

# Public Document Pack



**North East  
Derbyshire**  
District Council

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Date: Wednesday, 21 July 2021

To: **Members of the Cabinet**

Please attend a meeting of the Cabinet to be held on **Thursday, 29 July 2021, at 4.30 pm** in the **District Council Offices**, 2013 Mill Lane, Wingerworth, Chesterfield S42 6NG.

Yours sincerely

A handwritten signature in cursive script that reads "Sarah Steuberg".

Joint Head of Corporate Governance and Monitoring Officer

<b><u>Cabinet Members</u></b>	
Councillor A Dale (Chair) Councillor M Foster Councillor P Parkin Councillor C Renwick	Councillor C Cupit (Vice-Chair) Councillor J Kenyon Councillor A Powell

**For further information about this meeting please contact Alan Maher, 01246 217391**

## **Notice of Meeting to be held in Private**

It is intended that part of this meeting will be held in private under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. The matters to be considered in private are listed under the heading Private Session. The categories of exempt information that are likely to be disclosed during the discussion of these items, as defined in Part 1 of Schedule 12A to the Local Government Act 1972, are listed below each item.

No representations have been received requesting that these items be open to the public.

# **A G E N D A**

## **Public Session**

**1     Apologies for Absence**

**2     Declarations of Interest**

Members are requested to declare the existence and nature of any disclosable pecuniary interest and/or other interest, not already on their register of interests, in any item on the agenda and withdraw from the meeting at the appropriate time.

**3     Minutes of Last Meeting (Pages 5 - 9)**

To approve as a correct record and the Leader to sign the attached Minutes of the meeting of Cabinet held on 8 July 2021.

**4     Medium Term Financial Plan - Financial Outturn 2020/21 (Pages 10 - 31)**

Report of Councillor P Parkin, Portfolio Holder for Finance

**5     Housing Strategy - TO FOLLOW**

Report of Councillor A Powell, Portfolio Holder for Housing, Communities and Communications

**6     Rykneld Homes Anti Social Behaviour Policy (Pages 32 - 47)**

Report of Councillor A Powell, Portfolio Holder for Housing, Communities and Communications

**7     Urgent Items (Public)**

To consider any other matter which the Leader is of the opinion should be considered as a matter of urgency, in accordance with the provisions of Statutory Instrument 2012 No 2089, Regulation 11.

**8     Exclusion of Public**

The Leader to move:-

That the public be excluded from the meeting during the discussion of the following items of business to avoid the disclosure to them of exempt information as defined in Part 1 of Schedule 12A to the Local Government Act 1972, (as amended by the Local Government (Access to Information) (Variation) Order 2006). [The category of exempt information is stated after each item].

## **Private Session**

### **9     The Management Agreement with Rykneld Homes Limited for the Management of the Council's Housing Stock - TO FOLLOW**

Report of Councillor A Powell, Portfolio Holder for Housing, Communities and Communications

(Paragraph 3 and Paragraph 5)

### **10   Pine View New Build (Pages 48 - 57)**

Report of Councillor A Powell, Portfolio Holder for Housing, Communities and Communications

Key Decision (Paragraph 3)

### **11   Purchase of New Properties at Alderman Park, Hasland (Pages 58 - 63)**

Report of Councillor A Powell, Portfolio Holder for Housing, Communities and Communications

Key Decision (Paragraph 3)

### **12   Sharley Park Development (Pages 64 - 89)**

Report of Councillor J Kenyon, Portfolio Holder for Leisure, Transformation and Climate Change

Key Decision (Paragraph 3)

### **13   Coronavirus (Covid-19) - Contingency Planning Update**

(Paragraph 4)

### **14   Urgent Items (Private)**

To consider any other matter which the Leader is of the opinion should be considered as a matter of urgency, in accordance with the provisions of Statutory Instrument 2012 No 2089, Regulations 5 and 11.



North East  
Derbyshire  
District Council

***We speak  
your language***

**Polish**

***Mówimy Twoim językiem***

**French**

***Nous parlons votre langue***

**Spanish**

***Hablamos su  
idioma***

**Slovak**

***Rozprávame Vaším  
jazykom***

**Chinese**

**我们会说你的语言**

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## **CABINET**

### **MINUTES OF MEETING HELD ON THURSDAY, 8 JULY 2021**

#### **Present:**

Councillor Charlotte Cupit (Vice-Chair in the Chair)

Councillor Jeremy Kenyon  
Councillor Carolyn Renwick

Councillor Alan Powell

**In attendance:** Cllr K Tait (Item 4) Councillor A Hutchinson (Item 5) Councillor A Foster (Item 8)

#### **Also Present:**

K Apps	Head of Economic Growth, Regeneration & Housing Delivery
J Dethick	Head of Finance and Resources, Section 151 Officer
K Hanson	Joint Director of Environment and Enforcement
L Hickin	Joint Director of Corporate Resources and Head of Paid Service
S Sternberg	Joint Head Of Service - Corporate Governance & Monitoring Officer
S Veerman	Overview and Scrutiny Manager
A Maher	Senior Governance Officer

#### **CAB/ Apologies for Absence**

**20/2**

**1-22** With the agreement of the Chair, Councillor A Dale, Councillor M Foster and Councillor P Parkin contributed to the meeting virtually, through the electronic Conference Call system. They did not participate in the decisions taken by Cabinet at the meeting.

#### **CAB/ Declarations of Interest**

**21/2**

**1-22** There were no Declarations of Interest.

#### **CAB/ Minutes of Last Meeting**

**22/2**

**1-22** RESOLVED – That the Minutes of the meeting held on 10 June 2021 were approved as a true record.

#### **CAB/ Obesity in Younger Residents Scrutiny Review**

**23/2**

**1-22** Cabinet considered a report of the Chair of the Communities Scrutiny Committee, Councillor K Tait, on its review of obesity among younger people in North East Derbyshire. Members heard about the scope and purpose of the review. In particular, the Committee had sought to find out just how prevalent childhood obesity was in the District, what the Council and its partners were doing to address the problem and suggest other possible actions that could be taken.

The review identified those measures which the Council had successfully put in place, as well as highlighting those areas where there was room for improvement. In this context, the report set out a number of recommendations on how the

District's network of parks might be improved and used to promote healthy lifestyles among young people.

Cabinet thanked all those who had been involved in the review for their valuable work. Members highlighted the important role which parks can play in encouraging healthy lifestyles among young people and in promoting wellbeing. Cabinet also discussed the different management responsibilities for parks and open spaces within the District. There was a consensus that greater strategic co-ordination of these responsibilities should be explored.

#### **RESOLVED**

- (1) That Cabinet supported the recommendations of the Communities Scrutiny Committee review into Obesity in Younger Residents, as set out in the report.
- (2) That a detailed response to the Committee's specific recommendations, as set out in the report, be prepared.

**REASONS FOR DECISION** - To appraise Cabinet of the Communities Scrutiny Committee Review's findings and respond to its recommendations.

**OTHER OPTIONS CONSIDERED AND REJECTED** - No other options were considered by Cabinet.

#### **CAB/ 24/2 1-22     Tourism Business and Non Business Scrutiny Review**

Cabinet considered a report of the Chair of the Growth Scrutiny Committee, Councillor A Hutchinson, on its review of Tourism, Business and Non Business. Members heard about the scope and purpose of the review. In particular, that the Committee had sought to gauge the progress made towards the Council's goals of promoting Tourism and the Visitor Economy, determine how businesses in the Visitor Economy could be supported more effectively and especially, how more employment and spending within the Visitor Economy, might be secured.

The review identified those measures which the Council had successfully put in place, as well as those areas where there was room for improvement. In particular, it stressed the importance of a clear 'brand' image, in order to raise the profile of the District and so help promote more effectively North East Derbyshire as a tourist destination.

Cabinet thanked all those who had been involved in the review for their valuable work and their recommendations. Cabinet felt that the Scrutiny Committee had highlighted the right issues and in particular, the importance of working in partnership in order to promote Tourism and the Visitor Economy across the District.

#### **RESOLVED**

- (1) That Cabinet supported the recommendations of the Growth Scrutiny

Committee review into Tourism Business and non-Business, as set out in the report.

- (2) That a detailed response to the Committee's specific recommendations, as set out in the report, be prepared.

REASONS FOR DECISION - To appraise Cabinet of the Growth Scrutiny Committee Review's findings and respond to its recommendations.

OTHER OPTIONS CONSIDERED AND REJECTED - No other options were considered by Cabinet.

**CAB/ Urgent Items (Public Session)**

**25/2**

**1-22** None.

**CAB/ Exclusion of Public**

**26/2**

**1-22** RESOLVED – That the public be excluded from the meeting during the discussion of the following item(s) of business to avoid the disclosure to them of exempt information as defined in Part 1 of Schedule 12A to the Local Government Act 1972 (as amended by the Local Government (Access to Information) (Variation) Order 2006). The category of exempt information is stated after each item.

**CAB/ Health and Wellbeing and Working from Home during the Pandemic**

**27/2**

**1-22** Cabinet considered a report of the Chair of the Organisation Scrutiny Committee, Councillor A Foster, on the Scrutiny Committee's review of the Health and Wellbeing of Council staff working from home during the Coronavirus (Covid-19) pandemic.

Members heard that the review had identified specific measures which had been put into place to support staff during the lockdowns and when Government rules had required them to work from home. It also highlighted those area where there was room for improvement and the lessons which had been learned over this period.

The report suggested that, moving forward, these lessons would be of help in implementing the Council's 'Agile Working Policy'. Cabinet was reminded that this Policy would enable employees to work more flexibly, including at home, and not just at their designated workplaces.

Cabinet thanked all those who had been involved in the review for their valuable work. Members discussed the implementation of the Agile Working Policy. They recognised the importance of keeping this Policy under review and asked that the Scrutiny Committee's views be taken into account as part of this.

**RESOLVED**

- (1) That Cabinet supported the recommendations of the Organisation Scrutiny Committee review into Health and Wellbeing Working from Home, as set out in the report.

- (2) That a detailed response to the Committee's specific recommendations, as set out in the report, be prepared.

REASONS FOR DECISION - To appraise Organisation Scrutiny Committee Review's findings and respond to its recommendations.

OTHER OPTIONS CONSIDERED AND REJECTED - No other options were considered by Cabinet.

(Paragraphs 1 & 2)

**CAB/ EMH Group Housing Development, Holmewood**

**28/2**

**1-22**

The report to Cabinet sought approval for a financial contribution to help fund a mixed tenure development at Holmewood. This development, it was explained, would include a supported living scheme for people with learning disabilities. The contribution would be met through the use of 'Commuted Sums' or payments made to the Council that had to be spent by a certain date.

Cabinet discussed the proposal and especially the valuable contribution which the supported living scheme for people with learning difficulties would make to the District. Members welcomed this as well as the provision of shared ownership properties within the development.

RESOLVED

- (1) That Cabinet agreed to provide grant funding for the housing development scheme using the Commuted Sums as specified in the report
- (2). That Cabinet receives a further report explaining the other Commuted Sums which are currently by the Council.

REASONS FOR DECISION - To provide much needed specialist accommodation in the District and to provide Shared Ownership properties. This would be in line the Council Plan 2019-23 objective to 'Promote Home Ownership' within the District.

OTHER OPTIONS CONSIDERED AND REJECTED – The option of not supporting this development was considered but rejected as not in the interests of the District or its residents. It would also mean that sensitive Commuted Sums would be lost. Making effective use of these sums is a key priority for Housing Strategy.

(Paragraph 3)

**CAB/ Coronavirus (Covid-19) Contingency Planning Update**

**29/2**

**1-22**

Cabinet received an update on the contingency planning arrangements that were now ongoing at a regional and national level to help combat the outbreak of the Coronavirus (Covid-19).

(Paragraph 4)



**CAB/** **Urgent Items (Private Session)**  
**30/2**  
**1-22**    None.

**North East Derbyshire District Council**

**Cabinet**

**29 July 2021**

**Medium Term Financial Plan - Financial Outturn 2020/21**

**Report of the Portfolio Holder with Responsibility for Finance**

Classification: This report is public

Report By: Jayne Dethick, Head of Finance and Resources (S151 Officer)

Contact Officer: as above

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**PURPOSE/SUMMARY**

To inform Cabinet of the outturn position of the Council for the 2020/21 financial year.

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**RECOMMENDATIONS**

1. That Cabinet note the outturn position in respect of the 2020/21 financial year
2. That Cabinet approve the proposed carry forward of revenue budgets as detailed in 2.9 totalling £0.087m.
3. That Cabinet approve the proposed carry forward of capital budgets detailed in **Appendix 3** totalling £6.960m.

Approved by the Portfolio Holder – Yes

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**IMPLICATIONS**

**Finance and Risk**

**Yes ✓**

**No**

The financial implications are set out within the body of the report.

Members should note that the budgets against which we have monitored the 2020/21 outturn were those agreed within the Council's Medium Term Financial Plan. The Medium Term Financial Plan gave careful consideration to both the affordability of the budgets that were approved, and to ensuring that the level of balances remained adequate for purposes of enabling sound financial management.

The issue of financial risk is covered throughout the report. The risk of not achieving a balanced budget, together with the risk that the Council's level of financial balances will be further eroded are currently key corporate risks identified on the Council's Strategic Risk Register. The outturn report shows the budget has been balanced in 2020/21 and the level of reserves protected.

While the Council has effectively addressed its Strategic Financial Risks during 2020/21 it needs to be recognised that it will need to continue to meet a range of challenging savings targets if it is to operate effectively within the financial environment established by Central Government spending targets. This has been an intrinsic part of the budget setting process and will continue to be so.

During the year the main impact on the budget was the Covid 19 pandemic which inevitably had a detrimental impact on the Council's financial position. Whilst additional costs were incurred as a result of the pandemic the main pressure came from lost income from fees and charges, predominantly within leisure services but also from other services such as MOT testing.

Covid Response grant funding of £1.440m has been received from the Government during the year to aid the continued delivery of council services. In addition the Government have compensated for a proportion of the income lost from fees and charges, such as leisure centre income.

On Behalf of the Section 151 Officer

#### **Legal including Data Protection**

**Yes ✓**

**No**

The Statement of Accounts is required to be prepared by the 30 September this year. The Council has now completed the draft Statement of Accounts and they have been signed off by the Chief Financial Officer as at 17 June 2021 which secures compliance with the Council's obligations.

On Behalf of the Solicitor to the Council

#### **Staffing**

**Yes**

**No ✓**

There are no staffing issues arising directly from this report.

On Behalf of the Head of Paid Service

### **DECISION INFORMATION**

#### **Is the decision a Key Decision?**

A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds:

*BDC: Revenue - £75,000* ☐

No

<p><i>Capital - £150,000</i> <input type="checkbox"/></p> <p><i>NEDDC: Revenue - £100,000</i> <input checked="" type="checkbox"/></p> <p><i>Capital - £250,000</i> <input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i></p>	
<b>Is the decision subject to Call-In?(Only Key Decisions are subject to Call-In)</b>	No
<b>Has the relevant Portfolio Holder been informed</b>	Yes
<b>District Wards Affected</b>	All
<b>Links to Corporate Plan priorities or Policy Framework</b>	All

## **REPORT DETAILS**

### **1 Background**

The Head of Finance and Resources is responsible for the preparation of the authority's Statement of Accounts which, in terms of the CIPFA/LASAAC Code of Practice on Local Authority Accounting in United Kingdom ("the Code"), is required to present a true and fair view of the financial position of the authority at the accounting date and its income and expenditure for the year ended 31 March 2021.

### **2 Financial Outturn 2020/21**

- 2.1 The Council published its draft Statement of Accounts in respect of 2020/21 on 17 June 2021, ahead of the statutory deadline of 30 September 2021. Due to the continued impact of the Coronavirus pandemic, the deadline for completion this year has been moved from 31 May to 31 July, however the draft accounts have been completed ahead of this in order to facilitate the External Auditor's work schedule. The draft Statement of Accounts 2020/21 is now subject to the independent audit from the Council's external auditors, Mazars. Until the accounts have been signed off by the external auditors, there remains the possibility that they will be subject to amendment. The final audited accounts will be reported to and approved by the Audit & Corporate Governance Scrutiny Committee at its meeting of 22 September 2021.
- 2.2 International Financial Reporting Standards (IFRS) dictates that the main focus of the Statement of Accounts is on reporting to the public in a format which is directly comparable with every country that has adopted IFRS i.e. not just UK or even other local authorities. By contrast, the focus of this report is on providing management information to Members and other stakeholders to assist in the financial management of the Council.
- 2.3 The following sections of this report will consider the 2020/21 outturn position in respect of the General Fund, Housing Revenue Account (HRA), Capital Programme and Treasury Management activities. Within the report, consideration is given to the level of balances at the year end and the impact which the closing position has upon the Council's budgets in respect of the current financial year.

## **General Fund**

- 2.4 The position in respect of the General Fund outturn is detailed in Table 1 below. The table shows the Original Budget that was set in February 2020, together with the Current Budget compared to the final 2020/21 Outturn position. **Appendix 1** provides a more detailed breakdown by directorate.

**Table 1**

	<b>Original Budget 2020/21</b>	<b>Current Budget 2020/21</b>	<b>Outturn 2020/21</b>	<b>Variance</b>
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
Environment & Enforcement	4,332	4,747	3,981	(766)
Corporate Resources	6,044	3,729	3,966	237
Growth & Economic Development	1,512	678	609	(69)
Recharges to Capital and HRA	(527)	(527)	(556)	(29)
Savings Target	(217)	0	0	0
<b>Net Cost of Services</b>	<b>11,144</b>	<b>8,627</b>	<b>8,000</b>	<b>(627)</b>
Investment Properties	(437)	(469)	(527)	(58)
Bad Debt Provision	40	40	99	59
Interest	(133)	(162)	(42)	120
Debt Repayment Minimum Revenue Provision	56	56	56	0
Parish Precepts	3,295	3,295	3,295	(0)
Parish Council Tax Support Grant	70	70	70	0
Transfer To Earmarked Reserves	20	6,894	11,759	4,865
Transfer From Earmarked Reserves	(258)	(5,004)	(5,245)	(241)
<b>Total Spending Requirement</b>	<b>13,797</b>	<b>13,347</b>	<b>17,465</b>	<b>4,118</b>
Business Rates	(3,650)	(3,200)	(7,318)	(4,118)
New Homes Bonus	(824)	(824)	(824)	0
Collection Fund (Surplus)/Deficit - Council Tax	(99)	(99)	(99)	0
Collection Fund (Surplus)/Deficit - NNDR	0	0	0	0
NEDDC Council Tax Requirement	(5,929)	(5,929)	(5,929)	0
Parish Council Tax Requirement	(3,295)	(3,295)	(3,295)	0
<b>Council Tax Requirement</b>	<b>(13,797)</b>	<b>(13,347)</b>	<b>(17,465)</b>	<b>(4,118)</b>

- 2.5 A subjective breakdown of the variances identified in Table 1 can be found in Table 2 below. A detailed breakdown of the amounts making up the transfers to and from reserves can be found in Tables 3 and 4.

- 2.6 The NNDR variance of £4.118m relates to Section 31 grants received to offset reliefs given to businesses during lockdown. These grants are received in the General Fund but will not be discharged into the Collection Fund until 2021/22. These have therefore been transferred to the NNDR earmarked reserve to fund the reliefs in 2021/22.

Table 2

	<b>Current Budget 2020/21</b>	<b>Outturn 2020/21</b>	<b>Variance</b>
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
Vacancy management	15,480	15,131	(349)
Premises related costs	1,305	1,280	(25)
Vehicle related costs	487	386	(101)
Supplies & services	9,786	18,708	8,922
Year end adjustment for Rent Rebates (DWP)	17,614	17,404	(210)
Income	(36,045)	(44,909)	(8,864)
<b>Net cost of services</b>	<b>8,627</b>	<b>8,000</b>	<b>(627)</b>

- 2.7 Table 2 comprises:

- Vacancy management – the largest proportion of the under spend is attributable to employee salaries as a result of staff vacancies
- Premises related costs – the underspend relates mainly to reduced spend on contract cleaning and building maintenance
- Vehicle related costs – the main underspends are due to reduced spend on fuel, car and vehicle tax.
- Supplies & services – the main variance relates mainly to Covid19 grant payments, treated as Agency grants for accounting purposes and therefore accrued. It also includes LADGF grant payments entirely offset by grant income received (see Income below)
- Rent Rebates – this relates to the year end adjustment on completion of the annual Housing Subsidy claim,
- Income - the variance relates mainly to Government Covid19 Grants received, treated as Agency grants for accounting purposes and therefore accrued. It also includes LADGF grant income entirely offset by grant payments (see Supplies & Services above)

- 2.8 Two budgets have been identified for which there is a requirement to roll over into 2021/22. The first is for the purchase of gymnastic mats (£0.007m) that should have arrived by 31 March but a delay in the supply chain due to Covid-19 meant they weren't received on time. The second is for the Joint ICT Service where it is proposed that the under spend £0.080m be carried forward for utilisation on services during 2021/22. The total amount to be rolled over is £0.087m.

### **Financial Reserves**

- 2.9 Transfers from Earmarked Reserves

The use of earmarked reserves in 2020/21 was £5.245m comprising:

- £3.895m from revenue grants
- £1.238m from earmarked reserves
- £0.112m from the Invest to Save Reserve

There are ongoing commitments against these reserves in 2021/22 and future years so will continue to be utilised.

The variances in Movement from Reserves can be found in Table 3 below.

Table 3

	<b>Current Budget 2020/21</b>	<b>Outturn 2020/21</b>	<b>Variance</b>
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
<b>Movements from Reserves:</b>			
Revised Budget	(4965)	(4,965)	0
Plus:			
Transfer from Resilience Reserve for Court Costs unrecovered	0	(213)	(213)
Section 106 Grant	(39)	(67)	(28)
<b>Total movement from reserves - outturn</b>	<b>(5,004)</b>	<b>(5,245)</b>	<b>(241)</b>

## 2.10 Transfers to Earmarked Reserves

There have been transfers to earmarked reserves during 2020/21 totalling £11.759m. These comprise:

- £5.256m in revenue grants received.
- £6.353m into earmarked reserves. The main variances are £4.118m relating to NNDR receipt of Section 31 grants received (see 2.8 above) and £1.440m relating to the Covid19 response grant received.
- £0.150m additional contribution to earmarked reserves to cover the commitment for the cost of defending planning appeals in 2021/22.

The variances on the Movement to Reserves can be found in Table 4 below.

Table 4

	<b>Current Budget 2020/21</b>	<b>Outturn 2020/21</b>	<b>Variance</b>
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
<b>Movements to Reserves:</b>			
Revised Budget	5,383	5,383	0
Plus:			
General Fund outturn surplus	0	594	594

NNDR S31 Grants (see 2.6 above)	0	4,118	4,118
Contribution to Planning Appeals reserve	0	150	150
Covid Response Grant	1,511	1,514	3
<b>Total movement to reserves</b>	<b>6,894</b>	<b>11,759</b>	<b>4,865</b>

2.11 The outturn surplus of £0.594m has been transferred to the Resilience Reserve as approved in the Medium Term Financial Plan.

2.12 Ongoing commitments against the earmarked reserves which will continue in 2021/22 and future years. Should any of the reserves prove unnecessary in the light of subsequent events then they will be moved back into unallocated General Fund resources.

#### Covid Grants

2.13 Undoubtedly the biggest challenge faced over the past year has been the administration of a range of grant and relief schemes on behalf of the Government. Some of the schemes are fully reimbursed whilst others are a set allocation. The eligibility criteria for these schemes are set out in government guidance and throughout the year the Council has worked closely with the Department for Business, Energy and Industrial Strategy (BEIS) to deliver all grant and relief schemes as swiftly as possible to qualifying business owners and individuals across the district. The Covid19 grants received during 2020/21 are shown in Table 5 below.

Table 5:

Covid19 Grants	Grant Received	Expenditure	Grant Carried Forward to 2021/22	Grant Transfer to Reserves
	£'000	£'000	£'000	£'000
<b><u>Agency Grants</u></b>				
Small Business Grant Fund (SBGF) & Leisure Grant Fund (RHLGF)	(19,070)	19,070	0	
Local Restrictions Support Grants (Closed)	(5,367)	4,673	(694)	
Christmas Support Payments	(77)	59	(18)	
Closed Business Lockdown Payments	(3,465)	3,005	(460)	
Local Restrictions Support Grant (Open)	(278)	183	(95)	
Covid19 Test & Trace	(223)	114	(109)	
<b><u>Principal Grants</u></b>				
Local Authority Discretionary Grants (LADGF)	(961)	961		0
Additional Restrictions Grants (ARG)	(2,931)	2,344		(587)
Covid19 Response Grant (via Resilience Reserve)	(1,440)	1,063		(377)
Council Tax Hardship	(776)	616		(160)
Homelessness during lockdown	(125)	125		0
Covid19 Compliance & Enforcement	(44)	35		(9)
Covid19 Enforcement	(50)	0		(50)
Compensation Scheme	(1,050)	1,050		0
New Burdens - SBGF & RHLG	(130)	0		(130)
New Burdens - LADGF	(58)	5		(53)
New Burdens - Business Rates Admin Costs	(23)	0		(23)
<b>Total</b>	<b>(36,068)</b>	<b>33,303</b>	<b>(1,376)</b>	<b>(1,389)</b>



### Invest to Save

- 2.14 The Invest to Save Reserve has a balance at the end of the year of £3.411m. Commitments already made against this reserve for 2021/22 and future years amount to £0.868m leaving £2.543m uncommitted.

### Resilience Reserve

- 2.15 The Resilience Reserve has a balance at the end of the year of £2.320m. This will be utilised to provide financial resilience to the General Fund in future years as required by Medium Term Financial Plan. Ongoing pressures arising from the Covid pandemic will continue to be met from this reserve.

### General Fund Balances

- 2.16 The level of General Fund Balances has been maintained at £2.000m. The General Fund balances are considered to be at an acceptable level rather than generous. The General Fund balance needs to be considered against the background of ongoing reductions in the level of Government funding together with the range of risks facing the Council. With only a limited level of General Fund reserves it is crucial that the Council continues to maintain robust budgetary control while securing its ongoing savings targets in order to safeguard both its reserves and its financial sustainability.
- 2.17 Given the current level of general balances, should either an over spend or an under achievement of income occur then the Council would have a period of time in which to recover the situation. In a situation in which the Council were operating at a lower level of balances and an overspend or an under achievement of income occurred which took balances to below minimum level then immediate 'crisis' remedial action would need to be considered. Such a response is not conducive to sound financial management but more importantly would have a significant detrimental impact upon the Council's ability to deliver the planned and agreed level of services to local residents. However, Cabinet will recognise that given a level of General Fund Balances of £2.000m, against the requirement to secure £5.653m in savings by 2024/25, as identified in the Medium Term Financial Plan (MTFP) of January 2021, the need to continue to tackle the underlying forecast budget deficit remains.
- 2.18 The main feature of the 2020/21 financial year is that the Council successfully achieved in full the savings target of £0.217m (MTFP February 2020). Efficiencies of £0.217m were identified as part of the budget process and a further £0.594m at Outturn and this has been moved to the Resilience Reserve.
- 2.19 The annual review of budgets will consider ongoing expenditure budget savings or additional income levels from 2020/21 that are anticipated to be available in future years to ease the current budget shortfalls in the current MTFP as shown in Table 6 below. This review will also take account of the impact of the Covid-19 pandemic on the budget, as the roadmap to recovery continues.

**Table 6**

	<b>2021/22 Budget £000</b>	<b>2022/23 Budget £000</b>	<b>2023/24 Budget £000</b>	<b>2024/25 Budget £000</b>
Budget Shortfall - MTFP Feb 2021	133	1,055	1,855	2,610
Efficiencies identified to date (removed from budget)	(200)	(200)	(200)	(200)
<b>Current Budget Shortfall</b>	<b>(67)</b>	<b>855</b>	<b>1,655</b>	<b>2,410</b>
Efficiencies Identified <u>not yet realised</u>	(117)	(448)	(660)	(776)
Projected Budget Shortfall	(184)	407	995	1,634

### **Housing Revenue Account (HRA)**

- 2.20 The Housing Revenue Account is provided in **Appendix 2** to this report. The figures provided include all the statutory accounting transactions that the Council is required to make within the Statement of Accounts. These are accounting transactions which net off to zero and are not included within the HRA management budgets as they do not impact on the overall financial position or balances of the HRA. To allow comparison between budget and outturn these accounting adjustments are included within both the adjusted budget and outturn position.
- 2.21 The Housing Revenue Account position shows a number of relatively minor variances during the year. Income is just £0.033m below budget. The overall expenditure position is £0.082m above the current budget mainly due to an increase in the bad debt provision in year. This gives a net cost of services over spend of £0.115m, adjusting to £0.016m over spend after interest. A contribution of £1.890m has been made to the Development Reserve which is available to sustain the Council's housing stock.
- 2.22 The HRA balance is being maintained at £3m in line with the level of financial risk facing the HRA. Maintenance of this balance is necessary as it will help ensure the financial and operational stability of the HRA which is essential if we are to maintain the level of services and quality of housing provided to our tenants. Given the changes to the rent setting process together with the increasing numbers of houses lost under Right to Buy the Council and Rykneld Homes will need to continue to work closely together in order to ensure the continued sustainability of the HRA over the life of the 30 year Business Plan.

### **Capital Investment Programme**

- 2.23 Details of the capital expenditure incurred by the Council in 2020/21 on a scheme by scheme basis is provided in **Appendix 3**
- The Capital Programme may be summarised as follows:-

	<b>Current Programme £m</b>	<b>Outturn £m</b>	<b>Variance £m</b>
HRA	19.869	11.173	(8.696)
General Fund	2.688	1.543	(1.145)
Programme Total	22.557	12.716	(9.841)

## 2.24 HRA Schemes

The housing investment programme was underutilised during 2020/21 and the EWI scheme work was also behind programme these were due to a slow-down of work due to Covid-19 restrictions, but work has now recommenced. The acquisitions and disposals budget was not utilised during 2020/21 due to no purchasing schemes being viable during that time.

## 2.25 General Fund

The General Fund element of the Capital Programme during 2020/21 was relatively limited. The vehicle replacement scheme shows a variance of £0.564m which is being carried forward to be available to fund the purchase of vehicles in the future financial years as required. The asset refurbishment variance amounted to £0.436m due to schemes not being able to commence due to Covid-19 restrictions and a change in the scope of works for certain projects.

- 2.26 **Appendix 3** also details the proposed carry forward amounts to 2020/21. These requests relate to individual schemes that are still in progress, where there are outstanding commitments or where the scheme has been delayed. The total amounts to £6.960m with the impact on the 2021/22 capital programme detailed in the appendix. It should be noted that all these expenditure requirements will take forward a corresponding level of financial resources and thus have a neutral impact on the financial position in 2021/22.

## **Capital Financing**

- 2.27 **Appendix 3** also details how each scheme is financed. In summary:

### HRA Capital Financing

- 2.28 The HRA Capital Programme is financed from a combination of capital receipts, revenue contributions, prudential borrowing, use of reserves and grants.

### General Fund Capital Financing

- 2.29 The General Fund Capital Programme is financed from a combination of capital receipts, revenue contributions, prudential borrowing and grants. The Prudential Borrowing financing arrangements were agreed by Council as part of the Treasury Management Strategy at its meeting in February 2020.

## **Treasury Management**

- 2.30 **Appendix 4** provides a brief report on the Treasury Management activity of the Council for 2020/21. In summary the Council operated throughout 2020/21 within the Authorised

Limit and Operational Boundary limits approved in the Treasury Management strategy as approved by the Council in February 2020.

2.31 The key points from the summary report are:

- The overall borrowing requirement of the Council was £183.170m at 31 March 2021.
- The PWLB debt is £149.238m at 31 March 2021.
- Effective internal borrowing is £33.932m at 31 March 2021
- No new PWLB borrowing was undertaken in 2020/21
- PWLB interest paid in year was £5.275m
- Interest received in year on investments was £0.050m
- Repaid PWLB debt in year of £0.303m

### **3 Reasons for Recommendation**

#### **3.1 General Fund**

During the previous financial year the Council managed its budget effectively securing a favourable financial outturn position despite many challenges faced during the Coronavirus pandemic. In particular the Council successfully met its financial savings target of £0.217m. A contribution of £0.594m has been made to the Resilience Reserve from efficiencies identified in the revised budget and at outturn. Two budgets have been identified for rollover into 2020/21 totalling £0.087m

#### **3.2 HRA**

The HRA continues to operate within the parameters set by the 30 Year Business Plan and the MTFP. Officers will be working with Rykneld Homes to ensure that the Business Plan continues to reflect the impact of recent government legislation, and that the HRA remains sustainable over the 30 year period of the Business Plan.

#### **3.3 Capital Programme**

The Capital Programme saw progress on approved schemes during the 2020/21 financial year despite the disruptions due to the Coronavirus pandemic. There are, however, a limited number of schemes which are work in progress and this requires that the associated expenditure and funding be carried forward into the 2021/22 financial year.

#### **3.4 Capital Financing**

Capital expenditure during 2020/21 has been fully financed in line with the approved programme.

#### **3.5 Treasury Management**

The Council operated in line with its agreed Treasury Management Strategy during the 2020/21 financial year. This ensures that lending and borrowing arrangements were prudent and sustainable, minimising the risk of financial loss to the Council. Effective management of these arrangements ensured that interest costs during the year were

minimised in order to assist the Council's revenue position whilst interest receivable reduced slightly.

#### **4 Alternative Options and Reasons for Rejection**

- 4.1 The financial outturn report for 2020/21 is primarily a factual report detailing the actual position compared to previously approved budgets therefore there are no alternative options that need to be considered.
- 4.2 The allocation of resources to earmarked reserve accounts has been undertaken in line with the Council's policy and service delivery framework and in the light of the risks and issues facing the Council over the period of the current MTFP. If these risks do not materialise or are settled at a lower cost than anticipated then the earmarked reserves will be reassessed and returned to balances where appropriate.
- 

#### **DOCUMENT INFORMATION**

Appendix No	Title
1	General Fund Outturn detail 2020/21
2	HRA Outturn 2020/21
3	Capital Expenditure Outturn 2020/21
4	Treasury Management Outturn 2020/21
Background Papers	
Report Author	Contact Number
Jayne Dethick – Head of Finance and Resources	(01246) 217078

		Current Budget 2020/21 £	Outturn 2020/21 £	Variance £
<b><u>Environment &amp; Enforcement</u></b>				
<b>Director Environment &amp; Enforcement</b>				
5700	Strategic Director - Environment & Enforcement	54,892	55,538	646
5706	HS2	(3,550)	(3,546)	4
1218	Community Safety	20,080	33,038	12,958
<b>Head of Service Environmental Health</b>				
1283	Emergency Planning	17,447	16,447	(1,000)
3400	Environmental Protection	71,122	84,403	13,281
3401	Food, Health & Safety	151,130	151,659	529
3402	Environmental Enforcement	93,382	78,149	(15,233)
3403	Community Outreach	0	0	0
3404	Licensing	(12,013)	(14,748)	(2,735)
3405	Pollution	106,682	97,355	(9,327)
3407	Pest Control	49,180	41,422	(7,758)
3408	Home Improvement	20,477	19,781	(696)
3409	EH Technical Support & Management	237,688	222,759	(14,929)
3410	Private Sector Housing	70,010	58,471	(11,539)
3419	Destitute Funerals	1,500	(2,336)	(3,836)
3420	Fly Tipping	0	91	91
3422	Building Resilience Programme (Shirebrk)	0	(2,064)	(2,064)
3423	Air Quality Feasibility Study	100,470	100,470	(0)
3426	Covid Enf Team	(59,407)	(59,407)	0
3726	Works In Default	0	(2,290)	(2,290)
<b>Head of Service Street Scene</b>				
3174	Street Scene	311,875	319,457	7,582
3227	Materials Recycling	424,045	424,045	0
3231	Recycling Promotional Work	0	0	0
3244	Parks Derbyshire County Council Agency	(360,000)	(359,667)	333
3282	Eckington Depot	99,200	106,164	6,964
3285	Dronfield Bulk Depot	3,500	3,493	(7)
3511	Hasland Cemetery	(43,290)	(50,917)	(7,627)
3513	Temple Normanton Cemetery	(8,080)	(6,593)	1,487
3514	Clay Cross Cemetery	(63,200)	(71,109)	(7,909)
3516	Killamarsh Cemetery	(15,770)	(23,010)	(7,240)
3918	Dog Fouling Bins	(56,160)	(61,790)	(5,630)
3921	Street Cleaning Service	582,230	549,014	(33,216)
3943	Transport	463,040	298,918	(164,122)
3944	Grounds Maintenance	528,160	449,517	(78,643)
3945	Domestic Waste Collection	1,564,435	1,581,144	16,709
3946	Commercial Waste Collection	(149,182)	(212,266)	(63,084)
<b>Head of Service Planning</b>				
4111	Applications And Advice	(554,000)	(810,705)	(256,705)
4113	Planning Appeals	75,486	75,486	(0)
4116	Planning Policy	281,958	254,837	(27,121)
4311	Environmental Conservation	17,650	16,310	(1,340)
4511	Hos Planning	54,680	54,883	203
4513	Planning	646,778	547,148	(99,630)
4515	Building Control	58,000	54,500	(3,500)
4522	Section 106 Agreement	(33,238)	(33,238)	(0)
<b>Total for Environment &amp; Enforcement Directorate</b>		<b>4,747,207</b>	<b>3,980,811</b>	<b>(766,396)</b>
<b><u>Corporate Resources</u></b>				
<b>Director Corporate Resources</b>				
4500	Strategic Director - Corporate Resources	57,132	61,220	4,088
5720	Supporting PA's	84,990	84,784	(206)

		<b>Current Budget 2020/21</b>	<b>Outturn 2020/21</b>	<b>Variance</b>
	<b>Head of Service Partnerships and Transformation</b>			
1315	Design & Print	120,310	96,221	(24,089)
1321	Communications & Marketing	60,530	59,550	(980)
1323	NEDDC News	25,000	26,984	1,984
1329	Corporate Web Site	1,670	548	(1,122)
1331	Strategic Partnerships	155,645	154,559	(1,086)
1332	Strategic Partnership Projects	0	1,772	1,772
1333	Healthy North East Derbyshire	42,566	42,566	(0)
1334	NE Derbyshire Business Growth Fund	4,000	4,000	0
1335	Big Local	0	0	0
4352	LEADER	0	0	0
4443	Elderly Peoples Clubs	2,000	589	(1,411)
4561	Leisure Centre Management	128,114	119,534	(8,580)
4600	Hos Partnerships & Transformation	35,612	35,888	276
4720	Sportivate	0	0	0
4722	Physical Inactivity Fund	0	0	0
4723	Generation Games	0	0	0
4724	Walking into Communities	11,000	11,000	0
4726	Walking for Health	0	0	0
4727	Five 60	0	0	0
4731	Promotion Of Recreation And Leisure	29,910	29,678	(232)
4732	Schools Promotion	6,373	6,373	0
4736	Derbyshire Sports Forum	14,450	14,450	0
4739	Coach Core Apprentices	0	0	0
4742	Arts Development	2,530	2,524	(6)
5215	Telephones	29,220	32,612	3,392
5216	Mobile Phones and Ipads	19,125	20,374	1,249
5221	Customer Services	353,295	318,584	(34,711)
5223	Franking Machine	47,700	45,060	(2,640)
5701	Joint ICT Service	(51,633)	(51,633)	(0)
5734	NEDDC ICT Service	421,476	434,558	13,082
5735	Cyber Security	(3,207)	(3,206)	1
5736	Business Development	51,077	75,410	24,333
5737	Corporate Printing Costs	15,790	13,264	(2,526)
5785	Contributions	136,085	128,768	(7,318)
5825	Concessionary Bus Passes	(9,600)	(10,187)	(587)
8441	Eckington Swimming Pool	269,907	269,907	0
8445	Eckington Pool Cafe	2,313	2,313	0
8451	Dronfield Sports Centre	168,312	168,312	(0)
8455	Dronfield Café	(23,622)	(23,622)	(0)
8461	Sharley Park Sports Centre	434,069	434,069	0
8465	Sharley Park Sports Centre Outdoor	(590)	109	699
8471	Killamarsh Leisure Centre	0	891	891
	<b>Head of Service Corporate Governance</b>			
1121	Member's Services	427,328	416,686	(10,642)
1123	Chair's Expenses	6,720	4,737	(1,983)
1133	Parish Elections	0	(5,364)	(5,364)
1135	European Elections	0	(23,261)	(23,261)
1137	Parliamentary Elections	0	0	0
1138	Pokice & Crime Commissioner Elections	0	0	0
1139	County Council Elections	0	0	0
1141	Chief Executive	300	300	0
1142	Chief Executive	38,675	58,456	19,781
1231	Corporate Training	27,500	23,623	(3,877)
1255	Strategy and Performance	106,386	102,509	(3,877)
1256	Corporate Consultation	13,148	12,671	(477)
1259	Corporate Groups	1,000	0	(1,000)
1311	Human Resources	184,595	171,915	(12,680)
3121	Health & Safety Advisor	64,682	65,174	492
5273	Brass Band Concert	500	500	0
5313	Register Of Electors	170,942	154,358	(16,584)
5321	HoS Corporate Governance	40,353	40,456	103

		<b>Current Budget 2020/21</b>	<b>Outturn 2020/21</b>	<b>Variance</b>
5353	Legal Section	170,028	158,737	(11,291)
5354	Land Charges	(6,650)	(16,623)	(9,973)
5392	Scrutiny	51,375	51,313	(62)
5711	Democratic Services	203,135	195,112	(8,023)
<b>Head of Service Finance and Resources</b>				
1312	Payroll	55,553	54,828	(725)
3176	Pool Car	500	78	(422)
3512	CBC Crematorium	(173,000)	(206,149)	(33,149)
5113	Unison Duties	16,310	16,586	276
5611	External Audit	67,510	81,131	13,621
5615	Bank Charges	74,500	78,589	4,089
5621	Contribution to/from HRA	(185,600)	(185,450)	150
5713	Audit	107,030	93,151	(13,879)
5714	Financial Support Services	2,130	1,709	(421)
5715	Procurement	46,244	41,004	(5,240)
5721	Financial Services	304,809	280,541	(24,268)
5724	Insurance	286,508	279,871	(6,637)
5725	Apprenticeship Levy	45,000	40,157	(4,843)
5727	Cost Of Ex-Employees	936,000	901,417	(34,583)
5728	Covid Response	(1,224,406)	(1,224,406)	(0)
5729	Additional Restrictions Grant	(586,693)	(586,693)	0
5730	Local Restriction Support Grant (Closed)	0	0	0
5731	Local Restriction Support Grant (Open)	0	0	0
5732	Christmas Support Payments	0	0	0
5738	Closed Business Lockdown Payments	0	0	0
5739	LAGDF	0	0	0
5740	Council Tax Hardship	(159,678)	(159,678)	(0)
5741	Housing Benefit Service	(81,137)	185,497	266,634
5742	Test and Trace	0	0	0
5745	Covid New Burdens	(205,923)	(205,923)	(0)
5747	Debtors	50,255	50,244	(11)
5751	`NNDR Collection	(2,596)	462	3,058
5759	Council Tax Administration	199,592	394,943	195,351
5781	Village Hall Grants	14,870	14,867	(3)
<b>Total for Corporate Resources Directorate</b>		<b>3,729,344</b>	<b>3,965,894</b>	<b>236,550</b>

### **Growth & Economic Development**

<b>Director Growth &amp; Economic Development</b>				
1143	Director of Growth & Economic Development	63,510	66,414	2,904
<b>Head of Service Property &amp; Estates</b>				
3135	Drainage	38,475	18,521	(19,954)
3172	Engineers	80,065	79,425	(640)
3241	Car Parks	41,890	40,949	(941)
3247	Street Names/Lights	4,230	3,359	(871)
3249	Footpath Orders	(1,200)	(1,970)	(770)
3265	Dams And Fishing Ponds	2,595	146	(2,449)
3281	Clay Cross Depot	(1,070)	1,213	2,283
3811	Closed Circuit Television	0	(620)	(620)
4412	Midway Business Centre	(63,445)	(77,608)	(14,163)
4425	Coney Green Business Centre	(158,040)	(90,562)	67,478
4523	Estates Administration	287,100	277,605	(9,495)
5205	Mill Lane	230,281	215,231	(15,050)
5206	Mill Lane Land	(5,150)	(8,813)	(3,663)
5209	Facilities Management	51,225	45,169	(6,056)
5210	Pioneer House	(51,593)	(22,333)	29,260
<b>Head of Service Housing &amp; Economic Development</b>				
3165	Housing Options Team	203,003	203,652	649
3740	Strategic Housing	55,982	57,524	1,542



		<b>Current Budget 2020/21</b>	<b>Outturn 2020/21</b>	<b>Variance</b>
3743	Manufacturing Zone Bid	15,960	15,960	0
3747	Homeless Temp Accomodation	16,665	(10,648)	(27,313)
3748	Homelessness Grant	(77)	(6,610)	(6,533)
3749	Empty Properties	4,312	4,312	(0)
3750	Housing Growth	16,295	16,296	1
3752	Homeless Bond Scheme	7,230	7,963	733
3754	Rough Sleepers	(156,767)	(156,766)	1
3755	PRS Access Fund	37,500	37,500	0
3759	Emergency Welfare Assistance Grant	(27,480)	(27,480)	0
4211	Tourism Promotions	18,500	10,500	(8,000)
4238	Working Communities Strategy	70,925	69,456	(1,469)
4512	Growth Agenda	13,430	10,327	(3,103)
4517	Economic Development	156,700	160,064	3,364
4519	The Avenue, Wingerworth	4,750	4,750	0
4520	Killamarsh/Eckington OPE	35,587	35,588	1
4524	New Towns Fund	(364,030)	(364,030)	(0)
4526	Sheffield City Region	4,000	(19,618)	(23,618)
4527	Dronfield Civic Centre	1,960	1,960	0
5750	HoS Economic Development & Housing	45,330	12,616	(32,714)
<b>Total for Growth &amp; Economic Development Directorate</b>		<b>678,648</b>	<b>609,441</b>	<b>(69,207)</b>
<b>Investment Properties</b>				
4411	Stonebroom Industrial Estate	(59,700)	(63,234)	(3,534)
4413	Clay Cross Industrial Estate	(84,600)	(85,900)	(1,300)
4415	Norwood Industrial Estate	(225,400)	(237,684)	(12,284)
4417	Eckington Business Park	(6,200)	(14,225)	(8,025)
4418	Rotherside Court Eckington Business Unit	(23,720)	(43,164)	(19,444)
4423	Pavillion Workshops Holmewood	(89,800)	(94,967)	(5,167)
4432	Miscellaneous Properties	20,150	11,874	(8,276)
<b>Total for Investment Properties</b>		<b>(469,270)</b>	<b>(527,301)</b>	<b>(58,031)</b>

APPENDIX 2

**HOUSING REVENUE INCOME & EXPENDITURE ACCOUNT 2020/21**

	A	B	C	D	E
	Current Budget 2020/21 £000's	Adjustments to aid comparison 2020/21 £000's	Adjusted Current Budget 2020/21 £000's	Actual 2020/21 £000's	Variance 2020/21 £000's
<b>Income</b>					
Dwelling Rents	(30,744)		(30,744)	(30,732)	12
Non-Dwelling Rents	(421)		(421)	(414)	7
Charges for Services and Facilities	(138)		(138)	(123)	14
Contributions Towards Expenditure	(50)		(50)	(50)	0
<b>Total Income</b>	<b>(31,352)</b>	<b>0</b>	<b>(31,352)</b>	<b>(31,320)</b>	<b>33</b>
<b>Expenditure</b>					
Repairs & Maintenance	5,156		5,156	5,143	(13)
Revenue Expenditure funded from Capital (REFCUS)	0	616	616	616	0
Supervision and Management	6,283		6,283	6,220	(62)
Rents, Rates & Taxes	110		110	127	17
Capital Charges - Depreciation	7,765		7,765	7,755	(9)
Increase in Provision for Bad Debts	250		250	399	149
Water Litigation Liability	1,053	0	1,053	1,053	0
Debt Management Expenses	12		12	12	0
Impairments & Revaluations	0	(2,475)	(2,475)	(2,475)	0
<b>Total Expenditure</b>	<b>20,627</b>	<b>(1,860)</b>	<b>18,768</b>	<b>18,850</b>	<b>82</b>
<b>Net Cost of Services</b>	<b>(10,725)</b>	<b>(1,860)</b>	<b>(12,585)</b>	<b>(12,470)</b>	<b>115</b>
Corporate & Democratic Core	185		185	185	0
<b>Net Cost of all HRA services</b>	<b>(10,539)</b>	<b>(1,860)</b>	<b>(12,399)</b>	<b>(12,285)</b>	<b>115</b>
(Gain)/Loss on sale of HRA fixed assets	0	1,983	1,983	1,983	0
Interest Payable	5,081		5,081	4,949	(133)
Revaluation of Investment Property	0	0	0	0	0
Interest Receivable	(61)		(61)	(27)	34
Capital Grants	0	(1,620)	(1,620)	(1,620)	0
<b>(Surplus)/Deficit on HRA Services</b>	<b>(5,519)</b>	<b>(1,496)</b>	<b>(7,016)</b>	<b>(7,000)</b>	<b>16</b>
MRP Voluntary Contribution	0		0	0	0
Transfers to/from Rykneld Homes Loss Reserve	0		0	0	0
Transfer to Capital Grant Reserve	0	1,045	1,045	1,045	0
Transfer to HRA Reserves - Insurance	50		50	50	0
Transfer to HRA Reserves - Development	3,883		3,883	1,890	(1,993)
Transfer to/from HRA Reserves - Debt Repayment Reserve	(1,968)		(1,968)	0	1,968
Adjustments between accounting and funding basis	0	451	451	451	0
Transfers to/from Major Repairs Reserve	3,554		3,554	3,564	9
<b>Transfer to HRA Balances</b>	<b>(0)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Housing Revenue Account Balances</b>	<b>Current Budget 2020/21 £</b>			<b>Actual 2020/21 £</b>	<b>Variance 2020/21 £</b>
HRA Opening Balance	(3,000)			(3,000)	0
Transfer from Balances 20/21					
Transfer to Balances 20/21					
HRA Closing Balances	<u>(3,000)</u>			<u>(3,000)</u>	<u>0</u>

Project/Scheme	Current Programme 2020/21 £000	Outturn 2020/21 £000	Variance 2020/21 £000	Amount Carried Forward to 2021/22 £000	Original Programme 2021/22 £000	Current Programme 2021/22 £000
<b>Housing Investment</b>						
Housing Capital Works	9,164	7,600	(1,564)	1,564	10,647	12,211
Housing Capital Works - Non Traditional Properties	0	0	0	0	7,152	7,152
Garage Demolitions	23	9	(14)	14	23	37
Concrete Balconies	115	4	(111)	111	0	111
EWI Scheme - Heath	520	702	182	0	0	0
Pine View, Danesmoor	1,071	64	(1,007)	1,007	0	1,007
Parking Solutions	288	0	(288)	288	288	576
Green Homes EWI - Mickley	2,725	2,115	(610)	610	500	1,110
North Wingfield New Build Scheme	2,081	0	(2,081)	2,081	0	2,081
Stock Purchase Programme	2,752	1	(2,751)	0	3,000	3,000
Acquisitions & Disposal Scheme (RHL)	500	429	(71)	0	500	500
	19,239	10,924	(8,315)	5,675	22,110	27,785
Private Sector Spending - DFG	630	249	(381)	0	743	743
<b>Total Housing Investment</b>	<b>19,869</b>	<b>11,173</b>	<b>(8,696)</b>	<b>5,675</b>	<b>22,853</b>	<b>28,528</b>
<b>Other Capital Projects</b>						
Asset Refurbishment - General	667	231	(436)	436	500	936
Roller Shutter Doors	42	0	(42)	42	0	42
Eckington Swimming Pool Roof Replacement	77	53	(24)	0	0	0
Northwood Group Grant	510	510	0	0	0	0
Eckington Pool Carbon Efficiencies Programme	0	0	0	0	1,015	1,015
Lottery Funded Schemes	10	1	(9)	9	0	9
Replacement Vehicles	1,126	562	(564)	564	661	1,225
Contaminated Land	42	0	(42)	42	0	42
ICT Schemes	214	22	(192)	192	35	227
Killamarsh Leisure Centre Refurbishment		0	0	0	1,000	1,000
Loan Commitments - ECL	0	2	2	0	0	0
Section 106 Capital Expenditure	0	162	162	0	0	0
<b>Total Other Capital Projects</b>	<b>2,688</b>	<b>1,543</b>	<b>(1,145)</b>	<b>1,285</b>	<b>3,211</b>	<b>4,496</b>
<b>Total Capital Expenditure</b>	<b>22,557</b>	<b>12,716</b>	<b>(9,841)</b>	<b>6,960</b>	<b>26,064</b>	<b>33,024</b>
<b>Housing Investment Funding</b>						
HRA Capital Investment Reserve	(3,883)	(598)	3,285	(1,360)	(391)	(1,751)
Major Repairs Reserve	(11,319)	(9,321)	1,998	(2,174)	(17,174)	(19,348)
Prudential Borrowing - HRA	(1,476)	0	1,476	(1,476)	(2,100)	(3,576)
External Grant	(570)	(575)	(5)	0	(1,045)	(1,045)
Useable Capital Receipts	(1,991)	(430)	1,561	(665)	(1,400)	(2,065)
	(19,239)	(10,924)	8,315	(5,675)	(22,110)	(27,785)
Disabled Facilities Grant	(610)	(229)	381	0	(723)	(723)
Usable Capital Receipts	(20)	(20)	0	0	(20)	(20)
<b>Total Housing Investment Funding</b>	<b>(19,869)</b>	<b>(11,173)</b>	<b>8,696</b>	<b>(5,675)</b>	<b>(22,853)</b>	<b>(28,528)</b>
<b>Other Capital Projects Funding</b>						
Useable Capital Receipts	(1,468)	(765)	703	(628)	(535)	(1,163)
Prudential Borrowing	(1,126)	(562)	564	(564)	(1,661)	(2,225)
RCCO - General Fund	(42)	0	42	(42)	0	(42)
External Grant	(52)	(216)	(164)	(51)	(1,015)	(1,066)
<b>Other Capital Project Funding</b>	<b>(2,688)</b>	<b>(1,543)</b>	<b>1,145</b>	<b>(1,285)</b>	<b>(3,211)</b>	<b>(4,496)</b>
<b>Total Capital Financing</b>	<b>(22,557)</b>	<b>(12,716)</b>	<b>9,841</b>	<b>(6,960)</b>	<b>(26,064)</b>	<b>(33,024)</b>
<b>HRA Development Reserve</b>						
Opening Balance	(1,090)	(1,090)	0		(2,382)	(2,382)
Amount due in year	(3,883)	(1,890)	1,993		(856)	(856)
Amount used in year	3,883	598	(3,285)		391	1,751
<b>Closing Balance</b>	<b>(1,090)</b>	<b>(2,382)</b>	<b>(1,292)</b>		<b>(2,847)</b>	<b>(1,487)</b>
<b>Major Repairs Reserve</b>						
Opening Balance	(176)	(176)	0		(2,174)	(2,174)
Amount due in year	(11,319)	(11,319)	0		(17,174)	(17,174)
Amount used in year	11,319	9,321	(1,998)		17,174	19,348
<b>Closing Balance</b>	<b>(176)</b>	<b>(2,174)</b>	<b>(1,998)</b>		<b>(2,174)</b>	<b>0</b>
<b>Capital Receipts Reserves</b>						
Opening Balance	(1,384)	(1,384)	0		(1,407)	(1,407)
Income expected in year	(4,000)	(2,866)	1,134		(4,000)	(4,000)
Debt Repayment/Other Expenses	3,200	2,263	(937)		3,200	3,200
Amount used in year	1,251	580	(671)		1,028	1,183
<b>Closing Balance</b>	<b>(933)</b>	<b>(1,407)</b>	<b>(474)</b>		<b>(1,179)</b>	<b>(1,024)</b>
<b>Capital Receipts Reserves 1-4-1 receipts</b>						
Opening Balance	(1,909)	(1,909)	0		(1,275)	(1,275)
Income expected in year	(650)	(1,159)	(509)		0	(1,000)
Debt Repayment/Other Expenses	0	1,159	1,159		0	0
Amount used in year	2,151	634	(1,517)		1,105	2,065
<b>Closing Balance</b>	<b>(408)</b>	<b>(1,275)</b>	<b>(867)</b>		<b>(170)</b>	<b>(210)</b>

**NEDDC Treasury Management Activity 2020/21****Capital Financing Requirement**

Treasury Management is the measurement and control of the overall debt position of the Council. This is calculated through the Capital Financing Requirement (CFR). The CFR calculates the Council's underlying need to borrow in order to finance its capital expenditure. The revised estimate of the CFR for 2020/21 and the actual outturn CFR are shown in the table below: -

	<b>Current Budget 2020/21 £000's</b>	<b>Actual Outturn 2020/21 £000's</b>
Capital Financing Requirement 1 April 2020	189,780	183,936
Prudential Borrowing Gen Fund – Vehicle Replacement	2,327	562
Prudential Borrowing HRA – North Wingfield Scheme	1,410	0
Minimum Revenue Provision (MRP)	(949)	(701)
Net repayment of other debt	(1,283)	(270)
Prudential Borrowing Gen Fund - Financing of Loan to Rykneld Homes	0	1,000
Prudential Borrowing Gen Fund - Financing of Loan to Northwood Group Ltd	(0)	263
Repayment of Allowable Debt	(1,800)	(1,620)
<b>Capital Financing Requirement 31 March 2021</b>	<b>189,485</b>	<b>183,170</b>

The overall position shows a net increase in outstanding debt of £0.766m during the year.

The actual CFR position also reflects the Council's repayment of allowable debt. When a Council dwelling is sold the Council is allowed to retain some of the capital receipts because it is carrying debt on each property following the HRA self-financing settlement in 2012. This is known as the allowable debt calculation. It is good practice that the retained receipt element for allowable debt is actually utilised to repay the debt outstanding on the sold houses otherwise the Council is carrying debt where it has no asset.

The Capital Financing requirement is split between the HRA and General Fund the balance of each is shown below:

<b>Capital Financing Requirement at 31 March 2021</b>	<b>£000's</b>
General Fund	13,370
Housing Revenue Account	169,800
<b>Total CFR</b>	<b>183,170</b>

## Changes to the HRA Debt Cap

In October 2018 the legislation that capped the amount of HRA debt a local housing authority could hold was revoked with immediate effect. The capital financing requirements relating to the HRA will remain the same so there will still be no requirement for an MRP and levels of debt will be managed through prudential borrowing limits controlled by the Treasury Management Strategy approved by Council in February 2020. This is to ensure that all additional borrowing is prudent and affordable within the context of the HRA and should include:

- affordability over the life of the 30 year business plan;
- a clear case for demand/need in the district;
- generation of additional income.

Removing the debt cap and not having a statutory requirement to make a provision to repay debt presents a significant risk to the HRA. Very careful treasury management is needed to ensure that the Council's HRA borrowing remains affordable, prudent and reasonable and that the HRA remains sustainable over the long term.

## How the CFR is financed by the Council

The CFR is the Council's underlying need to borrow to finance capital expenditure. To finance the CFR the Council has external borrowing, finance leases and the use of its own reserves and balances. The position as at 31 March 2021 is as follows:

	<b>£000's</b>
Capital Financing Requirement 31 March 2020	183,170
Financed from	
External Borrowing via PWLB	149,238
Use of internal balances and reserves	33,932
<b>Total Financing of CFR</b>	<b>183,170</b>

The table above shows that the Council is effectively under borrowing by £33.932m at 31 March 2021. This means that no debt charges are being incurred on £33.932m of borrowing but also means that the funds are not being invested in the money market. However, the cost of borrowing from the PWLB would incur interest charges that are higher than the investment interest foregone. This position is regularly monitored and reviewed in line with forecast interest rates.

## PWLB Borrowing

The Council's total outstanding PWLB debt amounted to £149.541m at 1 April 2020. During 2020/21 an amount of £0.303m was repaid leaving a balance at 31 March 2021 of £149.238m. During 2020/21 no new loans have been taken out with the PWLB. The profile of the outstanding debt is analysed as follows: -

<b>PWLB BORROWING</b>	<b>Maturity Profile 31 March 2020 £000's</b>	<b>Maturity Profile 31 March 2021 £000's</b>
<b>Term</b>		
12 Months	304	2,205
1 - 2 years	2,205	111
2 - 5 years	10,332	19,222
5 - 10 years	23,377	18,470
10 - 15 years	32,233	36,140
Over 15 years	81,090	73,090
<b>Total PWLB Debt</b>	<b>149,541</b>	<b>149,238</b>

## PWLB Interest

The interest cost to the Council of the PWLB debt for 2020/21 is shown in the table below. The cost is split between the HRA and General Fund based on the level of debt outstanding within the CFR.

<b>Date</b>	<b>Amount Paid to PWLB £000's</b>
Less Accrued Interest re 2019/20	(46)
Interest Paid during 2020/21	5,275
Plus Accrued Interest re 2020/21	46
<b>Total Paid</b>	<b>5,275</b>

## Temporary Borrowing

Cash flow monitoring and management serves to identify the need for short term borrowing to cover delays in the receipt of income during the course of the year. No interest charges from short term borrowing were incurred during the year. At the 31 March 2021 the Council had no temporary borrowing.

## Temporary Investments

The tables below detail the short term investments made at various times during the financial year 2020/21: -

Bank Name	Duration of Loan	B/Fwd 01/04/20 £000's	Amount Invested 2020/21 £000's	Amount Returned 2020/21 £000's	Balance Invested 31/3/21 £000's	Interest Received 31/3/21 £000's
Santander	Call	3,000	2,003	(5,003)	0	(3)
Handelsbanken	Call	5,000	3	(5,003)	0	(3)
Barclays	Call	0	5,000	(5,000)	0	(0)
Natwest	Call	0	5,001	(5,001)	0	(1)
Federated Fund 3	Call	3,000	3	(3)	3,000	(3)
Federated GBP 3	Call	2,000	4	(4)	2,000	(4)
Aberdeen Standard	Call	5,000	6	(6)	5,000	(6)
CCLA Public Sector Deposit Fund	1 Day Call	5,000	8	(8)	5,000	(8)
Debt Management Account Deposit Facility	Various	0	27,000	(27,000)	0	(0)
Aviva	Call	0	5,004	(4)	5,000	(4)
Invesco	Call	0	5,002	(2)	5,000	(2)
JP Morgan	Call	0	8,000	(5,000)	3,000	(0)
Goldman Sachs	Call	0	10,000	(5,000)	5,000	(0)
SSGA	Call	0	10,500	(10,500)	0	
London Borough of Croydon Council	12 months	0	3,002	(2)	3,000	(2)
Gosport Borough Council	12 months	1,000	5	(1,005)	0	(5)
Slough Borough Council	12 months	2,000	9	(2,009)	0	(9)
<b>Total</b>		<b>26,000</b>	<b>80,550</b>	<b>(70,550)</b>	<b>36,000</b>	<b>(50)</b>

## Overnight Investments

The maximum amount invested with Lloyds Bank in the financial year was £4.964m. There has been no breach of the £5m limit set in the Treasury Management Strategy.

## Compliance with Treasury Limits

During the financial year the Council continued to operate within the treasury limits set out in the Council's Borrowing and Investment Strategy.

	Actual 2020/21 £000's	Set Limits 2020/21 £000's
Authorised Limit (total Council external borrowing limit)	193,170	199,485
Operational Boundary	188,170	194,485

## North East Derbyshire District Council

### Cabinet

29 July 2021

### Rykneld Homes Anti-Social Behaviour Policy

#### Report of the Councillor A Powell, Portfolio Holder for Housing, Communities and Communications

Classification: This report is public

Report By: Karl Apps

Contact Officer: Di Parker

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#### **PURPOSE / SUMMARY**

The Council, as a landlord, is required by section 218A of the Housing Act 1996 to publish policies and procedures for dealing with anti-social behaviour (ASB). Rykneld Homes Limited has procedures in place to tackle ASB occurring in Council owned properties and their neighbourhoods. The Anti-social Behaviour Policy is designed to inform the public of how to report incidents and how Rykneld Homes Limited, on behalf of the Council, handles and responds to these issues.

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#### **RECOMMENDATIONS**

1. To seek Cabinet approval and adopt the final draft of Rykneld Homes Limited Anti-Social Behaviour Policy on behalf of the Council

Approved by the Portfolio Holder - yes

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#### **IMPLICATIONS**

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**Finance and Risk:** Yes ☐ No ☒

**Details:**

The Anti-Social Behaviour Policy does not pose any additional financial risk. Each case will be assessed and dealt with in accordance to procedures already in place and in line with the legislative framework.

On Behalf of the Section 151 Officer

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**Legal (including Data Protection):**

Yes ☒

No ☐

**Details:**

The Anti-Social Behaviour Policy is developed within a legislative framework and reflects national statutory guidance and wider local policies and initiatives. Data protection will be in conjunction with Rykneld Homes Limited procedures and will be compliant with legislation, including data protection laws.

On Behalf of the Solicitor to the Council

**Staffing:**

Yes ☐

No ☒

**Details:**

The delivery of the policy will be facilitated by existing Rykneld Homes Limited employees and supported by the Council and external partner organisations.

On behalf of the Head of Paid Service

## DECISION INFORMATION

Decision Information	
<b>Is the decision a Key Decision?</b> A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds:  <b>BDC:</b> Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input checked="" type="checkbox"/> <b>NEDDC:</b> Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> Please indicate which threshold applies	No
<b>Is the decision subject to Call-In?</b> (Only Key Decisions are subject to Call-In)	No
<b>District Wards Significantly Affected</b>	Yes - indirectly
<b>Consultation:</b> Leader / Deputy Leader <input type="checkbox"/> Cabinet / Executive <input type="checkbox"/> SAMT <input checked="" type="checkbox"/> Relevant Service Manager <input checked="" type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input checked="" type="checkbox"/>	Yes  Details: <a href="#">Click here to enter text.</a>

**Links to Council Ambition (BDC)/Council Plan (NED) priorities or Policy Framework including Climate Change, Equalities, and Economics and Health implications.**

[Click here to enter text.](#)

## REPORT DETAILS

### 1 **Background** *(reasons for bringing the report)*

- 1.1 All social housing landlords have a duty to publish policies and procedures to help them deal with reports of anti-social behaviour and have a number of powers at their disposal. These powers are contained in the 1996 Housing Act; the 2003 Anti-Social Behaviour Act; and the 2004 Housing Act. As well as the new provisions in the Anti-Social Behaviour, Crime and Policing Act 2014.
- 1.2 The Policy will comply with legislative guidance and will ensure customers are aware of the measures in place to tackle anti-social behaviour and how they can report incidents.
- 1.3 The policy also highlights the on-going preventative work and work with partner organisations on anti-social behaviour issues.

### 2. **Details of Proposal or Information**

- 2.1 The Anti-Social Behaviour and Crime Act 2014 definition of ASB is:
  - a) Conduct that has caused, or is likely to cause, harassment, alarm or distress to any person;
  - b) Conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises; or
  - c) Conduct capable of causing housing-related nuisance or annoyance to any person.

The Council and Rykneld Homes Limited takes incidents of Anti-Social Behaviour seriously and places a high priority on acting quickly and supporting people through what can be a worrying and stressful experience. We want customers to feel confident reporting problems and satisfied with the service they receive.
- 2.2 Anti-social behaviour incidents can range in severity therefore the appropriate action taken will depend on the circumstances of the individual case, some of these measures are highlighted in the policy and range from mediation to legal action.
- 2.3 Rykneld Homes Limited deliver a range of preventative measures, including Diversionary Activities working with young people. They hold community events that educate and engage communities and provide involvement opportunities. Working with a wide range of partner organisations/agencies is

essential in tackling and preventing anti-social behaviour including working with Police, Community Safety Partnership and other agencies where necessary to prevent and resolve matters as soon as possible.

- 2.4 The Policy will reassure victims of anti-social behaviour, anyone reporting incidents and witnesses that Ryknald Homes Limited will provide support through every stage of the process and can also provide alternative safety measures, for example additional security for their home.

### **3 Reasons for Recommendation**

- 3.1 The Policy complies with legislation and provides a framework for tackling and preventing anti-social behaviour.
- 3.2 The Policy creates awareness of anti-social behaviour and provides the reporting procedures.
- 3.3 The Policy demonstrates a partnership approach to tackle and prevent anti-social behaviour in our communities.

### **4 Alternative Options and Reasons for Rejection**

- 4.1 An alternative option was not to have a policy, this was rejected as the Council would fail to comply with legislation.
- 4.2 Also without a policy in place the anti-social behaviour procedures may not be as robust and there may be a lack of consistency across the district and a lack of understanding on how to report incidents.

## **DOCUMENT INFORMATION**

Appendix No	Title
1	Anti-Social Behaviour Policy
2	Equalities Impact Assessment
<b>Background Papers</b> (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
Click here to enter text.	

Rykneld Homes (RHL) takes incidents of Anti-Social Behaviour (ASB) seriously and places a high priority on acting quickly and supporting people through what can be a worrying and stressful experience. We want customers to feel confident reporting problems to us and satisfied with the service they receive.

This Policy is for tenant's of North East Derbyshire District Council and Rykneld Homes so they know what is and how to report ASB. This Policy compliments that of North East Derbyshire District Council (NEDDC), so if you are a private tenant or home owner, please contact NEDDC in the first instance.

Our aim is to prevent and minimise instances of ASB and to resolve them at the earliest opportunity, via appropriate intervention when required. It has been developed with due consideration towards best practice and guidance including the Government's statutory guidance 'Anti-social Behaviour, Crime and policing Act 2014: Anti-social behaviour powers Statutory guidance for frontline professionals' as revised January 2021.

## What is Anti-Social Behaviour?

**The Anti-Social Behaviour and Crime Act 2014 definition has ASB as:**

- Conduct that has caused, or is likely to cause, harassment, alarm or distress to any person
- Conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises; or
- Conduct capable of causing housing-related nuisance or annoyance to any person.

**Examples of ASB includes:**

- Hate Crime – has a separate definition to ASB and will carry a heavier sentence in Court if proven.
- Domestic Violence – please see also Rykneld Homes' Domestic Abuse Policy
- Drugs and alcohol
- Harassment, intimidation and abuse
- Noise Nuisance
- Violence and threats.

**Actions not considered ASB include:**

- General home living such as: flushing toilets, cooking smells, smoking in own home, washing machines, babies crying, sexual noises, shift workers leaving home, people walking on floors or upstairs, doors being shut, loud talking or laughing
- People carrying out DIY jobs
- Where there is no breach in the tenancy i.e. people staring or being inconsiderate

- Noise transference due to poor sound insulation
- Pets straying across garden areas
- Children playing, arguing in the street including ball games, riding bikes or skateboards
- One-off or isolated incidents e.g. a party or an argument or altercation

## How to Report ASB

- Online – complete the online form [www.rykneldhomes.org.uk](http://www.rykneldhomes.org.uk)
- In Person – speak to your Housing and Support Officer
- By Telephone – call us on 01246 217670 between 8am and 5pm Monday to Friday
- By email – Email details to [contactus@rykneldhomes.org.uk](mailto:contactus@rykneldhomes.org.uk)
- In writing – Community Sustainment Team, Rykneld Homes, Pioneer House, Mill Lane, Wingerworth, Chesterfield S42 6NG.

**In an emergency you should always dial 999.**

## Reporting Incidents Out of Hours

If you are experiencing incidents of nuisance, hate crime, domestic violence or ASB outside of normal office hours or at the weekend, you can use our Out of Hours reporting service. They will pass the details to us the next working day. Call – **08000 121 621**.

For more information and signposting to other agencies, visit our website: [www.rykneldhomes.org.uk](http://www.rykneldhomes.org.uk)

## Rykneld Homes' Approach

### Preventative Action

We will take steps to try and prevent ASB from occurring in the first place.

Our Allocations Policy prevents people responsible for ASB from obtaining or moving between Council and RHL tenancies. Our lettings are sensitive particularly in flats towards the mix of age groups mixing who may potentially have conflicting lifestyles.

We also deliver Diversionary Activities working with young people and provide community events during the summer months that educate and engage communities and provide involvement opportunities for customers.

We are committed to ensuring you can enjoy a quiet and peaceful life in your home. We will not tolerate customers being abused, harassed or subjected to noise, nuisance or other ASB from those around them.

All incidents are different and the time taken to complete the investigation and take appropriate action will depend on the circumstances of the individual case.

We work with the Police and other agencies where necessary to resolve matters as soon as possible.

Rykneld Homes has due regard to people with vulnerabilities and as a landlord we have an obligation towards alleged perpetrators who are vulnerable just as much as the victims. In these cases, we will work with vulnerable tenants to offer or arrange appropriate support. In cases where support is already in place, we will liaise with partner agencies to assist in finding a resolution.

When you first report ASB or harassment to us, we will ask you for full details of what has happened. The information you give us will help us decide what action, if any, to take.

### **Questions we may ask:**

- What happened?
- When did it happen?
- Where did it happen?
- Who was involved?
- Who witnessed the incident?
- Is this the first incident or has it been happening for a while?
- Have you reported the incident to anyone else (e.g. Police)?

### **How we deal with ASB**

Once you have reported an incident, a RHL Officer will contact you within 2 working days to discuss, in confidence, the nature of the incident and the possible course of action that may be taken. They will then prepare and agree with you an Action Plan to address your complaint. This may include actions that will be your responsibility as well as actions Rykneld Homes or other agencies will take. We will give clear points of contact, regular updates and offer support where needed.

Rykneld Homes will always treat people fairly and equally, any action will be proportionate and reasonable depending upon the circumstances.

### **Incident Diaries**

In most cases we will issue you with an incident diary to complete. The diaries provide important information that will help us with our investigation. They also provide good evidence if they are written at the time of the incident, to support any legal action taken. This information will help a Judge to understand what you have suffered if the matter goes to Court.

Throughout the investigation, we will continue to monitor and record ongoing work and aim to contact you every 10 working days.

If at any stage of the investigation it is felt that an appropriate intervention could be used, where appropriate you may be advised of this, what is involved and estimated timescale for completion.

We will provide assistance and support to any witnesses throughout and will stay in regular contact to give updates on our progress.

## **Other Types of Evidence**

Incident Diaries are not the only source of evidence we use. Anything that supports your report and helps us to prove someone has caused harassment or ASB can be used. These could include:

- Statements from other witnesses
- Use of surveillance equipment we can use to record evidence
- Noise monitoring equipment to help investigate complaints of noise nuisance.

## **Resolutions**

### **Informal Action**

Where appropriate we will use informal or non-legal action to try and reach a resolution.

### **Neighbour Disputes**

If you feel a neighbour is acting unreasonably towards you, it may help to speak to them about the problem. You may be surprised to find they are unaware of how their actions are affecting you. Talking to each other can clear up misunderstandings and often problems can be resolved in this way.

Do not speak to your neighbour when you are angry. If your discussion is not going well, walk away. Never get involved in an argument.

### **Mediation**

Your Community Sustainment Officer may suggest mediation, which is a way of helping people deal with disputes and reach some kind of agreement that everyone can live with.

Mediators help people discuss the problem – they do not judge or take sides. Mediation is voluntary, confidential and free, but not compulsory.

### **Breach of Tenancy Conditions**

Tenants of North East Derbyshire District Council (NEDDC) and RHL are required to comply with the conditions set out in their Tenancy Agreement.

We will take appropriate action if the tenancy conditions are breached such as serving a Notice of Seeking Possession.

## Legal Action

Many cases are resolved without Court action but if it is necessary, our Officers will be present at all stages to support you. In some instances, depending upon the action being taken, you may be required to attend Court and give evidence.

## Secure Home

In more serious cases we will consider what steps we can take to make people feel more secure in their home, for example:

- Additional security measures
- Use of surveillance equipment
- Providing information for witnesses from other agencies as appropriate
- Working with the Police to apply for injunctions.

## Working in Partnership

Rykneld Homes are part of the North East Derbyshire Community Safety Partnership. Our Community Sustainment team works with the Police, NEDDC and other local agencies to resolve more serious ASB cases. Together, under the Anti-Social Behaviour Crime and Policy Act 2014, our Community Sustainment Officers will use the following legal remedies to tackle ASB:

- Possession Proceedings - Notice of Seeking Position / Notice of Possession Proceedings as per the grounds contained in the Housing Act 1985/88
- Public Spaces Protection Orders (PSPO)
- Community Protection Notices
- Fixed Penalty Notices – this is a fine of up to £100
- Civil Injunctions and/or Prosecution
- Closure Orders
- Community Trigger.

The Anti-Social Behaviour Crime and Policy Act 2014 provides for the Community Trigger. This is a mechanism for victims of persistent ASB to request that relevant bodies undertake a case review. To find out more about how community triggers are activated please visit: <https://www.ne-derbyshire.gov.uk/community/community-safety-partnership/community-trigger>

To find out more about the Community Safety Partnership visit: <https://www.ne-derbyshire.gov.uk/component/edocman/north-east-derbyshire-community-safety-action-plan-2020-21>



## Confidentiality and Witness Support

It is reasonable to expect that incidents of ASB would be discussed between the relevant parties in an attempt to resolve the situation prior to our involvement.

There will be times when this is not possible or there is a genuine reason for not being able to approach the alleged perpetrator, such as fear of reprisals and/or if a complaint is very serious or of a sensitive nature.

As part of any report of ASB and the investigation, it is essential that we maintain the confidentiality and trust of the person making the report and/or witnesses involved in the case. If appropriate, without identifying them to the person causing the nuisance. This may prevent further reprisals and possible serious incidents being directed towards them. At all times Rykneld Homes will keep to and respect confidentiality in line with the provision of the General Data Protection Regulation and will comply with collection, storage, access to, provision and disclosure of data in accordance with the Data Protection Act 2018.

We acknowledge that there may be occasions when we are unable to protect their identity due to serious specified incidents such as criminal offences or Safeguarding children/adults. In these circumstances, the person making the report and/or witnesses will be advised of this and offered support, if appropriate.

We are obliged in some cases to share information with third parties under the Crime and Disorder Act 1998.

You can access further detail about how we use your information by reading our Privacy Notice, the link is provided below:

<https://www.rykneldhomes.org.uk/your-home/your-tenancy/tenancy-agreement/tenancy-agreement-privacy-notice/>

## Closure of Cases

Cases will be closed if there have been no recent incidents after the initial report (this will be identified as part of keeping up to date incident diaries), when the issue is resolved or no further action can be taken. Cases may be reopened should any new instances of ASB be reported or if new evidence, which is assessed as significant and appropriate to the case is provided.

## Useful Contacts

Derbyshire Police .....	999 /101
CrimeStoppers .....	0800 555 111
North East Derbyshire District Council .....	01246 231111
Rykneld Homes Out of Hours Reporting Line .....	0800 121 621
Stop 24-hour National Domestic Abuse Helpline .....	0808 2000 247
The Elm Foundation (Derbyshire Domestic Violence and Sexual Abuse Service) .....	01246 540464
Derbyshire Victim Services (Remedi) .....	0114 253 6669
Safeguarding Concerns – Adults and Children .....	01629 533190
Homelessness .....	01246 231111
Report Fly Tipping or Graffiti .....	01246 231111

## NO ENGLISH? NO PROBLEM

If you require this publication  
in large print or braille  
please call us on

**01246 217670**

**Rykneld**  
HOMES  
*at the heart of communities*



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### For all other languages

**01246 217670**

# Equality Impact Assessment

<b>Service Area Being Assessed:</b>	Anti-Social Behaviour
<b>Section:</b>	Neighbourhood Services
<b>Date of Assessment:</b>	May 2021
<b>Person(s) Responsible for Assessment:</b>	Heather Summers, Head of Neighbourhoods
<b>Is this a new or existing Policy?</b>	Existing

1.	Briefly describe the function being assessed	<ul style="list-style-type: none"> <li>Anti-Social Behaviour (ASB)</li> </ul>		
2.	Who are the main stakeholders in relation to the function?	<ul style="list-style-type: none"> <li>Tenants and residents</li> <li>Staff</li> <li>North East Derbyshire District Council</li> <li>Board Members/Councillor Members</li> <li>Partner Agencies i.e. Police, Social Care, Mental Health, Fire Services etc.</li> </ul>		
3.	Who will be consulted as part of this EIA? What types of consultation will be carried out?	Staff, Service users, Involved Tenant's Group. Consultation meetings.		
4.	<u>Does</u> the function have a differential impact on <b>racial groups</b> ?	Yes	No	What evidence exists to support your analysis?
			✓	The ASB Policy will be conducted in accordance with Rykneld Homes' Equality and Diversity Policy and Rykneld Homes' Domestic Abuse Policy. The Policy will also be conducted in accordance with Derbyshire Safeguarding Vulnerable Adults and Children Policy and Vulnerable Adults Risk Assessment (VARM).  Any language or cultural barrier to accessing support will be considered in respect of each case to create an appropriate support plan.  Any reports of ASB that involve elements of hate crime will be dealt with as such and support offered to make all appropriate reports and referrals to other agencies i.e. the Police.
5.	<u>Does</u> the function have a	Yes	No	What evidence exists to support your analysis?

	differential impact due to <b><u>gender</u></b> ?		✓	All victims of ASB will have equal access to support based on their needs. There are several organisations we can signpost to that offer range of services to help and support anyone affected by ASB.
6.	<b><u>Does</u></b> the function have a differential impact on <b><u>disabled people</u></b> ?	Yes	No	What evidence exists to support your analysis?
			✓	<p>The ASB Policy will be conducted in accordance with Rykneld Homes' Equality and Diversity Policy. Where necessary meeting venues will be picked based on them providing appropriate access. Should a signer or interpreter be required Rykneld Homes will commission such services through the Talkback Service or other sense impairment organisations. Rykneld Homes will liaise with partner agencies such as Social Care if clients require additional help to access support plans. Marketing material will take account of access of information for disabled clients.</p> <p>We also offer support to the perpetrators of ASB where there has been identified a requirement for support for both parties in order to resolve the issue of ASB.</p>
7.	<b><u>Does</u></b> the function have a differential impact due to <b><u>age</u></b> ?	Yes	No	What evidence exists to support your analysis?
			✓	All members of the household will be evaluated in terms of risk from all forms of ASB irrelevant of age.
8.	<b><u>Does</u></b> the function have a differential impact due to <b><u>sexuality</u></b> ?	Yes	No	What evidence exists to support your analysis?
			✓	<p>The policy is applied to anyone reporting ASB regardless of sexuality.</p> <p>Any reports of ASB that involve elements of hate crime will be dealt with as such and support offered to make all appropriate reports and referrals to other agencies i.e. the Police</p>
9.	<b><u>Does</u></b> the function have a differential impact due to <b><u>religion or belief</u></b> ?	Yes	No	What evidence exists to support your analysis?
			✓	<p>Access risks due to cultural and religious beliefs are always considered with each case. Training is undertaken to ensure staff demonstrate the need for sensitivity and skill to ensure victims of ASB can receive support.</p> <p>Any reports of ASB that involve elements of hate crime will be dealt with as such and support offered to make all appropriate reports and referrals to other agencies i.e. the Police</p>

10.	<u>Does</u> the function have a differential impact due to <b>any other protected or vulnerable characteristics</b> including <b>marriage or civil partnerships, pregnancy or maternity</b> ?	Yes	No	What evidence exists to support your analysis?				
			✓	The Policy is to offer support to women, men and children from all backgrounds, whatever their age, ability, nationality, class, race, sexual orientation or religion.				
<p>If the answer is NO to all questions 4-10 and no differential treatment has been found, there is no requirement for a full Equality Impact Assessment. Please go back regularly and review the cycle.</p> <p>If the answer is YES to any of the questions 4-10, please continue to question 11.</p>								
11.	In what areas could the differential impact identified in 4-9 be considered to be an adverse impact in this function? (Please tick if yes)	Other protected characteristics	Race	Gender	Disability	Age	Sexuality	Religion/belief
12.	What solutions will be introduced to overcome these adverse impacts?							
13.	In what areas does this service mitigate possible differential impacts? (Please tick)	Other protected characteristics	Race	Gender	Disability	Age	Sexuality	Religion/belief
14.	What Strategies are in place to safeguard and spread these impacts?							
15.	Which Action Plans have these solutions/Strategies been transferred into?							



Signed off by \_\_\_\_\_ Head of Neighbourhoods

Date: 26/05/2021

## **Consultation Comments**

All comments and feedback has been taken into consideration and the customer involvement groups have had input into the approach we are taking as an organisation to dealing with ASB.

The policy has been revised with due regard to government statutory guidance and the Housing Ombudsman guidance.

# Agenda Item 10

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

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# Agenda Item 11

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# Agenda Item 12

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