removal of the income target, it will be impossible to enter into this new arrangement as the income target will prohibit the possibility of allowing this new operator a chance to regenerate the market; in fact it would prohibit any external operator from achieving success. The market needs to start from point zero and should be allowed to grow at a natural pace. Yeovil stands the best chance of achieving its objective of having a good quality, vibrant market with the investment of an operator's resource, experience and knowledge. SSDC neither have the necessary expertise or resource to continue managing the market. It will be far more effective for SSDC to proceed in enabling role.
20. Therefore members of the District Executive Committee are being asked to agree to the remove the current income target for Yeovil's markets of £39,020 from 2018/19, as SSDC will no longer be receiving a direct income from market traders. The removal of the income budget has been covered within the provision for "unavoidable commitments" included within the draft budget estimates for 2018/19; therefore no additional pressure is placed on the draft Medium Term Financial Plan for next year.

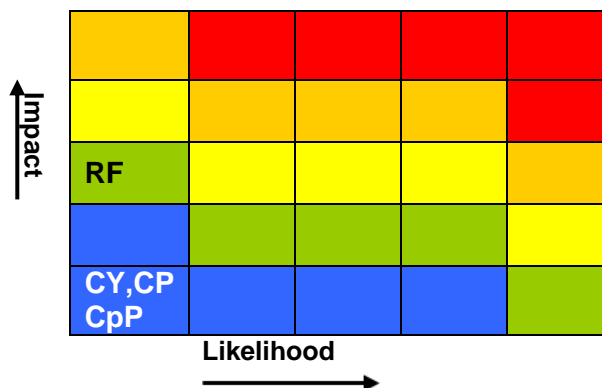
21. The Committee are also being asked to agree to retain the annual markets budget of £23,190 for 2018/19t to allow the new market operator/partner to successfully establish. A proportion of the annual budget can be offered up as a saving in year 2019/20.
22. To agree that the Market Improvement Group (along with Financial Services) establish a new and realistic income target in year 2019/20 assuming the new operator/partner is successfully established and is showing a reasonable profit.

Risk Matrix

Risk Profile before officer recommendations



Risk Profile after officer recommendations



Key

Categories	Colours (for further detail please refer to Risk management strategy)
R = Reputation	Red = High impact and high probability
CpP = Corporate Plan Priorities	Orange = Major impact and major probability
CP = Community Priorities	Yellow = Moderate impact and moderate probability
CY = Capacity	Green = Minor impact and minor probability
F = Financial	Blue = Insignificant impact and insignificant probability

Council Plan Implications

23. To promote a strong economy with thriving urban and rural businesses.

Carbon Emissions and Climate Change Implications

24. Not Applicable

Equality and Diversity Implications

25. Not Applicable

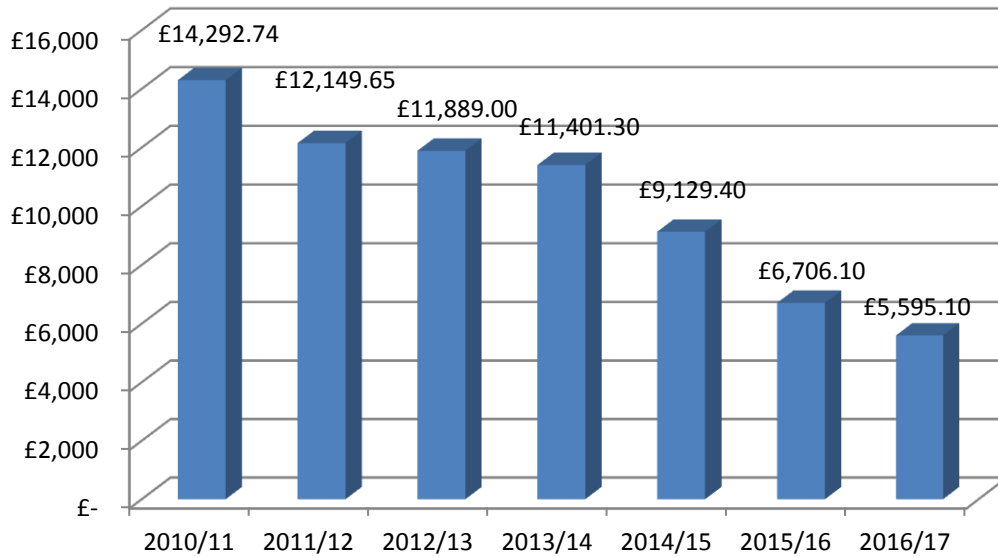
Privacy Impact Assessment

26. Not Applicable

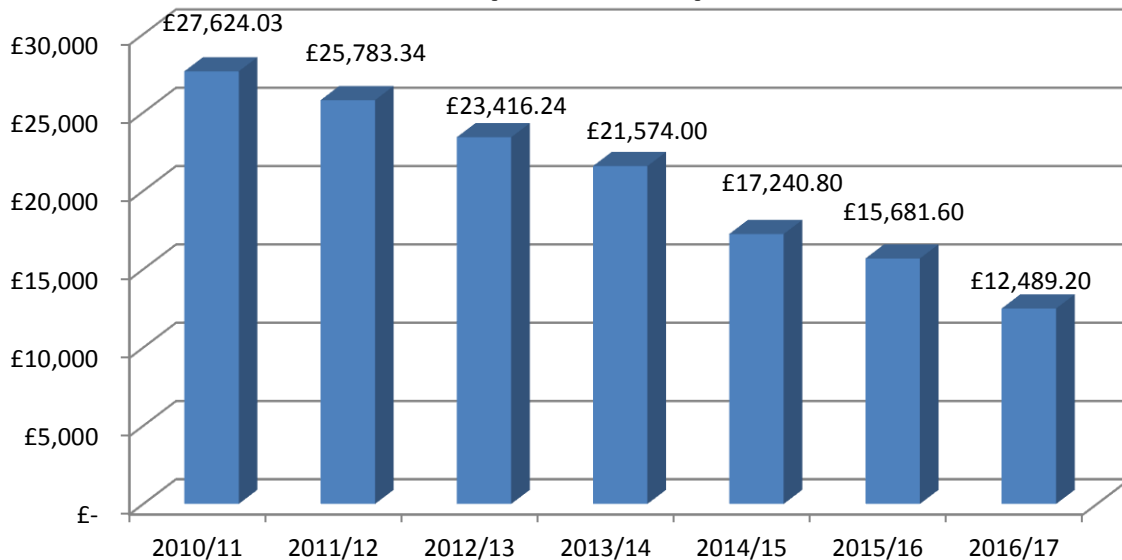
Background Papers

27. Area South Committee, Future Market Management Plan 29.11.17.

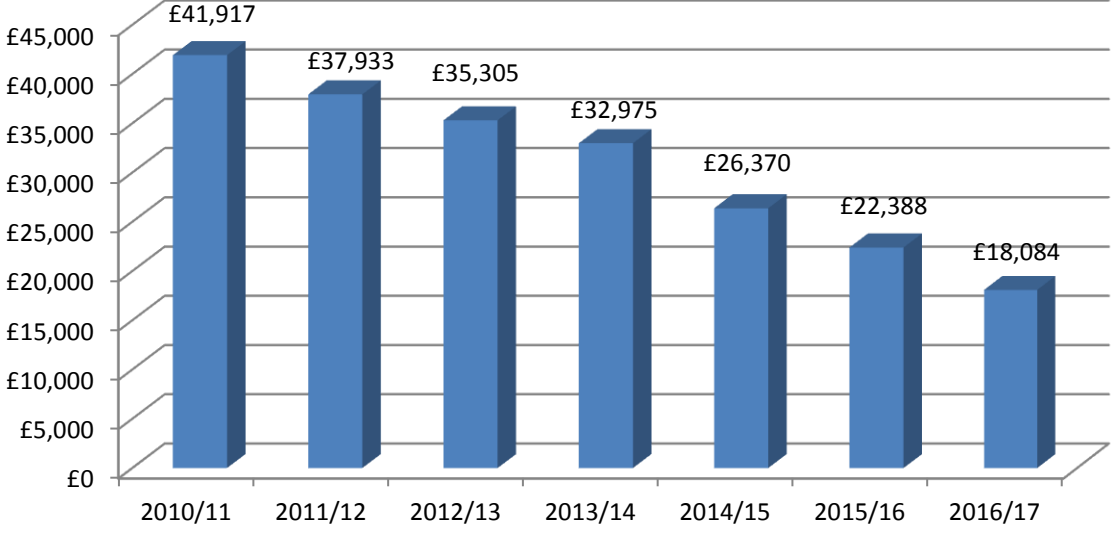
Annual Income for Yeovil Tuesday Market 2010/11 - 2016/17



Annual Income for Yeovil Friday Market 2010/11 - 2016/17



Income for Tuesday and Friday markets by financial year



Agenda Item 12

District Executive Forward Plan

Executive Portfolio Holder: Ric Pallister, Leader, Strategy and Policy

Lead Officer: Angela Cox, Democratic Services Manager

Contact Details: angela.cox@southsomerset.gov.uk or (01935) 462148

1. Purpose of the Report

1.1 This report informs Members of the current Executive Forward Plan, provides information on Portfolio Holder decisions and on consultation documents received by the Council that have been logged on the consultation database.

2. Public Interest

2.1 The District Executive Forward Plan lists the reports due to be discussed and decisions due to be made by the Committee within the next few months. The Consultation Database is a list of topics which the Council's view is currently being consulted upon by various outside organisations.

3. Recommendations

3.1 The District Executive is asked to:-

- I. approve the updated Executive Forward Plan for publication as attached at Appendix A;
- II. note the contents of the Consultation Database as shown at Appendix B.

4. Executive Forward Plan

4.1 The latest Forward Plan is attached at Appendix A. The timings given for reports to come forward are indicative only, and occasionally may be re scheduled and new items added as new circumstances arise.

5. Consultation Database

5.1 The Council has agreed a protocol for processing consultation documents received by the Council. This requires consultation documents received to be logged and the current consultation documents are attached at Appendix B.

6. Background Papers

6.1 None.

Appendix A - SSDC Executive Forward Plan – January 2018

Date of Decision	Decision	Portfolio	Service Director	Contact	Committee(s)
February 2018 February 2018	2018/19 Budget and Medium Term Financial Strategy	Portfolio Holder for Finance and Legal Services	Director Support Services	Paul Fitzgerald, Section 151 Officer	District Executive South Somerset District Council
February 2018	Commercial Strategy & Income Generation Update Report	Portfolio Holder for Property & Climate Change and Income Generation	Director Commercial Services & Income Generation	Clare Pestell, Director (Commercial Services & Income Generation)	District Executive
February 2018	SSDC Operational Office Accommodation Review (Areas and Locality Working)	Portfolio Holder for Property & Climate Change and Income Generation	Director Commercial Services & Income Generation	Clare Pestell, Director (Commercial Services & Income Generation)	District Executive
February 2018	SSDC Operational Office Accommodation Review (Headquarters Feasibility Report)	Portfolio Holder for Property & Climate Change and Income Generation	Director Commercial Services & Income Generation	Clare Pestell, Director (Commercial Services & Income Generation)	District Executive
February 2018	Two year funding agreements (2018/20) for Citizens Advice South Somerset, SPARK and Access for All	Portfolio Holder Leisure & Culture	Assistant Directors (Communities)	David Crisfield, Third Sector and Equalities Co-ordinator	District Executive

Date of Decision	Decision	Portfolio	Service Director	Contact	Committee(s)
February 2018 February 2018	SSDC Council Plan and Annual Action Plan 2018-19	Portfolio Holder for Strategy and Policy	Chief Executive / Director Strategy and Commissioning	Charlotte Jones, Performance Manager	District Executive South Somerset District Council
February 2018	Changes to Business Rate Relief	Portfolio Holder for Finance and Legal Services	Director Support Services	Ian Potter, Revenues and Benefits Manager	District Executive
February 2018	Capital & Revenue Budget monitoring reports for Quarter 3	Portfolio Holder for Finance and Legal Services	Director Support Services	Paul Fitzgerald, Section 151 Officer	District Executive
February 2018	Proposed introduction of fees for Food Hygiene Rating re-scores	Portfolio Holder for Area West	Director Service Delivery	Nigel O'Grady, Principal Food Safety Officer	District Executive
March 2018	Quarterly Performance and Complaints Monitoring Report	Portfolio Holder for Strategy and Policy	Director Service Delivery	Anna-Maria Lenz, Performance Officer	District Executive
March 2018	Council Tax and Housing Benefit fraud report	Portfolio Holder for Finance and Legal Services	Director Support Services	Ian Potter, Revenues and Benefits Manager	District Executive
March 2018	District Wide Voluntary Sector Grants	Portfolio Holder Leisure & Culture	Assistant Directors (Communities)	David Crisfield, Third Sector and Equalities Co-ordinator	District Executive

Date of Decision	Decision	Portfolio	Service Director	Contact	Committee(s)
April 2018	Transformation Project Progress Report	Portfolio Holder for Strategy and Policy	Chief Executive	Alex Parmley, Chief Executive	District Executive
June 2018	Quarterly Performance and Complaints Monitoring Report	Portfolio Holder for Strategy and Policy	Director Service Delivery	Anna-Maria Lenz, Performance Officer	District Executive
June 2018	Capital & Revenue Budget out-turn reports 2017/18	Portfolio Holder for Finance and Legal Services	Director Support Services	Paul Fitzgerald, Section 151 Officer	District Executive
October 2018	South Somerset Local Plan Review, approval of Preferred Options for consultation	Portfolio Holder for Strategic Planning (Place Making)	Director Service Delivery	Jo Wilkins, Acting Principal Spatial Planner	District Executive
October 2018					South Somerset District Council

APPENDIX B - Current Consultations – January 2018

Purpose of Document	Portfolio	Director	Response to be agreed by	Contact	Deadline for response
<p>Improving access to social housing for victims of domestic abuse</p> <p>A DCLG consultation on new statutory guidance to improve access to social housing for victims of domestic abuse in refuges</p> <p>https://www.gov.uk/government/consultations/improving-access-to-social-housing-for-victims-of-domestic-abuse</p>	Strategy and Policy / Leisure and Culture	Director (Support Services)	Officers in consultation with Portfolio Holders	Colin McDonald	5 th January 2018
<p>Enabling Police and Crime Commissioners to sit and vote on Combined Fire and Rescue Authorities</p> <p>We are seeking views on the proposal to vary the combination schemes of Combined Fire and Rescue Authorities to implement the 'representation model' of the Policing and Crime Act 2017.</p> <p>https://www.gov.uk/government/consultations/enabling-police-and-crime-commissioners-to-sit-and-vote-on-combined-fire-and-rescue-authorities</p>	Area South Chair, Yeovil Town Centre Regeneration, Community Safety, Crematorium	Communities Lead	Officers in consultation with Portfolio Holders and SSSC appointed representative	Helen Rutter	15 th January 2018
<p>Proposed changes to the prudential framework of capital finance</p> <p>We are seeking views on proposals to update the guidance on Local Authorities Investments and on Minimum Revenue Provision.</p> <p>https://www.gov.uk/government/consultations/proposed-changes-to-the-prudential-framework-of-capital-finance</p>	Legal and Finance	Support Services	Officers in consultation with Portfolio Holders	Paul Fitzgerald	22 nd December 2017 (consultation only published on 4 th December)

Agenda Item 13

Date of Next Meeting

Members are asked to note that the next scheduled meeting of the District Executive will take place on **Thursday, 1st February 2018** in the Council Chamber, Council Offices, Brympton Way, Yeovil commencing at 9.30 a.m.