



To: All Councillors

Our Ref DS/KK  
Contact Krystyna Kowalewska kkowalewska@westsomerset.gov.uk  
Date 6 December 2016

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Dear Councillor

I hereby give you notice to attend the following meeting:

**COUNCIL MEETING**

**Date: Wednesday 14 December 2016**  
**Time: 4.30 pm**  
**Venue: Council Chamber, Council Offices, Williton**

Please note that this meeting may be recorded. At the start of the meeting the Chairman will confirm if all or part of the meeting is being recorded.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during the recording will be retained in accordance with the Council's policy.

Therefore unless you advise otherwise, by entering the Council Chamber and speaking during Public Participation you are consenting to being recorded and to the possible use of the sound recording for access via the website or for training purposes. If you have any queries regarding this please contact Committee Services on 01643 703704.

Yours sincerely

A handwritten signature in black ink, appearing to read "B. Lang".

**BRUCE LANG**  
Proper Officer



**WEST SOMERSET DISTRICT COUNCIL**

**Meeting to be held on Wednesday 14 December 2016 at 4.30 pm**

**Council Chamber, Williton**

**AGENDA**

**1. Apologies for Absence**

**2. Minutes**

Minutes of the Meetings of Special Council held on 7 September 2016 and Council on 23 November 2016 to be approved and signed as correct records – **SEE ATTACHED.**

**3. Declarations of Interest**

To receive and record any declarations of interest in respect of any matters included on the agenda for consideration at this meeting.

**4. Public Participation**

The Chairman to advise the Committee of any items on which members of the public have requested to speak and advise those members of the public present of the details of the Council's public participation scheme.

For those members of the public wishing to speak at this meeting there are a few points you might like to note.

A three-minute time limit applies to each speaker and you will be asked to speak before Councillors debate the issue. There will be no further opportunity for comment at a later stage. Your comments should be addressed to the Chairman and any ruling made by the Chair is not open to discussion. If a response is needed it will be given either orally at the meeting or a written reply made within five working days of the meeting.

**5. Chairman's Announcements**

**6. Appointment of External Auditors 2018/19**

To consider Report No. WSC 149/16, to be presented by Councillor M Chilcott, Lead Member for Resources and Central Support – **SEE ATTACHED.**

The purpose of the report is to introduce and explain the background to the letter received from Public Sector Auditor Appointments (PSAA) regarding the national scheme for appointing external auditors for 2018/19.

**7. Fees and Charges 2017/18**

To consider Report No. WSC 150/16, to be presented by Councillor M Chilcott, Lead Member for Resources and Central Support – **SEE ATTACHED.**

The purpose of this report is to set out the proposed fees and charges for next financial year, effective from April 2017.

**8. Review of Council Tax Rebate Scheme for 2017/18**

To consider Report No. WSC 151/16, to be presented by Councillor M Chilcott, Lead Member for Resources and Central Support – **TO FOLLOW**.

The purpose of this report is to obtain Council approval for an Addendum to the Council Tax Rebate scheme for 2017/18.

**9. Timetable of Meetings 2017/18**

To consider the proposed timetable of meetings for the 2017/18 Municipal Year – **SEE ATTACHED**.

**10. Exclusion of the Press and Public**

To consider excluding the press and public during consideration of Item 11 on the grounds that, if the press and public were present during this item, there would be likely to be a disclosure to them of exempt information of the class specified in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended as follows:

Item 11 contains information that could release confidential information relating to the financial or business affairs of any particular person (including the authority holding that information). It is therefore proposed that after consideration of all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**11. Commercially Confidential - Recycle More, Domestic Waste Collection Services**

To consider Report No. WSC 145/16, to be presented by Councillor M Dewdney, Lead Member for Environment – **SEE ATTACHED**.

The purpose of the report is to detail the business case proposals for services to the community and decrease future collection costs. The savings through the implementation of the scheme are identified and set out in the report.

**COUNCILLORS ARE REMINDED TO CHECK THEIR POST TRAYS**

**WEST SOMERSET COUNCIL****Minutes of Special Council held on 7 September 2016 at 4.30 pm****in the Council Chamber, Williton****Present:**

Councillor B Heywood ..... Chairman  
Councillor R Woods ..... Vice-Chairman

Councillor I Aldridge	Councillor A Behan
Councillor M Chilcott	Councillor R Clifford
Councillor H J W Davies	Councillor M Dewdney
Councillor G S Dowding	Councillor S Goss
Councillor A Hadley	Councillor T Hall
Councillor B Leaker	Councillor R P Lillis
Councillor B Maitland-Walker	Councillor K M Mills
Councillor C Morgan	Councillor P H Murphy
Councillor J Parbrook	Councillor S J Pugsley
Councillor R Thomas	Councillor N Thwaites
Councillor A H Trollope-Bellew	Councillor K Turner
Councillor T Venner	Councillor D J Westcott

**Officers in Attendance:**

Director of Operations/Section 151 Officer (S Adam)  
Assistant Chief Executive (B Lang)  
Assistant Director Resources (P Fitzgerald)  
Assistant Director Corporate Services (R Sealy)  
Assistant Director Energy Infrastructure (A Goodchild)  
Transformation Programme Manager (K Batchelor)  
Corporate Strategy and Performance Manager (P Harding)  
Principal Accountant – Transformation (E Collacott)  
Democratic Service Co-ordinator (E McGuinness)  
Democratic Services Officer (A Randell)  
Legal Advisor (L Dolan)  
Media and Communications Support Officer (R Howat)  
Meeting Administrator (K Kowalewska)

**C38      Apologies for Absence**

Apologies for absence were received from Councillors D Archer and I Jones.

**C39      Declarations of Interest**

Members present at the meeting declared the following personal interests in their capacity as a Member of a County, Parish or Town Council:

<b>Name</b>	<b>Minute No.</b>	<b>Member of</b>	<b>Action Taken</b>
Cllr I Aldridge	All	Williton	Spoke and voted
Cllr H Davies	All	Williton and SCC	Spoke and voted
Cllr S Goss	All	Stogursey	Spoke and voted
Cllr B Maitland-Walker	All	Carhampton & Withycombe	Spoke and voted
Cllr C Morgan	All	Stogursey	Spoke and voted
Cllr P Murphy	All	Watchet	Spoke and voted
Cllr J Parbrook	All	Minehead	Spoke and voted
Cllr R Thomas	All	Minehead	Spoke and voted
Cllr N Thwaites	All	Dulverton	Spoke and voted
Cllr A H Trollope-Bellew	All	Crowcombe	Spoke and voted
Cllr K Turner	All	Brompton Ralph	Spoke and voted
Cllr T Venner	All	Minehead and SCC	Spoke and voted
Cllr D J Westcott	All	Watchet	Spoke and voted

#### **C40**      **Public Participation**

##### Item 4 High Level Transformation Business Case

Phil Gannon spoke to the effect that this was the most challenging decision WSC would make in its 42 year history. He was of the opinion that the high level transformation business plan was very similar to a transformational process already implemented by WSC a number of years ago and questioned the reasons behind its failure stating the lack of finance then and now was the common denominator. He went on to express that to implement this plan would result in considerable losses in efficiency, quality of service provision and resources, including staff demoralisation. He hoped Members fully understood the implications as their decision would influence the future viability of West Somerset.

Loretta Whetlor spoke as a resident of Watchet who was passionate about its unique heritage and special and thriving community. She hoped that the identity of Watchet and that of West Somerset would not be lost by merging with another authority. Mrs Whetlor further stated it was not clear what options were available due to there being no public meetings or debates; nothing presented to parish councils; no leaflet campaign or local news coverage. She concluded by requesting Members to delay making a decision until full and open discussions had been undertaken with all West Somerset residents and businesses as she felt it was vital to fully involve them in the decision making process.

Robert McDonald, local resident, spoke to the effect that public consultation was necessary to get a balanced opinion, as well as the need for clear leadership and clear management. He asked that the decision be delayed to await the outcome of talks with the Prime Minister and the local MP so that all options could be considered, and was of the view that WSC Members needed stability and clear thinking for future decisions.

**C41 High Level Transformation Business Case**

(Report No. WSC 97/16, circulated with the Agenda.)

The purpose of the report was to set out how the transformation vision could be delivered, and the key areas needing investment to enable change. The report set out the likely one-off costs of achieving this and the likely ongoing savings it could deliver the Council.

The Leader of Council presented the report and responded to comments raised during public participation. He confirmed that it was a requirement under the Act of Parliament to carry out full consultation with all concerned parties, and that the Secretary of State would require evidence of this. The Leader informed he had recently attended a frank and very helpful meeting with the Government Minister, where it had been confirmed that no additional government funding would be provided for transformation. However, if the situation changed, the Council's decision could be revisited.

The Leader personally stated this was a very sad day for WSC. The Council represented the voice and feelings of the people of West Somerset; the authority was unique and a special case. However, the primary role of a district council was to deliver services and being a voice was subsidiary to that role. A summary of the transformation which could be delivered within each of the options tested was given. The Leader agreed with the sound reasoning of the Leader of Taunton Deane Borough Council (TDBC), and recommended that in order to maintain services and to maintain control, option 2 should be progressed. Option 2 would create additional savings of £500,000 and did not close down further tri-partite working with other authorities.

The Leader went on to propose the recommendations of the report, with an amendment to be made to include 'in principle' so that the sentence in the second line of recommendation 2.1 a) read "...- High Level Transformation Business Case, the Council, in principle, support the...". The proposal was seconded by Councillor P Murphy.

Councillor P Murphy reiterated that this was an important decision for WSC. The decision to merge with TDBC would be for the greater good of the people of West Somerset, and Members should be doing the best for their constituents. The engagement of a wider debate with residents was essential so they could understand why it was the only choice. It was not in the best interests for the community to delay the decision. Whilst speaking on the three options in the business case, Councillor Murphy drew Members' attention to the Section 151 comments contained within the report. Independent advice supported the fact that WSC was not considered viable in the short or long term. With reference to working with other authorities, particularly Sedgemoor District Council (SDC), Councillor

Murphy requested that it be put on record he was fully in favour of a merger between WSC, TDBC and SDC and wished discussions between the councils to continue. However, he saw the value of a staged approach and the opportunity in the future to progress further joint working and shared services with other councils to achieve savings.

An amendment was proposed by Councillor H Davies and seconded by Councillor T Hall to defer the decision for two months, pending the outcome of a meeting being held on the matter between the Prime Minister and Ian Liddell-Grainger, Bridgwater and Somerset MP. In addition, a recorded vote on the amendment was proposed by Councillor T Venner and seconded by Councillor I Aldridge.

The amendment was debated and various issues regarding public consultation were raised, and differing views were expressed on the subject of delaying the decision.

The procedural motion was proposed and seconded that the question be now put to vote on the amendment. The Chairman agreed that the procedural motion should be put to the vote upon which it was declared CARRIED.

A recorded vote was taken on the amendment to defer consideration of the recommendations contained in the report for two months.

On being put to the vote, the amendment was LOST.

Councillor I Aldridge	For	Councillor A Behan	For
Councillor M Chilcott	Against	Councillor R Clifford	Abstain
Councillor H Davies	For	Councillor M Dewdney	Against
Councillor S Dowding	Against	Councillor S Goss	Against
Councillor A Hadley	Against	Councillor T Hall	For
Councillor B Heywood	Against	Councillor B Leaker	Abstain
Councillor R Lillis	Against	Councillor B Maitland-Walker	Against
Councillor K Mills	Against	Councillor C Morgan	Against
Councillor P Murphy	Against	Councillor J Parbrook	Against
Councillor S Pugsley	Against	Councillor R Thomas	Against
Councillor N Thwaites	Against	Councillor A Trollope-Bellew	Against
Councillor K Turner	Against	Councillor T Venner	For
Councillor D Westcott	Against	Councillor R Woods	For

Further discussion ensued concerning the original motion and the following main points were raised:

- Reference was made to the importance of being fully informed and having an understanding of the facts and figures concerning WSC's viability.
- Enthusiasm for the new council was expressed and was seen as the only way forward. By creating a new council the community would receive the services it needed.

- Progressing this matter under the Cities and Local Government Devolution Act 2016 meant the current West Somerset area would remain whole, it would not be broken up, and would be within the new larger council authority area, which was felt to be vitally important.
- Assurance was asked that before the new council was formed negotiations would be held to safeguard services so they would not be compromised in the West Somerset area.
- Concerns relating to West Somerset's financial contribution to the merger.
- Under Option 2 the existing two councils would be stood down and dissolved, and a brand new council would be formed with a new name and newly elected Members in 2019. The benefits were recognised of a new council being responsible for a single budget and making policy decisions for the geographical area of the two old councils.
- The new council would have a strong voice in Somerset.
- Members should look forward to a new future and be positive in order to support the community.
- The decision had been thought long and hard and was being made for the best reasons.
- WSC continued to face challenging financial issues and was unable to bridge the budget gap.
- To retain services for the future, councils had to work smarter, more efficiently and in partnership, and this could be achieved under Option 2.
- Councils could not subsidise one another and the only way to move forward was to stand down both councils and create a new one.
- With the savings being made, Members would strive to deliver services to achieve the best for all residents in the new combined authority.
- The reasons for losing the sovereignty of WSC were understood and it was now necessary to proceed and look for opportunities going forward.

On being put to the vote the original motion, as amended, was declared CARRIED

**RESOLVED (1)** that, on the basis of the potential savings contained within the JMASS Phase 2 - High Level Transformation Business Case, the Council, in principle, support the implementation of Option 2 delivering a shared transformation vision for our communities and ongoing annual savings of £3.1m for the communities represented by the newly formed Council.

**RESOLVED (2)** that the Leader be authorised to commence discussions with the Secretary of State and Local Government Boundary Commission for England concerning the merger, and that Officers be authorised to implement the proposals in Option 2 in accordance with the financial targets and timeline as set out within the JMASS Phase 2 - High Level Transformation Business Case, with the financial targets to be included in the Councils budgets and Medium Term Financial Plans.

**RESOLVED (3)** that the necessary respective financial approvals are hereby agreed to fund the WSC share of Implementation Costs of Transformation totalling £1.175m (£1.121m + £0.054m) as set out in sections 9.5 -9.7 and 9.19 – 9.20 of the report.

For WSC to fund their share of the implementation costs (£1.175m) by:-

- a supplementary estimate from General Fund Reserves of £106k;
- by using Sustainability Reserve of £50k;
- by using JMASS Reserves £571k;
- using unallocated Capital Resources of £110k;
- by directing £75k of 16/17 in-year revenue savings towards this
- By directing the £46k 16/17 RCCO towards this
- By progressing “assets for sale” to the target sum of £217k. (underwritten by Business Rates Smoothing Reserve)

At the conclusion of the meeting, the Chairman read out the following quotations:

Firstly from George Bernard Shaw:-

“Progress is impossible without change, and those who cannot change their minds cannot change anything”

Secondly, from the classical Greek philosopher, Socrates, who died 2415 years ago.

“The secret of change is to focus all your energy, not on fighting the old, but on building the new”

The Chairman concluded that the Councillors should embrace the wisdom of Socrates and go forth to build the new.

The meeting closed at 6.10 pm.

**WEST SOMERSET COUNCIL****Minutes of Council held on 23 November 2016 at 4.30 pm****in the Council Chamber, Williton****Present:**

Councillor B Heywood ..... Chairman  
Councillor R Woods ..... Vice-Chairman

Councillor I Aldridge	Councillor A Behan
Councillor M J Chilcott	Councillor M O Dewdney
Councillor G S Dowding	Councillor S Goss
Councillor A Hadley	Councillor I Jones
Councillor B Leaker	Councillor B Maitland-Walker
Councillor K M Mills	Councillor P H Murphy
Councillor J Parbrook	Councillor S J Pugsley
Councillor R Thomas	Councillor N Thwaites
Councillor A H Trollope-Bellew	Councillor K H Turner
Councillor T Venner	Councillor D J Westcott

**Officers in Attendance:**

Director of Operations (S Adam)  
Assistant Chief Executive (B Lang)  
Assistant Director Resources (P Fitzgerald)  
Assistant Director Planning and Environment (T Burton)  
Performance and Development Manager (S Doyle)  
Planning Policy Manager (N Bryant)  
Principal Planning Officer – Policy (M Wilsher)  
Principal Planning Officer – Policy (T Clempson)  
Economic Regeneration and Tourism Manager (C Matthews)  
Meeting Administrator (K Kowalewska)

**C52      Apologies for Absence**

Apologies for absence were received from Councillors R Clifford, H Davies, T Hall and C Morgan.

**C53      Minutes**

(Minutes of the meetings of Special Council and Council held on 21 September 2016, circulated with the Agenda.)

**RESOLVED (1)** that the Minutes of the meeting of Special Council held on 21 September 2016 be confirmed as a correct record.

**RESOLVED (2)** that the Minutes of the meeting of Council held on 21 September 2016 be confirmed as a correct record.

**C54**      **Declarations of Interest**

Members present at the meeting declared the following personal interests in their capacity as a Member of a County, Parish or Town Council:

<b>Name</b>	<b>Minute No.</b>	<b>Member of</b>	<b>Action Taken</b>
Cllr I Aldridge	All	Williton	Spoke and voted
Cllr S Goss	All	Stogursey	Spoke and voted
Cllr B Maitland-Walker	All	Carhampton	Spoke and voted
Cllr P Murphy	All	Watchet	Spoke and voted
Cllr J Parbrook	All	Minehead	Spoke and voted
Cllr R Thomas	All	Minehead	Spoke and voted
Cllr N Thwaites	All	Dulverton	Spoke and voted
Cllr A H Trollope-Bellew	All	Crowcombe	Spoke and voted
Cllr K H Turner	All	Brompton Ralph	Spoke and voted
Cllr T Venner	All	Minehead & SCC	Spoke and voted
Cllr D J Westcott	All	Watchet	Spoke and voted

In addition, Councillor R Woods declared a prejudicial interest in respect of Item 8 Adoption of the West Somerset Local Plan to 2032 as the owner of a property near site WAT9 and advised that if the matter of this particular site were to be specifically discussed she would leave the Chamber during this item but would otherwise stay and participate fully in the item.

**C55**      **Public Participation**

No members of the public spoke at the meeting on any items on the agenda.

**C56**      **Chairman's Announcements**

1 October 2016	Attended a service of Harvest Thanksgiving at Wells Cathedral followed by supper at the Bishop's Palace
20 October 2016	Attended SCC Chairman's Services to the Community Awards Presentation at Taunton Rugby Ground
23 October 2016	WSC Chairman's Civic Service at All Saints' Church, Dulverton
6 November 2016	SCC Chairman's Civic Service at St George's Church, Dunster
12 November 2016	Service of Remembrance at Dulverton War Memorial
13 November 2016	Attended three services to commemorate Remembrance Day at Dulverton and Minehead

In addition, the Vice-Chairman represented the Chairman of Council at three events namely the Graduation Ceremony at Bridgwater College - the eight students who graduated from West Somerset were congratulated on their achievement; opened the hardstanding on Williton War Memorial Recreation Ground; and laid a wreath at the Remembrance Service in Watchet.

**C57**      **Allocation of Hinkley Point C Section 106 Tourist Information Centre Funds**

(Report No. WSC 129/16, circulated with the Agenda.)

The purpose of the report was to consult with Council on a suggested approach for allocating Hinkley Point C Section 106 funds for Tourist Information Centres during 2016-18; and to consult with Council on a suggested approach for commissioning tourist information services in Watchet.

The Lead Member for Regeneration and Economic Growth presented the report focussing on the specific funding to the West Somerset tourist information services which supported Minehead, Watchet and Porlock. She drew attention to the rationale for allocating the monies, including the roles and responsibilities of the Tourist Information Centres (TICs) who had a pivotal role in supporting our communities. Feedback via the service level agreement was received on a regular basis from Minehead and Porlock TICs and the Lead Member provided clarification that the funding levels were proportional to the work the TICs would be performing. She also stated that as the Watchet Boat Museum was now operational, this would be a good opportunity to commission a more robust visitor information service for the town. It was noted that the proposal, if approved, would have no impact on the Council's General Fund.

Finally, the Lead Member paid tribute to the TIC volunteers and thanked them for their hard work and commitment as the TICs would not be able to operate without them.

The Lead Member proposed the recommendations of the report which were duly seconded by Councillor A Hadley.

In response to a question regarding the timescale for advertising for a tourist information services provider in Watchet, the Economic Regeneration and Tourism Manager advised an agreement was expected to be in place by the end of the year.

**RESOLVED (1)** that the allocation of £71,000 from HPC S106 allocations for tourist information centres be approved. This includes the remaining funds of £60,649.33 from the Site Preparation Works agreement, and part of the funds of £10,350.67 from the first Development Consent Order Works agreement. Staggered payments would be made in line with service level agreements with centres, which total:-

(a) £48,000 to West Somerset Council for the purposes of supporting Minehead, Porlock and Watchet tourist information services for two financial years in 2016/17 and 2017/18.

(b) £23,000 to Sedgemoor District Council for the purposes of supporting Burnham-on-Sea, Cheddar and Bridgwater tourist information services in 2016/17.

**RESOLVED (2)** that it be approved to advertise to the community of Watchet for a service provider for tourism information services and to delegate the commissioning of the service to the Lead Member for Economic Regeneration & Tourism and the Economic Regeneration Manager in line with a provider satisfying the requirements of the service level agreement as detailed in paragraph 4.2 of the report.

**RESOLVED (3)** that Somerset County Council be advised that their proposed allocation of £10,000 set aside from the 2015/16 approval process will revert to the Hinkley Tourism Action Partnership fund, unless claimed by 31 March 2017.

#### **C58      Review of Council Tax Rebate Scheme for 2017/18**

(Report No. WSC 128/16, circulated with the Agenda.)

The purpose of the report was to provide full Council with information on our existing Council Tax Rebate scheme and the context for reviewing our scheme for Working Age applicants from 2017/18. The report advised full Council of the outcome of the public consultation as well as the Scrutiny Committee and the Cabinet's recommendations on the preferred revisions to our Council Tax Rebate scheme in 2017/18. The report sought agreement from full Council on our Council Tax Rebate scheme for 2017/18.

A copy of the full, proposed Council Tax Rebate Scheme together with a detailed report, including the outcome of consultation and an Equality Impact Assessment, was circulated to all Members of the Council to increase understanding of the issues prior to a decision being taken by full Council.

The Lead Member for Resources and Central Support presented the report, providing detailed background information and she advised that the Scrutiny Committee and Cabinet had also considered the report. Members confirmed they had read and understood the report prior to voting.

The Lead Member proposed the recommendations which were seconded by Councillor D Westcott.

During the discussion, it was noted that a Hardship Fund of £22,500 was available to provide short-term help for people in desperate need.

Concern was expressed as to the impacts the amended scheme would have on vulnerable people and an amendment was proposed by Cllr T Venner and seconded by Cllr I Aldridge that no change be made to the current Council Tax Rebate scheme. A further point was made in support of the amendment which related to how the Council's Benefits team would be impacted if the Scheme were to be changed due to claims having to be reassessed, and it was considered that the administration costs would exceed the saving achieved.

It was advised that consultation on options for the CTR scheme for 2017/18 had been undertaken and the majority of responses were in favour of the changes proposed. The point was also made there were a lot of vulnerable groups, e.g. pensioners, who were excluded from the Scheme and therefore would not be affected.

On being put to the vote the amendment was LOST.

On being put to the vote the original motion was declared CARRIED.

**RESOLVED (1)** that having regard to the consultation response and the Equality Impact Assessment (EIA - see Appendix 4 of the report), the recommendation from Cabinet to amend the current CTR scheme to that shown in Appendix 1 of the report (illustrated in Model 11) be agreed. This will revise our CTR scheme for 2017/18 to:

- (a) Reduce the maximum CTR available to people of working age to 80%; and
- (b) Align the CTR scheme for 2017/18 with changes made by the Government to other welfare benefits with the exception that applicants aged 18-21 would continue to be eligible for CTR.

**RESOLVED (2)** that the 2017/18 Council Tax Rebate scheme be approved for 2017/18 only.

## **C59 Adoption of the West Somerset Local Plan to 2032**

(Report No. WSC 131/16, circulated with the Agenda.)

The Council is now in receipt of the Inspector's Report which confirms that the Plan can be legally adopted by West Somerset Council subject to the main modifications outlined in his Report (which were consulted upon). At this stage the Council cannot make substantive changes to the WSLP to 2032, it can either adopt the Plan with the main modifications or choose not to adopt. Upon adoption, the WSLP to 2032 will comprise a key component in the adopted development plan for the area. There do however, remain areas in which the Council needs to undertake further work in developing policy (as recognised in the Inspector's Report). As such, work will need to commence shortly on a review of the WSLP to 2032.

The Lead Member for Housing, Health and Wellbeing presented the report and provided background information. Members were informed that preparation of the Plan began in 2009 and the Lead Member took the opportunity to thank all those concerned for their hard work in preparing the Local Plan. The Lead Member also advised of the implications if Members chose not to adopt the Local Plan.

The Lead Member proposed the recommendations which were seconded by Councillor B Maitland-Walker.

The following main points were made:

- It was felt there was still a lot of strategic aspects that went alongside housing development which were missing from the Local Plan, in particular employment, economic development and infrastructure.
- The Local Plan was a living document and would be subject to an early review. The review would be undertaken in the context of resources available, taking transformation into account, with a commitment to review the Plan within three years.
- Further detail was provided on master-planning which would be carried out for the key strategic sites. Local involvement was key to developing a master-planning partnership and officers were keen to ensure an agreed and shared view on how to engage with the community. Formalised public consultation would be explored in the new year.
- Public transport was a key element to the Local Plan and it was acknowledged that this was an issue for West Somerset.
- Members were informed that Government guidance advised sites should be as sustainable as they could be and opportunities for alternative modes of transport should be provided. The identification of strategic sites would give encouragement for the provision of transport services and increase opportunities for more sustainable modes of transport within the three key settlements of Minehead, Watchet and Williton.
- The creation of more employment and allocating land for commercial use was vital; additional commercial development was required in the district.
- Officers were mindful of the employment issues and by broadening the definition of employment within the Plan to try to encourage further opportunities to expand employment ideas, and by developing self-employment and work from home policies, it was hoped people would use these policies to their best advantage.
- For budget setting purposes, the Lead Member for Resources and Central Support requested further clarification on budget requirements.

**RESOLVED (1)** that the West Somerset Local Plan to 2032 be adopted incorporating:

- (i) the modifications as indicated in the Appendix to the Inspector's Report,
- (ii) the Additional Modifications, unchanged, which were consulted on between 3 June and 15 July 2016, and

- (iii) a renumbering of some of the policies within it for reasons of consistency and clarity.

**RESOLVED (2)** that the continued use of the extant policies in the West Somerset District Local Plan – Adopted, April 2006 that have not been identified for replacement by the West Somerset Local Plan to 2032 be endorsed.

**RESOLVED (3)** that the continued use of the Planning Obligations Supplementary Planning Document as a statement of Council policy for the West Somerset Local Planning Authority area be endorsed.

**C60** **Minutes and Notes for Information**

(Minutes and Notes relating to this item, circulated via the Council's website.)

**RESOLVED (1)** that the notes of the Watchet, Williton and Quantock Vale Area Panel meeting held on 13 September 2016 be noted.

**RESOLVED (2)** that the notes of the Minehead Area Panel meeting held on 14 September 2016 be noted.

**RESOLVED (3)** that the notes of the Dunster Area Panel meeting held on 4 October 2016 be noted.

**RESOLVED (4)** that the notes of the Exmoor Area Panel meeting held on 8 November 2016 be noted.

The meeting closed at 5.45 pm



Report Number: WSC 149/16

## West Somerset Council

### Full Council 14 December 2016

#### Appointment of External Auditors for 2018/19

This matter is the responsibility of Executive Councillor Mandy Chilcott

Report Author: Paul Carter, Assistant Director – Corporate Services

#### 1 Executive Summary / Purpose of the Report

- 1.1 The report introduces and explains the background to the letter received from Public Sector Auditor Appointments (PSAA) regarding the national scheme for appointing external auditors for 2018/19. Details are provided in the report of the various options open to us for appointing our external auditors from 2018/19 onwards. The report concludes and recommends that we should opt into the national scheme being run by PSAA.

#### 2 Recommendations

- 2.1 Full Council are asked to approve the recommendation for WSC to opt in to the PSAA scheme for procuring our external auditor for 2018/19 and beyond.

#### 3 Risk Assessment

##### Risk Matrix

Description	Likelihood	Impact	Overall
Failure to implement and maintain appropriate, cost effective and independent external audit arrangements for 2018/19 and beyond leads to our breaching our legal obligations	3	4	12
<i>The mitigations for this are the proposed changes as set out in the report</i>	2	4	8

### Risk Scoring Matrix

<b>Likelihood</b>	5	Almost Certain	Low (5)	Medium (10)	High (15)	Very High (20)	Very High (25)
	4	Likely	Low (4)	Medium (8)	Medium (12)	High (16)	Very High (20)
	3	Possible	Low (3)	Low (6)	Medium (9)	Medium (12)	High (15)
	2	Unlikely	Low (2)	Low (4)	Low (6)	Medium (8)	Medium (10)
	1	Rare	Low (1)	Low (2)	Low (3)	Low (4)	Low (5)
			1	2	3	4	5
			Negligible	Minor	Moderate	Major	Catastrophic
			<b>Impact</b>				

<b>Likelihood of risk occurring</b>	<b>Indicator</b>	<b>Description (chance of occurrence)</b>
1. Very Unlikely	May occur in exceptional circumstances	< 10%
2. Slight	Is unlikely to, but could occur at some time	10 – 25%
3. Feasible	Fairly likely to occur at same time	25 – 50%
4. Likely	Likely to occur within the next 1-2 years, or occurs occasionally	50 – 75%
5. Very Likely	Regular occurrence (daily / weekly / monthly)	> 75%

## 4 Background and Full details of the Report

### *Background*

- 4.1 The Local Audit and Accountability Act 2014 abolished the Audit Commission and requires, from 2018/19, local authorities to appoint their own external auditors.
- 4.2 Our current external audit function is provided by Grant Thornton under contract from Central Government. The external audit work currently costs us circa £50k per annum.
- 4.3 By 31 December 2017 we are required to have arrangements in place for our external audit provision for the 2018/19 financial year.
- 4.4 These changes have NO impact on our internal audit arrangements which continue to be provided by the South West Audit Partnership (SWAP).

### *Options for Procurement*

- 4.5 Essentially there are three options available to us:
  - i) Undertake an individual procurement exercise (i.e. do it ourselves);
  - ii) Conduct a joint procurement exercise with other bodies (e.g. a local scheme with other councils or public bodies in our area); or

- iii) Join a 'sector led body' arrangement where specified appointing person status has been achieved under regulations (i.e. the procurement is undertaken on our behalf).

4.6 Options i) and ii) above require the creation of an auditor panel to advise on the appointment. There is no requirement for an auditor panel with option 3.

#### *The Public Sector Audit Appointments National Scheme*

4.7 The Secretary of State for Communities and Local Government has approved Public Sector Audit Appointments (PSAA) as a sector led body that can undertake this procurement as outlined in Option iii) above.

4.8 PSAA is a not-for-profit company established by the Local Government Association and administers the current external audit contracts on behalf of central government. The PSAA has established an advisory panel drawn from local government and police bodies to assist in the design of the scheme.

4.9 The attached letter from PSAA provides details of the opt-in scheme proposed by PSAA. In summary however the intention is to provide a scheme which saves time and resources for councils by undertaking a collective procurement. Specifically this will mean we avoid having to:

- Establish an audit panel with independent members;
- Manage the procurement process
- Monitor the independence of the auditor during the duration of the appointment
- Deal with the replacement of any auditor if required
- Manage the contract with the auditor

4.10 The costs of setting up and managing the scheme will be covered by the audit fees. Whilst the exact costs are unknown at this stage PSAA anticipate them being lower than their current costs.

4.11 A Full Council decision is required should we wish to opt in to the PSAA scheme and we need to formally notify PSAA by 9 March 2017 should we intend to do so.

4.12 The Council's Audit Committee considered this report at their meeting on 6 December 2016, a verbal update on their discussions will be given at Full Council.

#### *Conclusions*

4.13 Our annual spend on external audit is circa £50k per annum. The costs of undertaking our own procurement exercise could be disproportionate and are unlikely to result in our procuring a contract at a lower price than a sector led exercise.

4.14 Whilst a detailed analysis of the various options has not been undertaken, it is clear that the scheme proposed by PSAA offers distinct benefits in terms of simplicity, cost, resources and time over procuring and managing a contract locally.

## **5 Links to Corporate Aims / Priorities**

5.1 There are no specific links to the Corporate Aims and Priorities

## **6 Finance / Resource Implications**

- 6.1 External audit provide a vital role in auditing our accounts, ensuring we are operating within the law and have proper arrangements in place for securing economy, efficiency and effectiveness.
- 6.2 Our annual spend on this function and the value of the 'contract' is comparatively small. The costs of running an internal procurement exercise could be disproportionate and consequently it makes sense from a financial perspective to opt into the PSAA scheme.

## **7 Legal Implications**

- 7.1 We are required by law to have independent external audit arrangements in place. Opting into the PSAA scheme provides us with a cost effective and low resource mechanism for delivering this responsibility.

## **8 Environmental Impact Implications**

- 8.1 No implications.

## **9 Safeguarding and/or Community Safety Implications**

- 9.1 No implications.

## **10 Equality and Diversity Implications**

- 10.1 No implications.

## **11 Social Value Implications**

- 11.1 The proposal relates to the procurement of specialist external auditing work. It will be led by a non-for-profit company established by the Local Government Association who will consult with us as part of the procurement process.

## **12 Partnership Implications**

- 12.1 The proposal allows us to work in partnership with other public sector bodies to jointly procure services. This should allow us to both minimise procurement and contract costs.

## **13 Health and Wellbeing Implications**

- 13.1 No implications.

## **14 Asset Management Implications**

- 14.1 No implications.

## **15 Consultation Implications**

- 15.1 No implications.

**Democratic Path:**

- **Audit Committee – Yes / ~~No~~** (delete as appropriate)
- **Cabinet – ~~Yes~~ / No** (delete as appropriate)
- **Full Council – Yes / ~~No~~** (delete as appropriate)

Reporting Frequency:  Once only  Ad-hoc  Quarterly  
 Twice-yearly  Annually

**List of Appendices (delete if not applicable)**

Appendix A	Letter dated 27 October 2016 from Public Sector Audit Appointments
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**Contact Officers**

Name	Paul Carter	Name	Richard Sealy
Direct Dial	07980947955	Direct Dial	01823 358690
Email	<a href="mailto:p.carter@tauntondeane.gov.uk">p.carter@tauntondeane.gov.uk</a>	Email	<a href="mailto:r.sealy@tauntondeane.gov.uk">r.sealy@tauntondeane.gov.uk</a>

Name		Name	
Direct Dial		Direct Dial	
Email		Email	



27 October 2016

**Email:** [appointingperson@psaa.co.uk](mailto:appointingperson@psaa.co.uk)

Penny James  
West Somerset District Council  
The Deane House  
Belvedere Road  
Taunton Somerset TA1 1HE

Copied to: Shirlene Adam, Director - Operations, West Somerset District Council  
Bruce Lang, Monitoring Officer, West Somerset District Council

Dear Ms James

### **Invitation to opt into the national scheme for auditor appointments**

As you know the external auditor for the audit of the accounts for 2018/19 has to be appointed before the end of 2017. That may seem a long way away, but as there is now a choice about how to make that appointment, a decision on your authority's approach will be needed soon.

We are pleased that the Secretary of State has expressed his confidence in us by giving us the role of appointing local auditors under a national scheme. This is one choice open to your authority. We issued a prospectus about the scheme in July 2016, available to download on the [appointing person](#) page of our website, with other information you may find helpful.

The timetable we have outlined for appointing auditors under the scheme means we now need to issue a formal invitation to opt into these arrangements. The covering email provides the formal invitation, along with a form of acceptance of our invitation for you to use if your authority decides to join the national scheme. We believe the case for doing so is compelling. To help with your decision we have prepared the additional information attached to this letter.

I need to highlight two things:

- we need to receive your formal acceptance of this invitation by 9 March 2017; and
- the relevant regulations require that, except for a body that is a corporation sole (a police and crime commissioner), the decision to accept the invitation and to opt in needs to be made by the members of the authority meeting as a whole. We appreciate this will need to be built into your decision making timetable.

If you have any other questions not covered by our information, do not hesitate to contact us by email at [appointingperson@psaa.co.uk](mailto:appointingperson@psaa.co.uk).

Yours sincerely



Jon Hayes, Chief Officer

## Appointing an external auditor

### Information on the national scheme

#### **Public Sector Audit Appointments Limited (PSAA)**

We are a not-for-profit company established by the Local Government Association (LGA). We administer the current audit contracts, let by the Audit Commission before it closed.

We have the support of the LGA, which has worked to secure the option for principal local government and police bodies to appoint auditors through a dedicated sector-led national procurement body. We have established an advisory panel, drawn from representative groups of local government and police bodies, to give access to your views on the design and operation of the scheme.

#### **The national scheme for appointing local auditors**

We have been specified by the Secretary of State for Communities and Local Government as the appointing person for principal local government bodies. This means that we will make auditor appointments to principal local government bodies that choose to opt into the national appointment arrangements we will operate for audits of the accounts from 2018/19. These arrangements are sometimes described as the 'sector-led body' option, and our thinking for this scheme was set out in a prospectus circulated to you in July. The prospectus is available on the [appointing person](#) page of our website.

We will appoint an auditor for all opted-in authorities for each of the five financial years beginning from 1 April 2018, unless the Secretary of State chooses to terminate our role as the appointing person beforehand. He or she may only do so after first consulting opted-in authorities and the LGA.

#### **What the appointing person scheme will offer**

We are committed to making sure the national scheme will be an excellent option for auditor appointments for you.

We intend to run the scheme in a way that will save time and resources for local government bodies. We think that a collective procurement, which we will carry out on behalf of all opted-in authorities, will enable us to secure the best prices, keeping the cost of audit as low as possible for the bodies who choose to opt in, without compromising on audit quality.

Our current role means we have a unique experience and understanding of auditor procurement and the local public audit market.

Using the scheme will avoid the need for you to:

- establish an audit panel with independent members;
- manage your own auditor procurement and cover its costs;
- monitor the independence of your appointed auditor for the duration of the appointment;
- deal with the replacement of any auditor if required; and
- manage the contract with your auditor.

Our scheme will endeavour to appoint the same auditors to other opted-in bodies that are involved in formal collaboration or joint working initiatives, if you consider that a common auditor will enhance efficiency and value for money.

We will also try to be flexible about changing your auditor during the five-year appointing period if there is good reason, for example where new joint working arrangements are put in place.

Securing a high level of acceptances to the opt-in invitation will provide the best opportunity for us to achieve the most competitive prices from audit firms. The LGA has previously sought expressions of interest in the appointing person arrangements, and received positive responses from over 270 relevant authorities. We ultimately hope to achieve participation from the vast majority of eligible authorities.

### **High quality audits**

The Local Audit and Accountability Act 2014 provides that firms must be registered as local public auditors with one of the chartered accountancy institutes acting in the capacity of a Recognised Supervisory Body (RSB). The quality of registered firms' work will be subject to scrutiny by both the RSB and the Financial Reporting Council (FRC), under arrangements set out in the Act.

We will:

- only contract with audit firms that have a proven track record in undertaking public audit work;
- include obligations in relation to maintaining and continuously improving quality in our contract terms and in the quality criteria in our tender evaluation;
- ensure that firms maintain the appropriate registration and will liaise closely with RSBs and the FRC to ensure that any quality concerns are detected at an early stage; and
- take a close interest in your feedback and in the rigour and effectiveness of firms' own quality assurance arrangements.

We will also liaise with the National Audit Office to help ensure that guidance to auditors is updated as necessary.

### **Procurement strategy**

In developing our procurement strategy for the contracts with audit firms, we will have input from the advisory panel we have established. The panel will assist PSAA in developing arrangements for the national scheme, provide feedback to us on proposals as they develop, and helping us maintain effective channels of communication. We think it is particularly important to understand your preferences and priorities, to ensure we develop a strategy that reflects your needs within the constraints set out in legislation and in professional requirements.

In order to secure the best prices we are minded to let audit contracts:

- for 5 years;
- in 2 large contract areas nationally, with 3 or 4 contract lots per area, depending on the number of bodies that opt in; and
- to a number of firms in each contract area to help us manage independence issues.

The value of each contract will depend on the prices bid, with the firms offering the best value being awarded larger amounts of work. By having contracts with a number of firms, we will be able to manage issues of independence and avoid dominance of the market by one or two firms. Limiting the national volume of work available to any one firm will encourage competition and ensure the plurality of provision.

## **Auditor appointments and independence**

Auditors must be independent of the bodies they audit, to enable them to carry out their work with objectivity and credibility, and in a way that commands public confidence.

We plan to take great care to ensure that every auditor appointment passes this test. We will also monitor significant proposals for auditors to carry out consultancy or other non-audit work, to protect the independence of auditor appointments.

We will consult you on the appointment of your auditor, most likely from September 2017. To make the most effective allocation of appointments, it will help us to know about:

- any potential constraints on the appointment of your auditor because of a lack of independence, for example as a result of consultancy work awarded to a particular firm;
- any joint working or collaboration arrangements that you think should influence the appointment; and
- other local factors you think are relevant to making the appointment.

We will ask you for this information after you have opted in.

Auditor appointments for the audit of the accounts of the 2018/19 financial year must be made by 31 December 2017.

## **Fee scales**

We will ensure that fee levels are carefully managed by securing competitive prices from firms and by minimising our own costs. Any surplus funds will be returned to scheme members under our articles of association and our memorandum of understanding with the Department for Communities and Local Government and the LGA.

Our costs for setting up and managing the scheme will need to be covered by audit fees. We expect our annual operating costs will be lower than our current costs because we expect to employ a smaller team to manage the scheme. We are intending to fund an element of the costs of establishing the scheme, including the costs of procuring audit contracts, from local government's share of our current deferred income. We think this is appropriate because the new scheme will be available to all relevant principal local government bodies.

PSAA will pool scheme costs and charge fees to audited bodies in accordance with a fair scale of fees which has regard to size, complexity and audit risk, most likely as evidenced by audit fees for 2016/17. Pooling means that everyone in the scheme will benefit from the most competitive prices. Fees will reflect the number of scheme participants – the greater the level of participation, the better the value represented by our scale fees.

Scale fees will be determined by the prices achieved in the auditor procurement that PSAA will need to undertake during the early part of 2017. Contracts are likely to be awarded at the end of June 2017, and at this point the overall cost and therefore the level of fees required will be clear. We expect to consult on the proposed scale of fees in autumn 2017 and to publish the fees applicable for 2018/19 in March 2018.

## Opting in

The closing date for opting in is 9 March 2017. We have allowed more than the minimum eight week notice period required, because the formal approval process for most eligible bodies, except police and crime commissioners, is a decision made by the members of an authority meeting as a whole.

We will confirm receipt of all opt-in notices. A full list of authorities who opt in will be published on our website. Once we have received an opt-in notice, we will write to you to request information on any joint working arrangements relevant to your auditor appointment, and any potential independence matters that would prevent us appointing a particular firm.

If you decide not to accept the invitation to opt in by the closing date, you may subsequently make a request to opt in, but only after 1 April 2018. The earliest an auditor appointment can be made for authorities that opt in after the closing date is therefore for the audit of the accounts for 2019/20. We are required to consider such requests, and agree to them unless there are reasonable grounds for their refusal.

## Timetable

In summary, we expect the timetable for the new arrangements to be:

- Invitation to opt in issued 27 October 2016
- Closing date for receipt of notices to opt in 9 March 2017
- Contract notice published 20 February 2017
- Award audit contracts By end of June 2017
- Consult on and make auditor appointments By end of December 2017
- Consult on and publish scale fees By end of March 2018

## Enquiries

We publish frequently asked questions on our [website](#). We are keen to receive feedback from local bodies on our plans. Please email your feedback or questions to: [appointingperson@psaa.co.uk](mailto:appointingperson@psaa.co.uk).

If you would like to discuss a particular issue with us, please send an email to the above address, and we will make arrangements either to telephone or meet you.



WSC 150/16

## West Somerset Council

### Full Council – 14 December 2016

#### Fees and Charges 2017/18

#### Report of the Finance Manager

**This matter is the responsibility of Councillor M Chilcott, Lead Member for Resources and Central Services**

#### 1. Purpose of the Report

- 1.1 The Council receives general funding for services from a variety of sources including Government grant, council tax, business rates and other grants and contributions such as S106 funding from developers. The Council also provides a number of services where customers / users pay directly as they are provided.
- 1.2 This report sets out the proposed fees and charges for next financial year, effective from April 2017. These were reviewed by Scrutiny Committee on 24<sup>th</sup> November and supported for consideration by Full Council.
- 1.3 The services that WSC charge for and are covered by this report include:
- Waste Services
  - Land Charges
  - Environmental Health
  - Licensing
  - Planning
  - Harbours and Mooring
  - Building Control
  - Court Fees
  - Car parks

#### 2. Recommendations

- 2.1 Full Council is recommended to support the proposed fees and charges for 2017/18 as set out in Appendices A to I.

#### 3. Risk Assessment

##### Risk Matrix

Description	Likelihood	Impact	Overall
Fees and Charges are not set at an appropriate level	3	4	12
<i>Fees and Charges are reviewed annually to ensure they are compliant with regulation and the Council's policies.</i>	1	4	4

**Risk Scoring Matrix**

<b>Likelihood</b>	5	Almost Certain	Low (5)	Medium (10)	High (15)	Very High (20)	Very High (25)
	4	Likely	Low (4)	Medium (8)	Medium (12)	High (16)	Very High (20)
	3	Possible	Low (3)	Low (6)	Medium (9)	Medium (12)	High (15)
	2	Unlikely	Low (2)	Low (4)	Low (6)	Medium (8)	Medium (10)
	1	Rare	Low (1)	Low (2)	Low (3)	Low (4)	Low (5)
			1	2	3	4	5
			Negligible	Minor	Moderate	Major	Catastrophic
<b>Impact</b>							

<b>Likelihood of risk occurring</b>	<b>Indicator</b>	<b>Description (chance of occurrence)</b>
1. Very Unlikely	May occur in exceptional circumstances	< 10%
2. Slight	Is unlikely to, but could occur at some time	10 – 25%
3. Feasible	Fairly likely to occur at same time	25 – 50%
4. Likely	Likely to occur within the next 1-2 years, or occurs occasionally	50 – 75%
5. Very Likely	Regular occurrence (daily / weekly / monthly)	> 75%

**4. Proposed Fees and Charges for 2017/18**

4.1 The Council receives general funding for services from a variety sources including government grant, council tax, business rates and other grants and contributions such as S106 funding from developers. The Council also provides a number of services where customers / users pay directly as they are provided.

4.2 The services that WSC charge for and are covered by this report are:

- Garden Waste Collection and Recycling
- Land Charges
- Environmental Health
- Licensing
- Planning
- Harbours and Mooring
- Building Control
- Court Fees
- Off-Street Parking

4.3 Included within the appendices in this report are the detailed proposed charges for each of the above services. These include the legislation that allows West Somerset Council to charge for the service in question, confirms if the charges can only be what it costs to provide the service or can be

another charge, or if the charge is set by Central Government. This will give Councillors reassurance that the charges being proposed are legally set.

4.4 It is proposed to introduce some changes to fees and charges with effect from April 2017 within the following services:

- Garden Waste Collection and Recycling (Appendix A)
- Land Charges (Appendix B)
- Environmental Health (Appendix C)
- Licensing (Appendix D)
- Planning (Appendix E)
- Harbours (Appendix F)

4.5 No changes to fees and charges are proposed in respect of:

- Building Control (Appendix G)
- Court Fees (Appendix H)
- Off-Street Parking (Appendix I)

## **5. Links to Corporate Aims / Priorities**

5.1 The Council must formally approve fees and charges, and ensure these comply with relevant powers and duties. The approach continues to seek, wherever possible, that fees and charges will cover the costs of the services to which they relate. The resulting income forecasts will subsequently be reflected in the budget estimates for next financial year.

## **6. Finance / Resource Implications**

6.1 Fees and charges income contributes to the overall costs of running the organisation. The level of fees and charges impact directly on the Council's budget, and detailed analysis is required to understand the impact of price increases and decreases on service budgets as a whole. It is important that fee levels comply with statutory requirements and where there are no statutory levels in place, that they are reasonable, affordable and proportionate to the service costs.

6.2 In order to set appropriate fees, services analyse trends and seek to understand how fee levels influence their customers. An understanding of risks associated with the fee levels is important, including how this may affect customers or the services provided, and how robust are the related financial forecasts that feed into estimates for budget setting purposes. If the estimates are not reliable – particularly where demand can be volatile – this could lead to a shortfall in funding which may impact in service delivery and/or require prompt mitigation. In addition, proposals are equally important in meeting non-financial priorities and strategies for particular service areas.

6.3 The projected impact on budget estimates of the various proposals are summarised below. This shows that the changes to Fees & Charges should

only contribute an additional £1,000 in income, whilst and in other areas help cover increased costs.

Service Area	Additional Income £
Garden Waste Collection and Recycling	0
Land Charges	0
Environmental Health	0
Licensing	0
Planning	1,000
Harbours	0
<b>TOTAL</b>	<b>1,000</b>

- 6.4 The following comments summarise the proposals in respect of each service area, with further detail included in the appendices.

**Garden Waste Collection and Recycling (see Appendix A)**

- 6.5 The price increases will allow for the service to continue on a cost neutral basis in terms of the contract price paid to Kier. There remains a service subsidy in the bin costs, administration and postage associated with the respective services. The proposed increases will not generate additional surplus income affecting the Council's Net Budget 'bottom line'. (Appendix A)

**Land Charges (see Appendix B)**

- 6.6 Although the fees in some areas have increased to cover costs, any surplus and deficit is dealt with across a rolling three years such that the budget balance is zero on those fees which are set locally. The proposed increases will not generate additional surplus income affecting the Council's Net Budget 'bottom line'.

**Environmental Health (see Appendix C)**

- 6.7 Private Water Supply - The proposed increase to fees and charges will ensure sufficient financial resources are in place to deliver the services. The proposed increases will not generate additional surplus income affecting the Council's Net Budget 'bottom line'.

**Licensing (see Appendix D)**

- 6.8 Although the fees in some areas have increased any surplus and deficit should be dealt with across a rolling three years such that the balance is zero on those fees which are set locally. The proposed increases will not generate additional surplus income affecting the Council's Net Budget 'bottom line'.

**Planning (see Appendix E)**

- 6.9 Previously the Council has provided advice on proposals which only require Listed Building Consent free of charge. It is proposed to introduce charging for this service with effect from April 2017, and it is estimated this will generate additional income of £1k per year.

### **Harbours and Mooring (see Appendix F)**

- 6.10 The proposed increases in fees are made in order to provide additional resources needed to assist the Council in meeting essential operating costs. The proposed increases will not generate additional surplus income affecting the Council's Net Budget 'bottom line'.

### **7. Legal Implications**

- 7.1 The legislation that allows West Somerset Council to charge are included within the appendices.

### **8. Environmental Impact Implications**

- 8.1 None for the purpose of this report.

### **9. Safeguarding and/or Community Safety Implications**

- 9.1 None for the purpose of this report.

### **10. Equality and Diversity Implications**

- 10.1 Equalities impact assessments have been completed where appropriate and are included within the appendices for this report.

### **11. Social Value Implications**

- 11.1 None for the purpose of this report.

### **12. Partnership Implications**

- 12.1 None for the purpose of this report.

### **13. Health and Wellbeing Implications**

- 13.1 None for the purpose of this report.

### **14. Asset Management Implications**

- 14.1 None for the purpose of this report.

### **15. Consultation Implications**

- 15.1 None for the purpose of this report.

## 16. Scrutiny Comments

- 16.1 Scrutiny requested the inclusion of Appendix I Off-Street parking which was not provided at the Scrutiny Meeting. The charges remain unchanged but for completeness the Appendix is included with this report.
- 16.2 Scrutiny supported the charges and noted the limited impact on the MTFP position.

### Democratic Path:

- **Scrutiny – 24 November 2016**
- **Cabinet – No**
- **Full Council – 14 December 2016**

**Reporting Frequency: Annual**

### List of Appendices

Appendix A	Waste Services
Appendix B	Land Charges
Appendix C	Environmental Health
Appendix D	Licensing
Appendix E	Planning
Appendix F	Harbours and Mooring
Appendix G	Building Control
Appendix H	Court Fees
Appendix I	Off-Street Parking

### Contact Officers

Name	Jo Nacey, Finance Manager
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## West Somerset Council - Fees and Charges 2017/18 Waste Services – Somerset Waste Partnership

### Background

This document relates to the optional elements of the waste service provided by WSC through the Somerset Waste Partnership (SWP).

Traditionally all partners aim to set their fees in a universal fashion. The Senior Management Group of Somerset Waste Partnership and the Partnership Board have considered the cost increases proposed and believe that this represents good value for money service for those that chose to use it. Customers continue to have a choice over who supplies these waste removal services as there is no requirement on them to purchase this from SWP.

Extra consideration is given to those customers who cannot store a green bin, as they are already paying more by volume for the waste due to the price and capacity of the bags, and customers that use bags are also disadvantaged due to the taxation rules.

### Legal Authority

- These are discretionary services leaving customers with choice.
- The charge for this service is set locally by each of the partners.
- There is no requirement for this to be a 'cost recovery only' and a 'reasonable charge can be made' however the proposal continues to have an element of subsidy in the admin and bin costs.

### Proposed Charges for 2017/18

- Green waste bins and bulky items are classified as non-business for VAT purposes and as such no vat is payable on these services. The green waste sacks are standard rated (currently 20%) which is included in the price shown below.
- The table below is consistent with the other Somerset districts proposed pricing – subject of course to their own local governance arrangements.

	Current £ (2016/17)	Proposed £ (2017/18)
Green Waste Bins	53.00	53.50
Green Waste Sacks x10	26.00	26.50
3 x bulky items	41.00	41.50
Subsequent items	11.00	11.50
Bin replacements	25.00	25.00

**Discounts**

There are no discounts provided through this service but the service is subsidised.

**Budget Impacts**

Any price increase has the potential to have an effect on the number of users of the service, however this is an area that has been expanding in its user numbers over the years, and small price increases in previous years have not had a significant detrimental impact on demand.

The price increases will allow for the service to continue on cost neutral basis in terms of the contract price paid to Kier. There remains a service subsidy in the bin costs, administration and postage associated with the respective services.

This small increase in prices as shown above will not increase the net budget position on green waste services, as the increased income will pay for increased costs. The overall income projection for 2017/18 is £126,500, an increase of £4,000 compared to 2016/17 budget.

**Equality Impact Assessment**

Please see attached Equality Impact Assessment form.

**Contact Officer:**

Chris Hall

Assistant Director – Operational Delivery

01823 356499

c.hall@tauntondeane.gov.uk

### Appendix A - Impact Assessment form and action table

What service is impacted and why complete this assessment?	<b>Price increases for the sale of non-statutory waste stream collection.</b>		
<b>Section One – Aims and objectives of the policy /service</b>			
To increase the prices to customers of the specific service, reducing the subsidy of additional waste streams, as set out in the table.			
Each year it is necessary to consider an increase in the various waste streams prices to keep up with contract inflation for these services.			
	<b>Current £ (2016/17)</b>	<b>Proposed £ (2017/18)</b>	
Green Waste Bins	53.00	53.50	
Green Waste Sacks x10	26.00	26.50	
3 x bulky items	41.00	41.50	
Subsequent items	11.00	11.50	
The aim of the proposed increase is to keep pace with the contract inflation price and maintain a non - subsidised contract rate and thus not applying a new financial burden on the council and its tax payers.			
<b>Section two – Groups that the policy or service is targeted at</b>			
This will impact on all users of the scheme equally and no protected group are treated less favourably.			
<b>Section three – Groups that the policy or service is delivered by</b>			
This service is delivered on behalf of Taunton Deane Borough Council and West Somerset Council through the Somerset Waste Partnership. Traditionally each partner aims to set fees consistently but there is an opportunity for any district to set theirs differently to the other partners.			
<b>Section four – Evidence and Data used for assessment</b>			
A discussion of the SWP strategic management group jointly agreed the proposals which were then considered and supported by the Waste Board, this is attended by Assistant Director for Operational Delivery on behalf of TDBC and WSC.			
<b>Section Five - Conclusions drawn about the impact of service/policy/function on different group highlighting negative impact or unequal outcomes.</b>			
There are not thought to be any unequal outcomes from this proposal. There remains no requirement for users to buy this service from SWP and there are no contractual tie-ins for existing users that enforce the new increased prices rather than allowing them to leave the scheme.			
<b>Section six – Examples of best practice</b>			
Best practice is not identified in this report. Recycling removes waste from the residual waste stream diverting away from landfill, this saves the tax payer money. The report seeks to maintain the nil subsidy on the contract rate.			
Signed: Person/Manager completed by		Signed: Group Manager/Director	

<b>Impact Assessment Issues and Actions table</b>						
Service area	<b>Operational Delivery</b>			Date	<b>October 2016</b>	
<b>Identified issue drawn from your conclusions</b>	<b>Groups affected</b>	<b>Actions needed – how will your service or policy be amended</b>	<b>Who is responsible</b>	<b>By when</b>	<b>Is a monitoring system required</b>	<b>Expected outcomes from carrying out actions</b>
Potential negative impact from price increase	All customers equally	Manage customer complaints relating to price increases	Chris Hall	As part of the budget setting process for 18/19	Complaints monitoring is in place	Unknown
Potential reduction in customer numbers impacting on budget expectations	All customers equally	Review numbers of new customers throughout the year to assess any negative impact	Chris Hall	As part of the budget setting process for 18/19	Budget monitoring is in place.	No substantial drop off of customer numbers

## West Somerset Council - Fees and Charges 2017/18

### Local Land Charges

#### Background

Local Land Charges is a fee earning, self-financing service that operates on a rolling three-year cost recovery basis.

Under the Local Land Charges Act 1975 ('the Act'), each registering authority is responsible for keeping a register of local land charges for its area and an index in which the entries can be readily traced. In addition, also hold other information on a number of matters of importance to purchasers of property: e.g. road schemes; the property's planning history; Tree Preservation Orders; Compulsory Purchase Orders; and various notices which affect the property.

#### Legal Authority

The Local Authorities (England) (Charges for Property Searches) Regulations 2008 make provision authorising local authorities in England and Wales to set their own charges in a scheme, based on full cost recovery, for carrying out their main Local Land Search functions. The principles of the charges regulations require authorities to ensure that the price charged is an accurate reflection of the costs of carrying out the Local Land Charge function and not for creating surplus.

Regulations 4, 5 and 7 allow a local authority to make a charge for granting access to property records or answering enquiries about a property; or if it makes or proposes an internal recharge. Exceptions apply where it may or must impose a charge apart from these regulations or in respect of access to free statutory information (e.g. public registers; Environmental Information Regulations).

Regulation 6 explains how the charges must be calculated. These must be no more than the cost to the local authority of granting access to the records and must be calculated by dividing a reasonable estimate of the total costs by a reasonable estimate of the number of request for access likely to be received. A local authority must take all reasonable steps to ensure that over the period of any three consecutive financial years the total income...does not exceed the total costs for granting access to property records. Where...a local authority makes an overestimate or underestimate of the unit charge for the financial year, it must take this into account in determining the unit charge for the following financial year.

Regulation 9 relates to transparency in setting of charges and stipulates that during each financial year, a local authority must publish a statement setting out the estimates the local authority has made (estimates of total costs and estimates of numbers of requests) in respect of the unit charge for the following financial year; the basis for these estimates and the amount of the unit charge.

*These are set out below under charges.*

## Charges

Land charge fees were changed in July 2016 due to changes in national regulations and changes in the fee charged by the County Council and Building Control. This had the effect of reducing the fee for a full search from £99 to £79.

Since then, a full costs exercise has been undertaken to underpin the fee setting process and to comply with legislation. It is proposed to increase the full search fee by £3 to £82. This will have the effect of an increased £2,637 of income based on the estimated number of searches set out below. It is proposed to maintain the LLC1 fee at £9. There are a very small number of these in a year (approximately 30).

Estimated total costs of service - £65,698 (base budget 2015/16, source Land Charges internal Audit report)

Estimated number of requests – 879

- Based on average number of searches received across three years
- 2013/14 – 852
- 2014/15 – 832
- 2015/16 – 954

Therefore estimate is  $852+832+954$  divided by 3 = 879

The unit charge is comprised of the cost of administering the service, plus the cost of paying Somerset County Council for their elements, plus additional costs such as software.

Estimated total income is £69,725 giving a small over recovery of £4,027. Due to the Council's financial position, it is appropriate to aim for full cost recovery in the coming financial year. Estimated cost recovery is 106%, thereby leaving a small percentage of over recovery as the estimate is based on 2015/16 costs, with additional costs for 2017/18 reasonably estimated to account for this amount. If the Council over recovers against costs, this must be reflected in the unit costs for a future financial year.

The Council is not allowed to charge for personal searches or Environmental Information Regulation requests. Accordingly, the service does not spend any time in assisting the public with these requests, which are accessible in person. There will however be some cost to the Council associated with time spent by reception staff. As this is not chargeable, it is not quantified here.

### Local Land Charge Searches and Enquiries

Full search	£82
Statutory search fee on form LLC1	£9
Highway authority charge (SCC)	£15.81 *

\*charged as inclusive within full search fee

Personal search fee	No charge
Environmental Information Regulations	No charge

### **Discounts**

No discounts are available for this service.

### **Budget impacts**

Estimated total costs of service - £65,698 (base budget 2015/16, source Land Charges internal Audit report)

Estimated number of requests – 879

- Based on average number of searches received across three years
- 2013/14 – 852
- 2014/15 – 832
- 2015/16 – 954

The full basis of the estimate of costs is held with the Land Charges Manager and is available on request.

Estimated total income is £69,725 giving a small over recovery of £4,027. If this is realised then it must be reflected in a future fee. Additionally, if this were not realised and there were an under recovery, then this can also be reflected in a future fee.

### **Equality Impact Assessment**

There are no changes to the charging policy which remains based on full cost recovery and therefore no Equality Impact Assessment is required.



## **West Somerset Council - Fees and Charges Report 2017/18 Environmental Health**

### **Background**

The following services in Environmental Health incur charges:

1. Environmental Permits - businesses carrying out activities that could potentially cause emissions to air, land or water may need to hold an Environment Permit under the Environmental Permitting (England and Wales) Regulations 2010. Fees are applicable and conditions will be attached to any permit. There may also be a charge to vary, transfer or surrender an existing permit. Annual subsistence fees are payable each year. Fees are set by DEFRA and can be found on the DEFRA website.
2. Private Water Supplies – the council has a general duty under the Water Industry Act 1991 to take all steps appropriate for keeping itself informed about the wholesomeness and sufficiency of drinking waters in the district, including any private water supply. A private water supply is any water supply which is not provided by the local water undertaker or company and which is not a "mains" supply. It includes water intended for human consumption, used for domestic purposes, such as for drinking, washing, in food preparation, heating and also for sanitary purposes.

The Private Water Supplies Regulations 2016 came into force in June and we have therefore taken the opportunity to review charges for WSC to ensure they reflect the costs of providing the service including officer time, mileage and laboratory charges.

## **Private Water Supply Service Charges Review 2017/18**

The Private Water Supply Service provides the following in West Somerset; the monitoring and risk assessment of drinking water from private water supplies located across both authority areas.

West Somerset Council has a general duty under the Water Industry Act 1991 to take all steps appropriate for keeping itself informed about the wholesomeness and sufficiency of drinking water supplies in the district, including any private water supply. A private water supply is any water supply which is not provided by the local water undertaker or company and which is not a "mains" supply. It includes water intended for human consumption, used for domestic purposes, such as for drinking, washing, in food preparation, heating and also for sanitary purposes.

The Regulations or "The Private Water Supplies Regulations 2016" updated previous provisions and came into force on 27th June 2016. They place a requirement on the local authority to risk assess and carry out water quality inspections to all supplies except those to single, domestic dwellings.

Whilst there is no requirement on the Council to monitor single domestic private water supplies, they can be monitored by request. The standards still apply but local authorities are not required to pro-actively monitor these supplies.

Both regulations 9 and 10 specify certain parameters which must be analysed, but with the addition of any others based on risk. For example, we analyse for arsenic as an additional parameter, as it is found naturally in the Quantocks Hills. There is also a relatively new requirement to commence monitoring for radioactive substances, including Radon, this will be carried out on a risk basis, in partnership with our colleagues at Somerset Scientific Services and at the request of the relevant person having control over the supply.

West Somerset Council have a total of 714 regulated private water supplies, we have two full time officers that spend a large proportion of their time dealing with the monitoring and risk assessment of private water supplies across the district. They also carry out other tasks such as the investigation of environmental protection complaints such as noise, odour and drainage, requests for environmental information, contaminated land and air quality. These officers are both environmental control officers. The hourly rate for an environmental control officer 2016/17 is £49.87 including recharges. We have therefore based the charges on the hourly rate of £50.

The charges associated with private water supplies have not been reviewed for a number of years in either council and are based on an officer hourly rate of £35. The current hourly rate is £49.87 so without implementing these increases the service would not be maximising its income potential. With the introduction of the new regulations and acting on guidance received from the Drinking Water Inspectorate (DWI) this review is now due. The following table details the charges to be introduced from 1<sup>st</sup> April 2017. These charges also reflect the changes in fees introduced by Somerset Scientific Services (SSS), the laboratory currently used by both councils for analysis work associated with private water supplies. The rise in fees will result in increased income and also improve cost recovery for each council in this area of work.

### Fees and Charges for Private Water Supply Work from 1<sup>st</sup> April 2017 for West Somerset Council

	<b>Service</b>	<b>Maximum fee under the Regulations</b>	<b>WSC Fee</b>	<b>Notes</b>
1.	Risk Assessment	£500	Charges at hourly rate £50, typical risk assessment at 2 hrs will total £100.  Plus analysis costs.	Time taken to inspect a supply incl background research, travel time + admin.  Average time 2 hours (£100)
2.	Sampling visit	£100	£50 (approx. half an hour to take sample and half an hour for report write up) plus analysis costs.	Charge for a visit and to take a sample.
3.	Investigation	£100	Hourly rate (£50) + any analysis costs.	Carried out by the Council in the event of the failure of a supply to meet the required standard.
4.	Authorisation	£100	Hourly rate x time.	Application by the owner of a supply for permission from the Council to continue supplying water of a lower quality temporarily whilst remedial work is carried out on the supply.
5.	Sample analysis for small/domestic supplies	£25	£22.10	Where a supply provides <10m <sup>3</sup> /day or, <50 people and is used for domestic purposes.
6.	Large/Commercial supplies - Check Monitoring Reg 9	£100	£39.80 per supply  Plus additional parameters based on risk and size of supply.	Monitoring carried out to ensure that water complies with the standards. Where possible this should be carried out at the same time as any requirement for audit monitoring, to reduce costs.
7.	Audit Monitoring		£29.75	Fee set by SSS
8.	Advisory Visits		Charged at £50 per hour or part thereof.	
9.	Requests for Environmental Information		Charged at £50 per hour or part thereof.	Requests for environmental information, including requests from solicitors, searches for contaminated land.

(1) Hourly Officer rate £50

(2) Sampling cost not applied to risk assessment

Please note that the actual costs will vary depending on the type of supply, the frequency of testing and the outcome of a Risk Assessment.

## **1. Risk Assessment**

The average risk assessment takes 2 hours including preparation, travel time, time for the inspection, sampling and report writing, therefore the average cost is likely to be £100. The customer would also be required to pay for the analysis fees set by SSS on top of this, the amount will depend on the suites of analysis chosen by the officer and depend on the size, location and nature of the supply.

## **2. Sampling Visit**

Water quality inspections (such as sampling visits) are carried out regularly at many supplies in the intervening years between the mandatory risk assessments. These water quality checks are used to help inform and complete the risk assessment. The minimum time to carry these out is around 30 minutes for time on site plus travelling, and the time required to report results back to relevant persons. Therefore the cost is likely to be in region of £25, where advice is provided or the visit takes longer, this will be charged at the officer hourly rate. Analysis fees are added to this charge depending the number of tests required as determined by the risk assessment.

## **3. Investigation**

These are carried out by the council in the event of the failure of a supply to meet the required standard and charged at the hourly rate.

## **4. Authorisation**

These are carried out at the request of the owner of a supply for permission from the Council to continue supplying water of a lower quality temporarily whilst remedial work is carried out on the supply and also charged at the hourly rate.

## **5. Sample analysis for small/domestic supplies**

The cost of this is determined by Somerset Scientific Services who carry out the analysis for both council's.

## **6. Large/Commercial supplies – Check Monitoring Reg 9**

This cost is set by SSS.

## **7. Audit Monitoring**

This cost is set by SSS.

## **8. Advisory Visits or Requests for Advice under Regulation 10**

The average advisory visit takes approximately 1 hour including travelling time and preparation work and is currently charged at £50 per hour, the average cost to the customer would be £50. Requests for analyses are charged in addition to officer time.

## **9. Requests for Environmental Information**

Requests for environmental information under the Environmental Information Regulations 2004 (EIR), including requests from solicitors, searches for contaminated land will be charged at the officer hourly rate of £50. Where requests take less time or part of that hour, a proportion will be charged. Requests which do not take significant time e.g. requests which confirm that the council hold no information, legal notices or requests for copies of certificates of water quality will not be charged for.

## Equality Impact Assessment

<b>Responsible person</b>	Erica Lake	<b>Job Title:</b> Environmental Health Manager
<b>Why are you completing the Equality Impact Assessment? (Please mark as appropriate)</b>	Proposed new policy or service	
	Change to Policy or Service	
	<b>Budget/Financial decision – MTFP</b>	Yes
	Part of timetable	
<b>What are you completing the Equality Impact Assessment on (which policy, service, MTFP proposal)</b>	Private Water Supplies Fees	
<b>Section One – Scope of the assessment</b>		
What are the main purposes/aims of the policy?	<p>Proposal to increase the fees and charges from April 2017 for the private water supplies and pest control service as detailed in the attached reports.</p> <p>The proposed increase to fees and charges will ensure sufficient financial resources are in place to deliver the services.</p>	
Which protected groups are targeted by the policy?	All protected groups are affected equally by the changes.	
What evidence has been used in the assessment - data, engagement undertaken – please list each source that has been used The information can be found on....	Historic evidence has been gathered regarding people that access these services including property and land owners and tenants. Information is available on those people who are entitled to the subsidies applied to the pest control fees. This information is available via the business support team and officers within Environmental Health team.	
<b>Section two – Conclusion drawn</b> about the impact of service/policy/function/change on different groups highlighting negative impact, unequal outcomes or missed opportunities for promoting equality.		
<b>I have concluded that there should be:</b>		
The proposed fees and charges increases will apply to all services users and as such no potential discrimination amongst the protected groups has been identified.		

To help support service users on low incomes a subsidised rate will continue to be available for those in receipt of income-related benefit. This subsidised rate will apply to public health nuisance pests such as rats and mice only.

<b>No major change - no adverse equality impact identified</b>	Yes
Adjust the policy	
Continue with the policy	
Stop and remove the policy	

Reasons and documentation to support conclusions: Historic data and knowledge of the service gained through a number of years of administering discounts for those that have hardship issues lend itself to continuing to make discretionary relief available for public health nuisance pests (rats and mice only).

**Section four – Implementation – timescale for implementation**

April 2017

**Section Five – Sign off**

Responsible officer: Erica Lake  
Date: 31/10/16

Management Team: Scott Weetch  
Date:

**Section six – Publication and monitoring**

Published on

Next review date

Date logged on Covalent

**Action Planning**

The table should be completed with all actions identified to mitigate the effects concluded.

<b>Service area</b>	<b>Environmental Health</b>		<b>Date</b>			
<b>Identified issue drawn from your conclusions</b>	<b>Actions needed</b>	<b>Who is responsible?</b>	<b>By when?</b>	<b>How will this be monitored?</b>	<b>Expected outcomes from carrying out actions</b>	
	N/A					

## Appendix D

### West Somerset District Council - Fees and Charges 2017/18 Licensing

#### Background

The Licensing Service offers advice, processes applications, monitors compliance and undertakes enforcement action across a number of different regimes;

- Animal Welfare (animal boarding, dog breeding, dangerous wild animals, pet shops and riding establishments)
- Caravan Sites
- Charitable Collections (street & house to house Collections)
- Gambling Act 2005
- Licensing Act 2003
- Highways Act 1980 (s115E permissions)
- Scrap Metal Dealers Act 2013
- Sex Establishments (shops, cinemas and sexual entertainment venues)
- Skin Piercing
- Street Parties
- Street Trading
- Taxis (vehicles, drivers & operators)

Where legislation allows for cost recovery, fees are levied against the administration of the regime and the supervision of licences issued.

These fees are calculated from a combination of four elements.

Application Processing	Time taken to process application from initial enquiry to issue of the decision
Consumables	The cost of specialist materials specific to the licence type
Administration	Time allocated to maintenance of the regime
Monitoring Compliance	Time allocated to supervision of the regime

Each element is split down into a series of activities against which a time allocation is given and the appropriate proportion of an hourly rate (constructed from salary costs and non-salary on costs for all officers involved in the process) is then applied and totalled to give an overall cost.

In accordance with case law and the Provision of Services Regulations no fee is levied in respect of enforcement action against unauthorised activities.

#### Legal Authority

Powers to levy fees and limitations on the extent of activities that can be charged for are provided through the following statutes and case law.

Animal Licensing

## Animal Boarding Establishments Act 1963

s.1 (2) "and on payment of such fee as may be determined by the local authority"

## Breeding of Dogs Act 1973

## s3A

(2)A local authority may charge fees—

(a)in respect of applications for the grant of licences under this Act; and

(b)in respect of inspections of premises under section 1(2A) of this Act.

(3)A local authority may set the level of fees to be charged by virtue of subsection (2) of this section—

(a)with a view to recovering the reasonable costs incurred by them in connection with the administration and enforcement of this Act and the Breeding of Dogs Act 1991; and

(b)so that different fees are payable in different circumstances.

## Pet Animals Act 1951

s1(2) "and on payment of such fee as may be determined by the local authority"

## Riding Establishment Act 1964

s1(2) "and on payment of such fee as may be determined by the local authority"

## Dangerous Wild Animals Act 1976

s1(2)(e) is accompanied by such fee as the authority may stipulate (being a fee which is in the authority's opinion sufficient to meet the direct and indirect costs which it may incur as a result of the application

## Zoo Licensing Act 1981

## "s15

(1)Subject to this section, the local authority may charge such reasonable fees as they may determine in respect of —

(a)applications for the grant, renewal or transfer of licences;

(b)the grant, renewal, alteration or transfer of licences;

(2)Any fee charged under paragraph (a) of subsection (1) in respect of an application shall be treated as paid on account of the fee charged under paragraph (b) on the grant, renewal or transfer applied for.

(2A)Subject to this section, the authority may charge to the operator of the zoo such sums as they may determine in respect of reasonable expenses incurred by them—

(a)in connection with inspections in accordance with section 9A and under sections 10 to 12;

(b)in connection with the exercise of their powers to make directions under this Act;

(c)in the exercise of their function under section 16E(4) of supervising the implementation of plans prepared under section 16E(2); and

(d)in connection with the exercise of their function under section 16E(7) or (8).

(2B) The authority's charge under subsection (2A)(d) shall take into account any sums that have been, or will fall to be, deducted by them from a payment under section 16F(7) in respect of their costs.

(3) In respect of any fee or other sum charged under this section, the local authority may, if so requested by the operator, accept payment by instalments.

(4) Any fee or other charge payable under this section by any person shall be recoverable by the local authority as a debt due from him to them.

(5) The local authority shall secure that the amount of all the fees and other sums charged by them under this section in a year is sufficient to cover the reasonable expenditure incurred by the authority in the year by virtue of this Act.

### Caravan Sites

Power to levy a fee - coming into force April 2014

Caravan Sites & Control of Development Act 1960 as amended by the Mobile Homes Act 2013 s1

s.3(2A) A local authority in England may require a relevant protected site application in respect of land in their area to be accompanied by a fee fixed by the authority  
s3 (5A) (1) A local authority in England who have issued a site licence in respect of a relevant protected site in their area may require the licence holder to pay an annual fee fixed by the local authority

### Charitable Collections

There is no power to levy a fee for a charitable collection

### Gambling Act 2005

Gambling Act 2005

Various Regulations

Maximum fees are set centrally by the Government. Local discretion can be exercised over fees or levels of cost recovery up to the maximum permitted fee.

### Licensing Act 2003

Licensing Act 2003 s55, 92, 100(7)(b), 110(3), 133(2) and 178(1)(b)

SI 2005 No79 The Licensing Act 2003 (Fees Regulations) 2005

Fees are set centrally by the Government and currently there is no local discretion over fees or levels of cost recovery.

### Scrap Metal Dealers

Scrap Metal Dealers Act 2013 Schedule 1 s6

(1) An application must be accompanied by a fee set by the authority.

(2) In setting a fee under this paragraph, the authority must have regard to any guidance issued from time to time by the Secretary of State with the approval of the Treasury.

### s115E Licensing Fee Construction Overview

Highways Act 1980

s115F

3(c) "in any other case, such charges as will reimburse the council their reasonable expenses in connection with granting the permission."

Sex Establishments

Adoption of Schedule 3 under Part II of the Local Government (Miscellaneous Provisions) Act (LG(MPA)) 1982

## Schedule 3

s19 An applicant for the grant, renewal or transfer of a licence under this Schedule shall pay a reasonable fee determined by the appropriate authority.

Skin Piercing

Adoption of Part VIII of the LG(MPA) 1982

Acupuncture – LG(MPA) 1982 s14(6)

“A local authority may charge such reasonable fees as they may determine for registration under this section.”

Tattooing, ear-piercing and electrolysis – LG(MPA) 1982 s15(6)

“A local authority may charge such reasonable fees as they may determine for registration under this section.”

Street Parties

No Power to levy a fee

There is no power to levy a fee for a road closure made under s21 of the Town Police Causes Act 1847

Street Trading Consents

Adoption of Schedule 4 the LG(MPA)1982

S.9(1) A district council may charge such fees as they consider reasonable for the grant or renewal of a street trading licence or a street trading consent.

s.9(2) A council may determine different fees for different types of licence or consent and, in particular, but without prejudice to the generality of this sub paragraph, may determine fees differing according -

(a) to the duration of the licence or consent:

(b) to the street in which it authorises trading; and

(c) to the descriptions of articles in which the holder is authorised to trade.

Taxis

Drivers Licence Fees – LG(MPA) 1976 s53(2)

“Notwithstanding the provisions of the Act of 1847, a district council may demand and recover for the grant to any person of a licence to drive a hackney carriage, or a private hire vehicle, as the case may be, such a fee as they consider reasonable with a view to recovering the costs of issue and administration and may remit the whole or part of the fee in respect of a private hire vehicle in any case in which they think it appropriate to do so.”

Vehicles & operators' licences – LG(MPA)1976 s70(1)

Subject to the provisions of subsection (2) of this section, a district council may charge such fees for the grant of vehicle and operators' licences as may be resolved by them from time to time and as may be sufficient in the aggregate to cover in whole or in part—

(a) the reasonable cost of the carrying out by or on behalf of the district council of inspections of hackney carriages and private hire vehicles for the purpose of determining whether any such licence should be granted or renewed;

- (b) the reasonable cost of providing hackney carriage stands; and
- (c) any reasonable administrative or other costs in connection with the foregoing and with the control and supervision of hackney carriages and private hire vehicles.

### All fees

R v Manchester City Council, ex p King (1991) –

The cost of the licence has to be related to the cost of the licensing scheme itself.

### All Fees with the exception of Taxis

Provision of Services Regulations 2009 s18(4) - Any charges provided for by a competent authority which applicants may incur under an authorisation scheme must be reasonable and proportionate to the cost of the procedures and formalities under the scheme and must not exceed the cost of those procedures and formalities

R(Hemming and others) v Westminster Council

103. It is clear and undisputed that costs incurred in investigating the suitability of an applicant for a licence can be reflected in the fee. In the case of an application to renew a licence, I consider that the costs of monitoring the applicant's continued suitability can include the costs of monitoring compliance with the terms of their licences in the past. Once the Council knows what those costs are in broad terms, as it does by reference to what has happened in the past, it is, in my judgment, entitled to include them in the calculation for the next year's licence. There may be a formulaic element to this calculation. But the example of European Commission v Spain is a strong indication that using a formula that proceeds on the basis of the cost of the actual authorisation process is justified.

### **Charges**

Set out in Appendix D1

### **Discounts**

The fee has been calculated on the basis of full recovery of costs allocated directly to the service and it is not proposed to offer any discounts in respect of any of the fees levied. An exception exists with those fee levied under the Gambling Act where the Council charges eighty five percent (85%) of the maximum fee permitted, as the original fee levels set by government included an element for enforcement against unlicensed operators and the Provision of Services Regulations 2009 removed the ability to charge for such activities.

### **Budget Impacts**

Surplus and deficit should be dealt with across a rolling three years such that the balance is zero on those fees which are set locally. This should be reflected in the fee.

It is recommended to maintain fees at their current level for the coming financial year. It is anticipated that this will meet the Council's aim of full cost recovery for locally set fees. The exception is the fee for Sex Establishments. It is proposed to decrease these from £3270 (grant) and £2946 (renewal) to £687 and £630 respectively. This is because it is unlawful for the Council to set fees at a level that

could act as an economic deterrent. This fee is disproportionate to the cost of the service and as such should be reduced. There are currently no sex establishments in the council area and therefore this has no effect on the budgetary position.

### **Equality Impact Assessment**

There are no proposed changes to the charging policy, therefore No Equality Impact Assessment is required.

### **Recommendation**

Fees for applications under the Licensing Act 2003 and Gambling Act 2005 are set by statute so increases under local arrangements are not possible. For those fees where local discretion exists they cannot exceed the parameters set out within the appropriate statutes.

Guided by case law the suggested fee levels are set to achieve, as far as possible, full recovery for the projected costs to the Council of unfettered administration and supervision of the various licensing regimes.

It would be unlawful for the Council to deliberately set fees to make a profit and any over (or under) recovery will need to be redressed in future fee levels.

In order to ensure fees levied are reasonable and lawful, consideration can only be given to setting fees at the level suggested or at a level lower than those set out within the report thereby subsidising those businesses regulated by the Council's Licensing Service.

Application Type	Application Type 2017 - 18	APPENDIX D1		
		Fees set by statute	Current Fees 2016 - 2017	Proposed Fees 2017 -2018
<b>Animal Licensing</b> (Vet fees are not included and must be borne by the applicant)				
Animal Boarding	Animal Boarding - Further Licence		£113.50	£191.00
Dangerous Wild Animals	Dangerous Wild Animals - Further Licence		£173.00	£173.00
Dog Breeding	Dog Breeding - Further Licence		£113.50	£191.00
Home Boarding Licence	Home Boarding - Further Licence		£113.50	£191.00
Pet Shop Licence	Pet Shop - Further Licence		£113.50	£206.00
Riding Establishments Up to 10 horses 10 - 25 horses 26+ horses	Riding Establishments		£106.00 £132.00 £165.00	£173.00 £188.00 £201.00
Zoos*	Riding Establishments - Further Licence			£183.00
Zoos - Transfer *Applicant to meet Defra inspection costs	Zoos - Further Licence*		£408.00 £141.50	£205.00 £188.00 £105.00
<b>Caravan Sites</b> (ability to charge came into force 01 April 2014)	Caravan Site Licence - Grant Caravan Site Licence - Transfer			£152.00 £28.00
<b>Gambling Act 2005</b>				
New Regional Casino New Application		£15,000.00		£12,750.00
New Application – with Provisional Statement		£8,000.00		£6,800.00
Provisional Statement		£15,000.00		£12,750.00
Transfer		£6,500.00		£5,525.00
Re-instatement		£6,500.00		£5,525.00
Variation		£7,500.00		£6,375.00
Annual Fees		£15,000.00		£12,750.00
New Large Casino New Application		£10,000.00		£8,500.00
New Application – with Provisional Statement		£5,000.00		£4,250.00
Provisional Statement		£10,000.00		£8,500.00
Transfer		£2,150.00		£1,830.00
Re-instatement		£2,150.00		£1,830.00
Variation		£5,000.00		£4,250.00
Annual Fees		£10,000.00		£8,500.00

Application Type	Application Type 2017 - 18	Fees set by statute	Current Fees 2016 - 2017	Proposed Fees 2017 -2018
New Small Casino				
New Application		£8,000.00		£6,800.00
New Application – with Provisional Statement		£3,000.00		£2,550.00
Provisional Statement		£8,000.00		£6,800.00
Transfer		£1,800.00		£1,530.00
Re-instatement		£1,800.00		£1,530.00
Variation		£4,000.00		£3,400.00
Annual Fees		£5,000.00		£4,250.00
Bingo				
New Application		£3,500.00	£3,049.00	£2,975.00
New Application – with Provisional Statement		£1,200.00	£523.00	£510.00
Provisional Statement		£3,500.00	£3,049.00	£2,975.00
Transfer		£1,200.00	£1,045.50	£1,020.00
Re-instatement		£1,200.00	£1,045.50	£1,020.00
Variation		£1,750.00	£1,537.50	£1,500.00
Minor Variation				
Annual Fees		£1,000.00	£871.50	£850.00
Betting – not on course				
New Application		£3,000.00	£2,614.00	£2,550.00
New Application – with Provisional Statement		£1,200.00	£523.00	£510.00
Provisional Statement		£3,000.00	£2,614.00	£2,550.00
Transfer		£1,200.00	£1,045.50	£1,020.00
Re-instatement		£1,200.00	£1,045.50	£1,020.00
Variation		£1,500.00	£1,307.00	£1,275.00
Annual Fees		£600.00	£523.00	£510.00
Track Betting (on course)				
New Application		£2,500.00	£2,178.00	£2,125.00
New Application – with Provisional Statement		£950.00	£410.00	£400.00
Provisional Statement		£2,500.00	£2,178.00	£2,125.00
Transfer		£950.00	£820.00	£800.00
Re-instatement		£950.00	£820.00	£800.00
Variation		£1,250.00	£1,127.50	£1,100.00
Annual Fees		£1,000.00	£871.00	£850.00
Adult Gaming Centre				
New Application		£2,000.00	£1,742.50	£1,700.00
New Application – with Provisional Statement		£1,200.00	£523.00	£510.00
Provisional Statement		£2,000.00	£1,742.50	£1,700.00
Transfer		£1,200.00	£1,045.50	£1,020.00
Re-instatement		£1,200.00	£1,045.50	£1,020.00
Variation		£1,000.00	£871.00	£850.00
Annual Fees		£1,000.00	£871.00	£850.00

Application Type	Application Type 2017 - 18	Fees set	Current Fees	Proposed Fees
		by statute	2016 - 2017	2017 -2018
Family Entertainment Centre				
New Application		£2,000.00	£1,742.50	£1,700.00
New Application – with Provisional Statement		£950.00	£410.00	£400.00
Provisional Statement		£2,000.00	£1,742.50	£1,700.00
Transfer		£950.00	£820.00	£800.00
Re-instatement		£950.00	£820.00	£800.00
Variation		£1,000.00	£871.00	£850.00
Annual Fees		£750.00	£666.50	£650.00
Family Entertainment Centre Gaming Machine Permits				
New application		£300.00	£300.00	£300.00
Renewal		£300.00	£300.00	£300.00
Change of name		£25.00	£25.00	£25.00
Copy of permit		£15.00	£15.00	£15.00
Licensed Premises Gaming Machine Permit				
New Application		£150.00	£150.00	£150.00
Variation		£100.00	£100.00	£100.00
Transfer		£25.00	£25.00	£25.00
Change of Name		£25.00	£25.00	£25.00
Copy of permit		£15.00	£15.00	£15.00
Annual Fee		£50.00	£50.00	£50.00
Notification of 2 or less Gaming Machines				
Notification		£50.00	£50.00	£50.00
Prize Gaming Permit				
New Application		£300.00	£300.00	£300.00
Renewal		£300.00	£300.00	£300.00
Change of name		£25.00	£25.00	£25.00
Copy of permit		£15.00	£15.00	£15.00
Club Gaming & Club Machine Permit				
New Application		£200.00	£200.00	£200.00
Variation		£100.00	£100.00	£100.00
Copy Permit		£15.00	£15.00	£15.00
Renewal		£200.00	£200.00	£200.00
Annual Fee		£50.00	£50.00	£50.00
Lotteries				
New		£40.00	£40.00	£40.00
Renewal		£20.00	£20.00	£20.00
Temporary Use Notice				
New		£500.00	£45.00	£40.00
Replacement		£25.00	£25.00	£20.00

Application Type	Application Type 2017 - 18	Fees set	Current Fees	Proposed Fees
		by statute	2016 - 2017	2017 -2018
Occasional Use Notice		£0.00	£0.00	£0.00
<b>Licensing Act 2003</b>				
Premises Licence/Club Premises Certificate Grant				
Band A		£100.00	£100.00	£100.00
Band B		£190.00	£190.00	£190.00
Band C		£315.00	£315.00	£315.00
Band D		£450.00	£450.00	£450.00
Band D*		£900.00	£900.00	£900.00
Band E		£635.00	£635.00	£635.00
Band E*		£1,905.00	£1,905.00	£1,905.00
Premises Licence/Club Premises Certificate Variation				
Band A		£100.00	£100.00	£100.00
Band B		£190.00	£190.00	£190.00
Band C		£315.00	£315.00	£315.00
Band D		£450.00	£450.00	£450.00
Band D*		£900.00	£900.00	£900.00
Band E		£635.00	£635.00	£635.00
Band E*		£1,905.00	£1,905.00	£1,905.00
Annual Fee				
Band A		£70.00	£70.00	£70.00
Band B		£180.00	£180.00	£180.00
Band C		£295.00	£295.00	£295.00
Band D		£320.00	£320.00	£320.00
Band D*		£640.00	£640.00	£640.00
Band E		£350.00	£350.00	£350.00
Band E*		£1,050.00	£1,050.00	£1,050.00
Personal Licence - Grant		£37.00	£37.00	£37.00
Personal Licence Renewal		£37.00	£37.00	£37.00
Temporary Event Notice (TEN)		£21.00	£21.00	£21.00
Replacement Premises Licence		£10.50	£10.50	£10.50
Provisional Statement		£315.00	£315.00	£315.00
Change of name and/or address		£10.50	£10.50	£10.50
Variation of DPS		£23.00	£23.00	£23.00
Disapplication of DPS			£23.00	£23.00
Transfer of Premises Licence		£23.00	£23.00	£23.00
Interim Authority Notice		£23.00	£23.00	£23.00
Change of Club name or rules		£10.50	£10.50	£10.50
Change of Club address		£10.50	£10.50	£10.50
Replacement TEN		£10.50	£10.50	£10.50
Replacement Personal Licence		£10.50	£10.50	£10.50
Name/address change (Pers. Lic)		£10.50	£10.50	£10.50
Right of freeholder to be notified of licensing matters		£21.00	£21.00	£21.00
Minor Variation		£89.00	£89.00	£89.00

Application Type	Application Type 2017 - 18	Fees set by statute	Current Fees 2016 - 2017	Proposed Fees 2017 -2018
<b>Scrap Metal Dealers Act</b>				
SMD Licence - Grant	(3 year duration)		£755.00	£755.00
SMD Licence - Renew	(3 year duration)		£744.00	£744.00
SMD Licence - Variation			£50.00	£50.00
<b>Sex Establishments</b>				
Grant			£3,270.00	£687.00
Licence renewal			£2,946.00	£630.00
Licence variation			£0.00	£90.00
Licence transfer			£0.00	£90.00
<b>Skin Piercing</b>				
Premises			£100.00	£50.00
Individual at premises			£50.00	£50.00
<b>Street Trading</b>				
A' Roads - Annual	Street Trading Consent - Grant, 1 year		£884.00	£454.00
A' Roads - 6 months	Street Trading Consent - Grant, 1 month		£458.00	£55.00
A' Roads - 3 months	Street Trading Consent - Grant, 1 week		£230.00	£39.00
Other Areas - Annual 0800 - 2000 hours			£455.00	
Other Areas - Annual 0800 - 2330 hours			£911.00	
Other Areas - 6 months 0800 - 2000 hours			£247.50	
Other Areas - 6 months 0800 - 2330 hours			£495.00	
Other Areas - 3 months (minimum) 0800 - 2000 hours			£124.00	
Other Areas - 3 months (minimum) 0800 - 2330 hours			£247.50	
Daily rates for one-off events (all areas) - Stalls 0900 - 2000				
Up to 5m2 (50% reduction for charitable organisations)	Street Trading Consent - Grant, 1 day		£16.50	£35.00
Up to 7m2 (50% reduction for charitable organisations)			£22.50	
Replacement/Additional Assistant Badge Fee			£10.00	
Temporary Street Trading/Markets				
Charitable Events (75% of proceeds allotted to charity/cause)			£10.00	
Commercial Event 5 -24 stalls/vehicles			£25.00	
Commercial Event 25 -49 stalls/vehicles			£50.00	
Commercial Event 50 or more stalls/vehicles			£100.00	
	Street Trading Consent - renewal			£439.00
<b>Taxi Licensing</b>				
(MOT, Plate Test & DVLA fees are not included and must be borne by the applicant)				
Hackney Carriage/Private Hire Vehicle Licence			£168.50	£101.00
Hackney Carriage/Private Hire Vehicle Licence - Renewal			£168.50	£100.00
Transfer of interest for vehicle			£40.00	£34.00
Trailer Plate			£15.00	£25.00
Replacement vehicle plate			£15.00	£25.00
	Internal identification sticker			£16.00

Application Type	Fees set by statute	Current Fees	Proposed Fees
		2016 - 2017	2017 -2018
Private Hire Operator Licence 1 year		£70.00	£126.00
Private Hire Operator Licence 3years		£150.00	£210.00
	Private Hire Operator Licence - Renewal		£91.00
	Private Hire Operator Licence - Renewal 3 years		£176.00
Application for new drivers licence	* DBS fee separate in 2014 -15 but included within 2015 - 16 fees	£80*	£141.00
Application for a new 3 year driver's licence		£170*	£225.00
	Driver licence renewal – 1 year		£89.00
	Driver licence renewal – 3 years		£211.00
Replacement Badge		£15.00	£17.00
	Advertising on vehicles		£35.00
	Medical		£18.00

## Appendix E

### West Somerset Council Fees and Charges 2017/18 Planning and Environment

#### 1. Background

Planning and Environment have the facility to provide Customers with advice and information when they are considering a development proposal; welcoming and encouraging discussions before applications are submitted.

There is a two-tier service; the first involves a meeting with the LPA; the second, written response to proposals sent for comment. It is an opportunity to better understand the way in which an application will be judged against the policies in the development plan and other material considerations.

As a result of the time and resources involved in giving pre-application advice, we operate pre-application charges based on the type of proposal. This means that the service does not fall as a general cost to the council tax payer.

#### 1.1 How the Scheme Works

Requests for pre application advice, including a request for a meeting, need to be in writing and be accompanied by the appropriate fee. Meetings will be attended by an appropriate professional officer from the Council. These will be either in the Council offices or, if considered more appropriate, on site. Information about the site and details about the scheme need to be provided. This will normally include:

- a) a site location plan;
- b) a description and summary of your proposals, and preferably sketch plans;
- c) if possible, photographs of the site.

#### 2. Legal Authority

Fees for planning applications are set nationally. However, charges for pre-application discussion are discretionary. The majority of authorities now charge for this service, with the income being reinvested in the service. In setting the charges there needs to be a balance set between recouping the full cost of the service provided and encouraging developers to engage with the Council as early as possible.

Last year it was reported that due to the pre-application planning advice service for both Taunton Deane Borough Council and West Somerset Council being provided by the one team and there can therefore be no reasoned justification for continuing with two sets of charges. However a decision was made that West Somerset wished to retain the higher level of fees set for Level 3a and 3b Major Development Pre Applications, see attached appendix.

### 3. Charges – as of April 2017 (to remain unchanged apart from Listed Building Pre Application Advice)

The schedule of charges incorporates fees which are dependent on the nature and scale of the proposal. The charge is per request.

Please see attached Appendix regarding level of fees for West Somerset from April 2017.

For major developments (level 3a and 3b) pre-application fees are negotiable through the applicant and Council entering into a Planning Performance Agreement (PPA).

There is no charge for advice on revised proposals following a refusal of planning permission or the withdrawal of an application (this exemption is restricted to one letter or meeting only).

Previously advice on proposals which only require Listed Building Consent did not attract a fee. This year's proposal is to begin charging at the following rate for WSC.

Listed Building Pre Application Advice _ Meeting with Note	£242.00 + vat @ 20% = £290.40	Further Advice Following response £40 plus VAT per Hour  Planning Management Team Involvement £80 plus VAT per hour
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The estimated income for charging for this service would be £1k for WSC.

We have looked at other Pre Application changes but feel the potential impact on take up of services taking into account this year's current income and fees being set for cost recovery only prevent any further rise in fees.

Planning Policy advice that is directly related to the preparation of a Local Development Document (LDD) will be exempt from these charges.

For major developments (level 3a and 3b) pre-application fees are negotiable based upon level of engagement through the applicant and Council entering into a Planning Performance Agreement (PPA).

There is no charge for advice on revised proposals following a refusal of planning permission or the withdrawal of an application (this exemption is restricted to one letter or meeting only).

Advice on proposals which only require Listed Building Consent do not attract a fee.

Planning Policy advice that is directly related to the preparation of a Local Development Document (LDD) will be exempt from these charges

#### 4. Discounts

This scheme does not include any discounts.

#### 5. Budget Impacts

These charges have been taken into account in developing budget saving proposals for 2017/18.

#### 6. Equality Impact Assessment

What are you completing this impact assessment for? E.g. policy, service area	<b>PLANNING ADVICE CHARGES 2017/18</b>
<b>Section One – Aims and objectives of the policy /service</b>	
<p><b>PLANNING AND ENVIRONMENT</b></p> <p>To provide a proactive planning service from pre-application to delivery and monitoring</p> <ul style="list-style-type: none"> <li>• Responsible for overseeing building development in West Somerset</li> <li>• Co-ordinating the way our surroundings develop</li> <li>• Preventing developments which are not appropriate</li> <li>• Investigate breaches of planning regulations</li> </ul>	
<b>Section two – Groups that the policy or service is targeted at</b>	
<p>All Groups have the potential to be affected; however the perspective is that the only significant increases in charges are for major developments whereby the pre application charge is an insignificant part of total development costs.</p>	
<b>Section three – Groups that the policy or service is delivered by</b>	
<p>The Development Management staff and Business support staff will administer and provided the pre applications advice – as per current procedures.</p>	
<b>Section four – Evidence and Data used for assessment</b>	

Approximately 35-40 major planning applications are received per year (2% of all application). Pre-applications advice, which is encouraged with such application, will attract the higher fee. As previously stated the pre application charge is an insignificant part of total development costs.

**Section Five - Conclusions drawn about the impact of service/policy/function on different groups highlighting negative impact or unequal outcomes**

The impact of this planning advice charges will be equal for all groups.

**Section six – Examples of best practise**

Officers work across the Council and community with specific groups e.g. Gypsy Forum

## Appendix E

### PLANNING FEES AND CHARGES WEST SOMERSET DISTRICT COUNCIL 01 APRIL 2017

	FEE
Do I need Planning Permission	<b>£52.80 (£44.00 plus VAT)</b>

### PRE APPLICATION ADVICE SCALE OF FEES WEST SOMERSET DC

LEVEL	TYPE	FEE
Level 1 - Householder, Advertisement and Landscape advice. Tree Preservation Orders and Listed Buildings (in cases where planning permission also required)	Written Response with site visit/meeting	<p><b>£116.16</b> (£96.80 + VAT)</p> <p>Further Advice following response £30 plus VAT per hour</p> <p>Planning Management Team Involvement £50 plus VAT per hour</p>
Level 2a - Minor developments (e.g. less than 5 dwellings, 500 sq. m industrial):	Written Response with Site Visit/Meeting	<p><b>£290.40</b> (£242.00 + VAT)</p> <p>Further Advice following response £40 plus VAT per hour</p> <p>Planning Management Team Involvement £80 plus VAT per hour</p>
Level 2b – Larger scale minor developments (e.g. between 5 and 10 dwellings, 500 and 1000 sq. m industrial):	Written Response with Site Visit/Meeting	<p><b>£435.60</b> (£363.00 + VAT)</p> <p>Further Advice following response £40 plus VAT per hour</p> <p>Planning Management Team Involvement £80 plus VAT per hour</p>

LEVEL	TYPE	FEE 66
Level 3a - Major Developments (e.g. more than 10 dwellings, 1,000 sq. m industrial):	Written response with site visit/meeting	<b>£1440.00</b> (£1200.00 + VAT)  Further Advice following response £50 plus VAT per hour  Planning Management Team Involvement £100 plus VAT per hour
Level 3b – Large Scale Major Developments (e.g. more than 50	Written response with site visit/meeting	<b>£2400.00</b> (£2000.00 + VAT)  Further Advice following response £50 plus VAT per hour

dwellings, 5,000 sq. m industrial):		Planning Management Team Involvement £100 plus VAT per hour
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\*Where both Development Management and Planning Policy officers need to attend the meeting there will be an additional cost as shown below:

- Level 2b additional £121.00 + vat @ 20% = £145.20
- Level 3a additional £181.50 + vat @ 20% = £217.80
- Level 3b additional £242.00 + vat @ 20% = £290.40

For major developments (level 3a and 3b) pre-application fees are negotiable through the applicant and Council entering into a Planning Performance Agreement (PPA).

There is no charge for advice on revised proposals following a refusal of planning permission or the withdrawal of an application (this exemption is restricted to one letter or meeting only).

Advice on proposals which only require Listed Building Consent do not attract a fee.

## **AONB CHARGES**

Householders	Written Advice	78.00 (2hrs)
	Meeting with note	88.00 (2hrs + £10 travel)
Level 2a - Minor developments (e.g. less than 5 dwellings, 500 sq. m industrial):	Written Advice	146.50 (3.5hrs + £10 travel)
	Meeting with note	224.50 (5.5hrs + £10 travel)
Level 2b – Larger scale minor developments (e.g. between 5 and 10 dwellings, 500 and 1000 sq. m industrial):	Written Advice	205.00 (5hrs + £10 travel)
	Meeting with note	283.00 (7hrs + £10 travel)
Level 3a - Major Developments (e.g. more than 10 dwellings,	Written Advice	410.00 (10hrs + £10 travel)

1,000 sq. m industrial):	Meeting with note 67	566.00 (14hrs + £10 travel)
Level 3b – Large Scale Major Developments (e.g. more than 50 dwellings, 5,000 sq. m industrial):	Written Advice or Meeting with note	This level by negotiation on case by case basis: unlikely to be within the AONB.



## Appendix F

### West Somerset Council - Fees and Charges 2017/18 Watchet and Minehead Harbours

Both Harbours are struggling to maintain their statutory compliance with the level of funding brought in through the Harbour operation.

In recent years WSC have invested further financial support in to the Harbour Operation at an increase cost to the tax payer. The ultimate goal should be for the Harbours to be self-financing, however a jump to the level required to achieve this would be unsustainable

The table below identifies the current and proposed charging schedule:

Slipway Fees at Watchet and Minehead	Current £	Proposed £
Annual	82.70	85.00
Weekly	29.30	31.00
Daily	13.50	14.50
Leisure mooring fees per meter or part meter		
Annual (permanent mooring only)	40.25	42.00
Weekly	8.50	10.00
Daily	2.10	3.00
Commercial mooring fees per meter or part meter		
Annual (permanent mooring only)	60.00	65.00
Transfer between moorings	44.00	46.00
Pleasure Boat dues (excluding hobbling duties)	117.00	400.00
Pleasure Boat dues (excluding hobbling duties) cancelled visits	0.00	200.00

This report identifies a considerable fee increase for large pleasure craft, this is born out of a cost that the Council must stand to meet its legal obligations for oil spill protection. This requirement has only recently been identified. To mitigate some of this cost the Council will look to identify other sources of funding to support this activity and protect the economic benefit of visiting pleasure craft.

There is also a new fee proposed for cancelled visits for pleasure craft, this is on the basis of needing to recover the costs of the legislative requirements mentioned above and have some consistency in income expectations to meet these costs.

In addition to raising the fees and charges the Council are also seeking an exemption of some of the regulations which would limit the escalating costs.

Anecdotal evidence suggests that WSC fees are considerably lower than other ports, this proposed fee structure does not seek to resolve that situation and further work on comparisons will be undertake in the coming years alongside the ultimate aim of

self-financing. The increase in fees will be met with an increase in operating costs so there is no net benefit to the MTFP identified.

**West Somerset Council - Fees and Charges 2017/18  
Building Control****Background**

On 1<sup>st</sup> April 2016 the Somerset Building Control Partnership was formed to cover all building control issued previously done by Mendip District Council, West Somerset Council, Sedgemoor District Council and Taunton Deane Borough Council.

To that effect West Somerset no longer perform this function and there are therefore no fees and charges to report.

Details of the partnership are:-

Somerset Building Control Partnership

Website - [WWW.sedgemoor.gov.uk/somersetbcp](http://WWW.sedgemoor.gov.uk/somersetbcp)

Email – somersetbcp@sedgemoor.gov.uk



## Appendix H

### West Somerset Council - Fees and Charges 2017/18

#### Court Fees

##### Background

Council Tax is a charge to owners and occupiers of domestic dwellings and Business Rates, sometimes known as non-domestic rates, is a charge on the occupation of a non-domestic property. The Revenue Service bills those liable of the charges and collects the monies due.

Should the bills not be paid in accordance with the instalments on the bill a reminder is sent. A second reminder and a final notice are also issued should the payments not be made. Sometimes, despite these reminders, the bill is not paid. In these cases the Revenues Service will issue a Summons and apply to the Magistrate's Court for a Liability Order.

The costs of issuing the Summons is charged to the taxpayer.

##### Legal Authority

The Council Tax (Administration and Enforcement) Regulations (1992) and The Non-Domestic Rating (Collection and Enforcement) (Miscellaneous Provisions) Regulations 1990 are the 2 pieces of legislation surrounding the charging of costs incurred by the authority for the issue of a Summons.

##### Charges

Following last year's requirement to revise and detail the breakdown of how costs are calculated there was a proposal to have a single charge added at the point the summonses are issued unlike before where a separate Liability Order fee was added at the date of the hearing. There is no proposal to increase this charge in 2017/18.

	Current £ (2016/17)	Proposed £ (2017/18)
Court Costs	74.15	74.15

##### Discounts

Discounts are not provided as we charge what it costs to issue a summons up to the point of the court hearing. We do however withdraw costs in some dependant on customer's willingness to enter into a payment arrangement (and sustain that arrangement)

##### Budget Impacts

There is no increase proposed in the court costs.

##### Equality Impact Assessment

There has been no material change to the policy of charging for summons and or liability orders and the charge has not increased, therefore no Equality Impact Assessment is required.



# WEST SOMERSET COUNCIL

## Parking Charges from 4 April 2016

### No changes proposed for 2017/18

West Somerset Council  
West Somerset House  
Killick Way, Williton  
Somerset TA4 4QA

[www.westsomerset.gov.uk](http://www.westsomerset.gov.uk)



	Winter Tariff Charges (between 1 November and 28/29 February)				Summer Tariff Charges (between 1 March and 31 October)			
	Up to 1hr	Up to 2hrs	Up to 4hrs	All Day	Up to 1hr	Up to 2hrs	Up to 4hrs	All day
<b>MINEHEAD</b>								
Quay West	£1.50	£2.60	£4.20	£5.70	£1.50	£3.00	£4.50	£6.00
Warren Rd Upper	£1.50	£2.60	£4.20	£5.70	£1.50	£3.00	£4.50	£6.00
Clanville		£1.60		£4.20		£2.50		£5.00
Alexandra Road	£0.80	£1.50	£2.50	£4.70	£1.00	£2.50	£3.00	£5.00
Summerland		£1.00				£1.00		
North Road	£1.40	£2.00	£2.80	£4.70	£1.00	£2.50	£3.00	£5.00
<b>PORLOCK</b>								
Porlock Central	£0.80	£1.50	£2.50	£4.70	£1.00	£2.00	£3.00	£5.00
Doverhay	£0.80	£1.50			£1.00	£2.00		
<b>DUNSTER</b>								
Dunster Steep		£1.50	£2.50	£4.70		£2.00	£3.00	£5.00
Park Street	£0.80	£1.50	£2.50	£4.70	£1.00	£2.00	£3.00	£5.00
<b>WILLITON</b>								
Central	£0.80	£1.50	£2.50	£4.70	£1.00	£2.00	£3.00	£5.00
<b>WATCHET</b>								
Anchor Street	£0.80	£1.50	£2.50	£4.70	£1.00	£2.00	£3.00	£5.00
Market Street	£0.80	£1.50	£2.50	£4.70	£1.00	£2.00	£3.00	£5.00
Swain Street	£0.80	£1.50	£2.50	£4.70	£1.00	£2.00	£3.00	£5.00
Harbour Road	£0.80	£1.50	£2.50	£4.70	£1.00	£2.00	£3.00	£5.00
West Pier	£0.80	£1.50	£2.50	£4.70	£1.00	£2.00	£3.00	£5.00

	Winter Tariff Charges (between 1 November and 28/29 February)				Summer Tariff Charges (between 1 March and 31 October)			
	Up to 1hr	Up to 2hrs	Up to 3hrs	All Day	Up to 1hr	Up to 2hrs	Up to 3hrs	All day
<b>DULVERTON</b>								
Exmoor House		£1.00	£1.50	£4.50		£1.00	£1.50	£4.50
Lion Stables	£0.50	£1.00	£1.50		£0.50	£1.00	£1.50	
Guildhall		£1.00	£1.50	£4.50		£1.00	£1.50	£4.50

**Blue Badge Holders** - with the display of a valid disabled blue badge showing the time of arrival and appropriate payment made, an allowance of an additional 60 minutes time is granted free of charge

# WEST SOMERSET COUNCIL

## Permit Charges from 4 April 2016

West Somerset Council  
 West Somerset House  
 Killick Way, Williton  
 Somerset TA4 4QA  
[www.westsomerset.gov.uk](http://www.westsomerset.gov.uk)



Car Park	Named		District		Business		Before 10.00am	Weekly	Shoppers	Dulverton			Parson Street
	6 months £160.00	12 months £210.00	6 months £180.00	12 months £310.00	6 months £220.00	12 months £400.00	6 months £25.00	Weekly £25.00	12 months £40.00	Weekly £20.00	6 months £45.00	12 months £80.00	12 months £150.00
<b>MINEHEAD</b>													
Quay West	✓	✓	✓	✓	✓	✓	✓	✓	✓				
Warren Rd Upper	✓	✓	✓	✓	✓	✓	✓	✓	✓				
Clanville	✓	✓	✓	✓	✓	✓	✓	✓	✓				
Alexandra Road	✓	✓	✓	✓	✓	✓	✓	✓	✓				
Summerland													
North Road	✓	✓	✓	✓	✓	✓	✓	✓	✓				
<b>PORLOCK</b>													
Porlock Central	✓	✓	✓	✓	✓	✓	✓	✓	✓				
Doverhay													✓
<b>DUNSTER</b>													
Dunster Steep	✓	✓	✓	✓	✓	✓	✓	✓	✓				
Park Street	✓	✓	✓	✓	✓	✓	✓	✓					
<b>WILLITON</b>													
Central	✓	✓	✓	✓	✓	✓	✓	✓	✓				
<b>WATCHET</b>													
Anchor Street	✓	✓	✓	✓	✓	✓	✓	✓	✓				
Market Street	✓	✓	✓	✓	✓	✓	✓	✓	✓				
Swain Street	✓	✓	✓	✓	✓	✓	✓	✓					
Harbour Road	✓	✓	✓	✓	✓	✓	✓	✓					
West Pier	✓	✓	✓	✓	✓	✓	✓	✓	✓				
<b>DULVERTON</b>													
Exmoor House			✓	✓	✓	✓	✓		✓	✓	✓	✓	
Lion Stables			✓	✓	✓	✓	✓		✓	✓	✓	✓	
Guildhall			✓	✓	✓	✓	✓		✓	✓	✓	✓	

WEST SOMERSET DISTRICT COUNCIL MEETING TIMETABLE 2017 – 2018

	MAY (2017)	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY (2018)	FEBRUARY	MARCH	APRIL	MAY (2018)
TUES				1 ENPA									1 ENPA
WED				2			1 Cabinet 4.30 pm						2
THUR		1		3 Scrutiny Committee 3.30 pm			2 Planning Committee 4.30 pm			1 Local Development Panel 2.30 pm	1 Exmoor Area Panel 7.00 pm		3
FRI		2		4	1		3	1		2	2		4
SAT		3	1	5	2		4	2		3	3		5
SUN		4	2	6	3		5	3		4	4		6
MON	1 Bank Holiday	5 Scrutiny Agenda Setting 10.30 am	3	7	4	2	6	4 Audit Committee 2.00pm	1 Bank Holiday	5 Scrutiny Agenda Setting 10.30 am	5	2 Bank Holiday	7 Bank Holiday
TUES	2 ENPA	6 ENPA Standards Advisory 4.30 pm	4 ENPA	8	5 ENPA	3 ENPA	7 ENPA Exmoor Area Panel 7.00 pm	5 ENPA WWQ Area Panel 7.00 pm	2	6 ENPA	6 ENPA Standards Advisory Committee 4.30 pm	3 ENPA Scrutiny Agenda Setting 10.30 am Dunster Area Panel 7.00 pm	8
WED	3	7 Minehead Area Panel 6.30pm	5 Licensing Committee 4.30 pm	9	6 Cabinet 4.30 pm	4	8	6 Minehead Area Panel 7.00 pm	3 Cabinet 4.30 pm	7 Cabinet (Budget) 4.30 pm	7 Cabinet 4.30 pm	4	9
THUR	4 PCC ELECTIONS	8 Exmoor Area Panel 7.00 pm	6	10	7	5	9	7 Scrutiny Committee 3.30 pm	4	8	8 Minehead Area Panel 6.30 pm	5	10
FRI	5	9	7	11	8	6	10	8	5	9	9	6	11
SAT	6	10	8	12	9	7	11	9	6	10	10	7	12
SUN	7	11	9	13	10	8	12	10	7	11	11	8	13
MON	8 Informal Council 2.30 pm	12	10	14	11	9 Scrutiny Agenda Setting 10.30 am	13	11	8 Scrutiny Agenda Setting 10.30 am	12	12	9	14 Informal Council 2.30 pm
TUES	9	13	11	15 Corporate PAG 1.30 pm	12 Local Development Panel 2.30 pm Exmoor Area Panel 7.30 pm	10 Standards Advisory 4.30pm	14	12 Corporate PAG 1.30 pm	9 ENPA Standards Advisory 4.30 pm	13	13	10	15
WED	10 Annual Council 2.30 pm	14 Local Development Panel 2.30 pm	12 Cabinet 4.30 pm	16 Cabinet Agenda Setting 3.30 pm	13 Minehead Area Panel 6.30 pm	11	15	13 Cabinet Agenda Setting 1.00 pm Council 4.30 pm	10	14 Cabinet Agenda Setting 3.30 pm	14 Licensing Committee 4.30 pm	11	16 Annual Council 2.30 pm
THUR	11	15 Scrutiny Committee 3.30 pm	13	17	14	12	16	14 Planning 4.30 pm (Nov & Dec Meeting)	11	15 Scrutiny Committee 3.30 pm	15	12 Scrutiny Committee 3.30 pm	17
FRI	12	16	14	18	15	13	17	15	12	16	16	13	18
SAT	13	17	15	19	16	14	18	16	13	17	17	14	19
SUN	14	18	16	20	17	15	19	17	14	18	18	15	20
MON	15	19 Armed Forces Day	17	21	18 Audit Committee 2.00 pm	16	20	18	15	19 Corporate PAG 1.30 pm	19 Audit Committee 2.00 pm	16	21 Corporate PAG 1.30 pm
TUES	16 Corporate PAG 1.30 pm	20 Audit Committee 2.00 pm WWQ Area Panel 7.00 pm	18	22	19 WWQ Area Panel 7.00 pm	17 Dunster Area Panel 7.00 pm	21 Local Development Panel 2.30 pm	19	16 Exmoor Area Panel 7.00 pm	20	20 WWQ Area Panel 7.00 pm	17	22
WED	17 Cabinet 4.30 pm	21 Cabinet Agenda Setting 3.30 pm	19 Council 4.30 pm	23	20 Council 4.30 pm	18 Cabinet Agenda Setting 3.30 pm	22 Council 4.30 pm	20	17 Cabinet Agenda Setting 3.30 pm	21 Council (Budget) 4.30 pm	21 Council 4.30 pm	18 Cabinet Agenda Setting 3.30 pm	23 Cabinet 4.30 pm
THUR	18 Planning Committee 4.30 pm	22	20	24 Planning Committee 4.30 pm	21	19 Scrutiny Committee 3.30 pm	23	21	18 Scrutiny Committee (Budget) 3.30 pm	22 Planning Committee 4.30 pm	22	19 Planning Committee 4.30 pm	24
FRI	19	23	21	25	22	20	24	22	19	23	23	20	25
SAT	20	24	22	26	23	21	25	23	20	24	24	21	26
SUN	21	25	23	27	24	22	26	24	21	25	25	22	27
MON	22	26	24 Scrutiny Agenda Setting 10.30am Dunster Area Panel 7.00 pm	28 Bank Holiday	25	23	27 Scrutiny Agenda Setting 10.30 am	25 Bank Holiday	22 Dunster Area Panel 7.00 pm	26	26	23 Corporate PAG 1.30 pm	28 Bank Holiday
TUES	23	27	25	29	26	24	28 Licensing Committee 4.30 pm	26 Bank Holiday	23	27	27	24	29
WED	24	28 Corporate PAG 1.30 pm	26 Corporate PAG 1.30 pm	30	27 Corporate PAG 1.30 pm	25 Corporate PAG 1.30 pm	29 Corporate PAG 1.30 pm	27	24 Corporate PAG 1.30 pm	28	28 Corporate PAG 1.30 pm	25	30
THUR	25	29 Planning 4.30 pm	27 Planning Committee 4.30 pm	31	28 Planning 4.30 pm	26	30	28	25 Planning Committee 4.30 pm	29	29 Planning 4.30 pm	26	31 Planning Committee 4.30 pm
FRI	26	30	28		29	27		29	26		30 Bank Holiday	27	
SAT	27		29		30	28		30	27			28	
SUN	28		30			29		31	28			29	
MON	29 Bank Holiday		31			30			29			30	
TUES	30					31			30				
WED	31								31				

School Holidays are highlighted in yellow.

References to ENPA are Exmoor National Park Authority Planning Committees.

PAG = Policy Advisory Group (not open to press or public)

Timetable DRAFT

