

WEST SOMERSET DISTRICT COUNCIL

Meeting to be held on Wednesday 19 November 2014 at 4.30 pm

Council Chamber, Williton

AGENDA

1. Apologies for Absence

2. Minutes

Minutes of the Meeting of Council held on 22 October 2014 to be approved and signed as a correct record – **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. HPC Planning Obligations Board – Allocations of CIM Funding

To consider Report No. WSC 158/14, to be presented by Councillor K V Kravis, Lead Member for Resources and Central Support – **SEE ATTACHED.**

The purpose of the report is to present the recommendations of the Hinkley Point C Planning Obligations Board and Cabinet, for the allocation of monies secured through the Section 106 legal agreement for the Site Preparation Works at Hinkley Point. The relevant fund is the "Community Impact Mitigation (CIM)" Fund.

7. Council Tax Rebate Scheme Review for 2015/16

To consider Report No. WSC 159/14, to be presented by Councillor D Westcott, Lead Member for Community and Customer – **SEE ATTACHED.**

The purpose of this report is to provide Council with information on the Council Tax Rebate scheme in 2013/14; to advise Council of the changes and impact of funding arrangements on Council Tax Rebate; and to advise Council of the Cabinet's recommendations on the Council Tax Rebate scheme and grant funding for Parish/Town Councils for 2015/16.

8. Earmarked Reserves Review

To consider Report No. WSC 157/14, to be presented by Councillor K V Kravis, Lead Member for Resources and Central Support – **SEE ATTACHED.**

The purpose of the report is to review earmarked reserves to ensure they are still required.

9. Hinkley Tourism Action Plan – Allocation

To consider Report No. WSC 156/14, to be presented by Councillor K Mills, Lead Member for Regeneration and Economic Growth – **SEE ATTACHED.**

The purpose of the report is to consult with Council on a suggested approach for commissioning Tourism Monitoring Surveys.

10. EDF Housing Funding Strategy

To consider Report No. WSC 160/14, to be presented by Councillor K Turner, Lead Member for Housing, Health and Wellbeing – **SEE ATTACHED.**

The purpose of the report is to present to Members the recommendations of the Hinkley Point Planning Obligations Board (POB) and to ask Council to approve the Housing Funding Strategy

11. Proposed Social Media Policy and Recording of Meetings Protocol

To consider Report No. WSC 155/14, to be presented by Councillor S J Pugsley, Lead Member for Executive Support and Democracy – **SEE ATTACHED.**

The purpose of the report is for the Council to consider adopting a Social Media Policy and Recording of Meetings Protocol.

12. Hinkley Point C Update

To consider Report No. WSC 161/14, to be presented by Councillor C Morgan, Lead Member for Environment – Hinkley – **SEE ATTACHED.**

The main purpose of this report is to provide Members with an update of activity and the latest position regarding the Hinkley Point C project and to seek Member approval for the Council to register its interest in the newly formed New Nuclear Watch Europe interest group.

13. Minutes and Notes for Information

Notes and minutes relating to this item can be found on the Council's website using the following links:

- Notes of the Exmoor Area Panel held on 2 September 2014
<http://www.westsomersetonline.gov.uk/Council---Democracy/Council-Meetings/Exmoor-Area-Panel/Exmoor-Area-Panel---2-September-2014.aspx>
- Notes of the Watchet, Williton and Quantock Vale Area Panel held on 16 September 2014
<http://www.westsomersetonline.gov.uk/Council---Democracy/Council-Meetings/Watchet,-Williton-and-Quantock-Area-Panel/Watchet,-Williton---Quantocks-Area-Panel---16-Sept.aspx>
- Notes of the Dunster Area Panel held on 13 October 2014
<http://www.westsomersetonline.gov.uk/Council---Democracy/Council-Meetings/Dunster-Area-Panel/Dunster-Area-Panel---13-October-2014.aspx>

COUNCILLORS ARE REMINDED TO CHECK THEIR POST TRAYS

The Council's Vision:

To enable people to live, work and prosper in West Somerset

The Council's Corporate Priorities:

- Local Democracy:
Securing local democracy and accountability in West Somerset, based in West Somerset, elected by the people of West Somerset and responsible to the people of West Somerset.
- New Nuclear Development at Hinkley Point
Maximising opportunities for West Somerset communities and businesses to benefit from the development whilst protecting local communities and the environment.

The Council's Core Values:

- | | |
|-------------|------------|
| • Integrity | • Fairness |
| • Respect | • Trust |

RISK SCORING MATRIX

Report writers score risks in reports uses the scoring matrix below

Risk Scoring Matrix

Likelihood	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
Impact							

Likelihood of risk occurring	Indicator	Description (chance of occurrence)
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%

- Mitigating actions for high ('High' or above) scoring risks are to be reflected in Service Plans, managed by the Group Manager and implemented by Service Lead Officers;
- Lower scoring risks will either be accepted with no mitigating actions or included in work plans with appropriate mitigating actions that are managed by Service Lead Officers.

WEST SOMERSET COUNCIL**Minutes of the Meeting held on 22 October 2014 at 4.30 pm****in the Council Chamber, Williton****Present:**

Councillor G S Dowding Chairman
Councillor A F Knight..... Vice-Chairman

Councillor M J Chilcott
Councillor J Freeman
Councillor K V Kravis
Councillor E May
Councillor C Morgan
Councillor S J Pugsley
Councillor K J Ross
Councillor L W Smith
Councillor T Taylor
Councillor K H Turner

Councillor M O A Dewdney
Councillor A P Hadley
Councillor R P Lillis
Councillor K M Mills
Councillor P H Murphy
Councillor D D Ross
Councillor D J Sanders
Councillor M A Smith
Councillor A H Trollope-Bellew
Councillor D J Westcott

Officers in Attendance:

Chief Executive (P James)
Assistant Chief Executive and Monitoring Officer (B Lang)
Assistant Director – Resources (P Fitzgerald)
Assistant Director – Planning and Environment (T Burton)
Planning Policy Manager (N Bryant)
Economic Regeneration and Tourism Manager (C Matthews)
PR and Communications Officer (D Rundle)
Meeting Administrator (K Kowalewska)

C54 Apologies for Absence

Apologies for absence were received from Councillors H J W Davies, S Y Goss, B Heywood and I R Melhuish.

C55 Minutes

(Minutes of the meeting of Council held on 17 September 2014, circulated with the Agenda.)

RESOLVED that, subject to amending the last paragraph of Minute No. C51 to read “In response, the officer confirmed that discussions with Somerset County Council regarding their ability to run the project on the Council’s behalf would remain an opportunity in the future.”, the Minutes of the meeting of Council held on 17 September 2014 be confirmed as a correct record.

C56 **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:

Name	Minute No.	Member of	Action Taken
Cllr P H Murphy	All	Watchet	Spoke and voted
Cllr K J Ross	All	Dulverton	Spoke and voted
Cllr L W Smith	All	Minehead	Spoke and voted
Cllr K H Turner	All	Brompton Ralph	Spoke and voted
Cllr D J Westcott	All	Watchet	Spoke and voted

In addition, the following interests were declared:

Name	Minute No.	Description of interest	Personal or Prejudicial	Action Taken
Cllr M J Chilcott	C61	Council rep on Minehead Vision Group	Personal	Spoke and voted
Cllr A P Hadley	C61	Council rep on Minehead Vision Group	Personal	Spoke and voted
Cllr R P Lillis	C61	Council rep on Minehead Vision Group	Personal	Spoke and voted
Cllr K M Mills	C61	Council rep on Minehead Vision Group	Personal	Spoke and voted

C57 **Public Participation**

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

C58 **Chairman's Announcements**

20 September 2014	Attended the Williton WW! Remembrance Service at Williton War Memorial Ground
6 October 2014	Lunch with the High Sheriff
12 October 2014	Attended the Bath and North East Somerset Civic Service
19 October 2014	Attended the commemoration of Harold Gimblett at Bicknoller Church, and the Chairman requested Members to put forward suitable candidates who were born in or had close links to West Somerset which WSC commemorate
19 October 2014	Attended the Watchet Seafarer's Service

In addition, Councillor M O A Dewdney provided information on an NFU 'Farming in Somerset 2014' event which he attended on behalf of the Chairman.

C59 Making of Executive Decisions by Individual Members of Cabinet

(Report No. WSC 143/14, circulated with the Agenda.)

The purpose of the report was to provide Council with the opportunity of reviewing the current practice of individual Members of Cabinet not exercising the option of making executive decisions.

The report was presented by Councillor S J Pugsley, Lead Member for Executive Support and Democracy who advised that there was merit in reintroducing the process of making executive decisions by Cabinet members particularly in relation to the joint working arrangements with Taunton Deane Borough Council and the establishment of the one team of officers.

The Lead Member proposed the recommendation contained in the report which was seconded by Councillor M O A Dewdney.

During the debate the following main points were raised:

- It was thought that the safeguards were adequate and for sake of efficiency the process was supported in principle.
- An amendment to the Decision Making Process Flowchart for decisions delegation to officers was suggested so that officers should consult Members if appropriate.
- The Monitoring Officer advised that there were new regulations pertaining to the legal requirements for record keeping of an officer and he was currently researching the matter.
- The question was asked - what decisions taken in the last year could have been taken more expeditiously had this process already been in practice?
- The need for urgent decision making was appreciated.
- The Monitoring Officer provided examples of the types of decisions that could be made using this process.
- The whole of the Council's democracy process should be examined.
- In addition to the executive decision making practice there were efficiency gains to be had across WSC and TDBC by aligning processes and working more consistently, examples given were reformatting committee reports so that one report on the same topic could be presented to both councils, and examining the merit of aligning the Scheme of Delegations so the two councils were working in a similar way whilst still retaining their own sovereignty.
- The majority of councils, including TDBC, operate the process of making executive decisions by individual members of Cabinet.

RESOLVED that the use of the making of executive decisions by individual Members of Cabinet in accordance with the process currently set out in the Constitution be reintroduced.

C60 **West Somerset Local Plan – Request for Additional Budget**

(Report No. WSC 137/14 circulated with the Agenda.)

The purpose of the report was to seek Council approval for the provision of a supplementary estimate of £74,750 in 2014/15 and 2015/16. Subject to approval this budget will allow for the progression of the West Somerset Local Plan to publication.

The Lead Member for Housing, Health and Wellbeing presented the item and provided Members with the background information. He went on to propose the recommendations in the report which were duly seconded by Councillor D J Westcott.

On consideration of the report, the following main points were made:

- It was important to make an annual provision for any additional costs to the local plan as moving goal posts made it difficult to budget for.
- A request was made as to whether some of the budget could be used to publicise the public consultations better and to go towards completing the design brief.
- Need to ensure getting value for money in light of the financial challenges facing the Council.
- In light of concerns raised regarding the breakdown of anticipated costs, the Planning Policy Manager advised that the costs were as reasonable an estimate as could be provided.

RESOLVED (1) that a supplementary estimate request of £74,750 to cover additional costs arising and relating to West Somerset Local Plan preparation through to examination and beyond to adoption be approved. Of this sum, £18,400 to be added to the Planning Policy Budget in 2014/15, with the balance of £56,350 transferred to a Planning Policy earmarked reserve to be drawn down in 2015/16.

RESOLVED (2) that the supplementary estimate be funded by General Fund Reserve balances.

RESOLVED (3) the requirement for Local Plan funding on an ongoing basis be noted, and the addition of an annual provision within the Medium Term Financial Plan from 2016/17 onwards be supported.

C61 **Request for Allocation of Planning Obligations Funding**

(Report No. WSC 144/14 circulated with the Agenda.)

The purpose of the report was to make proposals for the allocation of monies secured through planning obligations to individual schemes.

The report was presented by the Lead Member for Resources and Central Support who provided details on how the allocation of the Section 106 Agreement with Morrison Supermarkets had been spent so far, stating that it had been challenging to find projects that met the criteria of the Agreement. She further advised that the remainder of monies had to be committed by 1 April 2015 and suggestions on how to spend it were very welcome. The Lead Member went on to draw Members' attention to the different elements of the Minehead Heritage Trail project and the cost breakdown, which included a provision for ongoing maintenance.

The Lead Member proposed the recommendation which was seconded by Councillor K M Mills.

The Economic Regeneration and Tourism Manager responded to concerns regarding the cost breakdown figures and advised that information to back up the costings was available to Members on request. She also confirmed that the land where the archway would be situated had been designated as Morrisons land and confirmation had been received that they would be happy to look after it; and the MIC would have ownership of the project.

Members were in agreement that it was vital that the remainder of the Section 106 money was allocated in order to benefit Minehead and residents, to increase footfall between Morrisons and the town, to promote businesses and what the town has to offer. A proposal to extend the pilot of illuminated trees along The Avenue was suggested as a way to spend the money.

Reference was made to the method in which Section 106 legal agreements were negotiated and the Lead Member for Resources and Central Support advised that there was a need to look at these procedures in light of recent changes to legislation. The Assistant Director – Planning and Environment advised that there was a different solution to the problem and the introduction of a community infrastructure levy would help but this could only happen once the Local Plan was adopted.

RESOLVED that the allocation of £48,053.97 for Minehead Heritage Trail to be added to the capital programme and funded from planning obligations contributions be agreed.

C62 Minutes and Notes for Information

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

RESOLVED (1) that the minutes of the Watchet Harbour Advisory Panel held on 16 July 2014 be noted.

RESOLVED (2) that the notes of the Minehead Area Panel held on 10 September 2014 be noted.

The meeting closed at 6.07 pm

Report Number: WSC 158/14
Presented by: Cllr Kate Kravis
Author of the Report: James Holbrook, Major Projects Manager
Contact Details:

Tel. No. Direct Line 01984 635218
Email: jholbrook@westsomerset.gcv.uk

Report to a Meeting of: Full Council
To be Held on: 19th November 2014
Date Entered on Executive Forward Plan Or Agreement for Urgency Granted: 29/04/2014

HPC PLANNING OBLIGATIONS BOARD – ALLOCATIONS OF CIM FUNDING

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to present the recommendations of the Hinkley Point C Planning Obligations Board and Cabinet, for the allocation of monies secured through the Section 106 legal agreement for the Site Preparation Works at Hinkley Point. The relevant fund is the “Community Impact Mitigation (CIM)” Fund.

2. CONTRIBUTION TO CORPORATE PRIORITIES

- 2.1 The allocation of these funds will enable the Council to deliver against the Corporate Priority of ‘*maximising opportunities for West Somerset communities and businesses to benefit from the Hinkley development whilst protecting local communities and the environment.*’

3. RECOMMENDATIONS

- 3.1 That Full Council approves the release of funds for one project from the £3,500,000 that has been paid by EDF to West Somerset Council for the Community Impact Mitigation (CIM) Fund. This consists of:
- £40,000 (excluding VAT) for Tropiquaria towards the relocation of primates’ adversely affected by the works at Washford Cross roundabout.

4. RISK ASSESSMENT (IF APPLICABLE)

Risk Matrix

Description	Likelihood	Impact	Overall
West Somerset Council fails to deliver or meet its Corporate priorities and objectives	Possible (3)	Major (4)	Medium (12)

<i>The Council has ensured that its corporate priority for Hinkley Point C makes specific reference to maximising opportunities for West Somerset businesses</i>	Possible (3)	Moderate (3)	Medium (9)
Cabinet loses its opportunity for final approval of bids.	Possible (3)	Major (4)	Medium (12)
<i>Mechanisms are in place to ensure that Cabinet shall continue to take into account the recommendations of the Board when deciding how to apply the Community Impact Contribution and will have final approval</i>	Possible (3)	Moderate (3)	Medium (9)

- 4.1 The scoring of the risks identified in the above table has been based on the scoring matrix. Each risk has been assessed and scored both before the mitigation measures have been actioned and after they have.

5. **BACKGROUND INFORMATION**

Community Impact Mitigation (CIM) Fund

- 5.1 Proposals are considered by the Planning Obligations Board against nine criteria outlined in the Section 106 legal agreement for the Site Preparation Works at Hinkley Point. A recommendation is subsequently made to West Somerset Council's Cabinet. Any proposals beyond £25,000 also require approval by West Somerset's Full Council.

Criteria	Evaluation Criterion
Priority Impact Zones	<p>Priority shall be given to those areas that are anticipated in the Environmental Statement to experience or which actually experience the greatest adverse impact from the project in accordance with the following hierarchy:</p> <ol style="list-style-type: none"> 1) Directly adjacent to the site 2) Directly adjacent to the main transport routes to and from the site within West Somerset, Sedgemoor and Somerset 3) Within West Somerset and/or Sedgemoor and directly affected by adverse impacts of the project 4) In Somerset but beyond West Somerset and Sedgemoor and experiencing the next greatest degree of adverse impact, with projects which benefit West Somerset and Sedgemoor as well as its immediate area 5) In Somerset and experiencing indirect adverse impacts or in relation to a measure which benefits West Somerset and/or Sedgemoor.
Quality of Life	The principal purpose of the contribution shall be to enhance the quality of life of communities affected/potentially affected by the Project.
Sustainability	To what extent will the project contribute to achieving sustainable communities, contribute to regeneration objectives and raising environmental sustainability?

Extent of benefit	To what extent has the applicant demonstrated that the project will ensure a positive benefit and/or legacy to an adequate proportion of people within that community?
Community Need	To what extent has the applicant demonstrated a need for the project
Community Support	To what extent is there demonstrable local community and and/or business support for the project?
Partner Support	To what extent is there demonstrable local partner support for the project?
Governance	Demonstrate that good governance arrangements are in place, including financial and project management to ensure deliverability?
Value for Money	Can the applicant demonstrate value for money and that reasonable effort has been made to maximise the impact of any investment? Has match funding been secured where appropriate?

- 5.2 Nine applications were received and presented to the Planning Obligations Board at their October meeting. The recommendations from the Board were subsequently presented to Cabinet on Wednesday 5th November.

Project Name:	Feasibility Study for Road Improvements in Parish of Durleigh
Expression of Interest Ref No:	36
Organisation Applying:	Durleigh Parish Council
Issues outstanding from Eligibility Checklist:	Three competitive quotations, copies of relevant policies
Documents received:	Analysis of Speed Indicator Device, Annual Accounts, Standing Orders (Constitution), Local Council Insurance, Plans and Drawings, Photographs, Highway Designers Statement, Letters of Support

- 5.3 This application is seeking **£20,000** to complete a feasibility study to provide a safe route for non-motorised road users (pedestrians, cyclists and equestrian) on a section of road in Durleigh.
- 5.4 The applicant submitted an Expression of Interest and a Full application form was sent out on the basis of the location of the proposal. Sedgemoor District Council Community Development Officers have been in dialogue with the applicant to make them aware of the criteria that they would need to comply with and what type of projects are unlikely to be supported by the Planning Obligations Board.
- 5.5 The proposal is located within the 2nd level of Priority Impact Zones as it is located within the Parish of Durleigh which is adjacent to the main transport route.

- 5.6 The applicant is proposing to carry out a Feasibility Study for a perceived dangerous stretch of Spaxton Road in Durleigh between the junction of Luxborough Road and the junction of Enmore Road.
- 5.7 The applicant is unable to provide detailed costings for the Feasibility at this stage and have stated that they have been unable to secure three competitive quotes at this stage as they require guidance from Somerset County Council Highways. They have not secured any match funding and are seeking 100% of the total costs of the Feasibility Study from the Community Impact Mitigation (CIM) Fund.
- 5.8 Whilst local political support has been shown through letters of support being submitted from neighbouring parishes, district and county councillors, there is concern that the wider community have not been consulted or are aware of the proposals. The applicant has stated that there is a reluctance to consult at this stage to avoid instilling false expectations, possible confusion on the necessity of the scheme and potential public concern at the cost implications.
- 5.9 The applicant does not have experience of managing any projects of this nature before but would secure the services of a consultant.

Planning Obligation Board Recommendation:

- 5.10 The Board recommended refusal as the application was for a feasibility study which the Board have previously outlined in their guidance notes that they are unlikely to grant.

Cabinet Recommendation:

- 5.11 Cabinet endorsed the approach of the Planning Obligation Board.

Project Name:	Jubilee Clock Tower
Expression of Interest Ref No:	40
Organisation Applying:	Jubilee Clock Tower
Issues outstanding from Eligibility Checklist:	Copies of relevant policies
Documents received:	Basic accounts of income and outgoings over the last two years, Constitution, 1 quotation (justification provided), plans, planning consent, letters of support

- 5.12 The applicant is seeking **£1,000** from the Community Impact Mitigation (CIM) Fund. The total cost of the project is £18,000 and the organisation has already secured £16,317 of funding. The project is to erect a clock tower on Minehead seafront to commemorate the Queens Jubilee of 2012.
- 5.13 The project is located within the administrative are of West Somerset and has been submitted as the applicant considers that there is a need for the project, notably a permanent feature within the town to mark the Queens Jubilee. In addition, the clock tower would act as a focal meeting point and create footfall for local businesses. Whilst this has been noted, the application has not made it clear to what extent there is a 'need for the project' and whether there is public support for the project. Support has been garnered from a number of public organisations such as the Minehead Town Council. Planning Permission has also been secured from West Somerset Council.

Planning Obligation Board Recommendation:

- 5.14 The Board recommended refusal as there was no clear link back to the site preparation works at HPC and the project was not mitigating the impact of the development.

Cabinet Recommendation:

- 5.15 Cabinet endorsed the approach of the Planning Obligation Board.

Project Name:	Bartholomew Thomas Almshouses
Expression of Interest Ref No:	45
Organisation Applying:	Bartholomew Thomas Almshouses
Issues outstanding from Eligibility Checklist:	Annual Statement of profit and loss accounts, balance sheet for last 2 years, three competitive quotes, Listed Building Consent, copies of relevant policies, copy of letter of support from town/parish council
Documents received:	Constitution, One quotation

- 5.16 The application is seeking **£950** for the restoration of leaded casement windows to four almshouses. The total cost of the scheme is £2,650.
- 5.17 The project is located within the administrative area of West Somerset and whilst a laudable project, the project would benefit four individual residents and have limited wider community benefit. The proposal has not scored very highly against the criteria set out in the legal agreement as limited community and partner support has been shown. There is also concern that as only one quotation has been supplied and no financial statements have been submitted, it is unclear to what extent this project can be seen as providing value for money. Although, it should be noted that the overall request for funding is relatively small compared to other applications that have been submitted.

Planning Obligation Board Recommendation:

- 5.18 The Board recommended refusal as the proposal would directly benefit a very small number of residents who are not currently directly affected by the site preparation works at HPC.

Cabinet Recommendation:

- 5.19 Cabinet endorsed the approach of the Planning Obligation Board.

Project Name:	Williton Bowling Club
Expression of Interest Ref No:	63
Organisation Applying:	Williton Bowling Club
Issues outstanding from Eligibility Checklist:	Copies of relevant policies, Letters of support from town/parish council, constitution
Documents received:	Annual statement/accounts, three competitive quotations, public and employers liability insurance, constitution

- 5.20 The applicant is seeking £13,000 for the upgrading of a surround to a bowling green. No other funding has been secured or proposed, however the applicant has made reference to another element of the project (the purchase of a scarifier (£6,000)) which was originally going to form an integral part of this proposal. This has been subsequently purchased directly by the club and so has been excluded from this submission.
- 5.21 The proposal is located within the administrative area of West Somerset and would benefit a bowling club which is the nearest within West Somerset to the main Hinkley Point C site. Whilst information has been submitted to meet the criteria set out in the legal agreement, limited evidence has been provided to show local community/partner support. Whilst a letter of support has been received from Williton Parish Council, it is unclear how the members club of approximately 50 members would enable the wider community to benefit from the proposal.

Planning Obligation Board Recommendation:

- 5.22 The Board recommended refusal on the basis of limited evidence provided to show benefit to the wider community, need and support from the community, support from partners etc. It was considered that the application was premature and could have proposed a wider membership and links to the workforce / communities most affected by the HPC project.

Cabinet Recommendation:

- 5.23 Cabinet endorsed the approach of the Planning Obligation Board.

Project Name:	ECHO – Portrait of a Peninsula
Expression of Interest Ref No:	65
Organisation Applying:	Theatre Melange
Issues outstanding from Eligibility Checklist:	Copy of letters of support from town/parish councils, Public Liability Insurance
Documents received:	Annual statement/accounts, previous feedback from ECHO events, Business Plan, Exeter Univeristy ECHO Evaluation, Letter of support from Stogursey Oral History Project, Governing Document

- 5.24 The applicant is seeking **£31,180** to support an arts project. The total cost of the project is £36,680 and £5,000 has been raised by the organisation. The project (ECHO Portrait of a Peninsula) is based on a format previously delivered in Minehead, Watchet and Burnham on Sea. Working closely with the local community of Stogursey, Shurton, Burton, Steart and Comwich, real life stories of local people will be captured in film. The project will culminate in a public exhibition/performance event and a DVD. The project would run from December 2014 – July 2015. Film material produced will continue to be used in productions right through until 2017.
- 5.25 The proposal is located within the Parishes immediately adjacent to the main site and transport routes and would encompass a community directly affected by the works taking place at the main site of Hinkley Point C.
- 5.26 Whilst this proposal has scored very highly due to its positioning in relation to the main site, the Board questioned how, local people will become engaged in the project and whether this proposal has the support of the wider local community. The organisation clearly has

strong governance arrangements in place and has extensive experience of managing comparable amounts of secured funding.

Planning Obligations Board Recommendation:

- 5.27 The Board recommended refusal. The Board raised concerns with regards to the lack of linkages with the HPC project, the lack of a digital platform for future use, and felt overall that the project could have delivered more.
- 5.28 The Board declined the application on the basis that aspects of this proposal have been captured elsewhere in the Section 106 legal agreement under ‘Landscape and Visual’ and ‘Archaeological and Heritage’. It was also concluded that it was unclear how the project would engage with the wider community, including the existing power stations and the HPC project or over a longer period of change associated with the HPC build.

Cabinet Recommendation:

- 5.29 Cabinet endorsed the approach of the Planning Obligation Board.

Project Name:	Durleigh Reservoir
Expression of Interest Ref No:	69
Organisation Applying:	Somerset Youth and Community Sailing Association
Issues outstanding from Eligibility Checklist:	Copy of relevant policies, letters of support from town/parish council, constitution
Documents received:	Annual statement/accounts, Three competitive quotations, Public and employers liability insurance, constitution

- 5.30 The applicant is seeking **£9,600**. The total cost of the project is £19,609 and the organisation has currently secured £1,000. The application is for funding to purchase four new ‘Pico’ dinghies, covers and trollies. This will provide the association with the opportunity to provide additional sailing places for local young people at Durleigh Reservoir.
- 5.31 The proposal is located at Durleigh Reservoir, which is in the Parish of Durleigh, directly adjacent to a main transport route as outlined in the Section 106 legal agreement. The reservoir is the closest in Sedgemoor to the main site which allows sailing to take place.
- 5.32 The proposal complies with the criteria set out in the legal agreement with the exception of ‘community’ and ‘partner’ support. No evidence has been provided to show that support has been sourced from others within the local community.
- 5.33 The information submitted to support the proposal clearly shows that the applicant is a well-managed charity with up to date financial statements and insurances in place.

Planning Obligations Board Recommendation:

- 5.34 The Board recommended approval on the basis that complied with the criteria set out in the legal agreement, although it was noted that it was disappointing to see limited evidence of wider ‘community and partner support’. The Board wanted to secure confirmation as to the length of the project (i.e. that the dinghies were to be retained) in advance of any final decision being made by West Somerset Council Cabinet.

- 5.35 The Board wanted the applicant to provide a report back to POB on what impact the funding had achieved and felt that this needed to be added to the standard conditions for funding approval.

Cabinet Recommendation:

- 5.36 Cabinet endorsed the approach of the Planning Obligation Board and as this application was for an allocation of funding less than £25,000, this was approved by Cabinet without the need to refer to Full Council.

Project Name:	Porlock Bay Shellfish Project
Expression of Interest Ref No:	73
Organisation Applying:	Porlock Parish Council
Issues outstanding from Eligibility Checklist:	Three Competitive quotes, constitution, copies of relevant policies, public liability insurance
Documents received:	Project Background and Information, Porlock Vale Parish Plan and Questionnaire, Letters of support, Project Financial Spreadsheet, Quotation, Existing Publicity, Permissions and Licenses, Site Plan, Porlock Parish Council, Financial Information

- 5.37 Porlock Parish Council are seeking **£800** (of a total cost for the project of £23,000) for the Porlock Bay Shellfish Project. The £800 applied for will specifically fund the production of a website. This will enable the project to publicise itself, be used as a communication tool and conduct business. If the Board were mindful to approve this scheme, it would not need to be presented to West Somerset Cabinet or Full Council because of the amount applied for.
- 5.38 The Parish of Porlock is located in the 3rd level of Priority Impact Zone. The village itself is located in the administrative area of West Somerset Council.
- 5.39 In relation to Hinkley Point, the applicant has outlined that the village is in a geographically remote area off the A39 and that any traffic congestion issues could affect the vitality and vibrancy of the area. Although any impacts are likely to be indirect rather than directly related to the Site Preparation Works at the main site.
- 5.40 One of the principal purposes of the fund is to enhance the quality of life of communities affected/potentially affected by the Project. In this instance the project makes reference to the issue but it is unclear how these works would enhance the quality of life of communities affected by the Project.
- 5.41 From a 'sustainability' perspective, this scheme could be transformational for the area from and Economic Development perspective and there is currently no similar industry in West Somerset.

Planning Obligations Board Recommendation:

- 5.42 This proposal was recommended for refusal on the basis that there was not a clear identifiable impact from the site preparation works at HPC. A recommendation was made by the Board to direct the applicant toward LARC funding (available from January 2015).

Cabinet Recommendation:

- 5.43 That Cabinet refer the Porlock Bay Shellfish Project back to the Planning Obligations Board for further consideration because in the opinion of Cabinet the Board had not given sufficient regard to the Sustainability Criteria in this case - specifically the extent to which the project would contribute to the wider goal of achieving sustainable communities and regeneration objectives.

Project Name:	Tropiquaria
Expression of Interest Ref No:	74
Organisation Applying:	Tropiquaria Ltd
Issues outstanding from Eligibility Checklist:	Three competitive quotations, Planning consents, copies of relevant policies, copy of a letter of support from town/parish council, Business Plan
Documents received:	Pre-application Planning Advice, Additional justification, (Appendix 1 and 2), Site Plan, Email of Support, Proposed Plans, Quotations, Financial Statements, Public Liability Insurance

- 5.44 This proposal is seeking **£191,516** for the following works:

- Rehoming of Primates who will be adversely affected by the works at Washford Cross roundabout. Total cost: £50,000 ((including £4,333.80 contingency) including VAT)
- Relocation of wooden fort to allow for new primate enclosures. Total cost: (£37,350 excluding VAT)
- Double glazing of residential property (£135,000 including VAT)

- 5.45 The applicant is a prominent tourist attraction in the administrative area of West Somerset. The attraction is a wildlife and theme park located just off the A39. It is based on a 1930s art-deco BBC transmitter hall and animals are located in the main hall and in outside enclosures. There are also several play areas.

- 5.46 The applicant has previously raised concerns about the direct impact of Washford Cross works on animals that occupy the site. Particularly, Cotton-top Tamarins, Gibbons and Lemurs. The aim of the project is to rehome the affected animals elsewhere in the zoo complex, further from the development.

- 5.47 The applicant is also requesting £135,000 to install replacement windows to the main building.

- 5.48 Planning consent is required for the erection of new enclosures and this has not been determined yet. An application has been submitted to the Local Planning Authority but this application is currently invalid. The applicant has been aware of the issues that need to be addressed to validate this application.

Planning Obligations Board Recommendation:

- 5.49 The Board recommended partial approval for rehoming of primates that will be adversely affected by the works at Washford Cross roundabout.
- 5.50 The Board noted that this was a very unique case where the site is located directly adjacent to the construction works associated with HPC. It was noted that there would be an impact

on sensitive primates in the short term and therefore the Board recommended partial approval on an exceptional basis to enable the rehousing of these primates. In advance of a final decision being made by West Somerset Council, the Board wanted information from the applicant to confirm that their application for charitable status is progressing. Planning permission will need be secured in advance of any release of funds.

5.51 The Board asked WSC to write to the applicant clearly setting out the basis of the award.

Cabinet Recommendation:

5.52 Cabinet endorsed the approach of the Planning Obligation Board and have therefore recommended to Full Council that this application for partial funding should be supported.

Project Name:	Allerford and Selworthy Community Hall
Expression of Interest Ref No:	79
Organisation Applying:	Allerford and Selworthy Community Hall
Issues outstanding from Eligibility Checklist:	Copies of relevant policies, copy of letter of support from town/parish council
Documents received:	Three competitive quotations, Annual Statement, Constitution.

5.53 The applicant is seeking **£10,000**. The total cost of the project is £18,000 and the organisation has currently managed to raise £3,000. Two funders have also been approached to secure the remaining £5,000. The proposal is to renew windows and doors at Allerford and Selworthy Community Hall which are rotten.

5.54 The applicant has stated that the windows and doors of the original building now need replacing on the gable ends of the property. At the time of submission, no evidence had been provided to show that community/partner support was in place. However a letter of support has now been received from Selworthy and Minehead without Parish Council.

5.55 The submission and letter of support from the Parish Council has made a strong case as to why there is a community need for the project. However, whilst this is not disputed, it is unclear how those that will directly benefit are affected/directly affected by the Hinkley Point C development.

Planning Obligations Board Recommendation:

5.56 This proposal was recommended for refusal on the basis that there was not a clear identifiable impact from the site preparation works at HPC. It was not clear how this scheme will enhance the life of communities affected/directly affected by the Development.

Cabinet Recommendation:

5.57 Cabinet endorsed the approach of the Planning Obligation Board.

6. FINANCIAL/RESOURCE IMPLICATIONS

6.1 As per Schedule 1 General, Para. 5.3 of the Section 106 Legal Agreement, West Somerset Council's Cabinet (and/or Full Council) are required to give final approval for the release of these monies. This follows a meeting of the Planning Obligation Board on the 07th October 2014 which agreed to the make a recommendation to Cabinet to allocate initial funds for two projects.

- 6.2 The proposal is affordable and is within the limit of the CIM fund.
- 6.3 Payment to Tropiquaria will not commence until they secure the required planning permission as per the Board's previous recommendation.
- 6.4 It should be noted that the actual size of the CIM Fund is currently £3,735,426, which consists of the £3,500,000 as per the section 106 agreement plus inflation uplift using the agreed method, the Tender Price Index (TPI).
- 6.5 All four applications recommended for approval so far are capital expenditure and therefore will appear in West Somerset Council's capital programme. As they will all be financed by the Section 106 CIM fund, it will have no impact on the Council's own capital resources.

7. COMMENTS ON BEHALF OF SECTION 151 OFFICER

- 7.1 The rules relating to the Section 106 Agreement have been adhered to by bringing this report to Full Council for a decision. All monies are accounted for within the Community Impact Mitigation (CIM) Fund received from EDF and held by West Somerset Council.

8. EQUALITY & DIVERSITY IMPLICATIONS

Members need to demonstrate that they have consciously thought about the three aims of the Public Sector Equality Duty as part of the decision making process.

The three aims the authority **must** have due regard for:

- Eliminate discrimination, harassment, victimisation
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

- 8.1 The Council's commitment to equalities and diversity is reflected in the Council's Core Values of the Corporate Plan.

9. CRIME AND DISORDER IMPLICATIONS

- 9.1 There are no direct implications.

10. CONSULTATION IMPLICATIONS

- 10.1 These projects have been presented to the Planning Obligations Board on 07th October 2014. The Board consists of representatives from EDF, Sedgemoor, Somerset County Council. It is chaired by West Somerset Council. The Board made recommendations to Cabinet which met on Wednesday 5th November. Cabinet have made a recommendation to Full Council to release funding for one project.

11. ASSET MANAGEMENT IMPLICATIONS

- 11.1 There are no direct implications.

12. ENVIRONMENTAL IMPACT IMPLICATIONS

- 12.1 There are not considered to be direct implications of approving the release of these monies associated with the Community Impact Mitigation Fund. However, there are obviously environmental impacts associated with the wider proposed development of Hinkley Point C. These have been assessed within the Environmental Statement submitted by NNB Genco with the application to carry out Site Preparation Works at Hinkley Point C (West Somerset

Council Planning Application No: 3/32/10/037) and mitigation measures have been secured.

13. LEGAL IMPLICATIONS

- 13.1 These fund have been paid by a developer (NNB Genco) due to the signing of a Section 106 legal agreement for planning permission to carry out the site preparation works at Hinkley Point C (West Somerset Council Planning Application No: 3/32/10/037). As part of this legal agreement West Somerset Council shall take into account the recommendations of the Planning Obligations Board when deciding how to apply those elements of the Community Impact Mitigation Contributions (Schedule 1 – General, Para. 5.3 of the S106).

Report Number: WSC 159/14
Presented by: Cllr Dave Westcott – Lead Member For Community
Author of the Report: Heather Tiso - Revenues & Benefits Manager
Steve Plenty – Finance Manager
Contact Details:
Tel. No. Direct Line 01984 635239
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Report to a Meeting of: Full Council
To be Held on: 19 November 2014
*Date Entered on Executive Forward Plan
Or Agreement for Urgency Granted:*

COUNCIL TAX REBATE SCHEME REVIEW FOR 2015/16

1. PURPOSE OF REPORT

- 1.1. To provide Council with information on the Council Tax Rebate scheme in 2013/14.
- 1.2. To advise Council of the changes and impact of funding arrangements on Council Tax Rebate.
- 1.3. To advise Council of the Cabinet's recommendations on the Council Tax Rebate scheme and grant funding for Parish/Town Councils for 2015/16.

2. CONTRIBUTION TO CORPORATE PRIORITIES

- 2.1. There are no direct links with regards to this report.

3. RECOMMENDATIONS

- 3.1. That Council agree the recommendation from Cabinet that the 2014/15 Council Tax Rebate scheme should be retained for 2015/16.
- 3.2. That Council agree the recommendation from Cabinet on its preferred option for Council Tax Rebate grant funding to be passed on to Parish/Town Councils in 2015/16.

4. **RISK ASSESSMENT (IF APPLICABLE)**

Risk Matrix

Description	Likelihood	Impact	Overall
Council fails to agree Scheme by 31 st January 2015 which leads to default scheme and adverse effect on MTFP	4	5	20
<i>Ensure Council schedules allow prompt decision making Scheme is adopted to enable MTFP provision to be made</i>	2	4	8
Council incurs an unacceptably high-level of debt because of people's inability to make the payments particularly if the scheme is less generous	3	4	12
<i>Retain 14/15 scheme for 15/16 Council increases bad debt provision with budget</i>	2	4	8
Council fails to meet obligations under relevant equality legislation in adopting a scheme	3	4	12
<i>Carryout consultation on proposed scheme Consider the results and findings as part of the approval of any scheme Make reasonable adjustments through application of any agreed scheme</i>	2	4	8
Caseload increases (e.g. major employer loss) and/or total value of awards exceeds estimates	3	4	12
<i>Monthly review. Details provided to Scrutiny on a monthly basis</i>	2	4	8
Changes to future Government grant	3	3	9
<i>None</i>			

Table .4.1

- 4.1. The scoring of the risks identified in the above table has been based on the scoring matrix. Each risk has been assessed and scored both before the mitigation measures have been actioned and after they have.

5. **BACKGROUND INFORMATION**

- 5.1. The Council Tax Benefit (CTB) scheme was abolished on 31st March 2013 and replaced by the Council Tax Rebate Scheme (CTR). The Government provide all billing authorities (and major precepting authorities) with a grant and expect Councils to design a Council Tax Rebate scheme to help those on low incomes to meet their Council Tax liability. The scheme is referred to in the Local Government Finance Act as the "Council Tax Reduction Scheme", although the Authority branded the scheme as "Council Tax Rebate". It is important to understand the Government grant will not rise each year to match demand and it is not ring-fenced.
- 5.2. Each of the major precepting authorities in Somerset receive a grant based on their current share of Council Tax receipts and therefore the County Council get the biggest share. If more residents than expected claim CTR, the major precepting authorities share the risk based on their share of council tax receipts.
- 5.3. We must agree any local scheme with the major precepting authorities i.e. Somerset County Council, Avon and Somerset Police, and Devon and Somerset Fire and Rescue Authority, and adopt it by 31 January 2015. If we cannot agree, the Government will impose a default scheme that will be much more expensive than our localised CTR scheme for 2014/15.

- 5.4. Schemes can be changed and what we have in place for 2014/15 does not have to remain in place for subsequent years, but we cannot change schemes mid-year.
- 5.5. We are not allowed complete freedom on the design of our CTR scheme. The Government have stipulated we must protect pensioners under the same criteria previously applying to CTB. This means there is no discretion in CTR for people over pension age, as there are nationally set entitlement rules for this group.
- 5.6. Pensioners, make up 56% of our CTR caseload, but account for 62% of spending on CTR. This means any cut in the support paid under CTR is borne by the remaining 44% of working age claimants.
- 5.7. From 1 April 2014, funding for localised CTR was incorporated in the Local Government Finance Settlement (LGFS) and is not separately identified. The grant we get does not reflect our actual expenditure. The Government stated the total level of the localised Council Tax Rebate funding would be unchanged in cash terms for 2014/15 and 2015/16. However, this is not reflected in the figures contained in the detailed calculation model available on the gov.uk website.
- 5.8. This shows CTR funding has been split between elements relating to upper and lower tier services and fire before overall reductions have been applied. In 2014-15 the *average* reductions are 10.3% for upper tier funding, 14.2% for lower tier funding and 7.8% for fire and rescue funding¹ (individual authority allocations vary). This means CTR funding has been reduced at authority level. Higher reductions apply for 2015-16 with 16.1% for upper tier funding, 16.3% for lower tier funding and 8.5% for fire and rescue funding.
- 5.9. In 2013/14 we received funding of £2,831,449. If we were to apply the same percentage reduction as detailed in paragraph 5.8, this will reduce funding for CTR in 2015/16 by £748k to £2,083,724 (a cut of £79k for West Somerset Council in isolation).
- 5.10. As we are prevented from reducing CTR spending for those of pension age, if we apply cuts, they must be made from the support we provide to people of working age. In 2015/16, allowing up uprating, we estimate we will pay CTR of £1,684,351.29 to our pension age customers.
- 5.11. By reducing the overall funding for CTR in 2015/16 to £2,083,724, it will mean the remaining funding for CTR for working age recipients will reduce to £399,372.71. Based on our current CTR scheme we estimate awarding £1,090,785.10 to working age recipients. This will mean we have an overall budget shortfall of £691k with West Somerset's share of that shortfall being £65k. These estimates assume caseloads remain steady.
- 5.12. Under CTB, we spent £1,360,379 in 2012/13 for people of working age. In 2013/14 we awarded CTR of £1,075,188 - a cut of 21% in support for those of working age. If we were to cut spending on CTR in 2015/16 to £399,372.71 it would **equate to a reduction in help we offer to this group of 71% in comparison to the help they received through CTB.**
- 5.13. While we have some discretion on designing our CTR scheme for people of working age, the Government say we must protect vulnerable groups. There is no definition of which groups are counted as "vulnerable" as each authority has to make its own assessment. However, the Government have highlighted Local Authority statutory duties regarding:
- Children and duties under the 2010 Child Poverty Act to reduce and mitigate the effects of child poverty
 - Disabled people and duties under the Equality Act 2010
 - Homelessness Prevention and duties under the 1996 Housing Act to prevent homelessness with special regard to vulnerable groups.
- It is up to Billing Authorities to decide how they apply any such protection. Currently, our scheme considers disabled people's needs and those responsible for children. It fully ignores income from a War Disablement or War Widows Pension. Also following the Government's direction, our CTR scheme strengthens work incentives and does not discourage people to move off benefits and into work or to stay in work.
- 5.14. The Cabinet met on 5 November 2014 to consider this report and were supportive of a recommendation to retain the 2014/15 Council Tax Rebate scheme for 2015/16.

6. CONTEXT

- 6.1. The Welfare Reform Act 2012 is the most significant change to the welfare system in decades and is transforming the current benefits system across the United Kingdom. This act included the abolition of the national Council Tax Benefit scheme, to be replaced by a local Council Tax Rebate scheme, designed and implemented by each Local Authority. Expenditure has been reduced as part of the Government’s plans to reduce the national welfare bill and contribute to the budget deficit reduction, by giving councils fixed grants as opposed to them receiving full subsidy in respect of all benefit payments made.
- 6.2. In West Somerset Council, 1,430 households, where recipients are of working age, receive reduced assistance towards their Council Tax following the introduction of our localised CTR scheme. It is worth noting that in addition to the reduced support available through CTR:
 - 3 are affected by the benefit cap with a reduction of £91.25 a week on average;
 - 197 are affected by the removal of the spare room subsidy receiving a reduction of £16.97 a week on average.
- 6.3. In research published by the Joseph Rowntree Foundation² it states 244 councils now require all households to pay at least some Council Tax regardless of income. It further states that in 2014/15, 2.34 million low-income families will pay on average £149 more in Council Tax each year. Of the 2.34 million affected families, 1.5 million were in poverty (measured after housing costs) and 1.8 million were workless families.
- 6.4. As the graph below shows, there has been a large drop in the number of councils with smaller minimum payments levels (of 8.5% or less); from 113 in 2013/14 to 69 in 2014/15. A minimum payment of 8.5% was common in 2013/14 because grant funding was available to councils that did not withdraw support from claimants by more than 8.5%.

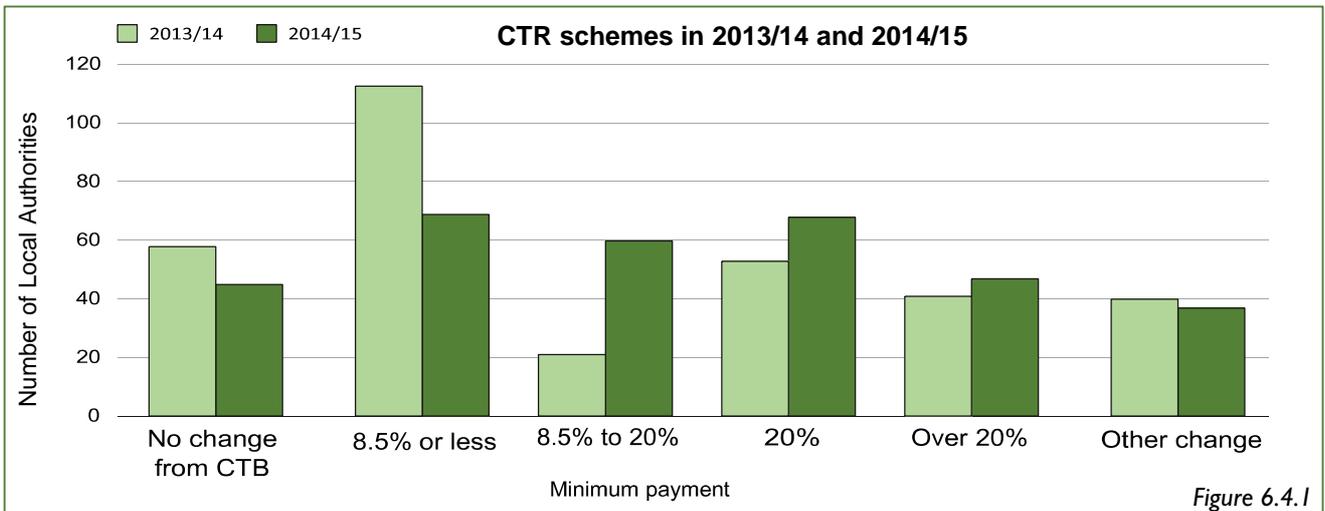


Figure 6.4.1

- 6.5. In May 2014 the Citizens Advice Bureau (CAB) reported³ that at a national level, one in five people reporting debt problems has Council Tax arrears. Gillian Guy, Citizens Advice Chief Executive, states:

“For some households council tax bills can be the tipping point that plunges them into debt. Last year over 90,000 people came to Citizens Advice looking for help with council tax arrears as they struggle in the face of low incomes, rising prices and reduced financial support...since the end of Council Tax Benefit we’ve seen council tax arrears problems go through the roof. As their budgets shrink local authorities are increasingly stretched, but they must ensure that the resources available for their local Council Tax Support (Rebate) scheme are focussed on those who are most in need.”

- 6.6. We have received representation from Gingerbread (a charity providing advice and support for single parents) setting out why they consider we should not include child maintenance in our calculations for income for CTR. They state four principle reasons, arguing that including maintenance will:
- Increase the risk of child poverty among single parents - whose children are already twice as likely to live in poverty;
 - Risk fewer parents seeking child maintenance payments - particularly where the payments they do get vary or often go unpaid - putting them at greater risk of financial hardship;
 - Offer little savings to Councils due to the modest amounts of maintenance involved and higher administrative costs as maintenance payments can fluctuate in frequency and amount;
 - Mean a double penalty on child maintenance for single parents as from 2014, the Government plans to start charging single parents who need help from the new Child Maintenance Service (a parent will have to pay 4% of their child's maintenance as a collection fee, while the paying parent will face charges of an additional 20%).
- 6.7. In a report⁴ from the House of Commons Public Accounts Committee published in March 2014, it states the Department for Communities and Local Government (DCLG) were:

“dissatisfied that 22 local authorities (of which West Somerset Council is one) had introduced schemes that counted child maintenance payments as income when calculating Council Tax Support” (Rebate).

7. COUNCIL TAX REBATE SCHEME FOR 2013/14

- 7.1. People of pension age were protected as required and a more generous system applied. If a person claims Pension Credit (guarantee element) there is no limit on the savings they can have and they will normally not pay Council Tax at all. Pensioners with higher incomes can also qualify, even if they do not get Pension Credit. Depending on their circumstances they can qualify for some help with their Council Tax with an income of £400 a week or more.
- 7.2. In designing our CTR scheme, we considered ability to pay and the collectability of the resultant Council Tax liability. For people of working age, our scheme has the following key elements:
- Maximum support is 85% of Council Tax - everyone of working age has to pay something;
 - Non-dependant deductions are increased;
 - No Second Adult Rebate;
 - Child maintenance will count as income;
 - Earned income disregards are at increased levels than those offered under CTB;
 - Hardship fund of £22.5k for short-term help (this is a Collection Fund commitment and not fully funded by West Somerset Council).
- 7.3. On 1 April 2013, 3,531 people moved from the Council Tax Benefit scheme to the localised Council Tax Rebate scheme. During 2013/14, the average weekly CTR award for a Pension Age claim was £17.39, while for people of Working Age, it was £13.75 (with those in employment receiving an average award of £11.81 a week, and those not in employment, receiving £14.43 a week).

7.4. Other key facts on CTR caseload, spending and budgets are shown below:

Claimant type	% of total claims	Caseload at 31 March 2014	% of total spend	CTR Expenditure
Working Age (employed)	11%	378	8%	£224,378.51
Working Age (not employed)	33%	1,122	30%	£850,809.47
Pension Age	56%	1,934	62%	£1,753,368.43
Total	100%	3,434	100%	£2,828,556.41

Table 7.4.1

Authority	CTR Budget
West Somerset Council (9.39%)	£276,089
Parishes and the Unparished Area (4.08%)	£120,035
Somerset County Council (69.96%)	£2,057,945
Police and Crime Commissioners (11.44%)	£336,607
Devon and Somerset Fire Authority (5.13%)	£151,026
Total Budget	£2,941,702.00

Table 7.4.2

Council Tax Rebate @ 31 March 2014	
Council Tax Rebate awarded	£2,828,556.41
Council Tax Rebate Budget	£2,941,702.00
Council Tax Rebate award against budget	-£113,145.59
Underspend as a percentage of the budget	3.85%
Average Council Tax Rebate Award (based on caseload of 3,434)	£823.69

Table 7.4.3

7.5. Members will see from the above table that we paid out £113,145.59 less in CTR than the budget. This “underspend” equates to 3.85%. The cost of the scheme was lower than originally estimated due to a reduction in CTR recipients in comparison to CTB. Fluctuations in take up and in claimant numbers and income will impact on the overall expenditure. To put this into context, if 138 more people had claimed CTR and received average entitlement, then our budget would have been overspent.

8. COLLECTION ACTIVITY AND DEBT PROFILE FOR 2013/14

- 8.1. In 2013/14, we collected 96.9% of the net collectable debt due for 2013/14. This compares with 97.5% in 2012/13.
- 8.2. West Somerset Council send 17,593 Council Tax bills amounting to more than £19.5m each year. Around 19.5% of residents receive financial support through CTR, with 8.5% of residents being of working age and receiving CTR.
- 8.3. Officers also had to recover increased Council Tax from 1 April 2013 the Council decided to take advantage of new flexibilities related to second home discounts and short and long term empty properties to generate additional income. For unoccupied and unfurnished properties the changes meant Council Tax would be payable at 100% of the liability after 1 month. For those remaining unoccupied and unfurnished after 2 years, the Council decided to charge Council Tax at 150% to encourage owners to put those properties back into use. Previously, there was no Council Tax payable for unoccupied and unfurnished properties for the first 6 months.

For unoccupied furnished properties (“second homes”) Council Tax from 1 April 2013 was payable at 100% instead of 90% that previously applied.

- 8.4. As well as more income falling due from the new flexibilities on raising Council Tax, we had to collect over £285k more from working age CTR recipients than in 2012/13. Previously, this income had been automatically credited to their Council Tax accounts through the more generous CTB scheme and consequently, it created additional work for our Revenue Officers in collection activities.
- 8.5. For many customers, it was the first time they had to pay Council Tax and it was evident this caused them budgeting issues, not least because many were also affected by other welfare reform, such as the removal of the spare room subsidy and increased non-dependant deductions in Housing Benefit.
- 8.6. Revenues Officers set up special arrangements to help people struggling to pay. We routinely offered 12 monthly instalment arrangements (usually Council Tax is paid over 10 months) for customers affected by the reduced help through CTR and were quite successful in agreeing new Direct Debit arrangements.
- 8.7. Despite our best efforts, the number of customers affected by recovery action increased significantly.

	2012/13	2013/14	% change
Council Tax net collectable debt	£18,716,143	£19,588,510	4.6% ↑
Reminders and final notices issued (for all years)	10,325	12,857	24.5% ↑
Summons' issued (for all years)	778	1,012	30% ↑
Liability orders obtained	679	761	12% ↑
Cases referred to bailiffs/enforcement agents	702	879	25% ↑

Table 8.7.1

9. **CONSULTATION**

- 9.1. At the meeting of Council on the 20 November, 2013, members expressed concern debt levels for the CTR claimants who were in work were higher than for other profiles. Members requested further work be undertaken to ascertain if any adjustments could be made to our CTR scheme for 2015/16. It is important to note that when consultation was agreed, funding for CTR was through a specific and defined grant that on estimates that at the time, could have allowed for increased support to be allowed within the budget.
- 9.2. Members agree it is important for the scheme to aim to incentivise work and encourage people to remain in employment. It was suggested this should be used as one of the principles in carrying out the review.
- 9.3. Public consultation started on 24 February 2014 and ended on 23 May 2014. We included a consultation document with every Council Tax bill issued during annual billing for 2014/15. Therefore, every Council Taxpayer had the opportunity to comment on our proposals. We consulted on the following 3 proposals:
- Proposal 1 to increase earned income disregards
 - Proposal 2 to reduce income tapers
 - Proposal 3 to increase earned income disregards to £50 for everyone and reduce the income taper to 7.5%
- 9.4. At the closing date, we had received 69 responses to the consultation document. Of these 9 (14%) were from people currently receiving CTR. The survey results show the following:
- 77% of those responding agreed with Proposal 1
 - 74% of those responding agreed with Proposal 2
 - 71% of those responding agreed with Proposal 3

Full details of the consultation responses are shown in [Appendix 1](#).

10. FINANCIAL/RESOURCE IMPLICATIONS

10.1. Members should be aware our scheme automatically increases premiums and personal allowances as it links them to the Housing Benefit increases.

10.2. In September the Department for Communities and Local Government is expected to announce it will amend the Prescribed Requirements Regulations to up-rate the allowances, premiums and non-dependant deductions for pensioners for 2015-16. The Government will up-rate:

- personal allowances in line with Pension Credit rates
- most premiums in line with CPI; and
- non-dependant deductions in line with growth in eligible council tax.

2015/16 Pension Credit rates have yet to be published. The current CPI (Consumer Prices Index) rate is 2%. It is felt prudent to budget for a 1.6% increase in overall CTR expenditure.

This is to allow for 0.9% estimated increase in council tax liability for all cases, and an additional 2% increase in premiums (current CPI rate) for all non passported claims. Passported claims will not be affected by the increase in premiums as they are already receiving full benefit.

10.3. The budget for CTR is calculated by the sum of band D equivalents for CTR discretionary discounts multiplied by the equivalent number band D properties. Therefore, our budget of £2,795,094 for 2014/15 is £1,474.75 Council Tax per Band D equivalent multiplied by 1,895.30 number of Band D equivalent properties.

10.4. By running the scheme as a “discount” we share the risk of financing the costs with the other precepting authorities through the tax base calculation. The first financial impact is on the Collection Fund that is used to manage all Council Tax income, before that funding is shared between the various local precepting bodies. Given West Somerset’s share of the Collection Fund (shown in the chart below) is only 9.35%, the major element of the risk falls on the other precepting local authorities.

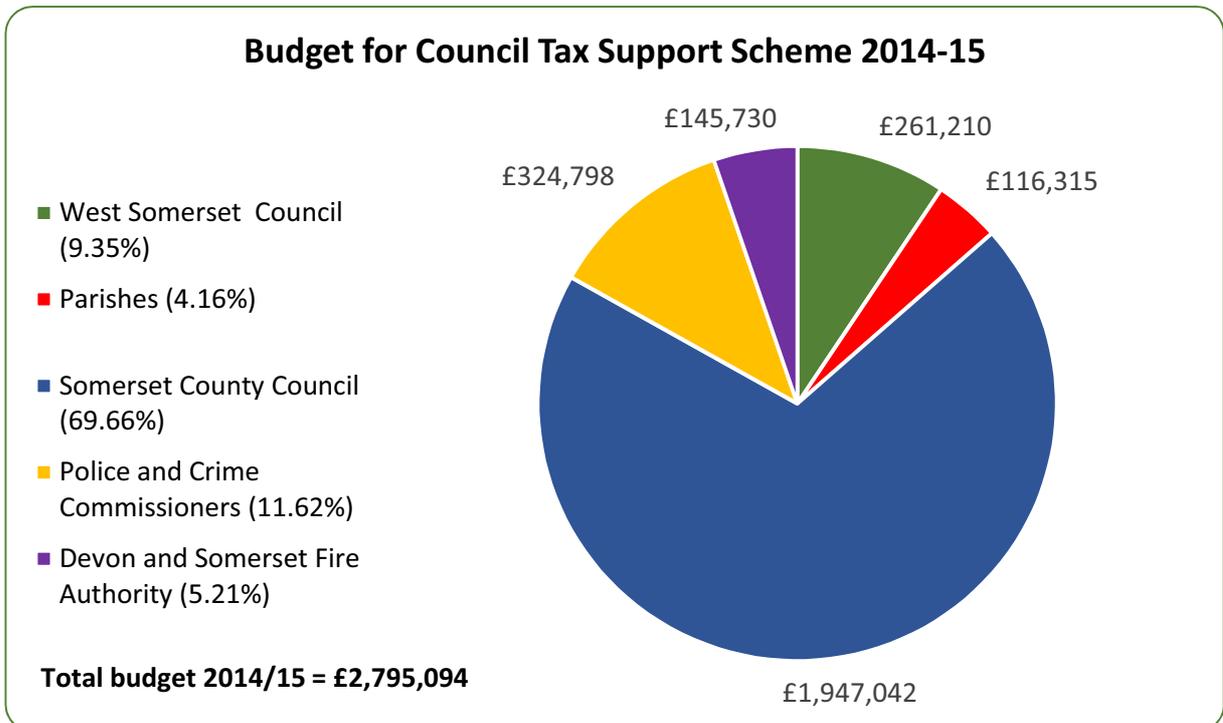


Chart 10.4.1

- 10.5. The Department for Communities and Local Government Local Government Finance Settlement 2014-15 & 2015-16 Technical Consultation advised the Government proposed to keep the level of the localised Council Tax Rebate funding unchanged in cash terms for 2014/15 and 2015/16. However, from 1 April 2014, funding for CTR is incorporated in the Local Government Finance Settlement (LGFS) and not separately identified. We have indicative figures showing the LGFS reduced significantly in both 2014/15 and 2015/16. If we apply the same reduction to the funding for CTR, it means a cut of £748k in comparison to the funding provided in 2013/14 (£78,673 cut in CTR funding for West Somerset Council alone).
- 10.6. The financing risk of the scheme is shared with other precepting Authorities through the tax base calculation. West Somerset's share of the collection fund in 2014/15 is 9.35%. The cut in individual preceptors' funding is shown in the table below.

**Cut in CTR funding based on reductions in LGFS for 2014-15 & 2015-16
(Estimated cut in CTR funding of £748k since 2013-14)**

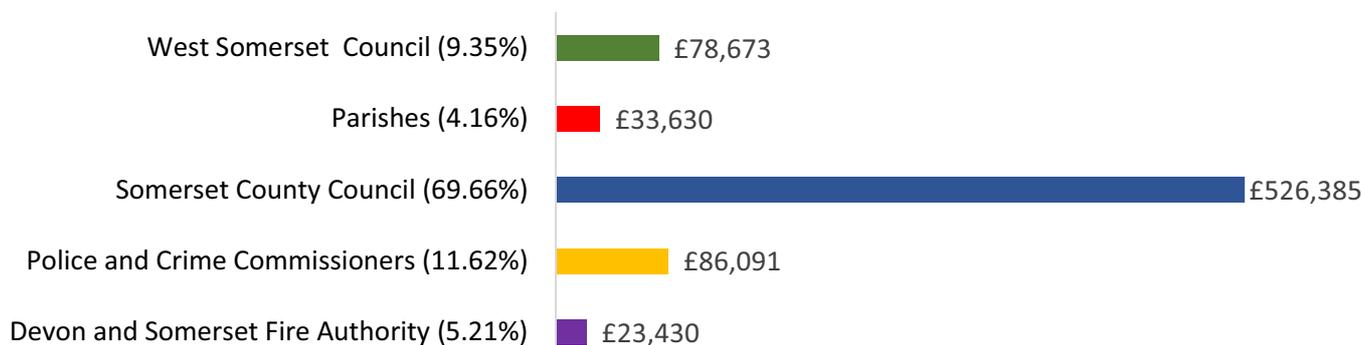


Chart 10.6.1

- 10.7. In January 2013, the Council agreed to amend the discounts and exemptions awarded to raise a significant amount of additional council tax income and to use this money to fund the localised CTR scheme to a more acceptable level of 85%. (Recommendation C93). However, the additional amount raised of £402k will not meet the expected shortfall of £748k in the funding we will receive for CTR in 2015/16 as there will be a remaining deficit of £346k.

Estimated Income Generated by Council Tax Technical Reform				
	Empty & Unfurnished Properties	Second Homes	Long Term Empty Properties	Total Additional Income
West Somerset Council (9.35%)	£20,911.18	£13,325.71	£3,383.11	£37,620.01
Parishes and the Unparished Area (4.16%)	£9,303.80	£5,928.87	£1,505.21	£16,737.88
Somerset County Council (69.66%)	£155,793.89	£98,966.58	£25,205.08	£279,965.55
Police and Crime Commissioners (11.62%)	£25,988.01	£16,560.94	£4,204.46	£46,753.42
Devon and Somerset Fire Authority (5.21%)	£11,652.11	£7,425.34	£1,885.13	£20,962.59
Total Additional Income	£223,649.00	£142,207.45	£36,183.00	£402,039.45

Table 10.10.1

- 10.8. If we allow for the reduced funding we estimate we will receive in 2015/16 and then allow for the extra income generated through technical reform, the net deficit position for each preceptor will be that shown in the table below:

	Cut in CTR funding	Extra income from technical reform	Net deficit
West Somerset Council (9.35%)	£78,673.00	£37,620.01	-£41,052.99
Parishes and the Unparished Area (4.16%)	£33,630.00	£16,737.88	-£16,892.12
Somerset County Council (69.66%)	£526,385.00	£279,965.55	-£246,419.45
Police and Crime Commissioners (11.62%)	£86,091.00	£46,753.42	-£39,337.58
Devon and Somerset Fire Authority (5.21%)	£23,430.00	£20,962.59	-£2,467.41
Total Additional Income	£748,209.00	£402,039.45	-£346,169.55

Table 10.11.1

- 10.9. Therefore, in changing the CTR scheme to apply any of the proposals, it will mean we are increasing the funding deficit. The financial implications for each proposal, assuming caseloads remain steady, are as follows:

	Proposal 1	Proposal 2	Proposal 3
Estimated CTR expenditure for 2015/16 allowing for inflation but based on the proposal	£2,829,350.48	£2,838,039.91	£2,862,110.61
Estimated CTR Expenditure allowing for inflation based on our current scheme	£2,775,136.40	£2,775,136.40	£2,775,136.40
Increase in CTR expenditure through implementing the proposal	£54,214.08	£62,903.51	£86,974.21

Table 10.9.1

Full details of the modelling carried out are contained in [Appendix 2](#).

- 10.10. Ideally, based on the information we now have showing the substantial reduction in CTR funding, we would be considering reducing our CTR scheme to mitigate the loss in 2015/16. However, we have already carried out consultation in preparation for potentially changing our CTR scheme for 2015/16. To carry out consultation once again on proposals that will inevitably be in opposition to the earlier exercise would be ill advised. In addition, the time remaining to carry out further consultation is extremely limited and we would face considerable risk in failing to meet our statutory obligations in conducting such an exercise effectively.

11. FUNDING FOR PARISH/TOWN COUNCILS

- 11.1. Within the 2013/14 Funding Assessment (previously known as “Finance Settlement”) for WSC an amount of £110,262 was identified as the Government’s estimate of the impact of CTR on parish council tax base. Local authorities were encouraged – but not mandated – to pass on funding to parishes to help mitigate the impact of CTR and to liaise with parishes to agree a basis for this. The amount of funding provided to local authorities in 2014/15 (and subsequent years) does not separately identify an amount related to parishes, but in principle some funding is included. It can be argued (but not evidenced) that the amount of funding received by WSC in this regard changes each year in direct proportion to the annual Funding Settlement. The cost will be dependent on the local design of the scheme.
- 11.2. The Council’s Funding Assessment reduced by 14.5% in 2014/15, and a further 15.6% reduction is currently projected in the Provisional Funding Assessment for 2015/16.
- 11.3. The Council previously approved the principle of applying a reduction in CTR grant to parishes in line with the reduction in the WSC Funding Assessment. Using local data for the “real” impact of CTR on each parish tax base, reduced in line with WSC Funding Assessment, a total of £87,560 has been paid in grant to Parishes in 2014/15. This represents the Council’s updated Base Budget for Parish Grant funding in 2015/16.

- 11.4. Members are requested to confirm the principle to be applied for 2015/16 CTR Grant to funding to be paid to Parish Councils.
- 11.5. In view of the significant financial pressures this Council needs to make difficult decisions in order to balance the budget and provide a sustainable financial future. The Council is responsible for determining which services are affordable within its available resources – and this same responsibility is held by parish councils (although they are not currently subject to regulation on the amount of council tax charged to local tax payers). Last year the Council wrote to each parish confirming there are no guarantees that the level of grant funding would continue.
- 11.6. It is therefore suggested that careful consideration is given to the level of grant funding that is affordable in 2015/16 and subsequent years to mitigate CTR impact on parishes, whilst recognising the impact on parish budgets and potential local tax requirement.
- 11.7. The Cabinet met on 5 November 2014 to consider this report the following options for 2015/16:
- a) Reduce the level of funding by the same percentage as the reduction in the 2015/16 Provisional Funding Assessment (estimated 15.6%). This would reduce the budget requirement for CTR Parish Grants by approximately £14,300, to a total of approximately £73,900.
 - b) Reduce the level of funding passed through to parishes by 25% - reducing grant funding by approximately £21,900, to a total of approximately £65,700.
 - c) Reduce the level of funding passed through to parishes by 50% - reducing grant funding by approximately £43,800, to a total of approximately £43,800.
 - d) Reduce the level of funding passed through to parishes by 100% - reducing grant funding by approximately £87,600, to nil.
- 11.8. An alternative to keep the funding at the same level as for 2014/15 is not financially viable for this Council and was therefore not presented as an option. If funding is reduced parishes will have the opportunity to consider whether to take action to reduce their costs and/or adjust the amount of precept levied on the local tax payer.
- 11.9. Cabinet noted that recently, local government minister Kris Hopkins has criticised some local councils for ‘failing to pass sufficient money down to parish councils’, where some authorities have indicated they do not intend to pass on any funding.
- 11.10. Cabinet were supportive of a recommendation to Full Council to reduce the level of funding passed through to parishes by 100% - reducing grant funding by approximately £87,600, to nil.

12. Council Tax Rebate Scheme 2016/17

- 12.1. We intend to work in collaboration with the County Council (as the major preceptor) and the other Somerset District billing authorities of Taunton Deane, Sedgemoor, Mendip and South Somerset to design a “core” scheme for Somerset to redesign our CTR scheme for Working Age applicants from 2016/17 to:
- Protect applicants on a low income and those deemed to be vulnerable;
 - Incentivise work and maintain levels of support to assist those on low levels of earned income;
 - Reduce administration costs in anticipation of changes to administrative subsidy;
 - Be delivered within existing administrative frameworks and with minimal changes to software requirements; and
 - Reduce the level of expenditure across the scheme to deliver the savings required by billing and precepting authorities.

We will be obtaining assistance through a leading consultant in carrying out this work.

13. SECTION 151 OFFICER COMMENTS

- 13.1. From 2014/15 funding for Council Tax Rebate will be incorporated into the Local Government Finance Settlement and not separately identified. The overall total for the Local Government Finance Settlement is being reduced and it is vital any financial risk in the 2015/16 Council Tax Rebate scheme is kept to a minimum.
- 13.2. The funding for CTR in 2015/16 will mean implementing any of the proposals will increase the funding shortfall by the amounts shown in *Table 10.9.1*. Members should also be aware there are a number of factors beyond the Authority's control that increase demand, such as economic downturn, loss of large local employer etc. and this too will potentially increase the funding shortfall.
- 13.3. I would therefore recommend Members retain our current CTR scheme for 2015/16.

14. EQUALITY & DIVERSITY IMPLICATIONS

- 14.1. **Members need to demonstrate they have consciously thought about the three aims of the Public Sector Equality Duty as part of the decision making process.**

The three aims the authority **must** have due regard for:

- Eliminate discrimination, harassment, victimisation
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

- 14.2. A thorough consultation was undertaken in August and September 2012 when we were considering implement our CTR scheme. Full details were provided in report WSC 3/13.
- 14.3. [Appendix 3](#) of this report updates the assessment and provides actual data against the issues originally identified.
- 14.4. Debt levels are broken down by claim profile in [Appendix 4](#).

15. CRIME AND DISORDER IMPLICATIONS

- 15.1. Regular liaison between the police and this authority is maintained through our Community Safety Officer. At this time, no attributable impacts upon local rates of crime and disorder have been identified.

16. CONSULTATION IMPLICATIONS

- 16.1. Consultation was undertaken on the proposals to increase support through CTR to working recipients in 2015/16. While every household was invited to participate in the consultation, we received only 69 responses from the general public (see [Appendix 1](#)).

17. ASSET MANAGEMENT IMPLICATIONS

- 17.1. The Department of Communities and Local Government has paid a grant to help billing authorities cover the cost of administering localised Council Tax Rebate schemes.
- 17.2. A decision to retain the existing CTR scheme in 2015/16 will help keep costs low as there will be no additional software changes

18. ENVIRONMENTAL IMPACT IMPLICATIONS

- 18.1. None Associated with this report

19. **LEGAL IMPLICATIONS**

- 19.1. Council must approve a scheme by 31 January 2015 or it will be forced to adopt the Government's default scheme. The default scheme is essentially old Council Tax Benefit scheme allowing a maximum 100% of liability as oppose to the 85% West Somerset scheme. The clear implication being the creation of a significant additional budget deficit.

BACKGROUND PAPERS

¹ Local Government Finance Settlement 2014-15 and 2015-16 Consultation

<http://www.local.gov.uk/documents/10180/5533246/Local+Government+Finance+Settlement+1415+1516++LGA+response+final.pdf/1ebbc901-681f-4f8b-9c92-28ec7c69cb0f>

² Joseph Rowntree Foundation - How Have Low-Income Families Been Affected by Changes to Council Tax Support?

<http://www.jrf.org.uk/publications/low-income-families-changes-council-tax>

³ CAB Press Release 26 May 2014 - Council tax arrears now biggest debt problem reported to Citizens Advice

http://www.citizensadvice.org.uk/index/pressoffice/press_index/press_office-newpage-20140526.htm

⁴ Report from the House of Commons Public Accounts Committee

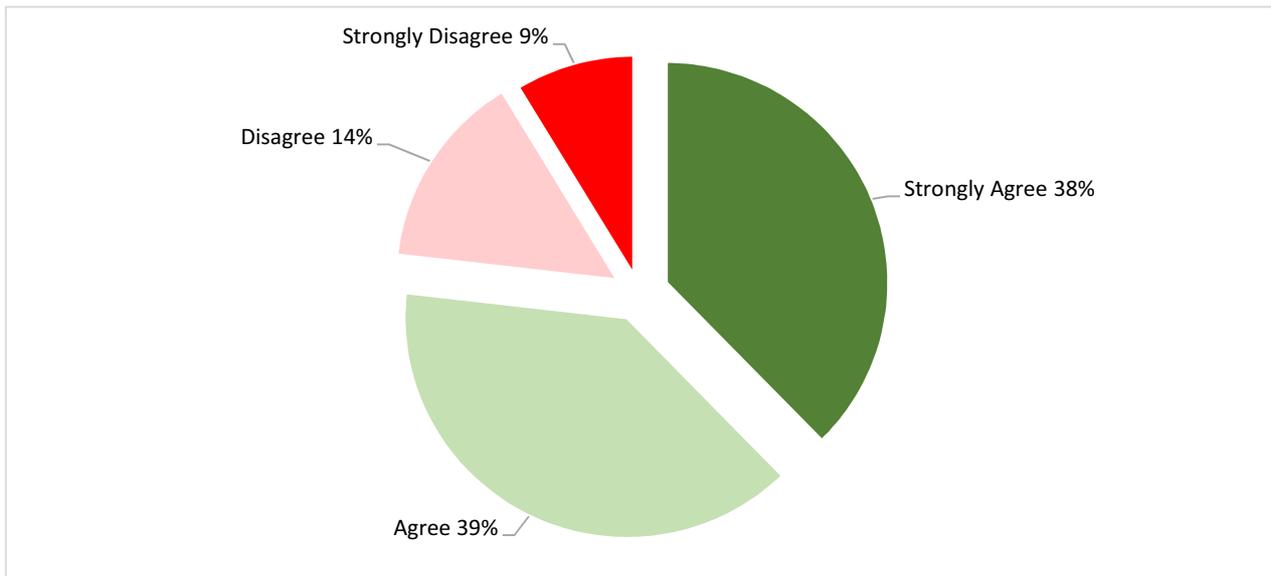
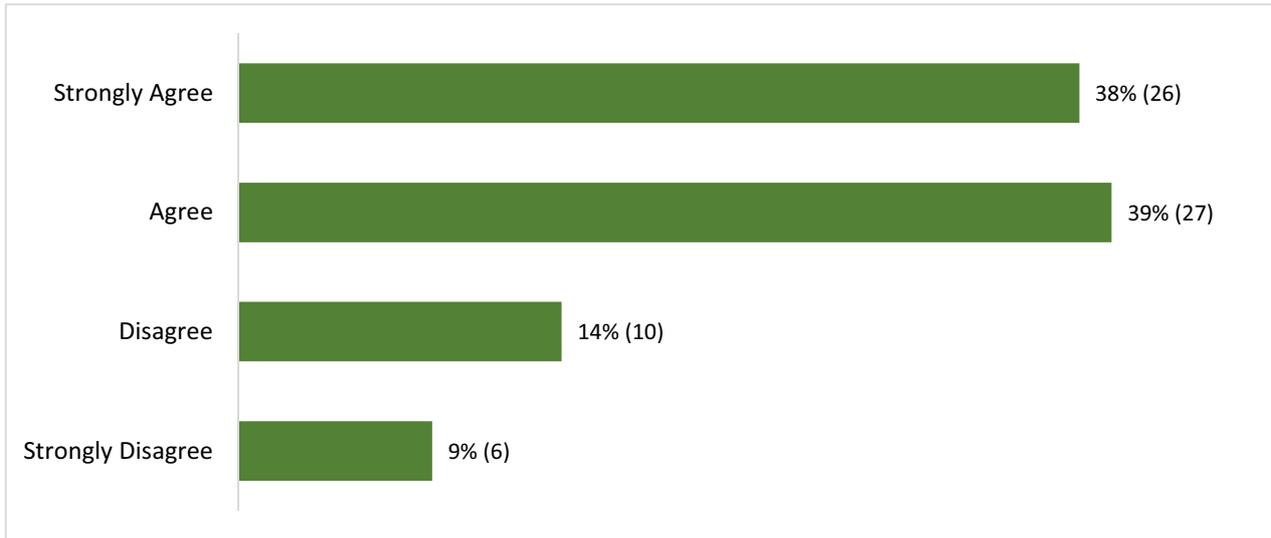
<http://www.publications.parliament.uk/pa/cm201314/cmselect/cmpublicacc/943/94302.htm>

⁵ Report from the National Audit Office - Council Tax Support, published on 13 December 2013

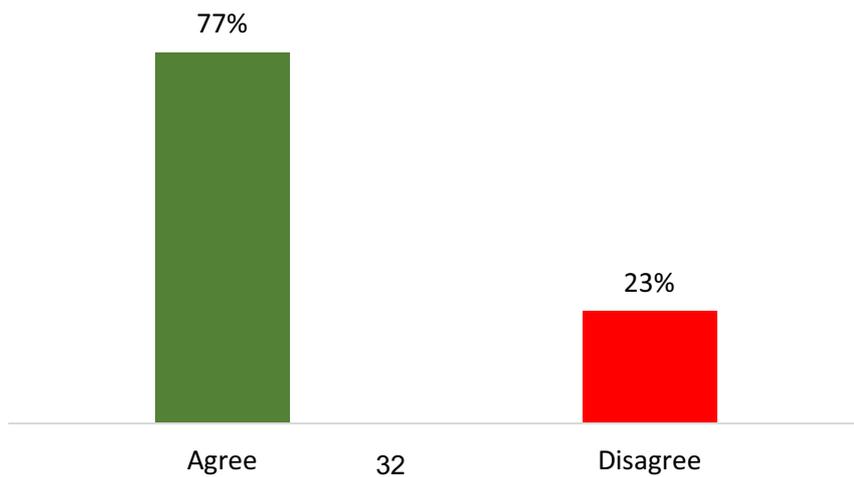
<http://www.nao.org.uk/wp-content/uploads/2013/12/10316-001-Council-Tax-Book.pdf>

Question 1

Do you agree with Proposal 1 to increase earnings disregards?

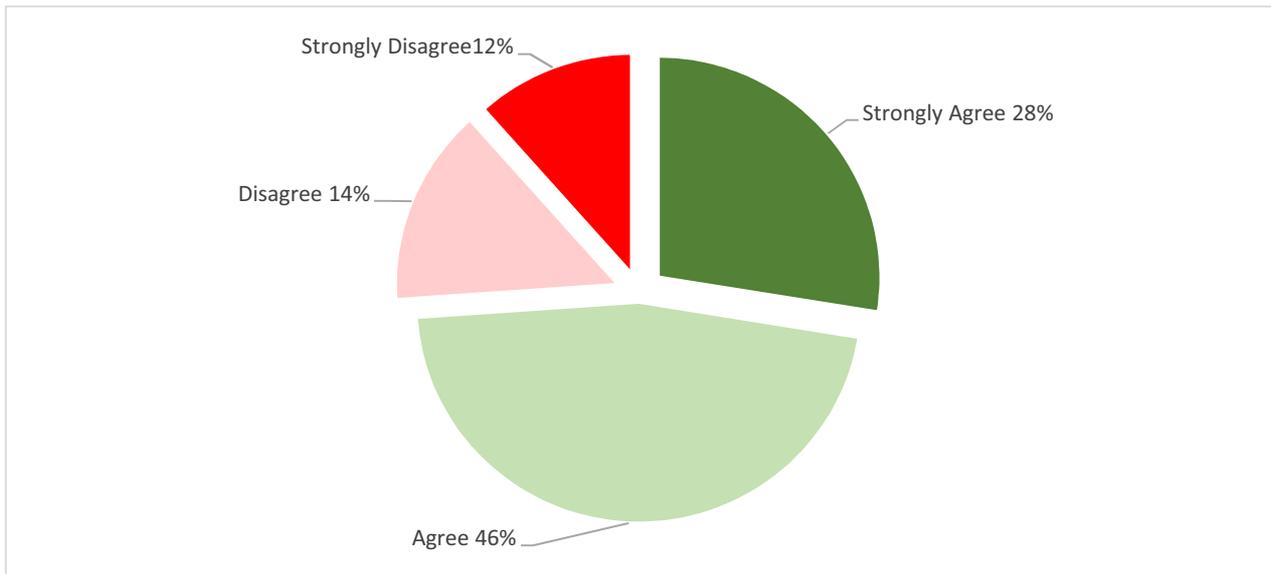
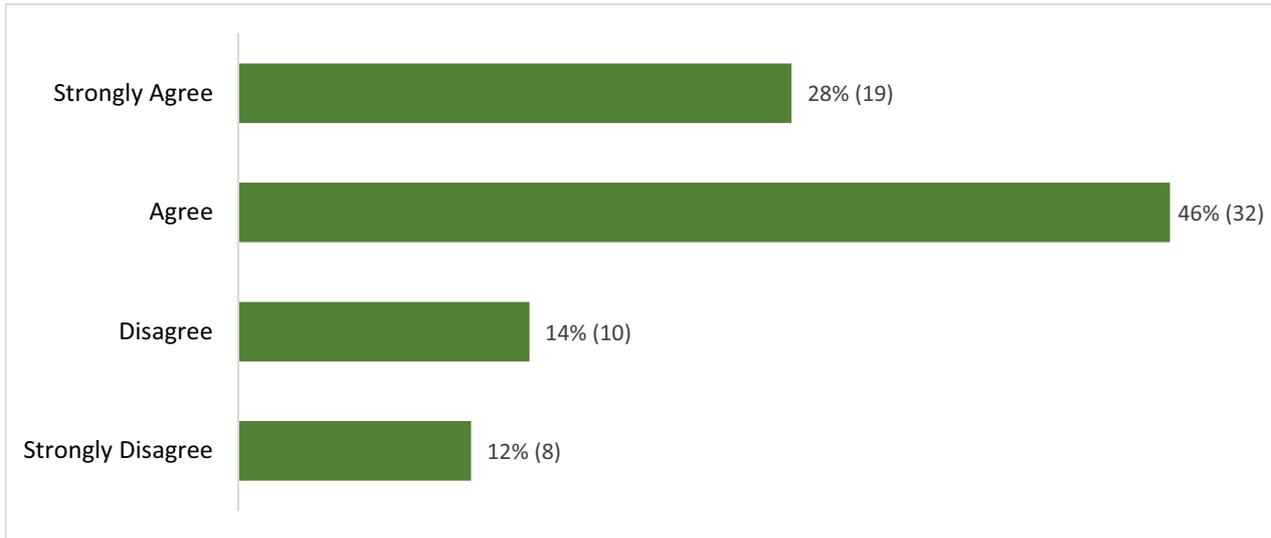


Proposal 1 - Increase Earnings Disregards

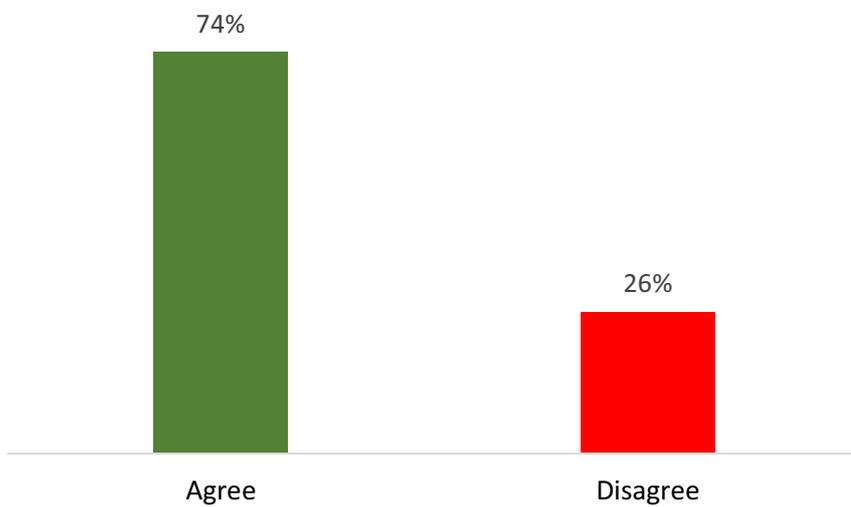


Question 2

Do you agree with Proposal 2 to reduce income tapers?

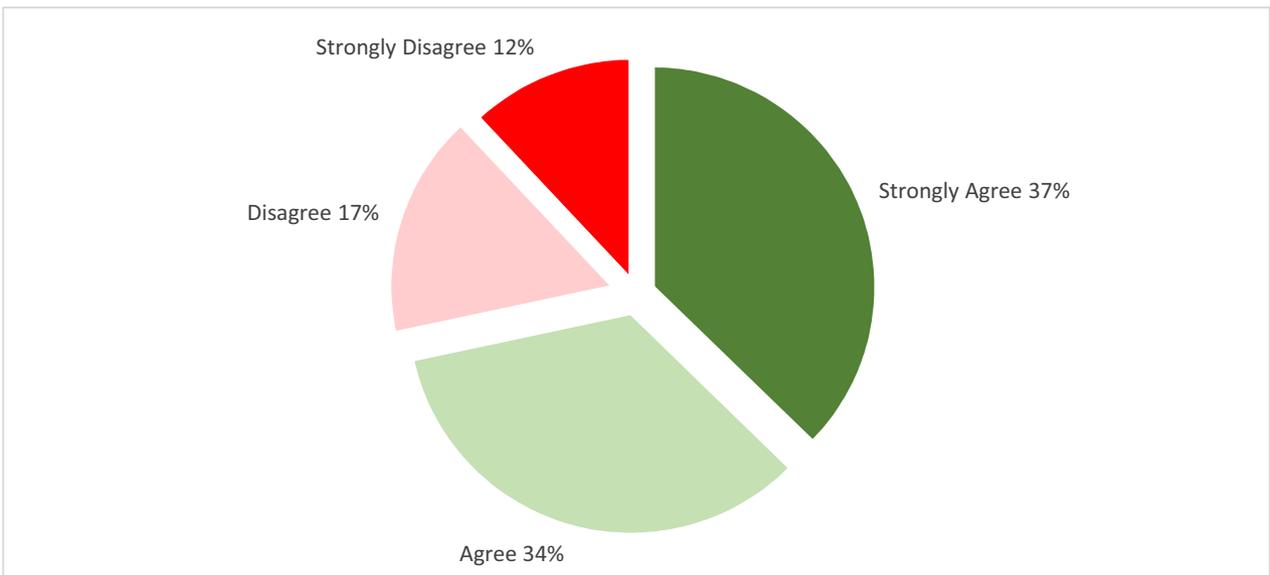
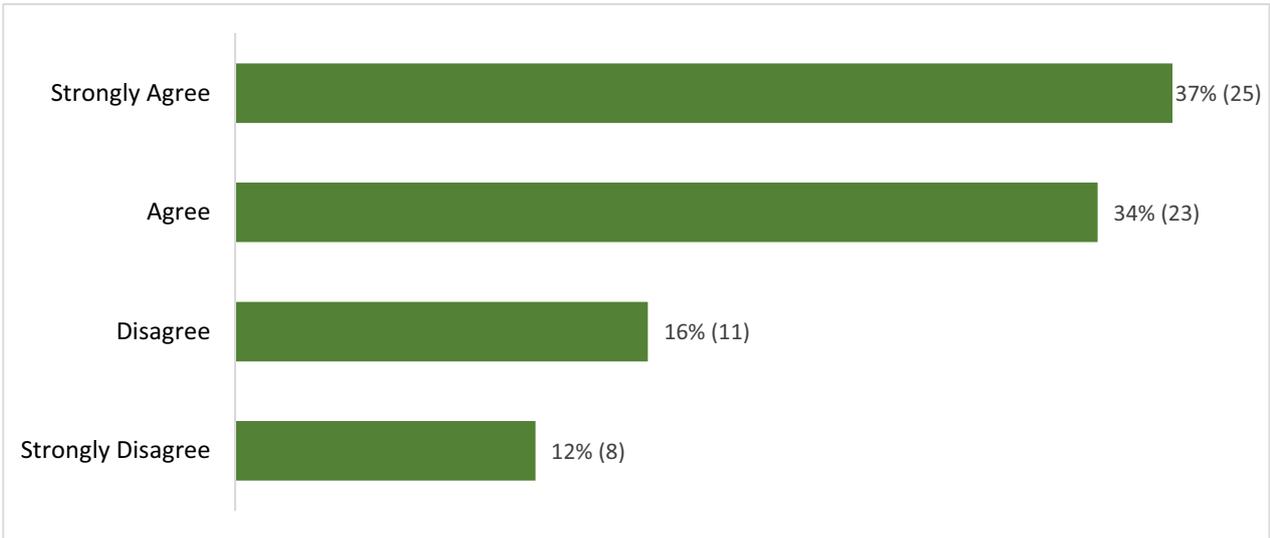


Proposal 2 - Reduce Income Tapers

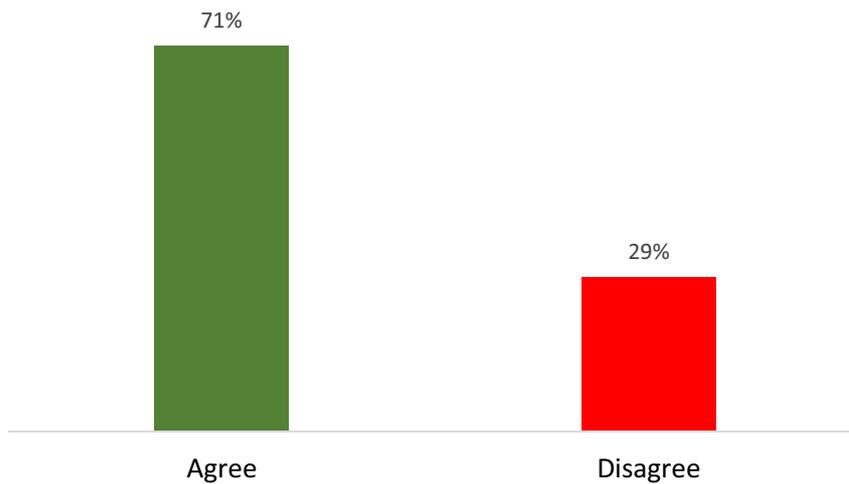


Question 3

Do you agree with Proposal 3 to increase earnings disregards and reduce income tapers?

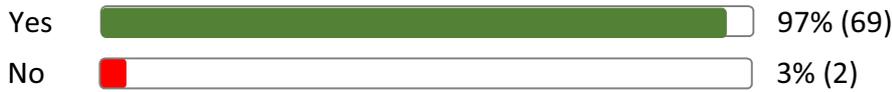


Proposal 3 - Increase Earnings Disregards and Reduce Income Tapers



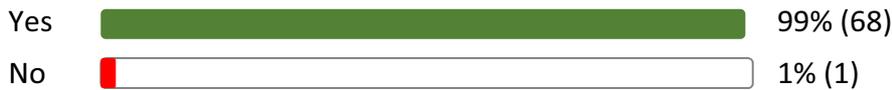
Are you a resident of West Somerset?

Option results



Do you pay Council Tax?

Option results



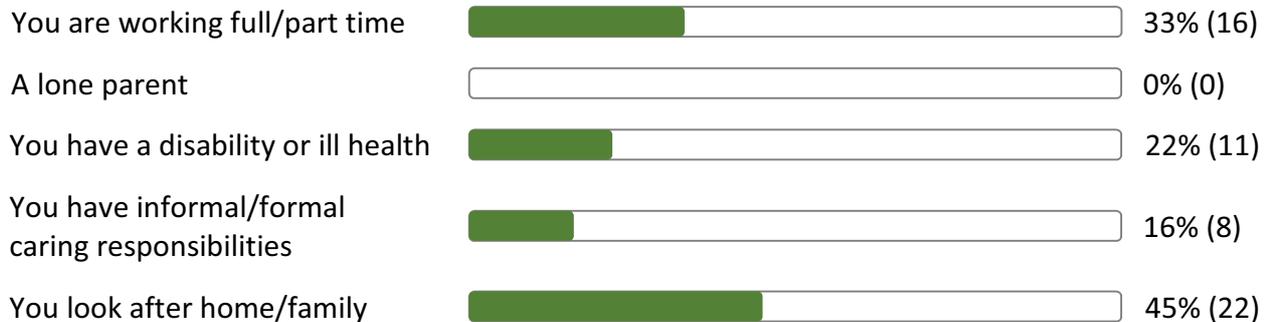
Do you currently receive Council Tax Rebate or Housing Benefit?

Option results



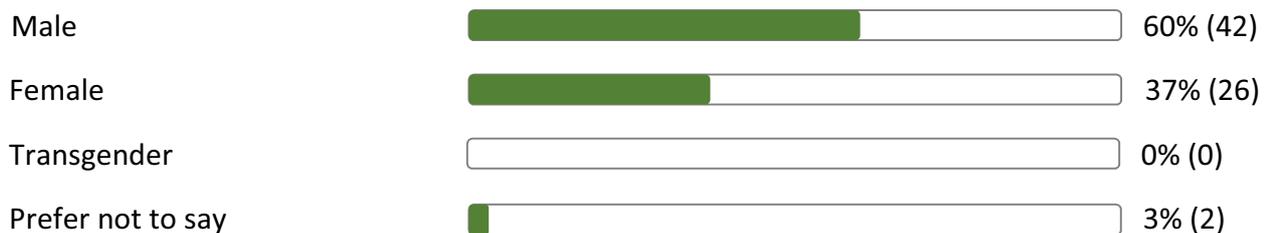
Please tick the description that best reflects your circumstances:

Option results



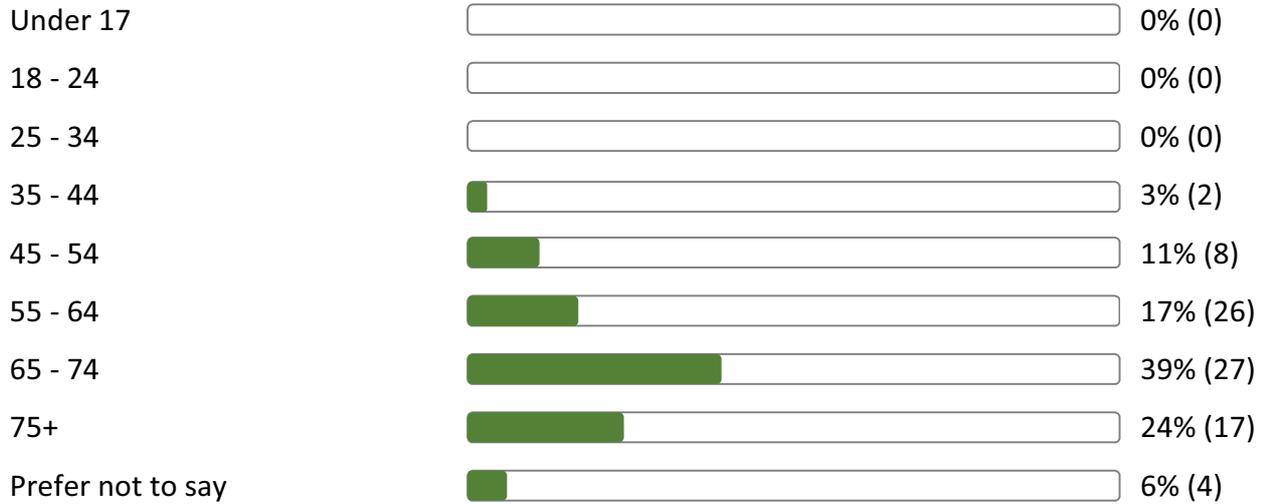
What is your gender?

Option results



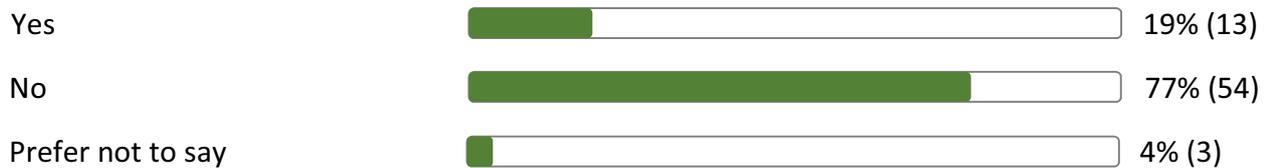
What is your age group?

Option results



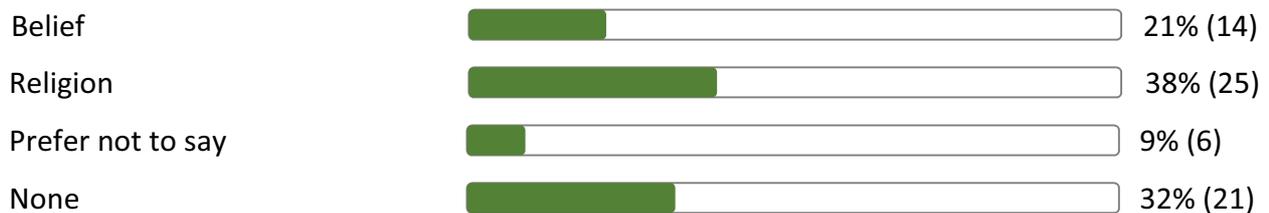
Do you consider yourself as having a disability or long-term physical or mental health condition?

Option results



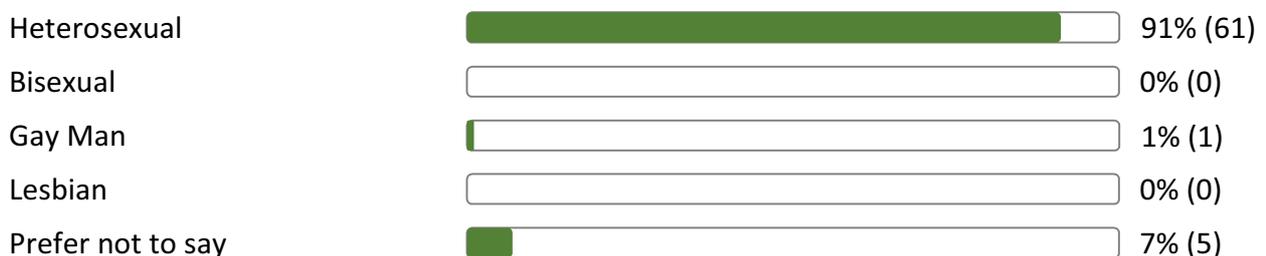
Do you consider yourself to have a religion or belief?

Option results



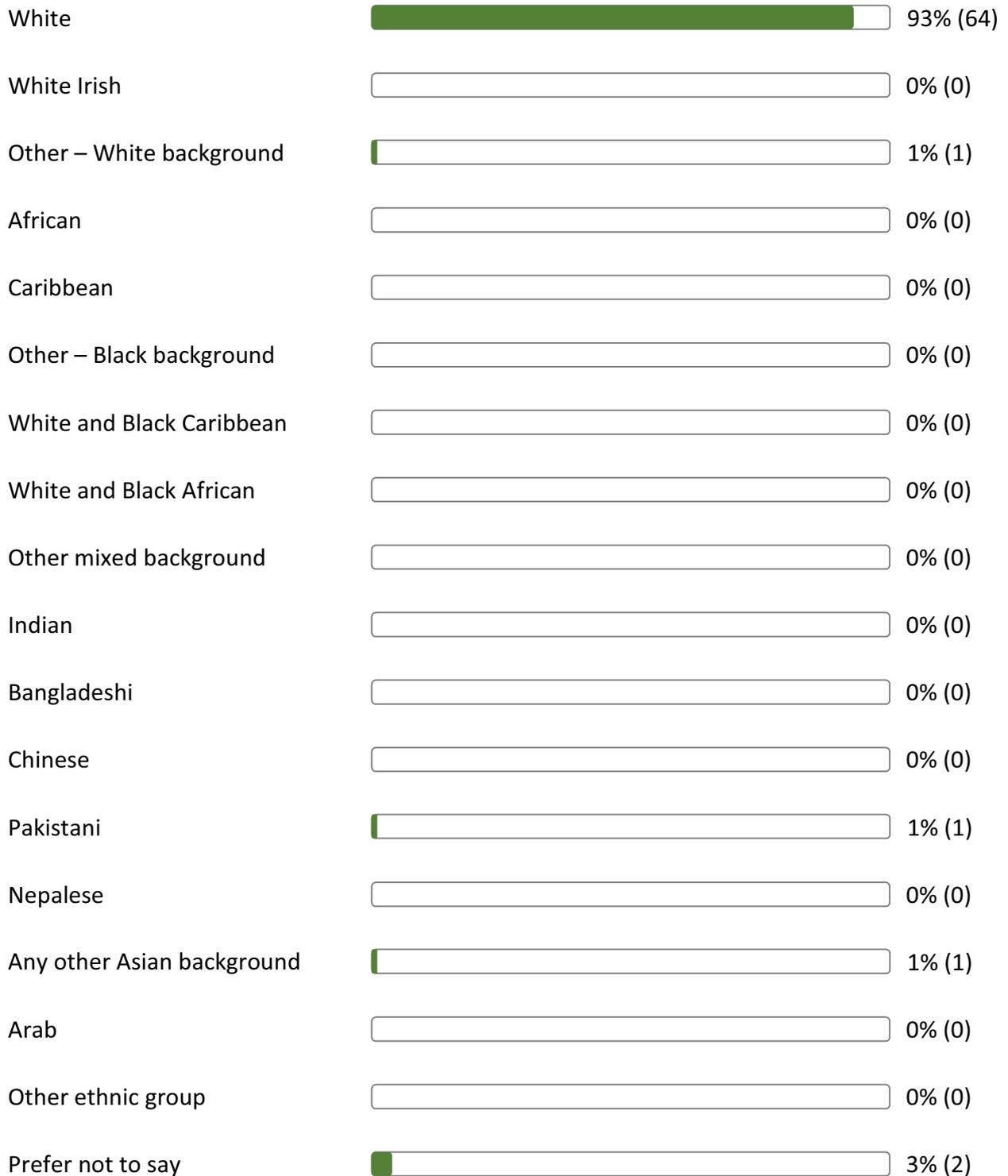
What do you consider your sexual orientation to be?

Option results



Which of these ethnic groups do you feel you belong to?

Option results



Current Council Tax Rebate Scheme (2014/15) modelled for inflation

			Pension Age - passported	Pension Age - non-passported	Working Age - passported	Working Age - non- passported	Totals
2014/15 Annual awards	£2,731,597.95	Number of claims	1,169	704	822	598	3,293
Estimated 2015/16 awards	£2,775,136.40	Total weekly awards	£21,881.57	£9,935.98	£12,330.11	£8,239.15	£52,386.81
Funding 2015/16	£2,083,724.00						
Estimated overspend in comparison to funding	£691,412.40	Total annual CTR	£1,140,967.58	£518,090.39	£642,927.16	£429,612.82	£2,731,597.95
Budget 2014/15	£2,795,094.00	Estimated inflation	£10,268.71	£15,024.62	£5,786.34	£12,458.77	£43,538.45
Estimated 2015/16 average award	£842.74	Estimated 2015/16 awards	£1,151,236.29	£533,115.01	£648,713.51	£442,071.59	£2,775,136.40

Proposal 1 - Increase earned income disregard (modelled on £50 for all claims from those of working age)

			Pension Age - passported	Pension Age - non-passported	Working Age - passported	Working Age - non- passported	Totals
2014/15 Annual awards	£2,784,284.14	Number of claims	1,169	704	822	598	3,293
Estimated 2015/16 awards	£2,829,350.48	Total weekly awards	£21,881.57	£9,935.98	£12,330.11	£9,249.57	£53,397.23
Funding 2015/16	£2,083,724.00						
Estimated overspend in comparison to funding	£745,626.48	Total annual CTR	£1,140,967.58	£518,090.39	£642,927.16	£482,299.01	£2,784,284.14
Budget 2014/15	£2,795,094.00	Estimated inflation	£10,268.71	£15,024.62	£5,786.34	£13,986.67	£45,066.35
Estimated 2015/16 average award	£859.20	Estimated 2015/16 awards	£1,151,236.29	£533,115.01	£648,713.51	£496,285.68	£2,829,350.48

	Number increased	Average weekly increase	Number with no change
Single	51	£4.68	534
Lone parent	98	£2.26	311
Children	99	£4.65	205
Couple only	18	£4.42	104
Total	266	£3.76	1,154
Employed	221	£3.81	138
Self employed	48	£3.51	100
Total	269	£3.76	238
Disabled	14	£3.76	398

Proposal 2 – Reduce income taper (modelled on 7.5% taper for all claims from those in employment of working age)

			Pension Age - passported	Pension Age - non-passported	Working Age - passported	Working Age - non- passported	Totals
2014/15 Annual awards	£2,792,728.67	Number of claims	1,169	704	822	598	3,293
Estimated 2015/16 awards	£2,838,039.91	Total weekly awards	£21,881.57	£9,935.98	£12,330.11	£9,411.52	£53,559.18
Funding 2015/16	£2,083,724.00						
Estimated overspend in comparison to funding	£754,315.91	Total annual CTR	£1,140,967.58	£518,090.39	£642,927.16	£490,743.54	£2,792,728.67
Budget 2014/15	£2,795,094.00	Estimated inflation	£10,268.71	£15,024.62	£5,786.34	£14,231.56	£45,311.24
Estimated 2015/16 average award	£861.84	Estimated 2015/16 awards	£1,151,236.29	£533,115.01	£648,713.51	£504,975.11	£2,838,039.91

	Number increased	Average weekly increase	Number with no change
Single	49	£4.87	536
Lone parent	102	£5.42	307
Children	46	£6.57	257
Couple only	10	£6.08	112
Total	207	£5.58	1,212
Employed	171	£5.89	188
Self employed	39	£4.25	109
Total	210	£5.59	297
Disabled	10	£7.05	402

Proposal 3 - Reduce income taper to 7.5% taper and increase the earned income disregard to £50

			Pension Age - passportd	Pension Age - non-passported	Working Age - passportd	Working Age - non- passportd	Totals
2014/15 Annual awards	£2,816,121.00	Number of claims	1,169	704	822	598	3,293
Estimated 2015/16 awards	£2,862,110.61	Total weekly awards	£21,881.57	£9,935.98	£12,330.11	£9,860.14	£54,007.80
Funding 2015/16	£2,083,724.00						
Estimated overspend in comparison to funding	£778,386.61	Total annual CTR	£1,140,967.58	£518,090.39	£642,927.16	£514,135.87	£2,816,121.00
Budget 2014/15	£2,795,094.00	Estimated inflation	£10,268.71	£15,024.62	£5,786.34	£14,909.94	£45,989.61
Estimated 2015/16 average award	£869.15	Estimated 2015/16 awards	£1,151,236.29	£533,115.01	£648,713.51	£529,045.81	£2,862,110.61

	Number increased	Average weekly increase	Number with no change
Single	53	£5.47	532
Lone parent	104	£5.85	305
Children	100	£5.92	203
Couple only	18	£5.77	104
Total	275	£5.80	1,144
Employed	277	£6.14	82
Self employed	52	£4.38	96
Total	329	£5.86	178
Disabled	14	£6.73	398

Summary of the impact of proposals for those cases where people have employment

Number of claims with increased entitlement

Claimant type	Proposal 1	Proposal 2	Proposal 3
Single	51	49	53
Lone parent	98	102	104
Children	99	46	100
Couple only	18	10	18
Total	266	207	275
Employed	221	171	277
Self employed	48	39	52
Total	269	210	329
Disabled	14	10	14

Average weekly increase in entitlement

Claimant type	Proposal 1	Proposal 2	Proposal 3
Single	£4.68	£4.87	£5.47
Lone parent	£2.26	£5.42	£5.85
Children	£4.65	£6.57	£5.92
Couple only	£4.42	£6.08	£5.77
Average increase	£3.76	£5.58	£5.80
Employed	£3.81	£5.89	£6.14
Self employed	£3.51	£4.25	£4.38
Average increase	£3.76	£5.59	£5.86
Disabled	£3.76	£7.05	£6.73

West Somerset Council

Equality Impact Analysis Record Form 2014

Council Tax Rebate 2013/14 end of year review

When reviewing, planning or providing services West Somerset Council needs to assess the impacts on people.

We must show we have given due regard to the General Equality Duties in relation to our policies, strategies, services and functions as set out in Section 149 of the Equality Act 2010:

The three aims we **must** have due regard for:

- Eliminate discrimination, harassment, victimisation
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

Service Area: Benefits	
Name of policy/ practice/ service or function	Council Tax Rebate Scheme

Section 1 Why are you completing the Impact Assessment (please ✓ as appropriate)

Proposed new policy or service	Change to policy or service	Budget/Financial Decision	End of year review
			✓

1.1. Information about the new policy or change to the policy (explain the proposal and reason for the change)

From 2013/14 district councils have operated localised Council Tax Rebate (CTR) schemes to provide assistance to people on low income. CTR replaced the previous Council Tax Benefit scheme that was administered by the council on behalf of the Department for Work and Pensions (DWP). Councils are responsible for the design and implementation of these schemes and need to consider if they are to be revised or replaced on an annual basis. The subsidy reimbursement for CTR reduced nationally by 10% in 2013/14 with councils having the option of funding the shortfall or designing a CTR scheme that is cost neutral. Any CTR scheme must protect pensioners at the existing level of support and incentivise return to work.

From 1 April 2014, funding for localised CTR is incorporated in the Local Government Finance Settlement (LGFS) and not separately identified. We have indicative figures showing the LGFS reduced significantly in both 2014/15 and 2015/16. If we apply the same reduction to the funding for CTR, it means a cut of £748k in comparison to the funding provided in 2013/14 (£78,673 cut in CTR funding for West Somerset Council alone). The financing risk of the scheme is shared with other precepting Authorities through the tax base calculation. West Somerset's share of the collection fund is 9.35%.

West Somerset's Council Tax Rebate Scheme

On 23rd January 2013 Full Council approved a scheme with the following key principles:

- Maximum Liability - Maximum award for working age claimants is 85% of the council tax liability.
- Child Maintenance - Maintenance received for a child or children, paid by a former partner is treated as income in the means test assessment.
- Non-dependant deductions - Increased non-dependant deductions
- Second Adult Rebate - Abolish Second Adult Rebate for working age claimants.
- Increased Earnings Disregard - Part of earned income is not included in the means test to calculate CTR, so incentivising work.
- Discretionary Council Tax Assistance - Creation of a discretionary hardship fund, to protect the most vulnerable. Value of the scheme is £22,500 a year.
- Sub-Tenant/Boarder Income - Disregards abolished for sub-tenant and boarder income.

On 20 November 2013 Full Council agreed to maintain the same scheme for 2014/15 with the same principles as detailed above. However, members expressed concern at debt levels for the CTR claimants who were in work and requested further work be undertaken to ascertain if any extra support could be provided. Public consultation on proposals to change the CTR scheme in 2015/16 to provide more support to recipients that are working started on 24 February 2014 and ended on 23 May 2014. Every Council Taxpayer had the opportunity to comment on the proposals.

The proposals to deliver extra help will incur additional CTR expenditure ranging from £54k to £87k in 2015/16. Implementing any of the proposals is considered against the cut in CTR funding of £748k.

Section 2: What evidence has been used in the assessment? Attach documents where appropriate

Overall Council Tax Rebate Caseload and Debt Profiling (December 2013)

We have undertaken debt profiling against the Council Tax Rebate (CTR) customer base and also against those customer groups impacted most by the key elements of our localised scheme.

For people not receiving CTR (Table 1), 11% had Council Tax debt, compared with nearly 17% of CTR recipients (Table 2). The average debt for people in arrears **not** receiving CTR was £412.51 - significantly higher than the average debt for CTR recipients (£219.64). The average debt across the CTR scheme for all recipients is £36.52. This is lower than average debt per house for non-CTR recipients at £56.89.

Table 1

	Council Tax Accounts where CTR is not awarded	Number of cases with debt	Percentage of cases with debt	Average debt for those in arrears	Average debt per household	Total Debt for non-CTR cases
Total for non-CTR recipients	14,220	1,961	13.79%	£412.51	£56.89	£808,926.99

Table 2

	Number of claims	Number of cases with debt	Percentage of cases with debt	Average debt for those in arrears	Average debt for group across scheme	Total Debt
Pension Age	1,934	41	2.12%	£183.24	£3.88	£7,512.66
Working Age Employed	378	114	30.16%	£283.76	£85.58	£32,348.58
Working Age Other	1,122	416	37.08%	£205.65	£76.25	£85,551.19
Total for CTR recipients	3,434	571	16.63%	£219.64	£36.52	£125,412.43
Working age	1,500	530	35.33%	£222.45	£78.60	£117,899.77

The consultation undertaken from 24 February 2014 to 23 May 2014 was on proposals to provide extra help to working-age CTR recipients in employment. The number of working age CTR recipients in employment is 378, accounting for 25% of all working age recipients.

Analysis shows 30% (114) of working-age CTR recipients in employment are in debt, with an average debt of £283.76. This is £64 more than the scheme average. 37% (416) of CTR recipients not in employment had Council Tax arrears, meaning they are the most likely group to be in debt.

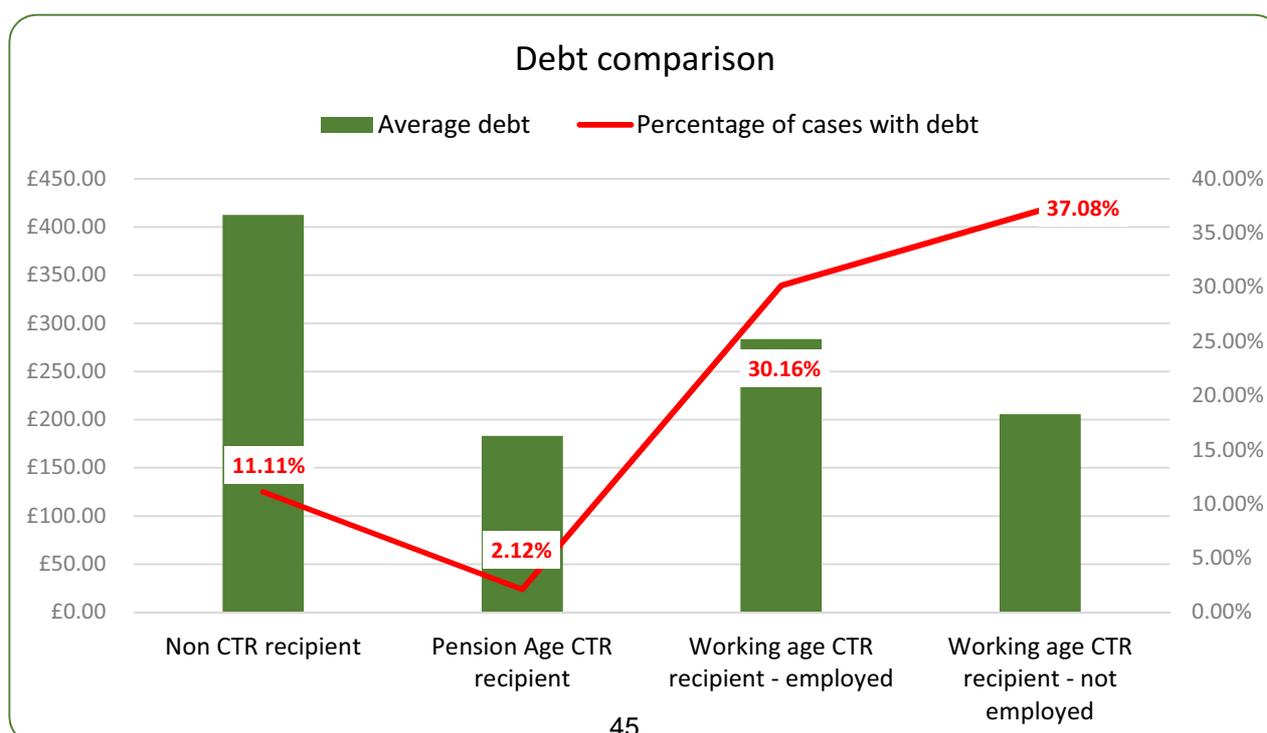


Table 3

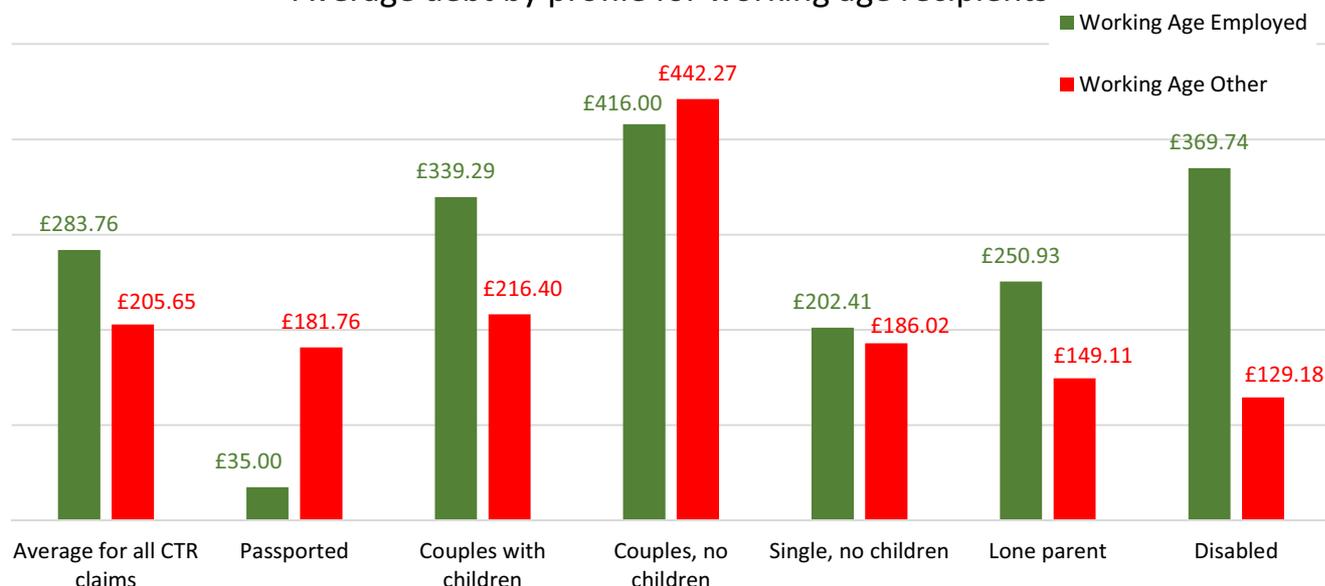
CTR Scheme	Total claims	Passported	Couples with children	Lone parents	Couples without children	Single people without children	Disabled
Pension Age	1,934	1,226	22	3	572	1,337	0
Working Age Employed	378	5	121	166	24	67	33
Working Age Other	1,122	822	221	257	115	529	398
Total	3,434	2,053	364	426	711	1,933	431

Table 4

CTR Scheme with arrears	Total claims with arrears	Passported	Couples with children	Lone parents	Couples without children	Single people without children	Disabled
Pension Age	41	13	0	0	15	26	0
Working Age Employed	114	1	44	45	5	20	7
Working Age Other	416	323	106	109	35	166	109
Total	571	337	150	154	55	212	116

Table 5

CTR average debts	All claims with arrears	Passported	Couples with children	Lone parents	Couples without children	Single people without children	Disabled
Pension Age	£183.24	£418.80	£0.00	£0.00	£203.07	£171.79	£0.00
Working Age Employed	£283.76	£35.00	£339.29	£250.93	£416.00	£202.41	£369.74
Working Age Other	£205.65	£181.76	£216.40	£149.11	£442.27	£186.02	£129.18
Average debt for those in arrears	£219.64	£190.47	£252.45	£178.86	£374.64	£185.82	£143.70

Average debt by profile for working age recipients**Table 6**

CTR average debts by Council Tax Band	A	B	C	D	E	F	G
Pension Age	£168.58	£60.67	£96.71	£128.53	£1,431.30	£0.00	£203.43
Working Age Employed	£241.73	£266.19	£326.27	£276.83	£241.66	£409.38	£0.00
Working Age Other	£227.62	£194.24	£159.64	£267.12	£356.29	£0.00	£0.00

Impacts of Scheme Options

Maximum Benefit reduced to 85% – This resulted in a substantial increase in council tax liability for working age people who claim Council Tax Rebate. This includes those who previously paid nothing. Together with the other Welfare Reform changes from April 2013 there was a cumulative effect on low paid and vulnerable households.

Table 2 shows that of working age recipients, 25% are in employment (378) while 75% (1,122) are not employed. The percentage of working age CTR claims in arrears is not significantly higher for those out of work when compared to those in work. However, the average debt for those in work is greater when compared to those not working

Table 7 compares passported cases (who historically paid nothing) and non passported cases (that are used to making a contribution). The surprising conclusion from this table is passported cases who have not previously paid anything towards the council tax have an average lower debt than non passported people who are used to making council tax payments

Table 7

Working Age	Number of claims	Cases with debt	Average debt for 2013/14	Total debt for CTR recipients for 2013/14
Passported	827	324	£181.31	£58,743.37
Non-passported	673	206	£287.17	£59,156.40

Abolish Second Adult Rebate – There is no evidence abolishing Second Adult Rebate has caused any issues. The main reason is this was not part of the main Council Tax Benefit scheme, so recipients would have income levels above Council Tax Benefit entitlement parameters.

Increased Non-Dependant Deduction – Our CTR scheme increased the levels of non-dependant deductions from those payable under Council Tax Benefit (CTB). Out of work non-dependants were particularly affected by this proposal, as there was a nil deduction for this group under CTB. Many non-dependants are young adults living with their parents. This change had the potential to adversely impact on family relationships, if the claimant is unable to get the required contribution from the non-dependant and subsequently had potential for increased pressure on housing availability if the non-dependant was forced to leave the family home.

Table 8 shows the number of claims with a non-dependant deduction that have council tax debt is low as is the average debt.

Table 8

Claims with non-dependants	Number of cases	Number of cases with debt	Average debt for 2013/14	Total debt for CTR recipients for 2013/14
Pension age	63	34	£0.00	£0.00
Working age (employed)	21	101	£32.36	£3,268.79
Working age (other)	61	358	£8.64	£3,094.86
Total	145	493	£12.91	£6,363.65

Taking Child Maintenance into account - The debt profile in table 9 shows working age customers in employment have a higher average debt in comparison to those not in employment. However, in considering the debt profile for those with children against those CTR recipients without children (Table 10), the average debt for those not working is less, as is the overall average debt.

Table 9

Working age claims with children	Number of claims	Cases with debt	% of cases with debt	Average debt for those in arrears	Total debt
Working age (employed)	287	89	31.01%	£294.61	£26,220.40
Working age (other)	478	215	44.98%	£182.29	£39,192.24
Total	765	304	39.74%	£215.17	£65,412.64

Table 10

Working age claims without children	Number of claims	Cases with debt	% of cases with debt	Average debt for those in arrears	Total debt
Working age (employed)	91	25	27.47%	£245.13	£6,128.18
Working age (other)	644	201	31.21%	£230.64	£46,358.95
Total	735	226	30.75%	£232.24	£52,487.13

Lone parents have a lower average debt and are less likely to have arrears in comparison with couples responsible for children – see tables 11 & 12 below. As lone parents are more likely to receive child maintenance, the debt profile for this group shows they are less likely than others to be adversely impacted by our scheme.

Table 11

Lone parents	Number of claims	Cases with debt	% of cases with debt	Average debt for those in arrears	Total debt
Working age (employed)	166	45	27.11%	£251.00	£11,294.80
Working age (other)	257	109	42.41%	£149.11	£16,253.39
Total	423	154	36.41%	£178.88	£27,548.19

Table 12

Couples with children	Number of claims	Cases with debt	% of cases with debt	Average debt for those in arrears	Total debt
Working age (employed)	121	44	36.36%	£339.29	£14,928.60
Working age (other)	221	106	47.96%	£216.40	£22,938.85
Total	342	150	43.86%	£252.45	£37,867.45

Increase Earnings Disregard - This was designed to have a positive impact and will help those on low wages. The increased disregards aim to incentivise work and encourage people to remain in employment. The level of average debt for working claims is higher than average debt for those not in employment and for pension age cases as shown in Table 13. Couples with no responsibility for children have the greatest average debt

Table 13

CTR average debts	All claims with arrears	Passported	Single people without children	Couples without children	Couples with children	Lone parents	Disabled
Pension Age	£183.24	£418.80	£171.79	£203.07	£0.00	£0.00	£0.00
Working Age Employed	£283.76	£35.00	£202.41	£416.00	£339.29	£250.93	£369.74
Working Age Other	£205.65	£181.76	£186.02	£442.27	£216.40	£149.11	£129.18
Average debt	£219.64	£190.47	£185.82	£374.64	£252.45	£178.86	£143.70

Set up a Discretionary Hardship Fund - A fund of £22,500 was created to help those most in need and the vulnerable. At 31 March 2014 there were 93 awards totalling £7,365.21. The average award is £79.20.

Sub Tenant/Boarder Income - All of the sub tenant and boarder income that was previously disregarded is now taken into account in the means test. The actual number of claimants affected by this change is very low and no significant impact has been identified

Debt Profiling by Protected Characteristic

Disability

Table 14

CTR recipients with disabilities	Number of claims	Cases with debt	% of cases with debt	Average debt for those in arrears	Total debt
Working age (employed)	33	7	21.21%	£369.74	£2,588.20
Working age (other)	398	109	27.39%	£129.18	£14,081.01
Total	431	116	26.91%	£143.70	£16,669.21

The average level of debt for claims receiving the disabled premium is £143.70 - significantly lower than the scheme average of £222.45 for working age claims.

Gender

Table 15

Lone parents	Number of claims	Cases with debt	% of cases with debt	Average debt for those in arrears	Total debt
Working age (employed)	166	45	27.11%	£250.93	£11,291.80
Working age (other)	257	109	42.41%	£149.11	£16,253.39
Total	423	154	36.15%	£178.86	£27,545.19

The average level of debt for working age lone parents is £178.86 - lower than the scheme average of £222.45 for working age claims.

Children and duties under the 2010 Child Poverty Act

There are 790 CTR recipients with children, accounting for 23% of all CTR recipients. None of the 25 pension age recipients with children have debt, but 304 recipients of working age have Council Tax arrears. Nearly 40% of working age recipients with children had debt totalling £65,412.64 with these arrears making up 52% of all Council Tax debt for those getting CTR support.

Table 16

Working age claims with children	Number of claims	Cases with debt	% of cases with debt	Average debt for those in arrears	Total debt
Pension age	25	0	0%	£0.00	£0.00
Working age (employed)	287	89	31.01%	£294.61	£26,220.40
Working age (other)	478	215	44.98%	£182.29	£39,192.24
Total	790	304	39.74%	£215.17	£65,412.64

3. 1. Equality Impact Assessment (by protected characteristic)

With reference to the analysis above, for each of the 'protected characteristics' in the table below please record your conclusions with evidence around equality impact in relation to the savings proposal/service change. Record negative and positive impacts.

Protected Group	Findings
Age (includes all age groups)	<p>Older people (those of pension age) are protected from any reductions under Localised CTR by the legislation and therefore the reduction in support will be borne by those of working age.</p> <p>West Somerset has a high pensioner population therefore, there will be a disproportionate effect on working age people with this policy.</p>
Disability (includes mental health)	<p>Disabled people of working age were not protected and therefore had to pay increased council tax. Disabled people have a limited ability to work and are likely to have higher level disability related living expenses.</p> <p>This group in particular find it difficult to access and sustain employment and therefore improve on their current financial situation. This group of people is less resilient to the impact of recession and unemployment and are often living in poverty. These further impacts on the individual's mental health.</p> <p>Analysis of debt carried out in reviewing the implement of our CTR scheme shows the average debt for people with disabilities is significantly lower than the scheme average. Consequently, WSC's Council Tax Rebate Policy is not disproportionately negatively impacting on this group.</p>
Gender	<p>This group of people find difficulty in gaining employment because of childcare issues.</p> <p>Lone parents in employment are quite often low earners on part time hours. Many in this group have said they would like to be working more hours but are restricted because of difficulty with childcare.</p> <p>The majority of lone parents in receipt of CTR are female.</p> <p>Analysis of debt carried out in reviewing the implement of our CTR scheme shows the average debt for lone parents is lower than the scheme average. Consequently, WSC's Council Tax Rebate Policy is not disproportionately negatively impacting on this group.</p>
Gender reassignment	<p>We have not identified any disproportionate impact with this policy in relation to Gender assignment.</p>
Marriage and civil partnership	<p>We have not identified any disproportionate impact with this policy in relation to Marriage and civil partnership.</p>
Pregnancy and maternity	<p>We have not identified any disproportionate impact with this policy in relation to pregnancy and maternity.</p>
Race (includes Gypsy and Travellers, ethnic origins, colour and nationality)	<p>Ethnicity of the claimant is not taken into consideration as part of the benefit calculation.</p> <p>West Somerset historically has a low BME (Black & Minority Ethnic) population compared to the rest of Somerset.</p> <p>We have not identified any disproportionate impact with this policy in relation to race.</p>

Religion and belief including non-belief	<p>The religion or belief of the claimant is not taken into consideration as part of the benefit calculation.</p> <p>We have not identified any disproportionate impact with this policy in relation to a claimant's religion or belief.</p> <p>Many of the places of worship within West Somerset provide social outreach projects such as the Hope Centre at the Baptist Church, Minehead and the Food Cupboard at St Michael the Archangel, Alcombe. The impact of welfare reforms could see greater reliance on projects such as these, which are run by volunteers.</p>
Sexual orientation (includes heterosexual, gay, bisexual)	<p>Sexual orientation of the claimant is not taken into consideration as part of the benefit calculation.</p> <p>We have not identified any disproportionate impact with this policy in relation to sexual orientation.</p>

Other Groups (non-statutory)

Socio-economic (low income individuals & families)	<p>West Somerset has the second lowest wage levels amongst neighbouring authorities and is significantly below county, regional and national averages. People's incomes in general are declining, yet the cost of living continues to rise. This may be a factor in the levels of debt for working claims</p>
Rural Isolation (West Somerset is a rural district with poor transport networks which can affect the way we deliver services)	<p>Because of the rural location of West Somerset access to suitable employment, training and public services is an issue for many. The rural nature of West Somerset sees many residents trapped in low paid work with little opportunity to improve on their situation. Increasing transport costs and limited public transport makes it difficult for residents to commute to better paid jobs in other parts of the County</p> <p>Many of our residents living in the deeply rural areas, live in poorly insulated properties with limited gas connection. They will have above average exposure to rising fuel costs and will be more likely to be living in fuel poverty.</p>
Carers	<p>Larger families or people with disabilities may be in larger properties to cater for disability needs and so carers are able to stay overnight.</p>
Armed Forces	<p>Veteran Benefits will continue to be fully disregarded in the means test for Council Tax Rebate.</p> <p>Our scheme does not appear to have a differential impact but we are aware some ex veterans experience mental health issues and have physical disabilities</p>
Other	<p>Many of our customers have low numeracy and literacy skills and will have been unable to engage with the consultation on this policy. Skills and qualification levels are particularly poor in the district and therefore limit people's opportunities.</p>

3.2: What is the cumulative equality impact of your proposal?

You may have identified an impact on the lives of a group as a result of your individual proposal. However, taken together with other changes the cumulative impact of these decisions may be considerable and the combined impact may not be apparent where decisions are taken in isolation.

Against a background of economic stagnation, unemployment, the rising cost of living, falling income and public spending cuts the Council faced a significant challenge to design a fair scheme with minimal impact on our customers.

The scheme encountered the anticipated high levels of enquiry in April, but these dropped significantly after a few weeks

The vast majority of customers accept they are now required to pay towards their council tax liability, and the scheme appears fair and transparent, with no official complaints being received in this respect.

There is concern about the impact of this scheme in addition to other areas of welfare reform, especially the removal of spare room subsidy. 197 cases have seen their Housing Benefit reduced, receiving an average reduction of £16.97 a week. In addition, 3 cases have been subject to the benefit cap.

The Benefits service has worked hard to keep hardship to a minimum through this difficult period for our customers. This has mainly been achieved by prompt assessment of both the Authority's discretionary schemes "Discretionary Housing Payments", and "Additional Council Tax Rebate" payments. Officers automatically check for entitlement against both schemes to ensure maximisation of household income.

The average Council Tax arrears for working CTR recipients are significantly greater than for those not in employment. Revenue Officers will use the data available through debt profiling to target support. Such support will be through identifying potential claims for Additional Council Tax Rebate, reviewing payment arrangements to allow for weekly instalments or extending payments over 12 months. Revenue Officers will routinely identify vulnerability and consequently, recovery action will be modified to adjust for individual circumstances.

Section 4: ACTION PLAN MONITOR

This table provides an update on the agreed action of the original Council Tax Rebate Assessment Equality Impact Assessment

Identified Issue/Negative Impact	Action needed to mitigate impact	Who is responsible	By When	Expected outcomes from carrying out action	Result
Monitoring impacts	Develop a clear monitoring criteria to identify impacts post April 2013 which includes on-going consultation with advice agencies, voluntary sector groups, Magna West Somerset and internal services who will see the effects of the scheme	P Lamb	April 2013 onwards	<ul style="list-style-type: none"> Better understanding of actual impacts following introduction of the scheme Better understanding of the changing nature of the caseload Identification of future modification of the scheme 	<p>Achieved</p> <ul style="list-style-type: none"> Regular meetings with Registered Social Landlords (Knightstone, Magna and Falcon) along with West Somerset Advice Bureau Monthly monitoring of CTR and all aspects of welfare reform. This is reported to Scrutiny Committee as part of the quarterly performance report.
Discretionary Hardship Fund	Design and implement Discretionary Hardship Fund in conjunction with other Somerset authorities	P Lamb	April 2013	<ul style="list-style-type: none"> Most vulnerable supported In line with the rest of Councils within Somerset 	<p>Achieved</p> <p>A discretionary fund, named "Additional Council Tax Rebate" was created. The policy for administering this fund was agreed by Full Council in March 2013</p>
Collection Problems	Develop a clear collection policy	S Perkins	April 2013	<ul style="list-style-type: none"> Most vulnerable supported In line with the rest of Councils within Somerset Understood by local advice agencies 	<p>Achieved</p> <ul style="list-style-type: none"> Lowering of recovery action threshold has enabled debt issues to be identified and assisted at an earlier stage 12 monthly instalment plans introduced to make payment affordable Discussion at regular meetings with stakeholders
Raising awareness of Welfare Reform and supporting customers through the changes	Recruitment of welfare reform assistant.	P Lamb	December 2012	<ul style="list-style-type: none"> Customers supported through the transition to the new scheme 	<p>Achieved</p> <p>Welfare reform assistant was involved with engagement meetings with stakeholders, mail shots to those affected, design of discretionary payment schemes, refresh of web site, landlord liaison, customer enquiries</p>

Section 5. Monitoring and review/ mainstreaming into service plans

Please indicate whether any of your actions have been added to service or work plans and your arrangements for monitoring and reviewing progress/ future impact?

Actions from the EIA action plan will be included within Team Service Plans and Workplans

Section 6: Publishing the completed assessment

How will the assessment, consultation & outcomes be published and communicated.

Published as part of report to the Policy Advice Group on 24 September 2014, Cabinet on 5 November 2014 and Full Council on 19 November 2014.

Section 7: Sign Off

Completed by:	H Tiso
Date:	21 August 2014
Reviewed by:	S Rawle
Date:	September 2014

Decision-making processes **Where linked to decision on proposals to change, reduce or withdraw service/ financial decisions/ large-scale staffing restructures**

Attached to report (title): Council Tax Rebate Scheme Review for 2015/16

Date of report: 19th November, 2014

Author of report: Heather Tiso

Audience for report: Full Council

Outcome from report being considered

CTR CASELOAD AND DEBT INFORMATION

Table 1 – Profile of arrears for non-CTR recipients

	Council Tax Accounts where CTR is not awarded	Number of cases with debt	Percentage of cases with debt	Average debt for those in arrears	Average debt per household	Total Debt for non-CTR cases
Total for non-CTR recipients	14,220	1,961	13.79%	£412.51	£56.89	£808,926.99

Table 2 – Profile of CTR claims with arrears

CTR Scheme	Number of cases	Cases with debt	Percentage of cases with debt	Average arrears cases	Average arrears across scheme	Total arrears
Pension Age	1,934	41	2.12%	£183.24	£3.88	£7,512.66
Working Age Employed	378	114	30.16%	£283.76	£85.58	£32,348.58
Working Age Other	1,122	416	37.08%	£205.65	£76.25	£85,551.19
Total	3,434	571	16.63%	£219.64	£36.52	£125,412.43

Table 3 – Profile of claims – Claim numbers

CTR Scheme	Total claims	Passported	Couples with children	Lone parents	Couples without children	Single people without children	Disabled
Pension Age	1,934	1,226	22	3	572	1,337	0
Working Age Employed	378	5	121	166	24	67	33
Working Age Other	1,122	822	221	257	115	529	398
Total	3,434	2,053	364	426	711	1,933	431

Table 4 – Profile of claims with arrears

CTR Scheme with arrears	Total claims	Passported	Couples with children	Lone parents	Couples without children	Single people without children	Disabled
Pension Age	41	13	0	0	15	26	0
Working Age Employed	114	1	44	45	5	20	7
Working Age Other	416	323	106	109	35	166	109
Total	571	337	150	154	55	212	116

Table 5 – Profile of claims – Average Debt

Scheme average debts	Scheme average	Passported	Couples with children	Lone parents	Couples without children	Single people without children	Disabled
Pension Age	£183.24	£418.80	£0.00	£203.07	£171.79	£0.00	£0.00
Working Age Employed	£283.76	£35.00	£294.61	£347.11	£202.41	£250.93	£369.74
Working Age Other	£205.65	£181.76	£182.29	£272.47	£186.02	£149.11	£129.18
Average debt for those in arrears	£219.64	£190.47	£252.45	£178.86	£374.64	£185.82	£143.70

Table 6 Claims with arrears by Council Tax Band

Scheme average debts	A	B	C	D	E	F	G
Pension Age	£168.58	£60.67	£96.71	£128.53	£1,431.30	£0.00	£203.43
Working Age Employed	£241.73	£266.19	£326.27	£276.83	£241.66	£409.38	£0.00
Working Age Other	£227.62	£194.24	£159.64	£267.12	£356.29	£0.00	£0.00

Table 7 – Passported Claims – Arrears Analysis

Scheme	Number of cases	Cases with arrears	Average arrears case	Average arrears across scheme	Total arrears
Pension Age	1226	13	£418.80	£4.44	£5,444.38
Working Age Employed	5	1	£35.00	£7.00	£35.00
Working Age Other	822	323	£181.76	£71.42	£58,708.37
Total	2053	337	£190.47	£31.27	£64,187.75

Table 8 –CTR Claims with Non-Dependants– Arrears Analysis

Scheme	Number of cases	Cases with arrears	Average arrears case	Average arrears across scheme	Total arrears
Pension Age	63	34	£0.00	£0.00	£0.00
Working Age Employed	21	101	£32.36	£155.66	£3,268.79
Working Age Other	61	358	£8.64	£50.74	£3,094.86
Total	145	493	£12.91	£43.89	£6,363.65

Table 9 – CTR Working age claims with children – Arrears Analysis

Scheme	Number of claims	Cases with debt	% of cases with debt	Average debt for those in arrears	Total arrears
Working Age Employed	287	89	31.01%	£294.61	£26,220.40
Working Age Other	478	215	44.98%	£182.29	£39,192.24
Total	765	304	39.74%	£215.17	£65,412.64

Table 10 – CTR Working age claims without children – Arrears Analysis

Scheme	Number of claims	Cases with debt	% of cases with debt	Average debt for those in arrears	Total arrears
Working Age Employed	91	25	27.47%	£245.13	£6,128.18
Working Age Other	644	201	31.21%	£230.64	£46,358.95
Total	735	226	30.75%	£232.24	£52,487.13

Table 11 – Lone Parent Claims – Arrears Analysis

Scheme	Number of cases	Cases with arrears	% of cases with debt	Average debt for those in arrears	Total arrears
Pension Age	3	0	0%	£0.00	£0.00
Working Age Employed	166	45	27.11%	£250.93	£11,291.80
Working Age Other	257	109	42.41%	£149.11	£16,253.39
Total	426	154	36.41%	£178.86	£27,545.19

Table 12 – Couples with children – Arrears Analysis

Scheme	Number of cases	Cases with arrears	% of cases with debt	Average debt for those in arrears	Total arrears
Working Age Employed	121	44	36.36%	£339.29	£14,928.60
Working Age Other	221	106	47.96%	£216.40	£22,938.85
Total	342	150	43.86%	£252.45	£37,867.45

Table 13 – Profile of claims – Average arrears

CTR average debts	All claims with arrears	Passported	Single people without children	Couples without children	Couples with children	Lone parents	Disabled
Pension Age	£183.24	£418.80	£171.79	£203.07	£0.00	£0.00	£0.00
Working Age Employed	£283.76	£35.00	£202.41	£416.00	£339.29	£250.93	£369.74
Working Age Other	£205.65	£181.76	£186.02	£442.27	£216.40	£149.11	£129.18
Average debt	£219.64	£190.47	£185.82	£374.64	£252.45	£178.86	£143.70

Table 14 – Claims with a Disability Premium – Arrears Analysis

Scheme	Number of cases	Cases with arrears	% of cases with debt	Average arrears case	Average arrears across scheme	Total arrears
Working Age Employed	33	7	21.21%	£369.74	£78.43	£2,588.20
Working Age Other	398	109	27.39%	£129.18	£35.38	£14,081.01
Total	431	116	26.91%	£143.70	£38.68	£16,669.21

Table 15 – Lone parents – Arrears Analysis

Scheme	Number of cases	Cases with arrears	% of cases with debt	Average arrears case	Average arrears across scheme	Total arrears
Working Age Employed	166	45	27.11%	£250.93	£11,291.80	166
Working Age Other	257	109	42.41%	£149.11	£16,253.39	257
Total	423	154	36.15%	£178.86	£27,545.19	423

Table 16 – Claims with children – Arrears Analysis

Scheme	Number of cases	Cases with arrears	% of cases with debt	Average arrears case	Average arrears across scheme	Total arrears
Pension Age	25	0	0%	£0.00	£0.00	£0.00
Working Age Employed	287	89	31.01%	£294.61	£91.36	£26,220.40
Working Age Other	478	215	44.98%	£182.29	£81.99	£39,192.24
Total	790	304	38.48%	£215.17	£82.80	£65,412.64

Table 17 Arrears across total caseload by Council Tax Band

Scheme average debts	A	B	C	D	E	F	G
Pension Age	£4.46	£1.27	£1.36	£2.08	£44.04	£0.00	£50.86
Working Age Employed	£67.54	£79.68	£117.73	£77.26	£40.28	£74.43	£0.00
Working Age Other	£84.82	£78.77	£57.80	£57.76	£97.17	£0.00	£0.00

Table 18 Average non-CTR arrears

Total debt	£808,926.99		
Number of debt cases	1,961		
Average debt	£412.51	% of accounts with debt	11.11%

Table 19 – Couples without children claiming CTR – Arrears Analysis

Scheme	Number of cases	Cases with arrears	Average arrears case	Average arrears across scheme	Total arrears
Pension Age	572	15	£203.07	£5.33	£3,046.02
Working Age Employed	24	5	£416.00	£86.67	£2,079.98
Working Age Other	115	35	£442.27	£134.60	£15,479.35
Total	711	55	£374.64	£28.98	£20,605.35

Table 20 – Single People without children claiming CTR – Arrears Analysis

Scheme	Number of cases	Cases with arrears	Average arrears case	Average arrears across scheme	Total arrears
Pension Age	1,337	26	£171.79	£3.34	£4,466.64
Working Age Employed	67	20	£202.41	£60.42	£4,048.20
Working Age Other	529	166	£186.02	£58.37	£30,879.60
Total	1,933	212	£185.82	£20.38	£39,394.44

Table 21 – Comparison of Working Age cases – Arrears Analysis

Scheme	Number of cases	Cases with arrears	Average arrears case	Average arrears across scheme	Total arrears
Passported	827	324	£198.11	£77.62	£64,187.75
Non-passported	673	206	£297.21	£90.97	£61,224.68
Total	1,500	530	£495.32	£168.59	£125,412.43

Report Number: WSC 157/14
Presented by: Cllr K V Kravis, Lead Member for Resources
Author of the Report: Steve Plenty
Contact Details:
 Tel. No. Direct Line 01984 6352 17
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Report to a Meeting of: Full Council
To be Held on: 19th November 2014
Date Entered on Executive Forward Plan n/a
Or Agreement for Urgency Granted:

EARMARKED RESERVES REVIEW

1. PURPOSE OF REPORT

1.1 To review earmarked reserves to ensure they are still required.

2. CONTRIBUTION TO CORPORATE PRIORITIES

2.1 The recommendations in this report will, if approved, provide financial resources targeted to delivering the Council's 'Local Democracy' Corporate Priority and associated objectives.

3. RECOMMENDATIONS

3.1 Full Council approve that the surplus uncommitted funds amounting to £107,581 are returned to the General Reserve balance.

3.2 Full Council notes the recommendation by the Cabinet to consider the possibility of a supplementary estimate should there be a requirement to fund Disabled Facilities Grants in the future, over and above the grant allocated to West Somerset.

4. RISK ASSESSMENT (IF APPLICABLE)

Risk Matrix

Description	Likelihood	Impact	Overall
That the Authority has funding in earmarked reserves that are no longer required.	Likely (4)	Major (4)	High (8)
To maximise the use of available reserves.	Possible (3)	Major (4)	Medium (12)

The scoring of the risks identified in the above table has been based on the scoring matrix. Each risk has been assessed and scored both before and after the mitigation measures have been actioned.

5. BACKGROUND INFORMATION

- 5.1 As at 31st March, the total General Fund Earmarked Reserves was £1.376m. This is equivalent to 25.7% of the Council's Net Revenue Budget, which is £5.344m.
- 5.2 A fundamental review has been undertaken of all General Fund Revenue Earmarked Reserves, with a view to all balances being returned to the General Fund unless:
- A clear commitment/obligation exists to spend the money within a defined time period.
 - It is a "trading" reserve – which exists purely to support the requirement for certain trading services to break-even over a 3 year period
- 5.3 To identify which General Fund Earmarked Reserves balances could be returned to the General Fund Reserve, each Reserve holder was interviewed and asked to provide evidence of how the Reserve balance was planned to be used.
- 5.4 These discussions identified that, of the £1.376m balance held as at 31st March 2014, £1.313m of the General Fund Earmarked Reserves are committed to be spent. An analysis of this is set out in Appendix A.
- 5.5 The £1.313m projected balance as at 31st March 2015 includes the following large balances:
- £114k – Working Neighbourhood Fund – committed to fund a post in the short term. The residual element of this is proposed to be returned to General Reserves.
 - £682k - Share of NNDR Surplus/Deficit (Provision); a new reserve required by the change in legislation in respect of Business Rates/Appeals
 - £108k – Council Tax Reform Implementation. This funds external processing.
- 5.6 It has been agreed with Reserve holders that £107,581 will be returned to General Reserves immediately following Council's approval. This figure includes the following reserves:
- £9k – Working Neighbourhood Fund. This element of the reserve is uncommitted.
 - £31k – Land Charges. Following an assessment, this element is uncommitted.
 - £62k – New Homes Bonus. There are no plans for the residual element of this reserve.
 - £5k – Council Tax Discount Scheme. Originally set aside to support claims resulting from flooding claims.
- 5.7 At their meeting on 5th November 2014 Cabinet also agreed that Full Council should consider the possibility of a supplementary estimate should there be a requirement in the future to fund Disabled Facilities Grants over and above the grant allocated to West Somerset Council.

6. FINANCIAL/RESOURCE IMPLICATIONS

- 6.1 Earmarked reserves should only be held where there is a clear purpose and commitment to use the funds within a planned timeframe. The Council is facing potentially significant transformation costs, and it is therefore prudent to release surplus earmarked balances to general balances, and provide greater funding flexibility in the short term.

7. COMMENTS ON BEHALF OF SECTION 151 OFFICER

- 7.1 A regular review of Earmarked Reserves is best practice, ensuring that the reasons that balances are held are still valid and any no longer required are either transferred to new earmarked reserves or into the General Fund balances.

8. EQUALITY & DIVERSITY IMPLICATIONS

Members need to demonstrate that they have consciously thought about the three aims of the Public Sector Equality Duty as part of the decision making process. The three aims the authority **must** have due regard for are:

- Eliminate discrimination, harassment, victimisation
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

- 8.1 None in respect of this report.

9. CRIME AND DISORDER IMPLICATIONS

- 9.1 None in respect of this report.

10. CONSULTATION IMPLICATIONS

- 10.1 None in respect of this report.

11. ASSET MANAGEMENT IMPLICATIONS

- 11.1 None in respect of this report.

12. ENVIRONMENTAL IMPACT IMPLICATIONS

- 12.1 None in respect of this report.

13. HEALTH & WELLBEING

Demonstrate that the authority has given due regard for:

- People, families and communities take responsibility for their own health and wellbeing;
- Families and communities are thriving and resilient; and
- Somerset people are able to live independently.

- 13.1 None in respect of this report.

14. LEGAL IMPLICATIONS

- 14.1 None in respect of this report.

Appendix A
WSDC

Earmarked Reserves for Revenue Purposes	Balance @ 31.03.2014	Movements 14/15	Committed Expenditure	Available to be Returned
Working Neighbourhood Fund	(113,634.00)		104,630.00	(9,004.00)
Community Safety	(4,455.00)		4,455.00	0.00
Land Charges	(60,077.00)		28,530.00	(31,547.00)
Tourism	(15,911.00)		15,911.00	0.00
Seaside Towns	(20,083.00)		20,083.00	0.00
New Homes Bonus	(113,850.00)	51,820.00	0.00	(62,030.00)
Sustainability Reserve	(57,698.00)		57,698.00	0.00
Minehead Events	(9,651.00)		9,651.00	0.00
Housing Benefit Admin	(11,782.00)		11,782.00	0.00
Council Tax Reform Implementation	(49,308.00)	(59,659.00)	108,967.00	0.00
Benefits External Processing	(1,657.00)		1,657.00	0.00
DHP Reserve	(44,861.00)		44,861.00	0.00
District Election Reserve	(20,000.00)		20,000.00	0.00
Water Bathing Signs	(1,266.00)		1,266.00	0.00
Non-District Election Reserve	(15,107.00)		15,107.00	0.00
IER Reserve	(11,664.00)		11,664.00	0.00
Inspire	(7,131.00)		7,131.00	0.00
Transparency Code	(2,588.00)		2,588.00	0.00
Exmoor at your Fingertips	(1,780.00)		1,780.00	0.00
Roughmoor Signage	(1,011.00)		1,011.00	0.00
Minehead Town Centre Signage	(885.00)		885.00	0.00
Our Place	(2,500.00)		2,500.00	0.00
Eat Exmoor	(500.00)		500.00	0.00
National Grid PPA	(16,911.00)		16,911.00	0.00
CCTV	(4,000.00)		4,000.00	0.00
Homelessness Prevention	(66,120.00)		66,120.00	0.00
Section 31 - Flooding	(13,486.00)		13,486.00	0.00
Watchet Harbour Dredging	(7,500.00)		7,500.00	0.00
Planning Staff Salary	(6,000.00)		6,000.00	0.00
Coast Protection	(2,275.00)		2,275.00	0.00
Morrison's Town Centre Footpath	(6,000.00)		6,000.00	0.00
JMASS Reserve	(374,983.00)	374,983.00	0.00	0.00
Council Tax Discount Scheme	(5,000.00)		0.00	(5,000.00)
Community Right to Challenge	(8,547.00)		8,547.00	0.00
Assets of Community Value	(7,855.00)		7,855.00	0.00
Business Rates Retention Smoothing Account	(269,663.00)	(412,168.00)	681,831.00	0.00
JMASS Project Reserve	(20,200.00)		20,200.00	0.00
	(1,375,939.00)	(45,024.00)	1,313,382.00	(107,581.00)

Report Number: WSC 156/14
Presented by: Cllr Karen Mills – Cabinet Lead for Economic Regeneration & Tourism
Author of the Report: Corinne Matthews – Economic Regeneration & Tourism Manager
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Report to a Meeting of: Council
To be Held on: Wednesday 19 November 2014
Date Entered on Executive Forward Plan Or Agreement for Urgency Granted: [\[Click here and type Date\]](#)

HINKLEY TOURISM ACTION PLAN - ALLOCATION

1. PURPOSE OF REPORT

- 1.1 To consult with Council on a suggested approach for commissioning Tourism Monitoring Surveys.

2. CONTRIBUTION TO CORPORATE PRIORITIES

- 2.1 Maximising opportunities for West Somerset communities and businesses to benefit from the nuclear development whilst protecting local communities and the environment.

3. RECOMMENDATIONS

- 3.1 To recommend to Council the allocation of up to a maximum of £40,000 of the Phase 2 (Part One) S106 Tourism mitigation funds for the commissioning of 2 calendar years of visitor monitoring surveys.

4. RISK ASSESSMENT (IF APPLICABLE)

Risk Matrix

Description	Likelihood	Impact	Overall
An inability to quantify and monitor the impacts of the HPC project upon the local tourism industry	4	4	16
<i>Baseline assessments and monitoring work undertaken to inform future decision making and correct targeting of further funding</i>	2	4	8

The scoring of the risks identified in the above table has been based on the scoring matrix. Each risk has been assessed and scored both before and after the mitigation measures have been actioned.

5. **BACKGROUND INFORMATION**

5.1 Schedule 15 of the HPC Site Preparation S106 makes provision for an allocation of £160,000 payable on the implementation of Phase 2, with a further £160,000 payable on the first anniversary of Phase 2 start.

5.2 The Section 106 Agreement states that this allocation is for the purposes of the Tourism Action Partnership carrying out the **Marketing and Promotional Initiatives** and carrying out the **Tourism Monitoring Survey**. The Survey is defined as *the annual survey to identify the potential types and levels of impact of the construction and operation of the Development and/ or other elements of the project (if permitted) on tourism in Somerset and identifying the impacts that this will have on tourism as an economic sector in Somerset.*

5.3 **Hinkley Tourism Action Partnership (HTAP)**

This is the Partnership identified within the S106 Agreement tasked with establishing and over-seeing the delivery of a Strategy and Action Plan. HTAP is defined as *the means by which West Somerset Council, Somerset County Council and Sedgemoor District Council will come together to decide how certain elements of the tourism contribution shall be applied after requesting and taking into account representations from other representative bodies of business in the tourism sector.*

HTAP's membership has been designed to ensure that consultative mechanism is embedded in all of its activity, and therefore has extended the membership to include the Exmoor Tourist Association, Somerset Tourist Association, Exmoor National Park Authority and EDF Energy, as well as the three Councils.

5.4 **Tourism Strategy and Action Plan**

This is defined as *the tourism strategy and action plan which will coordinate tourism marketing and sector development activity to ensure that all activity is strategically significant, that there is no overlap between activities and that there are no significant gaps in response to the challenges and opportunities relating to the construction and operation of the Development / or other elements of the Project (if permitted)*

The HTAP Strategy and Action Plan is currently in draft form, and is very close to being ready for wider consultation and agreement. There have been previous consultation sessions held with both the local Tourism Industry, Tourism Information Centres, and elected Members (via the Policy Advisory Group). An HTAP Consultative Workshop was held at the Exmoor Tourism Conference on 6th November.

Ideally, HTAP would wish to have the Strategy and Action Plan agreed before requesting the drawdown of any funding, however, there is an urgent requirement to commission the Monitoring Survey and to support the activity in Watchet. (The latter will receive an allocation of £5,000 to implement an action plan of activity, as agreed by Cabinet on 5th November 2015)

5.5 **Monitoring Survey**

A small Working Group of HTAP was set-up to consider the scope and breadth of the survey and to take into account other information that was currently available, to avoid duplication. The following recommendation was then made to HTAP at their meeting in October 2014 and agreed as follows:- **That the services of a specialist independent and accredited research agency should be procured to carry out a Visitor Survey, analyse results, and help in designing a business survey. The agency would be specifically asked to:**

- a. Review previous relevant tourism studies (e.g. Somerset Visitor Survey 2009/10, Tourism Volume and Value Data, Exmoor Visitor Surveys) to identify baseline figures.

- b. Design a questionnaire. The questions to cover, travel experience, visitor profile changes, perceptions and motivations.
- c. Suggest a suitable timetable and different pricing options for a cluster sampling approach (e.g. 6 locations three times a year or 14 locations twice a year)
- d. Develop a smaller sample questionnaire for TIC's and others to use. There is also potential to add in the development of an online survey too.
- e. Provide reports after each 'time' the survey is carried out, and annual report that analyses the data providing conclusions and recommendations.
- f. Design a business survey questionnaire for HTAP partners to use.

It is recommended that a full procurement process is carried out for a two year contract in line with the Section 106 site prep agreement, but with the option of a four year extension to tie in with the Section 106 Development works agreement.

The brief will be written by the Tourism Officers from West Somerset Council and Sedgemoor District Council in conjunction with. Somerset County Council.

Experience (amongst the Partners) of commissioning similar surveys from a professional Company has indicated that the costs will be in the region of £20,000 per annum, though until the procurement process is undertaken it is not possible to know the exact costs. £20,000 p.a. would be the maximum amount that would be allowed for this work. In the spirit of partnership working (and sharing the work-load) Somerset County Council have agreed to undertake the procurement process.

6. FINANCIAL/RESOURCE IMPLICATIONS

- 6.1 The Phase 1 HPC Tourism mitigation Fund Contribution of £160K was received by West Somerset Council on 6th May 2014.
- 6.2 The Phase 2 (Part 2) allocation of £160K will be paid to WSC on 6th May 2015.

7. COMMENTS ON BEHALF OF SECTION 151 OFFICER

- 7.1 As the accountable body for the S106 funding, the total expenditure of £40,000 will be recorded in the Council's accounts. It is important to note that the S106 funding is one-off monies and it is advisable to use this to support one-off spending in order to prevent an ongoing budgetary commitment for the Council. It is not expected that there will be any associated costs, other than staff time and minimal administration, in respect of this item.
- 7.2 To aid monitoring and reporting against financial approvals, it is recommended that the sum of £40,000 is added to the Revenue Budget creating an agreed budget for the expenditure, with a matching income budget of £40,000 and be funded from contributions received. This will not impact on Council's Net Budget position.

7.3 It is noted that a further £160,000 one-off receipt is due to be received in May 2015.

8. EQUALITY & DIVERSITY IMPLICATIONS

8.1 **Members need to demonstrate that they have consciously thought about the three aims of the Public Sector Equality Duty as part of the decision making process.** The three aims the authority **must** have due regard for are:

- Eliminate discrimination, harassment, victimisation
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

8.2

9. CRIME AND DISORDER IMPLICATIONS

9.1

10. CONSULTATION IMPLICATIONS

10.1

11. ASSET MANAGEMENT IMPLICATIONS

11.1

12. ENVIRONMENTAL IMPACT IMPLICATIONS

12.1

13. HEALTH & WELLBEING

Demonstrate that the authority has given due regard for:

- People, families and communities take responsibility for their own health and wellbeing;
- Families and communities are thriving and resilient; and
- Somerset people are able to live independently.

13.1

14. LEGAL IMPLICATIONS

13.1 The recommendations that form part of this Report are in line with the requirements of the HPC Site Preparation S106 – Schedule 15

69

Report Number: WSC 160/14

Presented by: Cllr Keith Turner, Housing Portfolio Holder

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Report to a Meeting of: Council

To be Held on: 19 November 2014

Date Entered on Executive Forward Plan

EDF HOUSING FUNDING STRATEGY

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to present to Members the recommendations of the Hinkley Point Planning Obligations Board (POB) and to ask Council to approve the attached Housing Funding Strategy (Appendix A).
- 1.2 Four associated bids pursuant to the Housing Funding Strategy are also presented where Council is asked to approve the allocations. Full details of the four bids and associated paperwork, including the Risk Assessment, are available on the Cabinet papers of 5 November 2014.
- **Landlord & Tenant Services** - £658,140
 - **Empty Property Regeneration** - £304,500
 - **Home Moves Plus** – £60,000
 - **SDC Enabling Scheme** - £192,560

2. CONTRIBUTION TO CORPORATE PRIORITIES

The Draft EDF Housing Funding Strategy is directly related to the delivery of the WSC Corporate Plan, and associated targets, by setting out the proposals for meeting the Corporate Priority below:

Corporate Priority: New Nuclear Development at Hinkley Point – Objective 5: The availability of housing supply within West Somerset is increased to mitigate the extra demands linked to Hinkley Point workers.

3. RECOMMENDATIONS

That Council approves the Housing Funding Strategy (appendix A) and the four initial bids contained in the Housing Funding Strategy and outlined in Section 6 of this report.

4. RISK ASSESSMENT (IF APPLICABLE)

Risk Matrix

Description	Likelihood	Impact	Overall
Work across all 3 authorities and the need to balance resources, priorities or focus from partnership in delivery of Hinkley proposals (project management, embedding legacy projects etc)	2	3	6
<i>Commitment to prioritising and resourcing Hinkley in operational arrangements</i>	1	3	3
Uncertainty over future of SWELT as delivery agent for private sector Landlord & Tenant Services	3	4	12
<i>Committing resources to Project Teams for delivery of individual proposals</i>	1	4	4
Competing agendas across the districts, compounded by different perspectives at varying levels of project management may lead to confusion or threaten partnership approach	3	4	12
<i>Clarity and openness over lines of engagement</i>	2	4	8

The scoring of the risks identified in the above table has been based on the scoring matrix. Each risk has been assessed and scored both before the mitigation measures have been actioned and after they have.

5. **BACKGROUND INFORMATION – HOUSING FUNDING STRATEGY**

- 5.1** The Hinkley Housing Fund of £4m was secured to provide financial support for initiatives designed to deliver additional housing capacity in order to mitigate any potential adverse effects on the local private rented and low cost housing market that might arise from the Hinkley Point C development.
- 5.2** Appendix A contains the Housing Funding Strategy, which sets out the policy context for targeting the Housing Fund contribution, and details the housing activity jointly proposed across West Somerset and Sedgemoor Districts. The funds are allocated within the Section 106 legal agreement to carry out Site Preparation Works at Hinkley Point C (West Somerset Council Planning Application No: 3/32/10/37). The legal agreement requires the Council to take into account the recommendations of the Planning Obligations Board when deciding how to apply those elements. Any decisions made by the Board also need to be referred to Cabinet/Council as required.
- 5.3** The Funding Strategy has been developed in consultation with partners across West Somerset and Sedgemoor districts. The Housing Initiatives Implementation Officer has consulted with West Somerset Members who attended the Housing & Health Policy Advisory Groups on 24 June and 2 October 2014 who gave their support to the approach outlined in the Strategy.
- 5.4** In accordance with the S106 Agreement, the views of the Planning Obligations Board have been sought in advance of presenting the proposals to Council. The Funding Strategy was presented to POB on 12 August 2014. Following discussion at the Board, the amended Strategy was presented at the subsequent POB on 7 October 2014, the Board resolved to recommend to Cabinet that the Funding Strategy is approved. On 5 November 2014 Cabinet recommended that Council approve the Funding Strategy.

6. HOUSING FUND BIDS

- 6.1 In addition to the Housing Funding Strategy, four detailed proposals were presented to POB on 7 October, followed by Cabinet on 5 November 2014 which recommended that Council approve the allocations as detailed in Appendices B – E of the Cabinet papers.
- **Landlord & Tenant Services** – total bid for £658,140 comprising £626,800 project costs plus £31,340 admin fee
 - **Empty Property Regeneration** – total bid for £304,500 comprising £290,000 project costs plus £14,500 admin fee
 - **Home Moves Plus** – a Pilot with Magna West Somerset Housing Association (MWS) – total bid of £60,000
 - **SDC Enabling Scheme (The Three Crowns, Bridgwater)** - total bid for £192,560 gap funding comprising £183,390 project costs plus £9,170 admin fee
- 6.2 The Board resolved to recommend to Cabinet that the 4 bids are approved, subject to a Risk Assessment and a set of monitoring proposals being included for each proposal, with a Viability Assessment, in addition, for Enabling bids. These amendments were presented to Cabinet on 5 November 2014. The Risk Assessment is available at Appendix F of the Cabinet papers, although it will continue to be updated. The monitoring proposals were subsequently included in Section E1 of all the revised bids, available at Appendices B - E of the Cabinet papers. Section G of the SDC Enabling Fund bid, available at Appendix E of the Cabinet papers was subsequently amended to include a 5% Admin Fee as agreed by the Board. (The S106 Agreement states that all bids can include the calculation of related costs of 5% of the relevant payment in addition to any payments for the purpose described in Paragraph 3.2.12 of the S106). Following agreement by POB the SDC Enabling Scheme has been subsequently amended to include the 5% admin fee which had been omitted from the original submission.
- 6.3 These proposals intend to draw down a total of £1,215,200 comprising £1,160,190 for the initiatives plus £55,010 admin fees, of the £4.004m and should provide an estimated 1,713 bed spaces across both districts.
- 6.4. The proposals are outlined below and are reflected in the Housing Funding Strategy at Appendix A. For ease of reference, the table below provides a summary of the proposals with references back to the Funding Strategy,

Initiative	Housing Funding Strategy Ref		Total b/s	SDC	WSC	Total Cost £	Admin Fee £	Total bid £
	P2*	Sections						
Landlord & Tenant Services	1-8	4: Private Sector Initiatives	1560	1240	320	£626,800	£31,340	£658,140
Empty Property Regeneration	9-10		40	27	13	£290,000	£14,500	£304,500
Home Moves Plus	13	5: Social Housing	80	-	80	£60,000	-	£60,000
Enabling Fund – SDC	-	6: Enabling Fund	33	33	-	£183,390	£9,170	£192,560
Totals			1713	1300	413	1,160,190	55,010	1,215,200

* refers to the Summary on P2 of the Housing Funding Strategy at Appendix A of this Report

- 6.5 **Landlord and Tenant Services - see also Section 4 of the Housing Funding Strategy.** Given the need to meet the potential demand in a relatively quick timeframe in the event of the works recommencing, the focus in the short-term must be on the private rented sector, already identified as the largest potential source of

housing for HPC workers, particularly to increase the supply of good quality accommodation available for everyone, but supported by a range of services to encourage landlords to let properties to local residents who may otherwise be disadvantaged. Below is an outline of the various components of the bid.

- **Somerset HomeLet** is a free, easy to use, interactive, web-based “one stop shop” developed by Localpad that matches available private rented accommodation to potential occupiers. The aim is for the site to eventually advertise ALL available private lets across Sedgemoor, West Somerset and Taunton Deane. It enables:
 - Potential tenants to directly access suitable housing via search facilities individually related to their needs
 - Landlords to easily market and manage their lettings portfolio
 - Housing Options Teams to signpost customers to the website to look for their own accommodation
 - Monitoring through the comprehensive “back office” including vetting adverts, monitor lettings, and running reports as required.
- **Flexible Rent Support Scheme** – enhancing the current successful Bond Guarantee and Deposit Schemes, by covering deposits and/or rent in advance, and other fees, which is crucial in enabling potential tenants to access private rented accommodation.
- **Minor Improvement Scheme** simplifying and enhancing one consistent grant and loan product (eg £1k grant per property plus access to £15k loan at 4%) which can be used to improve properties in priority areas, for conversion to smaller units, developing 1 bedroomed accommodation and/or for owners of HMOs to improve standards, and for Energy efficiency measures.
- **Rent a Room Scheme** – to encourage the letting of spare rooms currently empty. The grant is available to bring rooms back into use. Must have adequate controllable heating and be free from Category 1 & 2 Hazards in accordance with the 2004 Housing Act. Electrical and gas safety checks must be carried out and the property fitted with suitable smoke and carbon monoxide detectors. This links up with:
- **Sustainable Management Service** – either extending the existing service with Chapter 1 and TAH or commissioning a new service to focus on rehousing clients from the Housing Register in the Hinkley priority areas.
- **Landlord Accreditation – Landlord Training** – e.g. fire service, Tenancy and Management training and access to the Landlord newsletter for consultation and to keep landlords informed of relevant initiatives and new products
- **Furniture package** – enhancing the current services provided by existing partners to provide essential furniture
- **Tenant Ready Scheme** incorporating and extending the existing Tenant Accreditation and Tenant Passport Schemes – extending to all ages to ensure that prospective tenants are able to accept and sustain an offer of tenancy.

6.6 Empty Property Regeneration - see Section 4 of the Housing Funding Strategy

Experience has demonstrated that empty property regeneration is very time and resource intensive. The Partnership is considering adopting the well-established Somerset Care & Repair (SC&R) model which offers a menu of services to owners of empty properties identified by the councils, in the Hinkley priority areas. There are 3 elements to the proposal:

- Empty Homes Grant for long term empty properties (over 6 months) at up to £15k per property to underwrite a SC&R scheme.
- “Help Yourself” Social Enterprise
- DIY Empty Homes Loans

- 6.7** Empty Homes Grant - financing of the works is made up of three elements: HCA loan, owner’s contribution, and LA grant, where applicable. The HCA funds are loaned to the owner as an interest free loan and repaid by the owners through the rental income. The funding is recycled over time to bring additional homes back into use, but the pot depreciates by 15% (through fees) each time. Properties are leased to SC&R and fully managed on a 7 – 15 year lease agreement. The scheme requires access to a £15k grant to be used where the total cost of the scheme exceeds the HCA loan and owner contribution, or for those developments where there is potential for conversion to maximise bed spaces. SC&R has submitted a separate bid to the Homes & Community Agency to cover the Loan element of the financing, which if successful will provide sufficient funds to offer an average loan of £11k per property or to also purchase those empty homes which require substantial renovation. It is conservatively estimated that the grant will provide 23 bed spaces over the 2 years, although projected numbers will substantially increase if the HCA funding is successful by funding additional loans and the option to purchase empty homes.
- 6.8** The SC&R model, also offers scope for “added value” to the project. This includes developing a **social enterprise “Help Yourself” model** as part of the bid, to provide education/training and employment (ETE) opportunities in construction skills to vulnerable people (e.g. young people, long-term unemployed, probation clients, former prisoners) to carry out the improvement work. An additional goal and further ‘added value’ of the Empty Homes scheme is that properties brought back into use can be used to address a range of housing needs for specific groups of clients that are seeking accommodation within the districts.
- 6.9** **DIY - Empty Homes Loans** - for those owners not interested in the SC&R model; a top up loan for properties in more substantial disrepair by enhancing the existing Wessex Home Improvement Loan of £15k @ 4% by with an additional £15k increasing the maximum loan to 30k @ 4% to bring the property back into use.
- 6.10** **Home Moves Plus - see Section 5 of the Housing Funding Strategy.** As at 30 June 2014 there were over 800 social housing tenants in Somerset under-occupying their current homes and registered on Homefinder Somerset for a move to more suitable accommodation. 60 of these were in West Somerset; 180 were in Sedgemoor with a further 238 in Taunton Deane. The majority of under-occupying tenants seek a transfer by registering on Homefinder Somerset and look for smaller properties, which increases the competition for smaller accommodation, which already comprises over 50% of housing demand. Some social housing tenants are also looking for alternative accommodation in the private rented sector, again increasing pressure on the type of housing most likely to be impacted on by the arrival of HPC workers. Mutual Exchange is more effective than transfers in making best use of existing property, enabling tenants to utilise the value of their existing tenancies, meeting at least two housing needs with every exchange or home swap and reducing competition for smaller vacancies advertised on Homefinder Somerset. However to add value to the existing scheme and be more effective housing providers need to be pro-active in delivering chains of exchanges.
- 6.11** MWS has been funding and administering a down-sizing incentive scheme since October 2011, offering financial incentives aimed at encouraging tenants living in MWS properties that are larger than they need to down-size to accommodation more suited

to their needs and their budget by reducing the financial barriers to moving. The proposal is for £60,000 over 2 years to enable MWS to employ a Home Moves Negotiator (HMN) to develop and promote a wide range of cost effective down-sizing options including exchanging homes and the empty rooms scheme. The HMN will provide the resource needed to pro-actively match accommodation needs and facilitate moves as well as providing practical help and advice to tenants on, for example, how to market their home effectively and how to organise a house move. The role will also have a 'hands on' element and be able to give practical assistance to arrange removals, re-direct mail and notify utility companies etc. The proposal includes £54,000 of MWS funding to be used on incentive payments.

- 6.12 SDC Enabling Fund.** Bid for £183,390 (plus £9,169 admin fee) to assist a developer bring forward a stalled development at the former Three Crowns Public House in Bridgwater.
- 6.13** Further bids to the Enabling Fund will be made on a scheme by scheme basis.
- 6.14** Future bids will be submitted for the remaining initiatives including Living Over the Shop, and First Time Buyer Loans, and other bids will be made, jointly and separately as further proposals are developed.

7. FINANCIAL IMPLICATIONS

- 7.1** Members will appreciate that the financing of the bids comes directly from the Section 106 agreement for Site Preparation Works at Hinkley Point C and will recall that the Section 106 agreements funds two housing officers at WSC (and equivalents at SDC) who will be responsible for delivering some of the work, working with partners to deliver some of the work and monitoring partners delivering the remaining work. As such there are no significant financial or resource implications for the Councils General Fund. The Section 106 agreement also funds a Finance Officer who will work with the Housing Team and the New Nuclear Programme Manager to track spend and delivery.

8. SECTION 151 OFFICER COMMENTS

- 8.1** The funding for the delivery of the Housing Strategy is from the s106 agreement for Site Preparation Works at Hinkley Point C, not the Council's own resources. However, we must be able to demonstrate to our stakeholders, in particular EDF Energy and other parties to the s106 agreement, that we have maximised the benefit from this fund in terms of mitigating of the impact of HPC on West Somerset and Sedgemoor. Within the Housing schedule set out in the s106 agreement, WSC on behalf of West Somerset and Sedgemoor District Councils received £4.004m (£3.750m plus inflation uplift), making this the largest single contribution received under the agreement.
- 8.2** Many projects and initiatives that the Housing contribution will fund are extending what the Council already provides. We do need to ensure in these circumstances that we separate the Hinkley-funded services from the Council's services and separate our resources. We must ensure that the s106 contribution only funds services where it links back to the Hinkley Point C project, and avoid funding anything that the councils should and would have funded normally. Any bids to the Planning Obligations Board / Cabinet / Council will need to clearly demonstrate this distinction.
- 8.3** It is noted that some of the initiatives involve paying funds to external agencies (e.g. Magna West Somerset, Wessex Home Improvement Loans) who would carry out the services on our behalf. Where this is happening, it is important to monitor their performance, in particular what or who they are funding and why to ensure effectiveness and that it relates

to Hinkley impact. We need to agree with them what information they will provide to ensure effective monitoring.

- 8.4** In the Housing Strategy, it is proposed to give out loans totalling £305k (Sedgemoor £200k and West Somerset £105k). The three loan schemes (First Time Buyer, Empty Homes, Minor Improvement fund) involve paying into a loan pool managed and administered by Wessex Homes Improvement Agency (WHIL), who would loan out the money at 4% interest. They will carry out the credit assessment to mitigate the credit risk and will recycle the loan as the borrowers repay. WHIL will keep the interest as an admin fee. The recycled funds will remain in the loan pool
- 8.5** The admin fee is the administration cost of running each scheme, either for external agencies or by the councils. Within individual schemes we will need to agree with external agencies how much we will pay for them administering the scheme and the amount of time they spend. Some elements of the Housing Strategy, such as Empty Homes, may result in small additional work some for council employees who are not funded by EDF Energy (e.g. Building council, Housing team) although this is not expected to be significant or divert from core activity.
- 8.6** At the time of writing, the councils are currently applying for up to £1.4m from the HCA and NEHP to support the Empty Homes Grant scheme. There is no guarantee that we will receive funding, as such the figures in the strategy assume that we receive no grant.
- 8.7** The demand figures for number of bed spaces/houses are only an estimate within the Housing Strategy and may be subject to change, between schemes or between Councils, projects seeking formal allocations pursuant to the Housing Strategy will be considered by the Planning Obligations Board and subsequently WSC's Cabinet and Council in due course. The strategy has been designed to be flexible depending on the demand from landlords and residents, and can be adjusted. If adjustments are required, we must ensure that both councils and their communities still get their fair share of the fund. In the event of an overspend, it is noted that over £900k of the total Housing contribution is currently unallocated.
- 8.8** Within the agreement, there is a further restriction. We can only spend a total of up to £2.000m on schemes other than Private Sector Initiatives and Social Housing services (except for Accreditation of landlords). We will need to monitor what we spend on these areas to avoid breaching this limit – Again, projects seeking formal allocations pursuant to the Housing Strategy will be considered by the Planning Obligations Board and subsequently WSC's Cabinet and Council in due course to provide a robust overview of how the money is allocated and spent.

9. EQUALITY & DIVERSITY IMPLICATIONS

Members need to demonstrate that they have consciously thought about the three aims of the Public Sector Equality Duty as part of the decision making process.

The three aims the authority **must** have due regard for:

- Eliminate discrimination, harassment, victimisation
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

The Hinkley Housing Funding Strategy complies with recommendations that the Council should maximise all opportunities to monitor and measure responses and outcomes against diversity criteria to help plan future housing provision in a way that reflects the needs of all groups within the community. The proposals are intended to increase the supply of

accommodation available to all, with measures to assist vulnerable local residents access housing across West Somerset and Sedgemoor. All actions should be in compliance with the Human Rights Act.

10. CRIME AND DISORDER IMPLICATIONS

All housing developments should be designed to minimise the potential for crime and disorder. The Housing Fund proposals are designed to mitigate the impact of HPC workers on accommodation in the district, by meeting the needs and aspirations of the local community, improving the quality of housing across the district, increasing housing supply and housing options, so could be expected to have a positive impact on crime and disorder.

11. CONSULTATION IMPLICATIONS

All the proposals have been developed in consultation with Somerset West Private Sector Housing Partnership (SWPSHP), Somerset West Landlord & Tenant Services (SWELT), private sector landlords, the West Somerset Affordable Housing Group, and the West Somerset Housing Forum.

12. ASSET MANAGEMENT IMPLICATIONS

There are no direct implications

13. ENVIRONMENTAL IMPACT IMPLICATIONS -

There are no direct implications of approving the Housing allocations. However, there are obviously environmental impacts associated with the wider proposed development of Hinkley Point C. These have been assessed within the Environmental Statement submitted by NNB Genco with the application to carry out Site Preparation Works at Hinkley Point C (West Somerset Council Planning Application No: 3/32/10/037) and mitigation measures have been secured.

14. HEALTH & WELLBEING

Demonstrate that the authority has given due regard for:

- People, families and communities take responsibility for their own health and wellbeing;
- Families and communities are thriving and resilient; and
- Somerset people are able to live independently.

The Housing Fund proposals are designed to mitigate the impact of HPC workers on accommodation in the district, by meeting the needs and aspirations of the local community, improving the quality of housing across the district, increasing housing supply and housing options, so could be expected to have a positive impact on health and wellbeing.

15. LEGAL IMPLICATIONS -

These funds have been paid by a developer (NNB Genco) due to the signing of a Section 106 legal agreement for planning permission to carry out the site preparation works at Hinkley Point C (West Somerset Council Planning Application No: 3/32/10/037). As part of this legal agreement West Somerset Council shall take into account the recommendations of the Planning Obligations Board when deciding how to apply those elements of the Housing Contributions.

APPENDIX A: Housing Funding Strategy

HOUSING FUNDING STRATEGY

Summary of Joint Bids by West Somerset Council and Sedgemoor District Council

Purpose of Report:

The Housing Fund of £4m was secured to provide finance to deliver additional housing capacity to mitigate any potential adverse effects on the local private rented and low cost housing market that might arise from the Hinkley Point C development. The fund is provided under the Section 106 Agreement in relation to the Site Preparation Works, with a further £3.5m to be made available when EDF Energy elect to Transition to the Development Consent Order (minimum of £1m for SDC and £500,000 for WSC).

Sedgemoor District Council and West Somerset Council have been working together to agree principles and the general shape of initial proposed bids to the Housing Fund. A range of inter-dependant initiatives has been developed, designed to alleviate pressures on all sectors of the local housing markets.

The estimated costs may vary as the initiatives are progressed, and other bids will be made, jointly and separately, as further proposals are developed

Recommendation: that the Planning Obligations Board endorses this approach so as to simplify the subsequent approval of detailed future bids which fall within the parameters of this paper.

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Housing Fund - Summary of Costs of Proposals

Initiative	What it is?	Total no of b/s over 2 yrs		Initial costs		Total joint costs - 2 yrs	£ per b/s	5% admin	Other resources	
		SDC	WSC	SDC	WSC					
						<i>*Note that £54k of Initiatives at 1 (£4k Local Pad licence fees on behalf of EDF) & 9 (£50k for "Help Yourself" scheme) are not apportioned</i>				
Landlord & Tenant Services S106 Initiatives: 3.2.1; 3.2.2; 3.2.4;	1. Somerset Home Let	1000 b/s	200 b/s	£10,700	£5,100	£15,800 + EDF £4,000*			SDC £4200 WSC £1600	
	2. Flexible Rent Support	50 b/s	20 b/s	£70,000	£32,000	£102,000			Current LA, Schemes, HB,LHA,DHP: £30k	
	3. Minor Improvements Fund - including	130 b/s	60 b/s	£185,000	£75,000	£260,000			Recyclable loans; WHIL Loan Pot £20,000	
	4. Rent a Room Scheme									
	5. Sustainable Management Service	60 b/s	40 b/s	£96,000	£64,000	£160,000			Ch1 TAH	
	6. Landlord Accreditation – Landlord Training	5 Training Sessions	5 Training Sessions	£5,000	£5,000	£10,000			Fire Service, NLA, staff;	
	7. Furniture package	30 packages	15 packages	£20,000	£10,000	£30,000			Credit Unions, £2,000	
	8. Tenant Ready Scheme	40 tenants	20 tenants	£30,000	£15,000	£45,000			YMCA, Probation, Hsg Options; £17k	
Landlord & Tenant Total		1240	320	£416,700	£206,100	£626,800* / 1560b/s	£402	£31,340	As above £74,800	
Empty Property Regeneration S106:3.2.3	9. Empty Homes Grant Inc "Help Yourself" Social Enterprise	6 properties i.e. 15 b/s	3 properties i.e. 8 b/s	£90,000	£45,000	£135,000 + "Help Yourself"*£50,000			<£1.4m HCA NEHP funding; subject to successful bid	
	10. DIY Empty Homes Loans	5 properties i.e. 12 b/s	2 properties i.e. 5 b/s	£75,000	£30,000	£105,000			<£166,218 WHIL Recyclable loans	
Empty Property Regeneration Total		27	13	£165,000	£75,000	£290,000 / 40 b/s	£7,250	£14,500	<£1,566,218	
Living over the Shop S106:3.2.3	11. LOTS Grant – SDC Pilot	10 properties 30 b/s	3 properties 8 b/s	£150,000	£45,000	£195,000 / 38 b/s	£5,132	£9,750	NEHP funding tbc	
Equity Loans;S106: 3.2.5,3.2.6	12. WHIL First Time Buyer Loans for Tenants	5 properties 12 b/s	5 properties 12 b/s	£50,000	£50,000	£100,000	£4,167	£5,000	Personal Savings; Recyclable loans; tbc	
OVERALL PRIVATE SECTOR TOTAL		1309	353	£781,700	£376,100	£1,211,800/1662b/s	£729	£60,590	tbc	
Under-occupation S106:3.2.7	13. Home Moves Plus Pilot - WSC	n/a	80	n/a	£60k pa	£60,000 / 80 b/s	£750	£3,000	MWS £27k pa	
PS & HOME MOVES TOTAL		1309	433	£781,700	£376,700	£1,271,800/1742	£730	£63,590	£54,000	
Enabling Fund: S106: 3.2.8, 3.2.9,3.2.10		To be confirmed – S106 Agreement maximum				<£1,750,000				LA & HA AHP; S106
Other: 3.2.11, 3.2.12, 3.2.13		Keep under review – housing market monitoring				<£914,690 (inc admin fees)				tbc

1. BACKGROUND:

- 1.1 The Housing Fund** of £4m was secured to provide finance to deliver additional housing capacity in order to **mitigate any potential adverse effects** on the local private rented and low cost housing market that might arise from the Hinkley Point C development.
- 1.2** The fund was paid to WSC for use by WSC and SDC under the Section 106 Agreement in relation to the **Site Preparation Works**. The S106 Agreement sets out a framework of the types of initiatives eligible for funding – see Section 3 below. In addition there is a further £3.5m attached to the subsequent Development Control Order (minimum of £1m for SDC and £500,000 for WSC) which will be made available when EDF Energy elect to Transition to the Development Consent Order.
- 1.3** This Housing Funding Strategy was guided by the Principles contained in the S106 Agreement which sets out a general framework for the submission and consideration of Housing Fund proposals. Proposals were developed in response to a wide range of documentary evidence, including the Local Impact Report, Corporate and Housing Strategies of both authorities, Strategic Housing Market Assessments, ongoing housing market data, and in consultation with strategic and front-line officers in a range of organisations providing housing related services in the areas likely to be impacted.
- 1.4** Proposals were developed in consultation with individual partners, Somerset West Private Sector Housing Partnership (SWPSHP), Somerset West Landlord & Tenant Services (SWELT), private sector landlords, the West Somerset Affordable Housing Group, and the West Somerset Housing Forum.
- 1.5** Mitigating any potential adverse effects on the local housing markets due to the impact of Hinkley C is a priority in the Somerset Strategic Housing Framework and supporting West Somerset Action Plan. It meets the WSC Corporate Priority: New Nuclear Development at Hinkley Point in relation to Objective 5: *The availability of housing supply within West Somerset is increased if funds become available to mitigate the extra demands of the Hinkley Point workers.* The proposals address all 4 priorities of the Sedgemoor Housing Strategy:
- Meeting the needs and aspirations of the local community
 - Improving the quality of housing across the District
 - Increasing housing supply
 - Increasing housing options

2 REVIEW OF FUNDING STRATEGY

- 2.1** SDC and WSC have met regularly with partners to review the Funding Strategy recognising that the housing market is dynamic. The focus remains deliverability of the additional bed spaces required to mitigate the HPC impact.
- 2.2 Four key joint principles** were agreed by both Councils as a focus on which to develop initiatives.
- 1 to increase capacity in the private rented sector where the impact is most likely to be felt**

2 to maintain tenants in their current tenancies to prevent homelessness and reduce “churn” in the housing market

3 to make better use of existing accommodation to maximise occupation

4 to make joint bids whenever appropriate building on our well-established partnership approach and strategic joint working processes

2.3 The EDFe Accommodation Strategy identified the likely sources of accommodation to be utilised by the Construction Workforce. Further recent analysis for the SDC Strategic Housing Market Assessment (SHMA) identifies the potential new timescale and the key issues in relation to those sources of accommodation. The table below demonstrates the initial early demand for accommodation and that the delivery timetable of the campus accommodation relative to the wider HPC construction programme is crucial, as any delay in delivering the campus accommodation, although unlikely, would put additional pressure on the private rented sector.

Accommodation Type	Peak Construction Workers Accommodated	Issues (NB - *NHBCW: Non home based construction workers)
Accommodation Campus	1,450 (96% occupancy rate of 1510 units)	Anticipated timing – delivery timetable relative to wider HPC programme is crucial; note initial early demand <ul style="list-style-type: none"> • Mid 2016? Bridgwater College site: 150 b/s; 1700 NHBCW* = 1500 other (b/s) needed by mid-2016 • Mid 2016? HPC & Innovia 1: 910 b/s; 2700 NHBCW = 300 other b/s (total 1800 needed by mid-2016) • Peak – late 2016? Innovia 2: 450 b/s; 3700 NHBCW = 400 other b/s (total 2200 needed during 2017/2018)
Private Rented Sector	750	<ul style="list-style-type: none"> • Competition for smaller, cheaper properties, exacerbated by welfare reforms for non HPC workforce, may reduce available supply to local residents and/or drive up rents at the lower end • Will it provide an additional stimulant to growth in the PRS? If not then rents may rise. • Demand likely for furnished properties – unattractive to landlords.
“Latent” Accommodation e.g. spare rooms	400	<ul style="list-style-type: none"> • Potential significant supply of “spare” rooms but how to encourage people to let them out? • No local scheme – EDF not acting as broker, just providing accommodation list.
Tourist Accommodation	600	<ul style="list-style-type: none"> • Likely preference for un-serviced accommodation – campsites, caravans, holiday dwellings • There may be Planning issues; Seasonal – capacity likely to be greater out of season
Owner Occupied Housing	500	➤ Combined market impact of owner occupier and investment demand for properties rather than HPC workforce alone.
Total	3,700	

2.4 Recent analysis suggests around 1800 bed spaces required by mid-2016, when both the Hinkley Point Campus and first phase of the Bridgwater Campuses should be completed. Phase 2 of the Bridgwater Campus should be completed by late 2016, with a further 400 bed spaces required during 2017/18. This means a total of 2,200 additional bed spaces are needed by late 2018 dependent on the timely delivery of the Campus accommodation. We are hoping that the initiatives will deliver 1,500 additional bed spaces over the next 2 years – i.e. by mid-2016 – around 1,200 in Sedgemoor and 300 in West Somerset. It is recognised that providing additional bed spaces is more difficult, challenging and expensive in rural West Somerset, which is reflected in the funding submissions and indicative initiative apportionments. 1,500 bed spaces equates to around 650 properties, depending on their size.

2.5 Current evidence also suggests:

- The majority of the HPC construction workforce will be single people, increasing competition for **smaller and cheaper** accommodation; existing demand for 1 bedroomed accommodation comprises around 50% of the Homefinder Somerset Housing Register.
- The construction workforce is likely to be influenced by housing and travel costs, hence looking for cheaper properties at the lower end of the market, with a preference for proximity to the Hinkley bus routes and the Park and Ride sites at **Bridgwater and Williton** to reduce travel costs.
- As the construction workforce is more transient they are likely to be looking for **furnished accommodation** – furnished rooms, or co-renting shared furnished housing with colleagues. For various reasons (insurance, cost, servicing) furnished housing is unattractive to landlords in the current market.

2.6 Hence the emphasis is on providing smaller accommodation in the Priority Areas around the proposed Hinkley Point Bus Routes and Park and Ride Sites, with particular emphasis on the larger Park and Ride site around J24. To meet the timeframe, proposals have been developed in 5 key areas:

- Landlord and Tenant Services - given the need to meet the potential demand in a relatively quick timeframe the focus in the **short-term must be on the private rented sector**, already identified as the largest potential source of housing for HPC workers. Our aim is to increase particularly the supply of good quality accommodation, available for everyone supported by a range of services to encourage some landlords to let properties to local residents who may otherwise be disadvantaged.
- Another initiative to be implemented in the short term is **Home Moves Plus**, designed to reduce pressure on smaller affordable accommodation by facilitating under-occupying tenants to mutually exchange their tenancies rather than seek appropriately-sized accommodation in the private rented sector or via the housing register. Reducing the numbers of tenants seeking to move via the housing register, means that more social housing vacancies are available for 'general' applicants who are not social housing tenants and in turn there will be less need for them to meet their housing needs in the private rented sector.
- There are approximately 760 empty properties across both Sedgemoor and West Somerset. However, bringing **empty properties back into use** and facilitating **Living Over the Shop** initiatives are **medium term** - previous experience has proved that bringing empty properties back into use is extremely time and resource intensive requiring a wide range of skills.
- **Enabling new developments is longer term** but still anticipated to make a major contribution in the priority areas.
- Linked to new discounted sales properties, **Wessex Home Improvement Loans (WHIL) First Time Buyer Loans** can enable potential purchasers to top up their savings to enable them to pay the deposit required. Section 4.1 contains more information about WHIL.

2.7 We would also like to add value to the proposals by developing and incorporating a **social enterprise scheme (Help Yourself)** ensuring that wherever possible local residents are provided with skills and training opportunities to enable them to be utilised in carrying out improvement works and contributing to bringing more accommodation into the housing market.

3. REVIEW OF SECTION 106 INITIATIVES

3.1 There are a limited number of initiatives that the funding can be used for (the references refer to the paragraph numbers within Schedule 2 of the Site Preparation Works S106 Agreement). Note that the total costs of the S106 categories 3.2.1 (Landlord Accreditation, currently £10,000), 3.2.8 (stalled development equity), 3.2.9 (levering in HCA funding), 3.2.10 (grant replacement), 3.2.11 (any other initiative), 3.3.12 (employment of officers to a maximum of £240,000), and 3.2.13 (other mitigation measures) currently total £250,000, potentially leaving £1,750,000 for enabling and all the other initiatives in these categories which together cannot exceed a total of £2m.

3.2 Our current proposals come to £1,271,800 plus a 5% administrative fee of £63,590, i.e. totalling £1,335,390 potentially leaving a minimum of round £664,610 for further initiatives in the categories not specified at 3.1 above.

3.3. The table below outlines the sections at 3.2 of the S106 Agreement in relation to the Site Preparation Works. The numbers refer to the sections within the S106. Colour coding has been used to try to help link the proposals to the Agreement.

Private Sector Initiatives
3.2.1: Accreditation of landlords
3.2.2: Stimulating new supply in the private rented sector through financial assistance for minor improvements
3.2.3: Bringing empty homes back into beneficial use through financial assistance to owners:
3.2.4: Supporting a rent deposit or guarantee scheme through the provision of rent deposits for households moving into the private rented sector
3.2.6: Facilitating household moves from the private rented sector into intermediate or owner occupied market accommodation through equity loans to residents in the owner occupied or private rented sectors;
Social Housing
3.2.5: Facilitating household moves from social rented sector into intermediate or market accommodation through equity loans to residents in the social rented sector
3.2.7: Tackling the incidence of under occupation in existing affordable housing stock through payments to existing tenants to compensate them for releasing property and moving to more suitable accommodation
Enabling
3.2.8: Equity investment into new build housing development schemes to assist developers in bringing forward stalled development opportunities;
3.2.9: Levering in funding from the Homes and Communities Agency;
3.2.10: Providing funding to act as grant replacement for new build housing development schemes to subsidise the provision of affordable housing developed by registered social landlords
Other
3.2.11: any other initiative that would deliver additional housing capacity that might be necessary;
3.2.12: the employment by the Councils of Housing Initiative Implementation Officers; and
3.2.13: the funding of other housing mitigation measures ; such as emergency housing services.

3.4 An outline of the proposed initiatives is below. Please note that:

- These proposed costs are indicative not absolute, and may vary as the proposals are worked up further and/or that the proposals may be interchanged where it becomes clear that one is more effective than the other.
- Further bids will be made in response to the close monitoring of housing market trends and the effectiveness of these measures, including allowing for other bids to be made jointly and separately as further proposals are developed.

Initiative	Total no b/s	SDC	WSC	Cost per b/s	Total Cost	Admin fee	Total bid	Other] Contributions
Landlord & Tenant Services	1560	1240	320	£402	£626,800	£31,340	£658,140	£74,800
Empty Property Regeneration	40	27	13	£7,250	£290,000	£14,500	£304,500	<£1,566,218
Living over the Shop	38	30	8	£5,131	£195,000	£9,750	£204,750	tbc
First Time Buyer Loans	24	12	12	£4,167	£100,000	£5,000	£105,000	tbc
Home Moves Plus	80	-	80	£750	£60,000	£3,000	£63,000	£54,000
Total	1742	1309	433	£730	£1,271,800	£63,590	£1,335,390	£1,695,018
Enabling Fund	To be confirmed - current negotiations with HCA				S 106 Agreement max		<£1,750,000	
“Other” initiatives	Keep under review - housing market monitoring				Funding not yet committed		£914,610	
Total Housing Fund available							£4,000,000	

Further information on these proposals is contained in the Sections below:

- Section 4: Private Sector Initiatives;
- Section 5: Social Housing
- Section 6: Enabling Fund - Enabling initiatives will be presented on a scheme by scheme basis as and when details have been worked up.

3.5 In addition, the proposed initiatives deliver significant regeneration benefits alongside an increase in the overall supply of useable accommodation. The LIR identified that there is likely to be a higher demand for PRS compared to other sectors; for this reason there is a concentration on the private rented sector, in particular though landlord and tenant services initiatives; developed as an integrated package of proposals designed to increase the overall number of private rented sector bed spaces and access to a range of good quality private rented accommodation in the Hinkley priority areas. The initiatives have been chosen as they are the best use of the funding that can be delivered quickly because they are either a continuation of business as normal or can be incorporated quickly into business as normal.

4. PRIVATE SECTOR INITIATIVES

4.1. The Somerset West Private Sector Housing Partnership (SWPSHP) is a well-established and effective Partnership between Sedgemoor, Taunton Deane and West Somerset. The Partnership is responsible for delivering assistance (principally repair grants and low interest loans), Disabled Facilities Grants, enforcing housing standards, the voluntary Landlord Accreditation Scheme, bringing empty properties back into use and energy efficiency/fuel poverty. The Partnership has developed to also provide the Somerset West Landlord and Tenant Service which includes Housing Options Teams and other agencies to offer private sector landlords, tenants and owners unique access to a range of local housing products, services

and support. Services are free to the customer and specialist teams can offer personal advice and support via a dedicate website and telephone helpline and covering a wide range of housing topics. A key partner is Wessex Home Improvement Loans (WHIL), a non-profit making organisation currently funded by the authorities to deliver a comprehensive programme of grants and loans. The role and expertise of WHIL remains central to the delivery of the Minor Improvements Fund, DIY Empty Homes Loans and First Time Buyer Loans proposed below.

4.2. The Partnership has developed a number of successful schemes including the Accreditation of Landlords (ALiS) scheme, originally set up to work with private landlords and agents to encourage a vibrant, affordable private rented sector with decent properties available for all. The current ALiS scheme is tried and tested, oversubscribed and limited only by resources.

ALiS - what it does	Landlord Incentives
<ul style="list-style-type: none"> ➤ ALiS links Housing Standards, housing options, lettings, management, landlord and tenant support across all 3 districts, with accredited properties advertised and minimal need for expensive enforcement action. ➤ SWPSHP provides quality information, advice and incentives to help successful businesses develop their housing portfolios. 	<p>Incentives available via the scheme include:</p> <ul style="list-style-type: none"> ➤ Grants up to £1,000 (subject to availability) ➤ Low interest loans currently offered from 2%-4% up to £15,000 to support essential works to bring properties up to the Decent Homes Standard ➤ Access to the Bond Guarantee Scheme and Management Service ➤ Dedicated phone line to Housing Benefit and Housing Advice ➤ Free advertising on Homefinder Somerset, the Somerset wide choice-based lettings scheme ➤ Membership certificate ➤ Energy Performance certificates at a discounted rate ➤ A regular email updates keeping you informed of new legislation ➤ Free copies of Assured Shorthold Tenancy and Section 21 Notices ➤ Rent protection insurance scheme

4.3 To access the Housing Fund it is recognised that partners need to demonstrate a scheme specifically increasing the number of bed spaces, especially 1B accommodation, in the Hinkley priority areas to meet the anticipated additional demand. Although indicative targets are given for each component, in reality they will overlap so may not add up exponentially.

4.4 The new initiatives will be linked in to current SWPSHP services to enhance the marketing of the package of products available to landlords. The development and implementation of new products requires additional resources; to be covered via the 5% Admin Fees.

4.5 Each initiative developed to increase the supply of good quality accommodation in the private sector is outlined further in the table below:

- **Landlord & Tenant Services**
- **Empty Home Regeneration**
- **Living Over the Shop Pilot Scheme**
- **First Time Buyer Loans for Tenants**

4.6 Private Sector Services

LANDLORD & TENANT SERVICES – Key principle of increasing the supply of decent, well-managed private rented accommodation for all S106 initiatives: 3.2.1; 3.2.2; 3.2.4	Total Bed Spaces & Initial Costs over 2 yrs		Total Joint Costs over 2 yrs	Cost per b/s	5% admin	Other resource	Delivery
	SDC	WSC					
<p>1. Somerset Homelet is an easy to use, interactive, web-based “one stop shop front” developed by Localpad that matches available private rented accommodation to potential occupiers. The aim is for the site to eventually advertise ALL available private lets across Sedgemoor, West Somerset and Taunton Deane. It will enable:</p> <ul style="list-style-type: none"> • Housing Options Teams to signpost customers to the website to look for their own accommodation • Lettings Agents and Landlords to easily market and manage their lettings portfolio, including rooms to rent • Potential tenants to directly access suitable housing via search facilities individually related to their needs • Monitoring through the comprehensive “back office” including vetting adverts, monitor lettings, and running reports as required. • Links to the Landlord Accreditation scheme to maintain standards <p>The initial commissioning costs have been met by the local authorities (SDC, WSC and TDBC) and this bid is future marketing and administration costs. Marketing, training and support are crucial to establish Somerset Homelet as the key “shop front” for private rented accommodation in Somerset.</p> <p>This also links to the Home Moves Plus Scheme and Rent a Room Scheme by promoting an alternative option of renting out a room rather than moving to smaller accommodation</p>	<p>1000 b/s</p> <p>£4,200 Running Costs</p> <p>£6,500 Marketing Costs</p> <p>Total: £10,700</p>	<p>200 b/s</p> <p>£1,600 Running Costs</p> <p>£3,500 Marketing Costs</p> <p>Total: £5,100</p>	<p>£19,800:</p> <p>£5800 for 2nd yr running costs; £10,000 on-costs, inc marketing website, etc; + £4000 EDF Licence Fee-2yrs</p>	<p>£19,800/1200 = £16.5 per b/s</p> <p>(Includes £4,000 for EDF 2nd yr licence fee)</p> <p>Excluding licence fee bed space costs £13.</p>	<p>£990</p> <p>£19,800/5% admin Fee Will generate additional b/s from landlords not currently engaged with the LAs -Will require admin support</p>	<p>£5,800 ie SDC £4200</p> <p>WSC £1600</p> <p>i.e. Yr 1 start up costs from LA Homelessness Budgets to enable the project to be commissioned;</p>	<p>Housing Options Team; SWPSHP;</p>
<p>2. Flexible Rent Support Scheme - A flexible Rent Support Scheme will enable people to access the private rented sector. The Flexible Rent Support Scheme will include: -</p> <ul style="list-style-type: none"> • Rent in Advance (RIA) and enhanced bond scheme for single non-priorities- through TAH/YMCA. • Cash Deposits – for priority households • Other fees • Top up payments for rooms above LHA level/ one-off payment of the rent gap <p>Both councils currently provide Bond Guarantee or Deposit Schemes, although they are not necessarily similar. It can cost in excess of £1,000 to secure private rented accommodation so access to a way of covering deposits and/or rent in advance, plus other fees is crucial in enabling potential tenant’s access private</p>	<p>50 b/s</p> <p>Total £70,000 over 2 yrs</p> <p>£35k - RIA</p> <p>£15k to meet claims</p> <p>£7.5k for Lettings</p>	<p>20 b/s</p> <p>Total £32,000 over 2 yrs</p> <p>£14k - RIA</p> <p>£8k – claims</p> <p>£10k – all fees</p>	<p>Total £102,000</p>	<p>£102k/70= £1457 per b/s</p>	<p>£5,100</p>	<p>£30,000</p> <p>Existing bond & deposit schemes; HB, LHA, DHP;</p>	<p>Housing Options Team; Bond Officers; TAH YMCA</p>

rented accommodation.	Agency admin fees £12.5k Finder Fee						
<p>3. Minor Improvements Fund: To stimulate new supply and improve standards in the private rented sector: Note that costs are calculated on a combination of additional bed spaces provided by existing landlords and new spare rooms including lodgings, not specifically advertising for Hinkley workers.</p> <p>£1k grant and access to WHIL loans of up to £15k at 4% - to be used by Bond Officers and Landlord Accreditation Officer, along with the sustainable management service, to assist with improving conditions in the private sector by incentivising landlords, property owners and tenants to bring empty rooms into use and encourage them to sign up for the benefits of the Landlord Accreditation Scheme. Can also be used for conversion to smaller units, developing 1 bedroomed accommodation. The costs are estimated on a grant of £1,000 per landlord for each landlord with 50% of landlords requiring a loan averaging £5,000</p> <p>4. Rent a Room Scheme –spare rooms currently empty. Grant available to bring rooms into use. Must have adequate controllable heating and be free from Category 1 & 2 Hazards in accordance with the 2004 Housing Act. Electrical and gas safety checks must be carried out and the property fitted with suitable smoke and carbon monoxide detectors. The costs are estimated on a grant of £1,000 per landlord, with 80% of landlords having 1 room and 20% having more than 1 room.</p>	<p>130 b/s 30 + 100 R-a-R new b/s</p> <p>£185,000: i.e. 30K Grant £75K Loan = £105k total</p> <p>R-a-R: £80k Grant</p>	<p>60 b/s 10 + 50 R-a-R new b/s</p> <p>£75,000: i.e. £10K Grant £25k Loan = Total £35K</p> <p>R-a-R: £40k Grant</p>	<p>£260,000</p> <p>£40k Grant + £100k Loan = Total £140k + Total £120k</p>	<p>£1368</p> <p>£260,000/190 =</p>	<p>£13,000</p> <p>Inspection visits, admin to release grants and accredit</p>	<p>£20,000</p> <p>WHIL Loan Pot Recyclable loans</p>	<p>Housing Options Team, Bond Officers, Landlord Accreditation Officer; Forum 21; Home Moves Negotiator</p>
<p>5. Sustainable Management Service – Managing accommodation primarily for vulnerable single people requires specific skills resulting in higher management costs than for family homes. A sustainable tenancy management service is central to attracting new landlords and retaining existing ones when encouraging lettings to more vulnerable tenants and/or those claiming benefits. The Tenancy Management service will provide support and reassurance to both landlords and tenants by providing named key workers that they can contact to help resolve any issues, whilst also providing the support that vulnerable tenants may need in order to sustain their tenancies.</p> <p>Note that the properties procured will be eligible for the Minor Improvement Fund grants and loans.</p>	60 b/s	40b/s	<p>£160k over 2 years</p>	<p>160k/100 = £1600. per bed space</p>	£8000	Chapter 1, TAH	Chapter 1; TAH
<p>6. Landlord Accreditation – Landlord Training Landlord Training Programme as part of ALIS incorporating fire service</p>	5 training sessions	5 training sessions	£10k	£1000.00 per	£500		Fire Service,

training building on existing relationships with professional partners.	£5K	£5K		session			NLA, staff
7. Furniture package – providing an enhanced service from current providers to enable residents to move into accommodation (e.g. Bridgwater Credit Union & Sedgemoor Loan Guarantee for essential furniture, Engage, YMCA), providing additional funds for Bond Officers to use to help people access accommodation. The calculation is number of tenants receiving furniture packages	30 packages £20k	15 packages £10k	£30k	£30k/45 = £666 per application over 2 yrs	£1,500	£2,000	Housing Options Team; Engage, Credit Unions
8. Tenant Ready Scheme – encompassing and developing the existing and successful Tenant Accreditation and Tenant Passport Schemes. The current <i>Tenant Accreditation Scheme</i> helps prospective tenants understand their tenancy responsibilities and is designed to provide reassurance to landlords but the pilot scheme is only available for under 35 year olds so additional funding is necessary to extend the age range and encompass all households. The existing pilot <i>Tenant Passport Scheme</i> provides a basic criminal record check for prospective tenants, which is supported by both private and public sector landlords. Both schemes have access to housing advice. The <i>Tenant Ready Scheme</i> would go further in supporting prospective tenants arrange bank accounts, budgeting skills, photo id, rent in advance, moving costs, access to funding for furniture, etc. This would prepare prospective tenants to access accommodation quickly, helping reduce delays and costs associated with the current high rate of refusals for Homefinder Somerset properties. The Scheme could be flexible, provided in focussed modular form (pick and mix, targeted at individual needs) or provided as a complete programme as in the current Tenant Accreditation Scheme, supported by Advice leaflets and signposting (or as a Tenant Handbook complementing the existing Landlord Handbook.	40 tenants £30k	20 tenants £15k	£45k	£750.	£2250	£17,000	YMCA
LANDLORD & TENANT SERVICES TOTAL	1240	320	£626,800	£402	£31,340	£74,800	
EMPTY PROPERTY REGENERATION – Key principle of bringing empty properties back into use in the Hinkley priority areas							
S106 initiatives: 3.2.3	Total bed spaces & Initial costs over 2 yrs.	Total Joint Costs over 2 yrs	Cost per b/s	5% admin	Other resource	Delivery	
Empty Property Regeneration tends to be very time and resource intensive.	SDC	WSC					
9. Empty Homes Grant for long term empty properties (over 6 months) at up to £15k per property to underwrite a SC&R scheme. This project builds on the success of the existing well-developed Empty Property Strategy. Our proposal is to work in partnership with Somerset Care & Repair (SC&R) to provide a management service and bring empty properties back into use with sustainable tenancies. SC&R have an established track record of delivery in neighbouring districts (Mendip and South Somerset). Financing of the works is made up of three elements; HCA loan,	15 (6) 6x £15k = £90k	8 (3) 3 x £15k = £45k	£185,000 £135k grants £50k Social	£185k/23 = £8043 per bed space	£9,250	<£1.4m HCA NEHP funding if success-ful bid;	SC&R

<p>owner’s contribution, and LA grant, where applicable. The HCA funds are loaned to the owner as an interest free loan and repaid by the owners through the rental income. The funding is recycled over time to bring additional homes back into use, but the pot depreciates by 15% (through fees) each time. Properties are leased to SC&R and fully managed on a 7 – 15 year lease agreement.</p> <p>The scheme requires access to a £15k grant to be used where the total cost of the scheme exceeds the HCA loan and owner contribution, or for those developments where there is potential for conversion to maximise bed spaces.</p> <p>SC&R has submitted a separate bid to the Homes & Community Agency to cover the Loan element of the financing, which if successful will provide sufficient funds to offer an average loan of £11k per property or to also purchase those empty homes which require substantial renovation.</p> <p>It is conservatively estimated that the grant will provide 23 bed spaces over the 2 years. Projected numbers will substantially increase if the HCA funding is successful by funding additional loans and the option to purchase empty homes.</p> <p>The SC&R model, also offers scope for “added value” to the project. This includes developing a social enterprise “Help Yourself” model as part of the bid, to provide education/training and employment (ETE) opportunities in construction skills to vulnerable people (e.g. young people, long-term unemployed, probation clients, former prisoners) to carry out the improvement work. An additional goal and further ‘added value’ of the Empty Homes scheme is that properties brought back into use can be used to address a range of housing needs for specific groups of clients that are seeking accommodation within the districts. Proposals are being developed in partnership with SC&R, DWP, Probation and the Restore Trust for SC&R to offer voluntary work placements on the project alongside their contractors. Additional support would be put in place for individuals employed on the scheme. It is important that the work placement has a pathway onto further training and/or employment; ideally at Hinkley. The pathway from the Empty Homes Project training opportunity into employment would be through the Hinkley Jobs Brokerage which contains details of all available jobs relating to Hinkley and EDF. DWP are currently working and supporting projects to improve access to Hinkley jobs for local people. There is a gap in local provision for individuals to gain practical experience following training courses. The Empty Homes Project would assist with providing that practical training resulting in obtaining CSCS cards on successful completion of the course.</p> <p>SC&R would provide high levels of tenancy support including assistance with managing budgets to ensure tenancy sustainment. The properties could be used to</p>			Enterprise Training				
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address a range of housing needs in the area for specific groups, including move on accommodation from supported housing projects, housing of specific groups such as ex-offenders as well as individuals on the housing waiting list.							
10. DIY -Empty Homes Loans- for those not interested in the SC&R model; a top up loan for properties in more substantial disrepair by enhancing WHIL loan with an additional £15K loan @ 4% to bring the property back into use.. The number of properties is in brackets, following the number of additional bed spaces over 2 years, in addition to the numbers for the Empty Homes Grant.	12 (5) 5 x £15k = £75k	5 (2) 2 x £15k = £30	£105k,	£105k/17 = £6176.	£5250	<£166218 WHIL Loan Pot recyclable loans	SWPSHP
EMPTY PROPERTY REGENERATION TOTAL	27	13	£290,000	£7,250	£14,500	1,566,218	
LIVING OVER THE SHOP – Key principle of bringing empty properties back into use in Bridgwater – SDC Pilot; S106 initiatives: 3.2.3	Total b/s & Initial Costs over 2 yrs		Total Joint Costs-2yrs	Cost per b/s	5% admin	Other resource	Delivery
Living Over the Shop initiatives tend to be very time and resource intensive.	SDC	WSC					
1. SDC Pilot - Living Over the Shop Grant – Bringing empty space above shops into use is a sustainable solution that provides significant regeneration benefits alongside an increase in the overall supply accommodation. Properties will be targeted in areas of Economic Regeneration, to bring both the commercial premises and empty space above into use. This supports corporate initiatives within the Priority 1 zone like the Eastover Regeneration Project and Bridgwater Challenge. Conversion of empty properties above commercial premises tends to be more expensive and challenging than bringing existing accommodation back into use primarily because of the increased fire protection costs required and the cost of providing direct access to living accommodation, change of use and business rates. Larger costs tend to require more attractive incentives to encourage the owners of commercial premises to bring them into use. This will be a 2 year pilot with Year 1 concentrated on SDC priority areas. £15K grant offer to mix with SC&R Loan Funding in specified areas; No separate scheme required – provide additional funding to SC&R to take this forward as above Item 9. Grant is per property, no of properties in brackets following no b/s	30 (10) 10 x £15k grant= £150k;	8 (3) 3 x £15k grant= £45k ;	£195,000	£5,131 £195k/38	£9,750	Match funded by SC&R?	SC&R
LIVING OVER THE SHOP TOTAL	30	8	£195,000	£5131	£9,750	tbc	
FIRST TIME BUYER LOANS – Key principle of helping tenants move into intermediate or market accommodation. S106 Initiatives: 3.2.5; 3.2.6;	Initial Costs		Total Joint Costs over 2 yrs	Cost per b/s	5% admin	Other resource	Delivery
12. To address the difficulties of potential low-cost home owners finding the initial 20% deposit required. Affordable housing is not covered by other government schemes and lenders change criteria when affordable housing is involved. Wessex Home Improvement Loans (WHIL) can provide deposits to top	SDC	WSC					
	12 (5) 5 X £10K= £50K	12 (5) 5 X £10K= £50K	£100K	£4,167 £100k/24	£5k Additional work in assessing clients,	Prospective owner has to have some savings; loan is	WHIL

up savings – link to discounted sales in new enabling schemes in priority areas. WHIL First Time Buyer Loans can be used by potential purchasers to top up savings to enable them to pay the deposit on discounted sales properties – the scheme could be specifically linked and marketed to new developments. Loans are up to £15k, interest free for 2 years, than capital repayment at 4%. Costs are based on average loans of £10,000 to 10 prospective property owners over 2 years – the number of properties is in brackets following the number of bed spaces. Note that equity loan is in wording of S106 and implies part ownership of property – WHIL loans are debt based not equity based although there must be equity to back debt – Wessex is a social enterprise not commercial.					liaising with mortgage companies (limited);	recyclable;	
FIRST TIME BUYER LOANS TOTAL	12	12	£100,000	£10,000	£5,000	tbc	
TOTAL OF PRIVATE SECTOR INITIATIVES	1309	433	£1,211,800		£63,590		

5. SOCIAL HOUSING

- 5.1 As at 31st March 2014 there were over 900 social housing tenants in Somerset under-occupying their current homes and registered on Homefinder Somerset for a move to more suitable accommodation. 77 of these were in West Somerset; approximately 250 were in Sedgemoor with a further 250 in Taunton Deane. The introduction of the social housing size criteria in April 2013 has increased the numbers of tenants needing to down-size to avoid losing part of their housing benefit and getting into debt. It also makes better use of existing housing to encourage older people in family-sized social housing to move (although they are exempt from payment of the spare room subsidy) – they may consider moving to be near family, for lower energy and other household costs, easy maintenance and proximity to facilities such as shops and health centres.
- 5.2 The majority of under-occupying tenants seek a transfer by registering on Homefinder Somerset and look for smaller properties to bid for, which only serves to increase the competition for smaller accommodation, which already comprises over 50% of housing demand. Some tenants may even look for alternative accommodation in the private rented sector, again increasing pressure on the type of housing most likely to be impacted on by the arrival of HPC workers. Mutual Exchange is more effective than transfers in making best use of existing property, enabling tenants to utilise the value of their existing tenancies and reducing competition for smaller vacancies advertised on Homefinder Somerset. However to add value to the existing scheme and be more effective housing providers need to be pro-active in delivering chains of exchanges.
- 5.3 MWS has been funding and administering a down-sizing incentive scheme since October 2011. The scheme offers financial incentives aimed at encouraging tenants living in MWS properties that are larger than they need to down-size to accommodation more suited to their needs and their budget by reducing the financial barriers to moving. This in turn releases larger accommodation for households in housing need. Since April 2014, the scheme has aimed to encourage tenants to move by exchanging homes rather than by down-sizing via the Homefinder Somerset housing register. To encourage this, the scheme offers a larger incentive to tenants who exchange homes than to those who down-size via the housing register. Under the current scheme, tenants who down-size by transferring qualify for £600 for the first bedroom and £500 for each additional bedroom. Tenants who down-size via mutual exchange qualify for £800 for the first bedroom and £500 for each additional bedroom.

5.4 Issues:

- The current scheme relies on under-occupiers offering to move and MWS only has a very limited capacity to provide advice, support and practical assistance to make the process easier and not enough resource to target the most serious or urgent cases.
- We also know from the high rate of refusals of offers of tenancies that many tenants do not have the resources to fund moving costs (Somerset Strategic Housing Framework – West Somerset Action Plan) so could consider providing help with removals from the funding.

5.5 Mutual Exchange is more effective in making best use of existing property enabling tenants to utilise the value of their existing tenancies and reducing competition for vacancies advertised on Homefinder Somerset, which is being upgraded with a Mutual Exchange Plus module. However to add value to the existing scheme and be more effective housing providers need to be pro-active in delivering chains of exchanges, supporting tenants to move and managing expectations.

HOME MOVES PLUS – Making the best use of existing tenancies to reduce pressure on Homefinder Somerset for smaller properties S106 Initiatives: 3.2.7;	Total bed spaces & Initial Costs over 2 years		Total Joint Costs over 2 yrs	Cost per b/s	5% admin	Other resource	Delivery
	SDC	WSC					
<p>WSC Pilot Mutual Exchange Plus is more effective in making best use of existing property enabling tenants to utilise the value of their existing tenancies and reducing competition for vacancies advertised on Homefinder Somerset, which is being upgraded with a Mutual Exchange Plus module. However to be most effective housing providers need to be pro-active in delivering chains of exchanges.</p> <p><u>Added Value:</u> An additional £30,000 pa for 2 years (i.e. £60,000 between 2014 and 2016) from Hinkley C Housing Fund would increase the effectiveness of the existing MWS under occupation scheme by targeting under occupying tenants in Hinkley priority areas through the employment of a dedicated Home Moves Negotiator who will develop and promote a wider range of cost effective options, including mutual exchange and/or the Empty Room Scheme, with the emphasis on pro-active facilitation to match accommodation needs and practical help and advice for tenants on effective advertising and moving.</p> <p>In addition, although the scheme will target under-occupying social housing tenants in the Hinkley priority areas, down-sizing tenants will qualify for the incentive payment by exchanging homes with any social housing tenant from Somerset, thus widening the pool of properties available and increasing the chance of securing a suitably sized home.</p>	N/A	80 Yr 1: 15 Yr: 65 £30k pa	£60,000	£750 £60k/80	£3,000	MWS - £27k pa Major Somerset housing providers—funding purchase & delivery of the Mutual Exchange Plus module of Homefinder Somerset	MWS with other providers
HOME MOVES PLUS TOTAL	N/A	80	£60,000	£750	£3,000	£54,000	

6. ENABLING FUND

- 6.1 Investments from the Enabling Fund are not intended to be the primary source of gap funding but will act to secure more inward investment from private and public providers. Private sector investment is most likely to come in the form of direct investment from landowners, volume house builders, institutional investors and/or affordable-housing providers. Public sector is likely to come through levering in funding from the Homes and Community Agency ('HCA'), SDC or WSC investment (from commuted s106 monies), free or discounted public land and/or other sources of public sector investment. The Enabling Fund might support wider benefits such as supporting local economic growth, area regeneration and encouraging sustainable employment (local employment, training opportunities and skills initiatives).
- 6.2 "Hinkley Deal" negotiations are currently underway with the HCA – whilst the HCA is not able to 'ring fence' resources from current programmes and doesn't have any HCA capital underspend in 2014/2015 that can be used to support Hinkley projects, it is keen to find ways to support the Hinkley partners. The partners are currently looking at ways to progress the HCA's proposals outlined below:
- Establish a Hinkley Enabling and Review Group within the HCA to review all projects for all HCA programmes within the Hinkley Impact Area;
 - Prioritise the processing of all submissions for all HCA programmes within the Hinkley Impact Area, including the AHP;
 - Provide dedicated HCA staff resource to support housing and development projects within the Hinkley Impact Area;
 - Utilise the agency's established processes and specialist expertise (such as use of the Development Partner Panel and our other expert legal and technical panels) to support the Hinkley partners to make the most effective use of the £4m from EDFe to secure urgent action on those sites that require de-risking to enable development to proceed and;
 - Hold and manage any additional capital funds made available if government decides to support the Deal with additional 'match' capital funding to the Housing Fund.
 - The agency will work closely to support the councils to deliver an acceleration of development by using these funds for forward funding site preparation and infrastructure on the difficult sites in the Hinkley Impact Area that otherwise will not come forward in the short term.
 - The proposals would operate beyond the current financial year and are therefore not limited to the current financial year.

ENABLING FUND – Key principle of levering in additional investment to support housing and development projects within the Hinkley priority areas. S106 Initiatives: 3.2.8; 3.2.9; 3.2.10	Total b/s over 2 yrs		Initial Costs		Total Joint Costs over 2 yrs	Cost per b/s	5% admin	Other resource	Delivery
	SDC	WSC	SDC	WSC					
To be confirmed									
A small grant based on an average £3,000 per additional affordable housing bed space (over and above existing new build programmes or those already planned to help developers with viability).									
The Enabling Fund is intended to provide confidence to RPs and developers by providing financial assistance to address difficulties in accessing (availability of) development finance faced by affordable-housing providers and/or developers on specific sites.									

6.3. The constraints on the Enabling Fund apply to the “other” initiatives at 3.2.11 and 3.2.13 of the S106 Agreement being part of the total measures that cannot exceed £2m. Any proposals under these sections are most likely to be developed in response to changes in the housing market.

7. EVALUATING FUNDING PROPOSALS

7.1 Housing Fund Proposals are considered by the **Planning Obligations Board (POB)**, containing representatives from WSC, SDC, SCC and EDFe, which considers bids for the Housing Fund, Community Impact Mitigation Fund and Economic Development Fund. Proposals above £25,000 are then submitted for approval to WS Cabinet and WS Council; schedule 1 of The S106 Agreement sets out the principles for the operation of the Board, general principles and principles applying just to the Housing Contribution.

7.2 Principles applying to the administration of a number of Funds including the Housing Contribution ((Schedule 1, Section 4.1.9-12) :

- The degree of actual or potential impact may vary across the districts and the application of funds should reflect this.
- The application of funds should reflect the degree of actual or potential impact on the immediate local housing market
- Resources will be prioritised for use in areas of greatest impact with mitigation measures best suited to the geography and degree of actual or potential impact
- Priority will be given to those schemes, measures and projects that:
 - A. have been identified as priorities within Parish or Community Plans as applicable
 - B. are aligned to approved policies or plans of the local authorities
 - C. demonstrate the greatest potential to achieve mitigation of impacts, taking account of value for money
 - D. demonstrate the greatest potential to address need arising from the development and other elements of the project, taking account of value for money
 - E. demonstrate overall value for money in terms of cost and effectiveness
 - F. Demonstrate a contribution to developing and maintaining sustainable communities throughout the areas of impact
 - G. Complement other measures within the Agreement

7.3 Principles applying just to the Housing Contribution (Schedule 1, Section 4.1.16) Bids should be submitted on an application form and considered against the criteria which, although they are not required to be met should be taken into account. (Note that reference to Sections refers to those on the Funding Application Form):

- A. Priority Impact Zones
- B. Extent of benefit – recognising the principal purpose to mitigate potential adverse effects on the availability of accommodation to local residents, particularly those on lower incomes (Section C1)
- C. Sustainability - contributing to sustainable communities, regeneration objectives and achieving higher standards of environmental sustainability (Section F1)
- D. Demonstrable community and/or business support (Section C2, D1)
- E. Demonstrable local partner support (Section D2)
- F. Alignment to relevant housing strategies (Section C3)

G. Good governance arrangements including financial and project management to ensure deliverability (Section E)

H. Value for money and maximising the impact of the investment, including match funding (Section E2)

7.4: Schedule 2 – Accommodation and Housing - requires the Council to take into account the recommendations of the Board and the extent to which the relevant initiative:

- gives priority to localities within the administrative areas of West Somerset Council and Sedgemoor Council
- would maximise the cost effectiveness of the Housing Contribution;
- addresses both direct and indirect accommodation demands;
- would be responsive to changes in the housing market; and
- offers the potential for recycling the Housing Contribution so that it can be reinvested in other housing initiatives, as far as reasonably practicable and **PROVIDED THAT** any recycled monies are not considered as unspent parts of the Housing Contribution.

8. MONITORING

8.1 The Delivery Steering Group meets regularly to monitor the progress of overall measures funded by the Housing Fund. For the Accommodation Dashboard, the measures currently are (by 31.3.2015):

- Additional bed spaces delivered (SDC - 800; WSC – 250)
- Match funding secured
- Downsizing Scheme – now Mutual Exchange Plus (WSC – 15 bed spaces)
- Empty Properties (WSC – 30 bed spaces)
- Enabling Fund (WSC- Watchet 120 & Williton 50 bed spaces, open market and affordable)

8.2 The current accommodation measures on the Dashboard will be supplemented by additional measures in each proposal.

8.3 The Accommodation Baseline is the year to 1 April 2014. 1st April 2014 baseline data includes:

1. Landlords Accredited – split by district. Property numbers included.
2. Empty Homes – 6 months long term empty 1st April 2014 - split by district
3. Rent deposits / guarantees / bonds. 1 year prior to 01-04-14 (monthly) looking at trends. Going forward.
4. Baseline tenure from 2011 census. HEED data back over 2 years – split by district. Going forward – 6 monthly.
5. Local pad numbers - baseline 0. Numbers split by district. Bed spaces – going forward.
6. Enabling – nos of bed spaces going forward - as funded by EDFe by district
7. Trends in rent levels. Going back 2 years to see trends. 1 bed / 2 bed – split by district
8. Nos homeless enquiries – go back 2 years and look at trends. Going forward.

Glossary of Terms:

AHP: Affordable Housing Programme
ALiS: Accreditation of Landlords Scheme
b/s: bed space
Ch1: Chapter 1 (registered charity and social landlord)
CME: Continuous Market Engagement
DCO: Development Control Order
DIY: Do it Yourself
DHP: Discretionary Housing Benefit
HB: Housing Benefit
HCA: Homes & Communities Agency
HPC: Hinkley Point C
IT: Information Technology
LA: Local Authority
LHA: Local Housing Allowance
LOTS: Living Over the Shop
MWS: Magna West Somerset Housing Association
NEHP: National Empty Homes Programme
NLA: National Landlords Association
POB: Hinkley Planning Obligations Board
SC&R: Somerset Care & Repair
SDC: Sedgemoor District Council
SHMA: Strategic Housing Market Assessment
SWPSHP: Somerset West Private Sector Housing Partnership
SWELT: Somerset West Landlord & Tenant Service
S106: Section 106 Agreement setting out framework for contribution from developers, in this case EDF
TAH: Taunton Association for the Homeless (housing and support provider)
TDBC: Taunton Deane Borough Council
WSC: West Somerset Council
WHIL: Wessex Home Improvements Loans
YMCA: YMCA Somerset Coast



Report Number: WSC 155/14

Presented by: Councillor S J Pugsley, Lead Member for Executive Support and Democracy

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Report to a Meeting of: Council

To be Held on: 19 November 2014

Date Entered on Executive Forward Plan Or Agreement for Urgency Granted: n/a

PROPOSED SOCIAL MEDIA POLICY AND RECORDING OF MEETINGS PROTOCOL

1. PURPOSE OF REPORT

1.1 The purpose of the report is for the Council to consider adopting a Social Media Policy and Recording of Meetings Protocol.

2. CONTRIBUTION TO CORPORATE PRIORITIES

2.1 The adoption of appropriate policies and protocols can assist good governance which is a key element of the local democracy corporate priority.

3. RECOMMENDATIONS

3.1 That Council adopts social media guidelines and policy documents as set out in Appendices A, B and C to this report, with or without amendments.

3.2 That Council adopts the recording of meetings protocol as set out in Appendix E to this report.

4. RISK ASSESSMENT (IF APPLICABLE)

Risk Matrix

Description	Likelihood	Impact	Overall
There could be a reputational risk to the Council with the inappropriate use of social media	Possible 3	Major 4	Medium 12
<i>The adoption of guidelines and a policy should guide Members and Staff in the use of social media and reduce the reputational risk</i>	Unlikely 2	Moderate 3	Low 6
The ability of individuals to record council meetings where they appear to be discouraged and/or abused	Possible 3	Major 4	Medium 12
<i>Adoption of a protocol will provide guidance to demonstrate that the Council is operating in a transparent way and enable more control to be exercised over the activity</i>	Unlikely 2	Moderate 3	Low 6

The scoring of the risks identified in the above table has been based on the scoring matrix. Each risk has been assessed and scored both before and after the mitigation measures have been actioned.

5. BACKGROUND INFORMATION

- 5.1 The Council already operates within a world where the use of social media is growing and becoming an increasingly significant way of communicating with individuals and organisations.
- 5.2 In this regard the Council already uses a Twitter account which had 1,884 followers as at 1 September 2014 and a Facebook page which had 588 Likes as at 1 September 2014.
- 5.3 In addition, some Councillors and members of staff already have their own Twitter accounts and Facebook pages and no doubt going forward this trend will be on the increase as social media continues to evolve.
- 5.4 Against this background South West Audit Partnership has recommended that the Councils should have an approved social media policy to provide guidance for Councillors and staff and minimise the risk of exposing the authority to reputational damage. It should be emphasised that such a policy is not about controlling what people do as individuals but rather providing a framework for them to make conformed and balanced choices.
- 5.5 In the light of this advice officers have looked at good practice elsewhere including liaising with the Local Government Association and external specialists and have drafted guidelines on how to use social media effectively – attached as Appendix A to this report, together with a draft Social Media Policy – attached as Appendix B to the report, and a short summary of the policy – attached as Appendix C to the report.
- 5.6 The draft documents were considered at the August meeting of the Corporate Policy Advisory Group and were broadly supported subject to one or two minor amendments being made at the drafting stage. An observation was made as to there being no reference within the policy of what officers or Members should do if they find themselves subject to inappropriate comments in the social media in respect of their role as an employee or a councillor. Legal advice has been obtained on this point with the guidance being that it would not be possible or realistic for the Council to claim to be able to protect staff and Members from such incidences occurring. Obviously, if a member of staff or Councillor was on the receipt of unfair comments in the social media then the Council would provide what support it could depending on the particular circumstances of the case. There is, however, no universal get out clause that can be provided which further emphasises that everyone should exercise due caution and follow the proposed guidelines when operating in the social media to minimise reputational risk to themselves as individuals as well as for the Council.
- 5.7 The Council is requested to consider adopting the guidelines and policy documents as set out in Appendices A, B and C to this report, with or without amendments.
- 5.8 On a related matter, the Openness of Local Government Bodies Regulations 2014 have made it a requirement for Councils to allow any member of the public to take photographs, film and audio record the proceedings, and report on all public meetings. Attached as Appendix D to this report is the relevant section of guidance produced by the Department for Communities and Local Government in this respect.
- 5.9 In the light of these developments the Somerset Monitoring Officers Group have prepared a draft protocol which is to be considered for adoption by all of the local authorities in Somerset – attached as Appendix E to this report.

5.10 By adopting such a protocol the Council is sending out a clear message that it acknowledges the new duties of openness whilst also providing a framework to exercise some control over such activity to reduce the likelihood of the process being abused.

5.11 The Council is requested to adopt the proposed Recordings of Meetings protocol as set out in Appendix E to this report, with or without amendments.

6. FINANCIAL/RESOURCE IMPLICATIONS

6.1 There are no direct financial or resource implications arising from the recommendations to this report.

7. COMMENTS ON BEHALF OF SECTION 151 OFFICER

7.1 None in respect of this report.

8. EQUALITY & DIVERSITY IMPLICATIONS

8.1 **Members need to demonstrate that they have consciously thought about the three aims of the Public Sector Equality Duty as part of the decision making process.** The three aims the authority **must** have due regard for are:

- Eliminate discrimination, harassment, victimisation
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

8.2 The adoption of a Social Media Policy should enhance the ability to manage issues and minimise the risk of material on the Council's social media accounts that could potentially put the Council at a reputational risk for breaching any aspect of the Equalities Act.

9. CRIME AND DISORDER IMPLICATIONS

9.1 None directly in respect of this report.

10. CONSULTATION IMPLICATIONS

10.1 The draft guidelines, policy documents and protocol were considered at the meeting of the Corporate Policy Advisory Group held in August 2014 and views expressed have been taken into account in the writing of this report.

11. ASSET MANAGEMENT IMPLICATIONS

11.1 None directly in respect of this report.

12. ENVIRONMENTAL IMPACT IMPLICATIONS

12.1 None directly in respect of this report.

13. HEALTH & WELLBEING

Demonstrate that the authority has given due regard for:

- People, families and communities take responsibility for their own health and wellbeing;
- Families and communities are thriving and resilient; and
- Somerset people are able to live independently.

13.1 None directly in respect of this report.

14. LEGAL IMPLICATIONS

14.1 The adoption of a Recording of Meetings protocol will help to ensure that the Council acts in accordance with the requirements of the Openness and Local Government Bodies Regulations 2014.

How to Use Social Media effectively

Choose your medium and sign up. This is very straightforward and will take you less than five minutes! Facebook and Twitter are good places to start. You might want to begin with a trial personal account (rather than calling yourself “Councillor Jones”) and experiment with family and friends. Make sure that you understand how people find you and who can access your material.

Remember:

- On Facebook you can control who has access to different parts of your account. You can manage what the world sees and what your “friends” see.
- On Twitter the whole world can see everything you Tweet. Even the messages that you Tweet directly to other people can be viewed by anyone unless you have locked down your account to followers.
- When you are ready to set up your final account, consider the identity you use. The name you give yourself online is important as it allows people to find you.

Prefacing your Twitter account with Councillor lets people know exactly who you are and indicates that the Code of Conduct will apply.

- You might want to consider setting up a separate personal and “professional” account - you can talk about the amazing food in the restaurant around the corner to your friends and followers in your informal account, and the plans for the new bypass to your friends and followers on your professional account. However, many councillors think that some of their personal comments about food, places they’ve visited, football matches or TV helps break down perceptions of councillors and proves that they are normal like everyone else!

Etiquette and style

- Keep your communications clear, positive, polite and professional. Plain language helps. Many people use abbreviations on Twitter – you’ll pick these up as you go along!
- Avoid being ironic or sarcastic, it can be misinterpreted.
- On Facebook, you will need to monitor and, if necessary, censor the contributions that other people make to your site; delete them if they do not match your required standards of behaviour or language. Defamatory and offensive language will be attributed to the publisher as well as the original author and could incur financial liability. It is up to you to decide if you want to remove posts that disagree with your political position, however if you do

remove them you may be accused of censoring contributions on political grounds.

- On Twitter, you can block people who are habitually offensive or vexatious. Remember however, blocking them only stops them engaging directly with you, their tweets will continue to be public to all of their followers.
- Bear in mind that constituents may find party political point scoring tedious and prefer to hear information about what you are achieving.
- If you don't have anything to say...don't say anything. Even though it's tempting to let your followers know how busy you are they will soon become bored with constant updates on your day without some relevant or interesting information.

Support from the Council

It is reasonable to expect that you should have access to social media sites to enable you to carry out your councillor role more effectively. You do not need the council to set you up with a personal social media account but you should take advantage of any training or guidance provided to help you use it properly.

The council has a social media policy. You will need to abide by this and any social media protocols that may have been agreed when using your "councillor" account. It's worth remembering that the council is responsible for any information provided on its website and is subject to legal responsibilities. You are personally responsible for the material that you broadcast via your own social media accounts or websites.

The Monitoring Officer, Head of Democratic Services, the Communications Team and the ICT Manager are likely to have useful advice.

Social Media and Council Meetings

Other than what your constitution or social media policy says, there is no legal reason why you shouldn't use social media from meetings. However, some common sense does need to apply.

- Tweeting on meeting progress and receiving comments from the community can be helpful for transparency and engagement BUT excessive use of Twitter may give people the impression that you are not concentrating on the business in hand or are even relying on guidance from outside the meeting. For that reason, it is probably sensible not to use Twitter during a planning or licensing debate. Committee chairs may want to decide how to address this in their meetings and you should abide by the rules set out in your constitution.
- Remember that you should not tweet or communicate in any way the content of exempt or confidential business dealt with by local authorities in closed session such as when making formal appointments.

Golden rules

Think before you tweet or post on Facebook. Do not say anything, post views or opinions that you would not be prepared to:

- Discuss face to face with the person you are speaking about.
- Write on a placard and carry down your high street and discuss and defend with anyone who sees it.
- Be prepared to have minuted in a public meeting – remember, Twitter or Facebook effectively puts matters in the public domain

Remember that once you have said something it may be seen by millions - friends, supporters, political opponents and the press and could be re-tweeted around the world in minutes.

Keep your messages professional, polite and positive.

Remember to try to keep tweets and texts separate – many people tweet comments that they would previously have texted someone privately; this may be about meeting up later (do you want all your followers knowing your plans and gatecrashing your lunch!?) through to ‘in’ jokes that could be misinterpreted.

Don’t follow an individual unless you know them or have a good reason for doing so. Some people, such as constituents or council employees, might find it a bit uncomfortable to have their local councillor hanging on their every word. If you make a mistake admit it. Mistakes happen so don’t try to cover it up as there will always be a record of what you’ve said.

Don’t enter into unhelpful online arguments; remember all of your followers or friends will be witnessing this online. Ignore people or block them if they persist in vexatious comments.

Don’t tweet or post on Facebook when you are “tired” it’s probably sensible to turn off your phone at any time when you think your judgement may be impaired.

Bear in mind that it is possible for your followers and friends to be seen. If you follow or are Facebook “friends” with council employees, contractors who have been procured to provide services to the council, a company or member of the public making a planning application or pressure groups, this might be construed as having a close personal association with them and therefore a personal interest.

As with your own leaflets or newsletters, always ask permission before taking a picture that you intend to use. NEVER take photos of children without the express permission of their parents based on an understanding of what you intend to use the picture for. Your council will have a policy on taking pictures of children, take advice on this before taking or using pictures.

Do not allow anyone else access to your social media accounts, protect your passwords, especially if you use a public computer.

Just like email, you can get spam in social media! Be wary about direct messages via Twitter, even from people you know, with messages such as ‘Hi, have you seen this photo of you on Twitter?’ Delete these before opening, as the spam could then be sent to all of the people you are following...

Possible Pitfalls and How to Avoid Them

Maintaining your social media accounts can take time. Many people start enthusiastically and then allow their accounts to lie fallow. This is risky as friends and followers may think that you are inactive or, worse, unresponsive.

To avoid this:

- Only set up accounts that you can manage, choose either Twitter or Facebook if necessary. It is possible to set up links between the two which will save you duplicating information.
- Set time aside regularly for updates and get used to communicating ‘on the hoof’.

The Law

Councillors new to social media tend to be concerned about the legal implications. It is an important consideration, and some councillors and other politicians have fallen foul of the law, but with careful use and following some ground-rules you will be fine!

The style of communication employed in the social media environment tends to be fast and informal. Messages can appear lightweight and transitory. Whenever you post something on social media, it becomes a publication, you have effectively made a broadcast. As it is now in the public domain, it is subject to both the Code of Conduct and to various Laws.

Code of Conduct

If you conduct yourself on twitter or Facebook as you would in person on the street or in your leaflets, then you will be fine.

Remember that according to guidance from the Ombudsman, the Code of Conduct applies to you whenever you are “Conducting the business of your authority, acting, claiming to act or give the impression you are acting in your official capacity as a member or representative of your authority”. Also the Code applies if you “Conduct yourself in a manner which could reasonably be regarded as bringing your office or your authority into disrepute”. If you can be identified as a councillor when you are using social media, either by your account name or how you describe yourself or by what you comment upon and how you comment, the requirements of the Code of Conduct apply. Also if you say something that could be regarded as bringing your office or authority into disrepute the Code applies even if you are not apparently acting in your official capacity or do not identify yourself as a member. Remember

that the Ombudsman's guidance states that "Making unfair or inaccurate criticism of your authority in a public arena might well be regarded as bringing your authority into disrepute".

In the same way that you are required to act in council meetings or in your communities you should:

- **Show respect for others** - do not use social media to be rude or disrespectful.
- **Not disclose confidential information about people or the council.**
- **Not bully or intimidate others** - repeated negative comments about or to individuals could be interpreted as bullying or intimidation.
- **Not try to secure a benefit for yourself or a disadvantage for others.**
- **Abide by the laws of equality** – do not publish anything that might be seen as racist, sexist, ageist, homophobic or anti faith. Even as a joke or "tongue in cheek".

Predetermination

As a councillor, you are aware that when you act in a quasi-judicial capacity, for example on a planning or licensing committee, you should not make up your mind about an issue that is to be formally decided upon before you had heard all the relevant information. You are allowed to be predisposed to a particular view but not to have gone so far as to have predetermined your position. It is important to remember therefore that anything relevant you might have said about particular issues on social media could be used as evidence of your having made up your mind in advance of hearing all the relevant information.

Criminal Offences

Don't panic! These generally apply to you already in your conduct as a councillor, but it is worth considering them as they apply to social media:

Harassment - It is a criminal offence to repeatedly pursue a campaign against someone where this is likely to cause alarm, harassment nuisance or distress.

Data Protection - It is illegal to publish personal data about individuals unless they have given you their permission. This might apply to your constituents or service users. As a councillor you are a data controller in your own right and therefore personally responsible for what you publish.

Incitement - It is a criminal offence to incite any criminal act.
Discrimination and Racially Aggravated Offences (or any other protected

Characteristic - It is a criminal offence to make a discriminatory remark about anyone based on a "Protected Characteristic" as defined in The Equality Act (such as their race, religion, sexual orientation etc).

Malicious and Obscene Communications - It is a criminal offence to send malicious or obscene communications.

Civil Law This is where things get more risky for anyone who uses Twitter or Facebook, whether they are councillors, members of the public or celebrities

Defamation - It is against the law to make a false statement about someone which damages their personal or professional reputation. Crucially - even if you simply retweet or pass on information originally posted by others, you may still be held equally as responsible as the original commentator. This can also apply to publishing images. If found liable to another person, you could be ordered to pay large sums of money as damages.

Copyright - The legal ownership of the contents of documents, photos, videos and music belong to the person who created them. You could be in breach of copyright if you reproduce such material without the owner's permission. Always ask for written consent before you use someone else's material.

Political Comment and Electioneering - Remember that although it is acceptable to make political points or canvass votes via your own social media accounts this will not be permissible if you are using this via council supplied computer equipment, certainly in the run-up to elections. The Electoral Commission has further information about the return on expenditure that candidates need to provide on advertising or campaign literature.

Further Information, Interesting Sites and Sources of Help

Bear in mind that information, sites and terminology change quickly. Facebook is already reporting a drop in users. However, the next big social media platform will soon be on its way. Here are some current examples of information and useful sites but bear in mind that they may be quickly out of date.

Sign on to Twitter here

<https://twitter.com/>

Tweety Hall. A platform that gathers all the Councillors that have Twitter accounts in the UK together so that all their posts can be read in one place and the public can easily find their local councillor. All you have to do to join them is send them a Tweet.

<http://tweetyhall.co.uk/>

Twenty-first century councillors <http://socialmedia.21st.cc/>

Useful guidance for members using social media.

<http://kindofdigital.com/> An online innovation agency helping organisations engage online with citizens, communities and stakeholders. Has useful examples of social media guidance.

LGA's Knowledge Hub is an example of a community of practice. This one was set up specifically for people working in and with local government and has online fora, libraries full of materials and details of events. <https://knowledgehub.local.gov.uk>

/Social Media and Online Collaboration Community. Join this Community of the Knowledge Hub to talk to other councillors and officers working with Social Media.



West Somerset Council
West Somerset House,
Williton, Taunton
Somerset, TA4 4QA

Social media policy and guidelines

West Somerset Council.

Last updated: September 2014.

For more information on West Somerset services visit:
www.westsomersetonline.gov.uk

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1 Introduction to this document

Social media policy and guidelines

The purpose of this social media policy and guidelines is to equip and enable West Somerset Council staff and Councillors to interact and communicate safely and lawfully online.

It applies to everyone who works for and behalf of the council, including contractors, and has been designed to guide you through what you can expect from the council. It outlines what our policies are, what we expect from you and where to get more information.

You are required to observe these guidelines when having an online conversation about the council – either personally or on behalf of one or more of the councils.

We trust our staff and Councillors and encourage you to be responsible and not bring the organisation into disrepute.

It's important to avoid ambiguity. For example, if you have a LinkedIn profile stating you work for West Somerset Council or represent a council ward, any views you share as status updates or discussions, could be seen to represent the council rather than your own view. Be mindful of that fact and act accordingly.

Remember that only designated spokespeople are permitted to communicate officially on behalf of the council.

Contact the Media and Communications Officer with any queries.

2 What is social media?

Social media is the term commonly given to Internet and mobile-based channels and tools that allow users to interact with each other and share opinions and content.

As the name implies, social media involves the building of communities or networks and encouraging participation and engagement.

West Somerset Council enables and encourages the effective use of social media to support the work we do and things we care about.

This includes West Somerset Council's values of:

- **Integrity** – be honest, do what's right and stick to it
- **Fairness** – treat everyone equally, respecting his or her individual needs and abilities
- **Trust** – show trust in our staff and members
- **Respect** – always show respect for everyone

It is important that you are also aware of our ICT Security Policy :
 W:/HR/General WSC policies & strategies which covers the security and safekeeping of equipment and facilities and HR policies and guidance regarding conduct, equality and diversity, harassment and bullying at work:
<http://www.westsomersetonline.gov.uk/getattachment/Council---Democracy/About-Your-Council/Constitution/Constitution-Part-5---Codes---Protocols.pdf.aspx>

2.1 Which media matter?

Social media is always evolving and is now commonplace not only for individuals to have personal social media accounts but organisations too.

Interacting with audiences and stakeholders through various social media channels is a rewarding part of building a brand online and highlighting the work that we do.

Organisations and their staff use corporate and/or official social media accounts to share ideas, offer first-hand comment, and build relationships.

This policy and guidelines cover all social media including and not limited to:

- Blogs
- Community sites
- Facebook
- Flickr
- Forums
- Google+
- Instagram
- LinkedIn
- Ning
- Pinterest
- Snapchat
- Social bookmarking sites (e.g. Diigo, StumbleUpon)
- Texts
- Tumblr
- Twitter
- Wikipedia
- Videos

- YouTube

It also includes your actions on social media e.g. liking, pinning, retweeting, direct messaging and commenting.

Effective use of social media will play an increasing role in our communication and engagement work allowing us, as organisations and individually, to develop networks of influence and participate in digital discussions.

With that in mind, it's important that everyone knows what to expect from us and what we expect from you.

3 What you can expect from us

West Somerset Council uses a number of approved social media accounts and platforms.

We use them to interact with residents and businesses, the press and interested parties. However, the primary channel for communication remains email and telephone and the organisation continues to encourage residents and businesses to log any feedback or complaints via those methods.

If you have any queries about our social media accounts please contact Debbie Rundle, Media and Communications Officer, Taunton Deane Borough Council and West Somerset Council: 01823 356407 extension 2212 or 01984 635280.

Or email Debbie: D.Rundle@tauntondeane.gov.uk.

3.1 Our official social media presence includes:

Twitter:

@WSomerset: <http://www.twitter.com/wsomerset>

Facebook:

West Somerset Council: <https://www.facebook.com/westsomerset>

3.2 Creating new accounts:

West Somerset Council has certain criteria that have to be met before official social media accounts can be approved and used.

Employees are not permitted to create social profiles bearing council names without express permission from the Media and Communications Officer.

New accounts will be considered by the Media and Communications Officer on a case-by-case basis, and any business case needs to include the following information:

1. Overall purpose for the account
2. How it links with our business strategy
3. Who will resource the account on a daily basis
4. Who will be the named person responsible for the account and the related security e.g. safe storage of passwords and access information.

3.3 Storing passwords

Official social accounts relating to West Somerset Council are managed centrally by the Media and Communications Officer. This includes storing passwords and profile information.

If you have been accepted for approval to create a social media profile on behalf of the company, your password must be kept in a central place for business continuity purposes. The Media and Communications Officer will advise you on the correct procedure should your business case for a profile be accepted.

4 Guidelines – what we expect from you

Social media guidelines – what we expect from you:

Expected and accepted behaviours

The following principles are the basis of our social media policy and guidelines.

If you are unclear about any aspect of them, talk to your line manager, HR or the Communications team.

4.1 Be honest about who you are

Best practice is always to be honest about who you are without giving out detailed personal information.

Be sure to identify yourself as working for or representing the council if the conversation is about our business or our sector. Not only is this the ethical thing to do, but in some countries, such as the USA, there may be legal personal liability if you don't.

4.2 Make it clear your opinions are your own

Unless you are authorised by the Communications team, you cannot speak on behalf of the council. Do not portray yourself as a spokesperson, even in an unofficial capacity, on any issues relating to West Somerset Council.

You can state that you work for or represent the organisation in your personal profiles, but make it clear that your opinions are your own.

To make it clear what your relationship is with the organisation, you can include the fact you work for West Somerset council in your biography, or that you represent one of the council's wards.

4.3 Share only public information

It is good business practice for organisations and individuals to keep certain information and topics confidential. Share only public information when speaking about West Somerset Council or the public sector.

Protect your colleagues by refraining from sharing their personal information or any conversations or statements unless you have their written permission to do so.

Do not bring anyone into an online conversation without their prior permission. To do so could cause misunderstanding, violate commercial contracts or confidentiality agreements or damage a relationship. Respect confidentiality and do not disclose non-public council information or the private information of others.

4.4 Be aware that what you say is permanent

Assume that everyone will be reading every post, no matter how secure or obscure the site may seem.

Therefore, consider everything you post to the Internet to be the same as making it public. Don't forget that search engines mean it is impossible to 'take anything back' so remember your posts are both public and permanent.

4.5 Be respectful of everyone and mind your manners

Treat everyone, including yourself, with respect. Acknowledge difference of opinion and avoid posting anything that could be seen as offensive, threatening, bullying, derogatory, demeaning, abusive or inappropriate.

Withdraw from any discussions that go off the topic or become disrespectful. This includes criticising or arguing with residents, businesses or staff. Remember that people can form an opinion about our councils based on your behaviour.

4.6 Keep safe online

Ensure that you choose your privacy and security settings on social networks carefully. This is important to control what information you share and who can see your updates and images. Most sites have detailed explanations to guide you through choosing what is right for you.

Be aware that 'private' is not always private – see point 4.4 above.

4.7 Same laws and rules apply

Always remember to adhere to our existing policies when participating online as a West Somerset Council employee or councillor when discussing our business.

Due to the nature of digital communications, ensure you respect intellectual property (e.g. trademarks, image ownership and copyright), stock exchange regulations and financial disclosure.

You are free to publish and comment via social media in accordance with the policies below and advice in these guidelines, which are applicable to all staff, contractors and consultants.

- HR policies and guidance regarding staff conduct, equality and diversity, harassment and bullying at work
- <http://www.westsomersetonline.gov.uk/getattachment/Council---Democracy/About-Your-Council/Constitution/Constitution-Part-5---Codes--Protocols.pdf.aspx>

Contact: Alex Groves agroves@westsomerset.gov.uk

- ICT policy and guidance regarding the use of technology, computers, email and the internet
- W:/HR/General WSC policies & strategies
Contact: Karen Penfold kpenfold@westsomerset.gov.uk
- Policies and guidance regarding the confidentiality, privacy and the protection of data applying to our staff, residents, and commercial and financial information that is not in the public domain
- W:/HR/General WSC policies & strategies
Contact: Karen Penfold kpenfold@westsomerset.gov.uk

- Copyright and intellectual property guidance
 - W:/HR/General WSC policies & strategies
- Contact:

Councillor Code of Conduct

- <http://www.westsomersetonline.gov.uk/getattachment/Council---Democracy/About-Your-Council/Constitution/Constitution-Part-5---Codes--Protocols.pdf.aspx>

Contact: Bruce Lang bdlang@westsomerset.gov.uk

4.8 The need for an official response

Sometimes there may be a need for an official response from the council via social media. If you spot a potential issue, bring it to the attention of the Media and Communications Officer before it reaches a crisis. Act sooner rather than later, to stop the issue escalating.

The Communications team monitors social media on behalf of both organisations. However, we all have a duty to protect our reputation, so please do flag any issues you spot.

4.9 When in doubt, ask

If you find yourself in a situation where you are unsure what the appropriate response is on social media, pause to decide whether you should refrain, ask a colleague, your line manager or the Media and Communications Officer for advice.

5 Guidelines at a glance

1. Be honest about who you are
2. Make it clear that your opinions are your own
3. Share only public information
4. Be aware that what you post is public and permanent
5. Mind your manners: be respectful of everyone
6. Keep safe online and review security settings
7. Remember the same laws and rules apply
8. Sometimes an official response will be needed
9. When in doubt, pause or ask.

6 Expected and accepted behaviours

If you're a manager

If you are a manager, familiarise yourself with this document and be prepared to answer questions from your team.

If you're an employee

Ensure you have read these guidelines thoroughly and discuss any queries with your line manager, HR or the Communications team.

Breaching West Somerset Council policies and guidance may result in disciplinary action, up to and including termination of employment.

If you're a Councillor

Familiarise yourself with this document and read the accompanying guidance for members appended to this policy. Acting without regard to this policy and guidance may result in a breach of the Members' Code of Conduct.

7 Responsibilities

Overall responsibility for this policy

Every West Somerset Council staff member and Councillor has a responsibility to adhere to these guidelines.

The Comms team will monitor, review and escalate issues, however, all employees and councilors are encouraged to raise any concerns, queries or questions they have relating to social media use.

Updating these guidelines

These guidelines will be updated annually according to the needs of the organisation, and your input and feedback is welcomed.

Contacts

Debbie Rundle, Media and Communications Officer, Taunton Deane Borough Council and West Somerset Council: 01823 356407 extension 2212 or 01984 635280.

Email Debbie: D.Rundle@tauntondeane.gov.uk.

Document last updated: July 2014.



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For more information on West Somerset services visit:
www.westsomersetonline.gov.uk



West Somerset Council
West Somerset House,
Williton, Taunton
Somerset, TA4 4QA

Social media policy and guidelines- shorter version.

West Somerset Council.

Last updated: September 2014.

For more information on West Somerset services visit:

www.westsomersetonline.gov.uk

1 Expected and accepted behaviours

Social media guidelines – what we expect from you:

Expected and accepted behaviours

The following principles are the basis of our social media policy and guidelines. If you are unclear about any aspect of them, talk to your line manager, HR or the Communications team.

1. Be honest about who you are

Best practice is always to be honest about who you are without giving out detailed personal information.

Be sure to identify yourself as working for or representing the council if the conversation is about our business or our industry. Not only is this the ethical thing to do, but in some countries, such as the USA, there may be legal personal liability if you don't.

2. Make it clear your opinions are your own

Unless you are authorised by the Communications team, you cannot speak on behalf of the council. Do not portray yourself as a spokesperson, even in an unofficial capacity, on any issues relating to West Somerset Council.

You can state that you work for or represent the organisation in your personal profiles, but make it clear that your opinions are your own.

To make it clear what your relationship is with the organisation, you can include the fact you work for West Somerset Council, or represent a council ward in your biography.

3. Share only public information

It is good business practice for companies and individuals to keep certain information and topics confidential. Share only public information when speaking about West Somerset Council or the public sector.

Protect your colleagues by refraining from sharing their personal information or any conversations or statements unless you have their written permission to do so.

Do not bring anyone into an online conversation without their prior permission. To do so could cause misunderstanding, violate commercial contracts or confidentiality agreements or damage a relationship. Respect confidentiality and do not disclose non-public council information or the private information of others.

4. Be aware that what you say is permanent

Assume that everyone will be reading every post, no matter how secure or obscure the site may seem.

Therefore, consider everything you post to the Internet to be the same as making it public. Don't forget that search engines mean it is impossible to 'take anything back' so remember your posts are both public and permanent.

5. Be respectful of everyone and mind your manners

Treat everyone, including yourself, with respect. Acknowledge difference of opinion and avoid posting anything that could be seen as offensive, threatening, bullying, derogatory, demeaning, abusive or inappropriate.

Withdraw from any discussions that go off the topic or become disrespectful. This includes criticising or arguing with residents, businesses or staff. Remember that people can form an opinion about the council based on your behaviour.

6. Keep safe online

Ensure that you choose your privacy and security settings on social networks carefully. This is important to control what information you share and who can see your updates and images. Most sites have detailed explanations to guide you through choosing what is right for you.

Be aware that 'private' is not always private – see point 4 above.

7. Same laws and rules apply

Always remember to adhere to our existing policies when participating online as a West Somerset Council employee or Councillor when discussing our business.

Due to the nature of digital communications, ensure you respect intellectual property (e.g. trademarks, image ownership and copyright), stock exchange regulations and financial disclosure.

You are free to publish and comment via social media in accordance with the policies below and advice in these guidelines, which are applicable to all staff, councillors, contractors and consultants.

8. The need for an official response

Sometimes there may be a need for an official response from the council via social media. If you spot a potential issue, bring it to the attention of the Media and Communications Officer before it reaches a crisis. Act sooner rather than later, to stop the issue escalating.

The Communications team monitors social media on behalf of the council. However, we all have a duty to protect our reputation, so please do flag any issues you spot.

9. When in doubt, ask

If you find yourself in a situation where you are unsure what the appropriate response is on social media, pause to decide whether you should refrain, ask a colleague, your line manager or the Media and Communications Officer for advice.

Guidelines at a glance:

Be honest about who you are
Make it clear that your opinions are your own
Only share information that has already been made public
Be aware that what you post is public and permanent
Mind your manners: be respectful of everyone
Keep safe online and review security settings
Adhere to all internal policies
Sometimes an official response will be needed
When in doubt, ask.

Contact:

Debbie Rundle, Media and Communications Officer, Taunton Deane Borough Council and West Somerset Council: 01823 356407 extension 2212 or 01984 635280.

Email Debbie: D.Rundle@tauntondeane.gov.uk.

Document last updated: July 2014.



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Part 1 Your rights to attend and report meetings

This part of the Guide applies to all the local government bodies listed at annex A.

Why are there new national rules?

We now live in a modern, digital world where the use of modern communication methods such as filming, tweeting and blogging should be embraced for enhancing the openness and transparency of local government bodies. This will ensure we have strong, 21st century, local democracy where local government bodies are genuinely accountable to the local people whom they serve and to the local taxpayers who help fund them.

Who do these rules help?

These rules help any members of the press and public who want to know about, view or report the work of local government bodies. The “press” is defined in the widest terms – including traditional print media, filming crews, hyper-local journalists and bloggers.

The new national rules^v have increased your rights to film, audio-record, take photographs, and use social media such as tweeting and blogging to report the proceedings of all such meetings that are open to the public.

Are all meetings of a local government body open to the public?

All meetings must be open to the public except in limited defined circumstances where the national rules require or allow the meeting to be closed to the public – see Part 2 for the rules for a council’s executive, Part 3 for the rules for other local government bodies, other than parish and town councils, and Part 4 for the rules for parish and town councils.

Can I film or audio-record the meeting?

Yes, councils and other local government bodies are required to allow any member of the public to take photographs, film and audio-record the proceedings, and report on all public meetings. While no prior permission is required to carry out this activity, it is advisable that any person wishing to film or audio-record a public meeting let their local government staff know so that all necessary arrangements can be made for the public meeting. This is important because the rules require local government bodies only to provide reasonable facilities for any member of the public to report on meetings.

There is no legal requirement for councils to webcast their meetings, but where councils and other local government bodies webcast any of their public meetings, they should, as a matter of good practice, notify the public.

Do I need to have advance permission to report the meeting?

No. Whilst we would encourage people to contact staff in advance if they want to film or record, equally, we would discourage any system which “vetted” journalists or restricted reporting to “approved” journalists. Councils should support freedom of the press within the law and not seek to restrict those who may write critical comments.

Can I film or audio-record a private meeting^{vi}?

The rules on the use of communication methods, such as filming and audio-recording, only require local government bodies to allow the reporting of meetings open to the public. The relevant council or local government body may not allow you to film or audio-record its private meetings. You may also not be allowed to leave recording equipment in the room where a private meeting is held for the purpose of reporting on the meeting.

Can I tweet or blog a council or local government body meeting?

Yes, the new rules^{vii} allow for reporting of meetings via social media of any kind. Therefore bloggers, tweeters, and for example, Facebook, YouTube users and individuals with their own website, should be able to report meetings. You should ask your council for details of the facilities they are providing for reporting.

If I am a councillor, can I tweet or blog during council meetings?

The national rules do not prevent councillors from tweeting and blogging at meetings, so they should be able to do so provided it is not disruptive and does not detract from the proper conduct of the meeting. Whilst councillors are expected to comply with their body’s code of conduct, this should not prevent councillors from tweeting or blogging when appropriate.

What sort of facilities will my council or local government body provide?

Councils or local government bodies are required to provide “reasonable facilities” to facilitate reporting. This should include space to view and hear the meeting, seats, and ideally a desk. Councils and local government bodies should use their common sense to determine the range of reasonable facilities they can actively provide to support the free press in all its forms.

To facilitate public scrutiny and public reporting, local authorities should not conduct their meetings in foreign languages.

Will I be allowed to film, tweet, blog or audio-record the meetings of other bodies not listed in annex A?

The Government message is that all public bodies should adopt maximum openness and transparency. This is also essential for bodies or groups making decisions for their local area because they are expected to be open and transparent in their decision-making. While the new national rules do not apply to some local groups such as neighbourhood forums and Local Enterprise Partnerships, such groups are encouraged, when having public meetings, to embrace the use of modern technology and should allow the same filming, audio-recording, taking of photographs, tweeting and blogging as applied to local government bodies, particularly if they are in receipt of public funds. This will give local people the opportunity to see how decisions are being made that affect their community.

Are there any limits to what I can say in a tweet or video I publish?

The law of the land applies – including the law of defamation and the law on public order offences (see the Crown Prosecution Service guidance on social media^{viii}).

Freedom of speech within the law should also be exercised with personal and social responsibility – showing respect and tolerance towards the views of others.

Are there other limits that I should be aware of?

The council or local government body should consider adopting a policy on the filming of members of the public, and ensure that they protect children, the vulnerable and other members of the public who actively object to being filmed, without undermining the broader transparency of the meeting.

Will I be able to provide commentary during the meeting?

Any person can provide written commentary during a meeting, as well as oral commentary outside or after the meeting. The new rules do not permit oral commentary to be provided during a meeting as this would be disruptive to the good order of the meeting.

Can I be asked to leave a meeting because I'm taking photographs, filming or audio-recording the meeting or using social media?

Generally, people attending public meetings must be readily able to film, audio-record, take photographs or use social media. Councils and other local government bodies must take steps to ensure this is the case. However, those undertaking these activities must not act in a disruptive manner, which could result in being excluded from the meeting.

What is disruptive behaviour?

Essentially, this could be any action or activity which disrupts the conduct of meetings or impedes other members of the public being able to see, hear or film etc the proceedings.

Examples can include:

- moving to areas outside the areas designated for the public^{ix} without the consent of the Chairman,
- excessive noise in recording or setting up or re-siting equipment during the debate/discussion,
- intrusive lighting and use of flash photography; and
- asking for people to repeat statements for the purposes of recording.

You may be excluded from a meeting if you act in a disruptive manner.

Can I leave recording equipment in a public meeting room and record without being present?

There is no legal prohibition, however, under the national rules, the local government body may require any such recording to stop if at any stage the meeting becomes a private meeting.

But the local authority says reporting is a breach of its Standing Orders?

It is a legal duty for the local government body to follow the new provisions. If a local government body's existing Standing Orders are not fully in line with the new legislation, in the short-term, we recommend they simply waive the relevant provisions of those old Standing Orders which could be taken to inhibit the new reporting rules, and then take steps to update formally its Standing Orders.

West Somerset Council Recording Protocol: Third Party Recording of Committees, Boards and Panels:

In accordance with the Openness of Local Government Bodies Regulations 2014 recording is allowed at all formal meetings of the authority to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings.

In this Protocol references to:

- 'Recording' covers any means used to record the proceedings including filming, auto-recording and the use of photography.
- 'Reporting' covers the reporting of the business of the meeting via any social media.
- 'Council meetings' covers all formal Full Council, Cabinet and Committee meetings which are open to the press and public to attend and other meetings as agreed at the time by the Council.

Accordingly:

1. Recording and reporting of Council meetings is permitted subject to the requirements set out below.
2. Those wishing to record proceedings should, as a courtesy, inform the chair (or clerk) of the committee of their intentions prior to the beginning of the meeting.
3. Where the Council is notified in advance of an intention to record, the Chairman at the start of the meeting will announce that the meeting or part of it may be recorded by a third party and will ask if any member or member of the public objects to being recorded. If objections are raised, then the person responsible for the recording must take all reasonable steps to ensure that an individual request not to be recorded is complied with.
4. Recordings may only be taken from the area designated for the public and:
 - Recording devices must be in silent mode
 - No flash or additional lighting is permitted
 - Recordings must be taken from one fixed position and must not obstruct others from observing proceedings.
5. If a meeting includes the consideration of exempt or confidential business then recording must cease prior to the consideration of such business and the recording equipment must be removed from the meeting room for the duration of the consideration of such business. If the person doing the recording is not present then the clerk shall remove the equipment from the meeting room for the consideration of confidential or exempt business.

6. Any person can provide a written commentary during the course of a meeting that falls under this Protocol. Oral commentaries are not permitted within the meeting room during the course of the meeting.
7. The Chairman can require recording to be stopped where:
 - The requirements of section 3 above are not met by the person doing the recording
 - The press and public are excluded from the meeting due to the nature of (exempt or confidential) business being discussed
 - There is public disturbance or a suspension/adjournment of a meeting
 - The recording has become disruptive or distracting to the good order and conduct of the meeting
 - Where it is considered that continuing the recording might infringe the rights of an individual or intimidate them.

Rules for use of Recordings by Third Parties

A The law applies to any information recorded and transmitted including the laws on defamation, public order, Human Rights and Data Protection and intellectual property rights. Freedom of speech within the law should also be exercised with personal and social responsibility.

B. Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion, and a clear identification of the main speakers and their role or title.

C. Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete.

D Those making recordings will be responsible for any breaches of the law resulting from their use of recorded material. The Council takes no responsibility for any recording carried out by a third party or its subsequent use.

Report Number: WSC 161/14
Presented by: Cllr Chris Morgan, Lead Member Environment – Hinkley
Author of the Report: Andrew Goodchild, New Nuclear Programme Manager
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Report to a Meeting of: Council
To be Held on: 19th November 2014
Date Entered on Executive Forward Plan Or Agreement for Urgency Granted: N/A

HINKLEY POINT C UPDATE

1. PURPOSE OF REPORT

- 1.1 The main purpose of this report is to provide Members with an update of activity and the latest position regarding the Hinkley Point C project and to seek Member approval for the Council to register its interest in the newly formed New Nuclear Watch Europe interest group.

2. CONTRIBUTION TO CORPORATE PRIORITIES

- 2.1 The Council's 2nd Corporate Priority relates to New Nuclear Development at Hinkley Point – Maximising opportunities for West Somerset communities and businesses to benefit from the development whilst protecting local communities and the environment.

3. RECOMMENDATIONS

- 3.1 That Full Council note the latest position regarding the Hinkley Point C project
- 3.2 That Full Council approve the Council registering its interest in the newly formed New Nuclear Watch Europe interest group

4. RISK ASSESSMENT (IF APPLICABLE)

Risk Matrix

Description	Likelihood	Impact	Overall
That the Council does not maintain a good understanding of progress on the Hinkley Point C project and consequentially does not amend its approach and objectives to take account of key activity	2	4	8
<i>That the Hinkley PAG receives detailed quarterly updates on the project, that actions within the Corporate Plan and Service Plans are monitored carefully and that Cabinet and Council receive updates at appropriate moments as the project progresses</i>	1	4	4

That the Council is not able to influence policy development at a National Level and/or does not work closely with other Local Authorities and interested parties and consequentially cannot positively influence matters relating to New Nuclear projects which may affect residents	3	3	9
<i>That the Council takes opportunities to influence as appropriate and participates in influential groups and discussions to ensure that its voice is heard</i>	2	3	6

The scoring of the risks identified in the above table has been based on the scoring matrix. Each risk has been assessed and scored both before and after the mitigation measures have been actioned.

5. **BACKGROUND INFORMATION**

Update of Activity on the Hinkley Point C Project

- 5.1 Members may be aware of the important recent announcement of the European Commission who have determined that the contract for difference (or strike price) between EDF Energy and the UK Government does not constitute State Aid. This was clearly a major step towards EDF Energy taking its Final Investment Decision which is now expected to be taken towards the end of this year.
- 5.2 Further matters to resolve include the need for agreements with investment partners to be reached and the final details of the various agreements between EDF Energy and the UK Government to be concluded.
- 5.3 Once the Final Investment Decision is taken EDF Energy are expected to quickly 'Transition' from the Site Preparation Works planning permission to the Development Consent Order (DCO). This Transition is important for the Council as many of the payments set out within the DCO Section 106 agreement are linked to the Transition date.
- 5.4 The structure and business case for the New Nuclear Programme Team is being progressed and will be presented for approval shortly so that, once Transition takes place, the new structure reporting to the New Nuclear Programme Manager can be put in place with staff 'slotted in', 'ring-fenced' or recruited as appropriate using the staff contributions which will be paid as part of the DCO Section 106 agreement. At present the remaining Hinkley Funded posts continue to be funded from the contributions received as part of the Section 106 agreement for Site Preparation Works.
- 5.5 Some Members recently visited the Hinkley Point C site to see for themselves the work taking place as part of the Site Preparation Works which the Planning Committee considered in July 2011 and was granted planning permission in January 2012. Since May 2014 'Phase 2 – Main Earthworks' have begun and at present around 200 construction workers and around 60 earth moving machines (excavators, dumper trucks and crushers etc.) are busy creating platforms, bunds, water management zones and the Holford Stream culvert.
- 5.6 Away from the main Hinkley Point C site, work has begun on the Cannington Bypass and work on some of the junction improvements in Bridgwater is due to begin before Christmas. More locally, Members will be aware of the plans for the construction of the Washford Cross roundabout and the associated diversion routes are being finalised so that work can begin shortly.

New Nuclear Watch Europe

- 5.7 The Council has received an invitation from a newly formed interest group called New Nuclear Watch Europe (NNWE) which has been established to help ensure that nuclear

power is recognised as an important and desirable way for European governments to meet the long term energy needs of their countries. Whilst highlighting the importance of job creation, skills development and training opportunities, which align with the Councils Corporate Plan, NNWE also believe that nuclear power provides affordable, secure, low carbon energy and will work to promote the construction of new nuclear power stations.

- 5.8 At present the Council does not have an adopted policy position regarding the use of Nuclear Power as part of the UK or Europe's energy mix. Traditionally the Council has accepted the conclusions of the Department for Energy and Climate Change regarding the need and mix of energy that the country requires, only seeking to comment on and seek to influence the formation of policy where there were direct implications for the EDF Energy promoted development for Hinkley Point C.
- 5.9 As part of its work regarding Hinkley Point the Council is a founding member of NNLG the New Nuclear Local Authorities Group, a Special Interest Group of the Local Government Association and is also a member of NuLeaf, the Nuclear Legacy Advisory Forum which is also a Special Interest Group of the Local Government Association.
- 5.10 While efforts in recent years have focussed on relationships with our partner Councils, EDF Energy and DECC now that permissions are in place and the details of the construction phase of the development at Hinkley Point C are understood it is considered that the Council does need to widen its aspirations to ensure that, working with partners, Somerset takes advantage of being the 'first movers' and creates a lasting legacy for businesses and the locally developed workforce in the long term.
- 5.11 The stated aims of NNWE are:
1. Safe. Nuclear technology and manufacturing must, wherever possible, be tried and tested in commercial use. Any new power stations must also be designed to withstand extreme events of nature, accidents or terrorist attacks. They must also ensure the safe and proper disposal of spent fuels in appropriate locations. Where non-EU technology is used it should be able to demonstrate a record of safe commercial use and should not lock utilities into a single nuclear fuel supplier
 2. Supportive. NNWE believes that companies or consortia delivering nuclear projects in Europe should be good neighbours and benefit the local communities in which they operate. This means employing and investing in local people and working with local partners across the entire supply chain, not just in low-level manufacture, but particularly in R&D, engineering, technology and high-end manufacturing to benefit the domestic economy
- 5.12 In light of the long term objective regarding the delivery of a sustainable legacy from the construction project taking place in West Somerset and a general desire to ensure that the Council is represented it is recommended that the Council does take up the invitation to become a member of the NNWE.

6. FINANCIAL/RESOURCE IMPLICATIONS

- 6.1 At the present time NNWE is not looking for funding at this stage but for expressions of interest. Within the invitation NNWE advise that only once it demonstrates it is performing a useful function they will suggest a payment of appropriate membership subscriptions. As such at this point the resource implications would extent to officer / Member time and travel expenses to and from meetings which are not likely to be significant. As with meetings of NuLeaf, officers check agendas for relevance before determining whether or not to attend

meetings. The same approach would be adopted for meetings of NNWE should Council decide to become a formal member.

7. COMMENTS ON BEHALF OF SECTION 151 OFFICER

- 7.1 Should Council decide that West Somerset Council is to register its interest in becoming a member of the New Nuclear Watch Europe interest group, it is intended that the initial costs prior to any subscription payments are absorbed into the operating budget of the New Nuclear Programme Team. There would be no implications on the Revenue Account as a result.

8. EQUALITY & DIVERSITY IMPLICATIONS

- 8.1 **Members need to demonstrate that they have consciously thought about the three aims of the Public Sector Equality Duty as part of the decision making process.** The three aims the authority **must** have due regard for are:

- Eliminate discrimination, harassment, victimisation
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

- 8.2 There are no direct equality and diversity implications in relation to this report.

9. CRIME AND DISORDER IMPLICATIONS

- 9.1 There are no direct crime and disorder implications in relation to this report.

10. CONSULTATION IMPLICATIONS

- 10.1 There are no direct consultation implications in relation to this report.

11. ASSET MANAGEMENT IMPLICATIONS

- 11.1 There are no direct asset management implications in relation to this report.

12. ENVIRONMENTAL IMPACT IMPLICATIONS

- 12.1 There are no direct environmental impact implications in relation to this report.

13. HEALTH & WELLBEING

Demonstrate that the authority has given due regard for:

- People, families and communities take responsibility for their own health and wellbeing;
- Families and communities are thriving and resilient; and
- Somerset people are able to live independently.

- 13.1 There are no direct health and wellbeing implications in relation to this report.

14. LEGAL IMPLICATIONS

- 14.1 There are no direct health and wellbeing implications in relation to this report.