



Members of the Cabinet  
(Councillors A H Trollope-Bellew (Leader), M J Chilcott (Deputy  
Leader), M O A Dewdney, K M Mills, C Morgan, S J Pugsley,  
K H Turner and D J Westcott)

Our Ref DS/KK  
Your Ref

Contact Krystyna Kowalewska kkowalewska@westsomerset.gov.uk  
Extension 01984 635307  
Date 24 November 2015

**THE PRESS AND PUBLIC ARE WELCOME TO ATTEND THE MEETING  
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OR IN OTHER LANGUAGES ON REQUEST**

Dear Councillor

I hereby give you notice to attend the following meeting:

**CABINET**

**Date: Wednesday 2 December 2015**  
**Time: 4.30 pm**  
**Venue: Council Chamber, Council Offices, Williton**

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

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

Therefore unless you advise otherwise, by entering the Council Chamber and speaking during Public Participation you are consenting to being recorded and to the possible use of the sound recording for access via the website or for training purposes. If you have any queries regarding this please contact Committee Services on 01984 635307.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Bruce Lang', written over a light blue horizontal line.

**BRUCE LANG**  
Proper Officer



## CABINET

**Meeting to be held on 2 December 2015 at 4.30 pm**

**Council Chamber, Williton**

### AGENDA

1. **Apologies for Absence**

2. **Minutes**

Minutes of the Meeting of Cabinet held on 4 November 2015 to be approved and signed as a correct record – **SEE ATTACHED.**

3. **Declarations of Interest**

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

4. **Public Participation**

The Leader to advise the Cabinet 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. **Forward Plan**

To approve the latest Forward Plan for the month of January 2016 – **SEE ATTACHED.**

6. **Cabinet Action Plan**

To update the Cabinet on the progress of resolutions and recommendations from previous meetings – **SEE ATTACHED.**

7. **Corporate Performance 2015/16 Quarter 2**

To consider Report No. WSC 168/15, to be presented by Councillor A Trollope-Bellew, Leader of the Council – **SEE ATTACHED.**

The purpose of the report is to provide Members with key performance management data up to the end of quarter 2 2015/16, to assist in monitoring

the Council's performance. Publishing the information also supports the aim of greater public accountability.

**8. Council Tax Rebate Scheme Review for 2016/17**

To consider Report No. WSC 169/15, to be presented by Councillor M Chilcott, Lead Member for Resources and Central Support – **SEE ATTACHED**.

The purpose of this report is to provide Cabinet with information on our existing Council Tax Rebate scheme and the context for reviewing our scheme for Working Age applicants from 2016/17; to advise the Cabinet of the outcome of the public consultation on our Council Tax Rebate scheme in 2016/17; and to advise Cabinet of the preferred revisions to our Council Tax Rebate scheme in 2016/17 provided by the Corporate Policy Advisory Group on 28 October 2015 and the Scrutiny Committee on 12 November 2015.

**PLEASE NOTE:** Members are required to read all documentation when/before making a decision. Therefore, it is important that you read Appendix 1 - West Somerset District Council - Council Tax Reduction Scheme, and consider the implications detailed in the Equality Impact Statement – the policy document can be accessed via this link <http://www.westsomersetonline.gov.uk/Council---Democracy/Council-Meetings/Cabinet-Meetings/Cabinet---2-December-2015>

**9. Licensing Officer Post – West Somerset Council**

To consider Report No. WSC 153/15, to be presented by Councillor K Turner, Lead Member for Housing, Health and Wellbeing – **SEE ATTACHED**.

The purpose of the report is to outline to requirement for a full-time licensing officer post.

**10. Financial Monitoring Report 2015-16 (April – September 2015)**

To consider Report No. WSC 170/15, to be presented by Councillor M Chilcott, Lead Member for Resources and Central Support – **SEE ATTACHED**.

The purpose of this report is to provide Members with details of the Council's latest forecast financial outturn position for the 2015/16 financial year for both revenue and capital budgets, together with information relating to predicted end of year reserve balances.

**11. Fees and Charges 2016/17**

To consider Report No. WSC 171/15, to be presented by Councillor M Chilcott, Lead Member for Resources and Central Support – **SEE ATTACHED**.

The purpose of this report is to consider the proposed fees and charges for the period 1 April 2016 to 31 March 2017, prior to submission to full Council on 16 December 2015.

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

**CABINET****MINUTES OF THE MEETING HELD ON 4 NOVEMBER 2015****AT 4.30 PM****IN THE COUNCIL CHAMBER, WILLITON****Present:**

Councillor A H Trollope-Bellew..... Leader

Councillor M Dewdney  
Councillor S J Pugsley  
Councillor D J WestcottCouncillor C Morgan  
Councillor K Turner**Members in Attendance:**Councillor G S Dowding  
Councillor A P Hadley  
Councillor R P Lillis  
Councillor N ThwaitesCouncillor S Y Goss  
Councillor B Heywood  
Councillor B Maitland-Walker**Officers in Attendance:**Assistant Chief Executive (B Lang)  
Assistant Director Resources (P Fitzgerald)  
Assistant Director Energy Infrastructure (A Goodchild)  
CIM Fund Manager (L Redston)  
Interim Assistant Director Property and Development (T May)  
Meeting Administrator (K Kowalewska)**CAB56     Apologies for Absence**

Apologies for absence were received from Councillors M Chilcott and K Mills.

**CAB57     Minutes of the Meeting held on 14 October 2015**

(Minutes of the Meeting of Cabinet held on 14 October 2015 - circulated with the Agenda.)

**RESOLVED** that the Minutes of the Meeting of Cabinet held on 14 October 2015 be confirmed as a correct record.**CAB58     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
Councillor C Morgan	All	Stogursey	Spoke and voted
Councillor A Trollope-Bellew	All	Crowcombe	Spoke and voted
Councillor K Turner	All	Brompton Ralph	Spoke and voted
Councillor D Westcott	All	Watchet	Spoke and voted
Councillor S Goss	All	Stogursey	Spoke
Councillor B Maitland-Walker	All	Carhampton	Spoke
Councillor N Thwaites	All	Dulverton	Spoke

**CAB59 Public Participation**

Richard Lane, Trustee, and Kate Slade, Treasurer, of Cannington Village Hall spoke on Agenda Item 8 – HPC Planning Obligations Board – Allocations of CIM Funding requesting that Members support the Cannington Village Hall project and an explanation was provided as to why match funding was not sought for this project.

**CAB60 Forward Plan**

(Copy of the Forward Plan for the month of December 2015 – circulated with the Agenda.)

The purpose of this item was to approve the Forward Plan.

**RESOLVED** that, subject to amending the Budget Monitoring Quarter 2 Report to read 2015/16 and deleting Earmarked Reserves Review, the Forward Plan for the month of December 2015 be approved.

**CAB61 Cabinet Action Plan**

(Copy of the Action Plan – circulated with the Agenda.)

**RESOLVED (1)** that CAB53 – Discretionary Business Rate Relief Policy be deleted as actioned.

**RESOLVED (2)** that CAB55 – Seaward Way, Minehead – Land Sale for Employment Use be deleted as actioned.

**CAB62 Budget Savings 2015/16 and Earmarked Reserves Review**

(Report No. WSC 156/15 – circulated with the Agenda.)

The purpose of the report was to recommend to Council to share details of the review of current year budgets and earmarked reserve balances, and to seek approval to transfer identified savings to general reserves.

In the absence of the Lead Member for Resources and Central Support, the Assistant Director for Resources presented the report and advised that

in view of the Council's financial position, in-year budget savings had been identified in the current financial year and the review of earmarked reserves had been brought forward in order to improve financial resilience by increasing the reserves balance and to achieve more flexibility by using reserves to help towards next year's budget setting. The Assistant Director further advised that the general reserves balance contained within the report did not reflect the supplementary estimate amount allocated for asset compliance reviews (Minute No. CAB65 refers).

The Leader proposed the recommendations of the report, which were duly seconded by Councillor M Dewdney.

During consideration of this item, the Assistant Director Energy Infrastructure responded to questions regarding the Hinkley Corporate Cost Earmarked Reserve.

**RESOLVED (1)** that it be recommended to full Council to approve the transfer of in year revenue budget savings of £212,092 to general reserves.

**RESOLVED (2)** that it be recommended to full Council to approve the transfer of £156,119 from earmarked reserves to general reserves.

**RESOLVED (3)** that it be recommended to full Council to approve the reclassification of the £105,000 Hinkley Section 106 funded 'low cost starter homes' scheme from capital to revenue budget in lieu of redistribution of existing loans pool.

**CAB63 HPC Planning Obligations Board – Allocations of CIM Funding**

(Report No. WSC 154/15 - circulated with the Agenda.)

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

In the absence of the Lead Member for Resources and Central Support, the Assistant Director for Energy Infrastructure presented the report and provided detailed information on the two applications for CIM funding.

The Leader proposed the recommendation which was duly seconded by Councillor K Turner.

In light of various concerns raised regarding the lack of match funding for the Cannington Village Hall project and the missed opportunity to use the CIM fund to maximise benefits for the Cannington community, the proposer and seconder agreed to add an additional recommendation to 3.2.1, to read "That a letter is written to both Cannington Village Hall Committee and Cannington Parish Council setting out West Somerset

Council's expectation that any further applications proposing to utilise the CIM Fund ring-fenced for Sedgemoor (and in particular Cannington) do make every effort to draw in match funding from other sources, to ensure that the CIM Fund is used to maximum effect."

Members expressed support for the Victoria Park Community Centre application stating it was a worthy project and would provide very valuable amenities to the area.

**RESOLVED** that it be recommended to Council to endorse the recommendations of the Hinkley C Planning Obligations Board as follows:

(1)(a) The release of £186,186 from the CIM Fund ring-fenced for Sedgemoor (and in particular Cannington) to Cannington Village Hall Committee for the Cannington Village Hall improvement project.

(1)(b) That a letter be written to both Cannington Village Hall Committee and Cannington Parish Council setting out West Somerset Council's expectation that any further applications proposing to utilise the CIM Fund ring-fenced for Sedgemoor (and in particular Cannington) do make every effort to draw in match funding from other sources, to ensure that the CIM Fund is used to maximum effect.

(2) The release of £14,524 from the CIM Fund ring-fenced for Sedgemoor (and in particular Bridgwater) to the Victoria Park Community Centre for the delivery of the Digital Inclusion and Job Club project.

**CAB64      Licensing Officer Post – West Somerset Council**

This item was withdrawn.

**CAB65      WSC Asset Property Portfolio Compliance Status Report**

(Report No. WSC 157/15, circulated with the Agenda.)

The purpose of the report was to provide Cabinet with a position statement of its statutory and regulatory compliance responsibilities related to its land and property asset portfolio.

The Interim Assistant Director for Property and Development presented the item and outlined the key areas contained within the report, advising that a lot of work had been undertaken to develop a comprehensive asset database in terms of maintenance, compliance and financial liabilities. He highlighted the main surveys, inspections and testing that required immediate attention and the budgetary implications. The Interim Assistant Director also confirmed that he would report back to Council with recommended options on how best to manage the Council's assets in the future.

The Leader proposed the recommendations which were duly seconded by Councillor M Dewdney.



It was noted that there was a health and wellbeing impact regarding statutory and regulatory compliance responsibilities and the report should be updated to reflect this.

Members enquired as to what would happen to any unspent monies allocated for urgent works at the end of the financial year, and the Assistant Director for Resources advised if there were works that needed to be carried out in the new financial year, the budget balance would be carried forward.

In response to a question, the Interim Assistant Director for Property and Development confirmed that most of the works scheduled would be carried out through tendered frameworks currently in place and would adhere to HSE standards.

**RESOLVED (1)** that the compliance status report as a baseline in understanding the level of compliance of the Council's land and property asset portfolio be noted.

**RESOLVED (2)** that it be recommended to full Council to approve a Supplementary Estimate for the 2015/16 Revenue Budget of £80,000, funded from reserves, to undertake the necessary condition surveys, inspections and testing.

**RESOLVED (3)** that the creation of an ongoing annual compliance budget of £50,000 to be incorporated into the 2016/17 budget estimates and Medium Term Financial Plan, requiring savings needed to fund this increase to be identified through the budget setting process, be supported.

The meeting closed at 5.17 pm

## RISK SCORING MATRIX

Report writers score risks in reports uses the scoring matrix below

**Risk Scoring Matrix**

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

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

- 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.

7  
Cabinet Forward Plan January 2016

Forward Plan Ref / Date proposed decision published in Forward Plan	Date when decision due to be taken and by whom	Details of the proposed decision	Does the decision contain any exempt information requiring a resolution for it to be considered in private and what are the reasons for this?	Contact Officer for any representations to be made ahead of the proposed decision
FP/16/1/01  10/02/2015	6 January 2016  By Lead Member Resources & Central Support	Title: <b>Allocation of Section 106 funds held – Quarter 3</b>  Decision: to make proposals for the allocation of monies secured through planning obligations to individual schemes, and to update members with the current funding position	No exempt / confidential information anticipated	Tim Burton, Assistant Director Planning and Environment 01823 358403
FP/16/1/03  10/02/2015	6 January 2016  By Lead Member for Energy Infrastructure	Title: Hinkley Point  Decision: to consider key issues relating to Hinkley Point	No exempt / confidential information anticipated	Andrew Goodchild, Assistant Director Energy Infrastructure 01984 635245
FP/16/1/04  13/07/2015	6 January 2016  By Chairman of Scrutiny Committee	Title: CIM fund Scrutiny Task and Finish Group  Decision: to consider the report of the results from the work undertaken by the Task and Finish Group	No exempt / confidential information anticipated	Emily McGuinness, Democratic Services Coordinator 01984 635223
FP/16/1/05  02/09/2015	6 January 2016  By Lead Member Resources & Central Support	Title: Allocation of Hinkley Point C Community Impact Mitigation Funding  Decision: to present the recommendations of the HPC Planning Obligations Board for the allocation of monies from the CIM Fund	No exempt / confidential information anticipated	Lisa Redston, CIM Fund Manager 01984 635218

Note (1) – Items in bold type are regular cyclical items.

Note (2) – All Consultation Implications are referred to in individual reports.

The Cabinet comprises the following: Councillors A H Trollope-Bellew, M Chilcott, M Dewdney, K M Mills, C Morgan S J Pugsley, K H Turner and D J Westcott.

The Scrutiny Committee comprises: Councillors P H Murphy, R Lillis, D Archer, G S Dowding, B Maitland-Walker, J Parbrook, R Clifford, R Woods and A Behan.



## CABINET ACTION PLAN

4 NOVEMBER 2015	
<p><b>Minute Number</b></p> <p><b>Action Required</b></p> <p><b>Action Taken</b></p>	<p>CAB62 Budget Savings 2015/16 and Earmarked Reserves Review</p> <p><b>RESOLVED (1)</b> that it be recommended to full Council to approve the transfer of in year revenue budget savings of £212,092 to general reserves.</p> <p><b>RESOLVED (2)</b> that it be recommended to full Council to approve the transfer of £156,119 from earmarked reserves to general reserves.</p> <p><b>RESOLVED (3)</b> that it be recommended to full Council to approve the reclassification of the £105,000 Hinkley Section 106 funded 'low cost starter homes' scheme from capital to revenue budget in lieu of redistribution of existing loans pool.</p> <p>At the Council meeting on 18 November 2015 it was <b>RESOLVED (1)</b> that the transfer of in year revenue budget savings of £212,092 to general reserves be approved.</p> <p><b>RESOLVED (2)</b> that the transfer of £156,119 from earmarked reserves to general reserves be approved.</p> <p><b>RESOLVED (3)</b> that the reclassification of the £105,000 Hinkley Section 106 funded 'Low cost starter homes' scheme from capital to revenue budget in lieu of redistribution of existing loans pool be approved.</p>
<p><b>Minute Number</b></p> <p><b>Action Required</b></p> <p><b>Action Taken</b></p>	<p>CAB63 HPC Planning Obligations Board – Allocations of CIM Funding</p> <p><b>RESOLVED</b> that it be recommended to Council to endorse the recommendations of the Hinkley C Planning Obligations Board as follows:</p> <p>(1)(a) The release of £186,186 from the CIM Fund ring-fenced for Sedgemoor (and in particular Cannington) to Cannington Village Hall Committee for the Cannington Village Hall improvement project.</p> <p>(1)(b) That a letter be written to both Cannington Village Hall Committee and Cannington Parish Council setting out West Somerset Council's expectation that any further applications proposing to utilise the CIM Fund ring-fenced for Sedgemoor (and in particular Cannington) do make every effort to draw in match funding from other sources, to ensure that the CIM Fund is used to maximum effect.</p> <p>(2) The release of £14,524 from the CIM Fund ring-fenced for Sedgemoor (and in particular Bridgwater) to the Victoria Park Community Centre for the delivery of the Digital Inclusion and Job Club project.</p> <p>At the Council meeting on 18 November 2015 it was</p>

	<p><b>RESOLVED (1)</b> that the decision of Cabinet to release £14,524 from the CIM Fund ring-fenced for Sedgemoor (and in particular Bridgwater) to the Victoria Park Community Centre for the delivery of the Digital Inclusion and Job Club project be noted.</p> <p><b>RESOLVED (2)</b> that the recommendations of the Hinkley C Planning Obligations Board and Cabinet, including the additional recommendation (b) of Cabinet, be endorsed, as follows:</p> <p>(a) The release of £186,186 from the CIM Fund ring-fenced for Sedgemoor (and in particular Cannington) to Cannington Village Hall Committee for the Cannington Village Hall improvement project.</p> <p>(b) That a letter be written to both Cannington Village Hall Committee and Cannington Parish Council setting out West Somerset Council's expectation that any further applications proposing to utilise the CIM Fund ring-fenced for Sedgemoor (and in particular Cannington) do make every effort to draw in match funding from other sources, to ensure that the CIM Fund is used to maximum effect.</p>
<p><b>Minute Number</b></p> <p><b>Action Required</b></p> <p><b>Action Taken</b></p>	<p>CAB65 WSC Asset Property Portfolio Compliance Status Report</p> <p><b>RESOLVED (1)</b> that the compliance status report as a baseline in understanding the level of compliance of the Council's land and property asset portfolio be noted.</p> <p><b>RESOLVED (2)</b> that it be recommended to full Council to approve a Supplementary Estimate for the 2015/16 Revenue Budget of £80,000, funded from reserves, to undertake the necessary condition surveys, inspections and testing.</p> <p><b>RESOLVED (3)</b> that the creation of an ongoing annual compliance budget of £50,000 to be incorporated into the 2016/17 budget estimates and Medium Term Financial Plan, requiring savings needed to fund this increase to be identified through the budget setting process, be supported.</p> <p>At the Council meeting on 18 November 2015 it was</p> <p><b>RESOLVED (1)</b> that the compliance status report as a baseline in understanding the level of compliance of the Council's land and property asset portfolio be noted.</p> <p><b>RESOLVED (2)</b> that a Supplementary Estimate for the 2015/16 Revenue Budget of £80,000, funded from reserves, to undertake the necessary condition surveys, inspections and testing be approved.</p> <p><b>RESOLVED (3)</b> that the creation of an ongoing annual compliance budget of £50,000 to be incorporated into the 2016/17 budget estimates and Medium Term Financial Plan, requiring savings needed to fund this increase to be identified through the budget setting process, be supported.</p>

**Report Number:** WSC 168/15  
**Presented by:** ANTHONY TROLLOPE-BELLEW, LEADER OF THE COUNCIL  
**Author of the Report:** PAUL HARDING, CORPORATE STRATEGY AND PERFORMANCE MANAGER  
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**Report to a Meeting of:** Cabinet  
**To be Held on:** 2 December 2015  
**Date Entered on Executive Forward Plan Or Agreement for Urgency Granted:** 10/2/2015

## CORPORATE PERFORMANCE REPORT Q2 2015/16

### 1. PURPOSE OF REPORT

- 1.1 This report provides Members with key performance management data up to the end of quarter 2 2015/16, to assist in monitoring the Council's performance. Publishing this information also supports the aim of greater public accountability.

### 2. CONTRIBUTION TO CORPORATE PRIORITIES

- 2.1 The performance report summarises progress in the delivery of the corporate priorities and highlights service performance over a broad range of measures.

### 3. RECOMMENDATIONS

That Cabinet

- notes performance in Q2 and highlights any matters of particular concern;
- supports the change of measure in relation to Disabled Facility Grants described in paragraphs 5.9 to 5.12 of this report.

### 4. RISK ASSESSMENT (IF APPLICABLE)

#### Risk Matrix




Description	Likelihood	Impact	Overall
The key risk is that the Council fails to manage its performance and use the subsequent information to inform decisions and produce improved services for customers.	Likely (4)	Major (4)	High (16)
<i>The mitigation for this will be the continued strong leadership from Lead Members and JMT to ensure that performance management remains a priority.</i>	Unlikely (2)	Major (4)	Medium (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**

- 5.1 Regularly monitoring our performance is a key element of the Council’s Performance Management Framework.
- 5.2 In addition to day-to-day performance management, at a team and individual level, performance is also formally reviewed each quarter by the Council’s senior management team and by the Cabinet. In quarters 2 and 4 performance is also reviewed by the Scrutiny Committee.
- 5.3 **This report was considered by the Scrutiny Committee at their meeting held on 12<sup>th</sup> November 2015. Details of the particular matters considered at the meeting and their recommendations are summarised within section 6 of this report.**
- 5.4 A separate report relating to financial performance of the Council follows the same path as for this report and consequently most financial indicators are not contained within this report.
- 5.5 There are **62** individual measures in total which are reported within this report. Additionally, separate detailed highlight reports are provided in relation to the Joint Management and Shared Services (JMASS) programme and the Energy Infrastructure programmes, which deliver key strategic outcomes against the Council’s corporate priorities. It is hoped that by providing more information in relation to these programmes within the performance report it will give greater clarity, at a high level, regarding the progress being made in these crucial areas.
- 5.6 The full performance scorecard is attached at **Appendix A**. Each action/measure is given a coloured status to provide the reader with a quick visual way of identifying whether it is on track or whether there might be some issues with performance or delivery or an action. The key used is provided below:

**KEY**

	No significant Issues		Some uncertainty in meeting planned actions		Planned actions are significantly off course
	Performance indicators are on target		Some significant but resolvable issues or uncertainty.		Significant concern that Performance indicators may not achieve target.



The JMASS highlight report is attached at **Appendix B** and the Energy Infrastructure highlight report at **Appendix C**.

5.7 A summary of the performance headlines is provided below.

GREEN 😊	AMBER 😐	RED 😞	NOT DUE	NOT AVAILABLE	TOTAL
<b>44</b> (42)	<b>13</b> (10)	<b>1</b> (2)	<b>2</b> (1)	<b>2</b> (7)	<b>62</b>

Figs in brackets relate to Q1.

5.8 In Q1 there were two indicators that were red. The first of these related to the **% Minor Planning Applications processed within 8 weeks**. In Q1 48% were processed within this timescale, against a target of 80%. In the Q1 report we highlighted that this drop in performance was largely associated with the short-term impact of planning officers being brought together as 'One Team' from 1st Feb 2015 and the officers learning to use two different planning systems and working with two differing planning policies/regimes for the first time. It was anticipated that performance would improve during coming quarters now that officers have become more acquainted with the new ways of working. It is pleasing to note that for Q2 this measure is now 'green' with performance having risen to 85.1%.

5.9 The other measure that was red in Q1 related to **the average waiting time for the provision of disabled facility works**, from receipt of the recommendation from the Occupational Therapist by the Council. Performance in this area is affected by the unmet demand from previous years, which is largely beyond the control of the Somerset West Private Sector Housing Partnership (SWPSHP) since they have a fixed budget (entirely funded by central government grant) and this is a demand lead service.

5.10 The flaw with this current performance indicator is that it does not measure the performance of the SWPSHP, but instead reflected that a lack of budget meant demand outstripped available funding and has therefore consistently been flagged as red, but with limited ability for SWPSHP to change this. It has been flagged as red for Q2 also.

5.11 At the last Housing and Health PAG, it was proposed that this PI be replaced with two new measures, which provided more rounded and meaningful information about performance in this area of SWPSHPs work.

5.12 This discussion followed on from a discussion that was had at the Community PAG in September where it was suggested it would sensible to replace the PI with the following measures:

- **"Average time to complete DFG process once allocated by SWPSHP"** - essentially a measure to see how effective the SWPSHP process is and measures the time from allocating the case until the work has been completed. The Home Improvement Agency have a target for this work of 24 weeks and it is proposed this be adopted as the target against which SWPSHP's performance be managed. Allocation is managed through a DFG Allocation Protocol. The Protocol will allocate cases from the Register (queue) highest points first. The numbers allocated are based upon a number of factors which includes; the annual budget set by the Council, average cost of an adaptation, staff resources at the Home Improvement Agency and the partnership. Those which do not get allocated that month are rewarded 1/2 a point. This is to ensure that the client is working their way up the list and have a better chance of being allocated.

- **"Average overall waiting time for high priority DFGs (once recommendation made by OT)"** – this performance measure is wider than the SWPSHP (as lack of budgets may not allow SWPSHP to commence work on a case), however it gives members a picture of how long high priority residents in West Somerset are needing to wait. (The priority is determined by the Occupational Therapist and the assessment is determined on the combined risk and functional independence score. The score puts them into High, Medium or Low. Low = 0 - 8 points, Medium = 9 - 14, High = 15+ points).
- 5.13 Members at Housing PAG asked that the proposed change to the measures relating to DFGs was taken to Scrutiny.
- 5.14 These new measures are NOT yet included within the performance scorecard but will be for Q3 onwards pending acceptance by Cabinet.
- 5.15 Current average time to complete DFG process once allocated by SWPSHP is 25 weeks. Currently there are 8 cases on the DFG register that have not yet been allocated and of those, the oldest is the 22nd June 2015, 2 in July and 3 in August, 1 in September and 1 in October. (A further allocation is due in the middle of November.)
- 5.16 There are three other areas, of those which have been rated as amber this quarter, which it is felt worth specifically highlighting in this report:
- **Sickness absence** – this is an annual target which we track quarterly. This was report as green for Q1 as the forecast for the year, based on sickness absence within the quarter, indicated that the annual target of less than 8 days per FTE would be met (projection of 7.4 days). However, in Q2 there has been an increase in sickness absence. The average at the end of Q2 was 4.13 days per FTE, which leads to a forecast of 8.26 days per FTE should the current trend continue. Traditionally, sickness has increased in Q3 and Q4, largely due to winter colds/Flu and therefore at this point there is some concern that the annual target might not be met. JMT are aware of the issue and are following HR sickness absence protocols in order to best manage and support staff in returning to work as quickly as possible following periods of sickness.
  - **Corporate complaints** - officers are now routinely using the new complaints database. Training has been provided and feedback has been positive. There are some pockets of very good practice but there are also areas where things could be better. There remains a lack of clarity over the outcome of number of complaints. Some officers are not uploading responses nor entering text regarding the outcome. It is hoped that, following the complaints workshops that took place on 8<sup>th</sup> October this will improve. Additional focus will be given during Q3 to monitor compliance.
  - **Average processing times or new Housing Benefit claims** – there is an annual target of 22 days. Q1 the average processing time was 30 days. For Q2 this improved slightly to 28 days. However, the benefit team are currently in the process of a major data migration exercise from the Northgate benefits system used by WSC to the Civica system used by TDBC. This is being undertaken within existing resources.

## 6. COMMENTS FROM SCRUTINY COMMITTEE

- 6.1 This report was considered by the Scrutiny Committee at their meeting held on 12<sup>th</sup> November 2015.

- 6.2 There were three main areas focussed upon by Members. These were sickness absence, Housing Benefit processing times and the red indicator within the Energy Infrastructure highlight Summary (Appendix C) in relation to housing enabling schemes
- 6.3 Sickness absence – a question was asked as to whether the target of 8 days or fewer per FTE for sickness absence was too high and also what is done to try to reduce sickness absence.
- 6.4 The Corporate Strategy & Performance Manager firstly provided some comparisons for information. Firstly the Somerset County Council annual report on sickness (published 9<sup>th</sup> March 2015) showed that for 2014/15 SCC reported 8.3 days sickness per FTE.
- 6.5 Secondly, the Local Government Association produced an annual workforce survey. The most recent of which was published in March 2015 and covered the 2013/14 financial year. This showed an annual average rate of sickness absence amongst shire districts of 8.2 days sickness absence per FTE.
- 6.6 Thirdly South Somerset reported 8.57 days sickness absence per FTE for 2014/15.
- 6.7 These examples showed that the One Team target was realistic in light of similar organisations elsewhere and historical performance by both Councils.
- 6.8 The Corporate Strategy & Performance Manager explained key elements of the Councils sickness absence policies including back to work interviews and occupations health referrals which were engaged in order to minimise sickness absence.
- 6.9 The committee asked for information concerning the percentage split of sickness absence between long term (28 calendar days or greater) and short term. They have also asked for the median sickness absence. These requests were noted and have been forwarded to HR to provide to members of the Scrutiny committee.
- 6.10 Housing Benefit processing times – a question was asked about how long the data migration exercise, which is currently underway, will take to be completed. The Assistant Director Resources confirmed that the migration would be complete during November and the Civica system would be used to process WSC cases from early December.
- 6.11 Housing enabling schemes – Members were interested in knowing more around this issue and why the status was red. Cllr Mills explained this has been discussed at the recent Hinkley PAG and the notes of that meeting should provide additional background. The chair requested that an explanation be provided to the committee outside of the meeting. This was provided by email to members of the Scrutiny Committee on 18<sup>th</sup> November 2015.
- 6.12 The Scrutiny Committee supported the change of measure in relation to Disabled Facility Grants described in paragraphs 5.9 to 5.12 of this report, which is one of the recommendations within this report.

## **7. FINANCIAL/RESOURCE IMPLICATIONS**

- 7.1 None directly associated with this report although of course poor performance can lead to negative financial consequences for the Council through loss of income or possibly penalties.

**8. COMMENTS ON BEHALF OF SECTION 151 OFFICER**

8.1 Financial performance is reported within a separate report.

**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

9.1 This report provides an update on performance and does not recommend implementation of new services, policies, practices or changes to service provision which might impact on service users or staff. Therefore officers have not identified any clear equality and diversity implications relating to this report.

**10. CRIME AND DISORDER IMPLICATIONS**

10.1 None directly within this report.

**11. CONSULTATION IMPLICATIONS**

11.1 None directly with this report although publication of regular performance information on the Council's website supports the aim of public accountability.

**12. ASSET MANAGEMENT IMPLICATIONS**

12.1 None directly within this report.

**13. ENVIRONMENTAL IMPACT IMPLICATIONS**

13.1 None directly within this report.

**14. HEALTH & WELLBEING**

14.1 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.

**15. LEGAL IMPLICATIONS**

15.1 None directly with this report

Ref	AD	Corporate Aim/Priority	Corporate Objective	Description	Measure	Previous Year	Q1 (RAG)	Q2 (RAG)	Direction	Comments
1.5.1	Bruce Lang	1. WSC Local Democracy	1. WSC Local democracy and accountability remains within West Somerset by working with Taunton Deane Borough Council to further develop shared service delivery models that deliver effective, efficient services and retain customer satisfaction.	Develop more effective mechanisms for communicating the Council's priorities, performance and key messages to our residents and businesses.	Increase the number of followers of the WSC Twitter account by 20% during 2015/16 (compared to a baseline set in March 2015)	2360 followers at the end of Q4 2014/15.	GREEN	GREEN	Improving	Q2 = 2,712 Followers as at 7/10/15
1.6.1	Richard Sealy	1. WSC Local Democracy	1. WSC Local democracy and accountability remains within West Somerset by working with Taunton Deane Borough Council to further develop shared service delivery models that deliver effective, efficient services and retain customer satisfaction.	Obtain customer feedback regarding overall satisfaction in the Council and Value for Money	The percentage of West Somerset respondents who agree that the Council provides value for money is equal or greater than the 2014/15 level of 82.9% (Reported Q1)	82.9%	GREEN	NOT DUE	No Change	83% of respondents agree that the Council provides value for money.
1.6.2	Richard Sealy	1. WSC Local Democracy	1. WSC Local democracy and accountability remains within West Somerset by working with Taunton Deane Borough Council to further develop shared service delivery models that deliver effective, efficient services and retain customer satisfaction.	Obtain customer feedback regarding overall satisfaction in the Council and Value for Money.	Overall satisfaction with the way in which WSC runs things is equal or greater than the 2014/15 level of 81.5% (Reported Q1)	81.5%	GREEN	NOT DUE	No Change	81% of respondents were satisfied with the way in which WSC runs things.
3.1.3	Andrew Goodchild	2. WSC New Nuclear	3. WSC Communities in West Somerset can access and understand the process for accessing funding opportunities provided for by the development at Hinkley Point and are supported in delivering funded projects	To ensure that potential applicants are offered advice within 10 working days of submitting an Expression of Interest Form	90%		GREEN	GREEN	No Change	Q1 8 OF 8 - 100% (3 of which receiving further officer/Engage support) Q2 7 OF 7 - 100% (0 of which receiving further officer/Engage support)
3.1.4	Andrew Goodchild	2. WSC New Nuclear	3. WSC Communities in West Somerset can access and understand the process for accessing funding opportunities provided for by the development at Hinkley Point and are supported in delivering funded projects	To ensure that general enquires regarding the CIM Fund are answered within 10 working days	Target - 95%		GREEN	GREEN	No Change	Q1 =10 OF 10 - 100% Q2 =9 OF 9 - 100%

Ref	AD	Corporate Aim/Priority	Corporate Objective	Description	Measure	Previous Year	Q1 (RAG)	Q2 (RAG)	Direction	Comments
3.4.1	Andrew Goodchild	2. WSC New Nuclear	3. WSC Communities in West Somerset can access and understand the process for accessing funding opportunities provided for by the development at Hinkley Point and are supported in delivering funded projects and initiatives	By March 2016 to deliver a programme of investment within West Somerset for the leisure funding provided directly to the council from the development at Hinkley Point	Working with SASP and Sport England identify and secure match funding opportunities for the leisure contributions and submit proposals to the WSC Planning Obligations Group	N/A	GREEN	GREEN		Q1 •Report presented and approved by members in July 2015. This included 20 expressions of interest for leisure projects along the coastal strip.  Hinkley Leisure Planning Obligations Group had their inaugural meeting on 14.10.15 and approved: oHL13 Beach Hotel - YMCA – Fitness Suite oHL20 Williton Parish Council – Pavilion Project
4.1.1	Andrew Goodchild	2. WSC New Nuclear	4. WSC The economic opportunities that arise from the development and associated activities are maximised	Provide bespoke business support activity to build the capacity and capability of businesses to realise the opportunities offered by the Sites Services requirement of the HPC Project. To include encouraging collaboration and upskilling of existing staff.	Number of businesses attended training events of min 2 hours duration - 75  Number of new businesses registered on Supply Chain Portal - 20		GREEN	GREEN		36 in Total. 18 individuals attended a social media event on 7th July.
4.1.2	Andrew Goodchild	2. WSC New Nuclear	4. WSC The economic opportunities that arise from the development and associated activities are maximised	Diversify the local economy and build additional resilience by supporting the key sectors of niche specialist manufacturing / creative Industries/ food & drink and retail.	Number of business collaborations - 5		GREEN	GREEN	Improving	Total of 5 initiatives. Tourism and Retail businesses in Watchet supported through collaboration on social media 'whatsonwatchet' promotion, radio advertisement, leaflet promotion and infographic activity map.
4.2.1	Andrew Goodchild	2. WSC New Nuclear	4. WSC The economic opportunities that arise from the development and associated activities are maximised	Address identified skills gaps and raise attainment levels through delivering packages of support to ensure that individuals are suitably skilled for work and are able to make the most of job opportunities.	Number of skills initiatives delivered - 8		GREEN	GREEN	Improving	3 in total. (2 x Employment Hubs (Williton and Watchet) have been set up. 1 x skills swap brokerage. Skills initiative expected to be commence in the next quarter include the LMSS confidence building project with SRYP
4.2.2	Andrew Goodchild	2. WSC New Nuclear	4. WSC The economic opportunities that arise from the development and associated activities are maximised	Raise aspirations and improve motivation through developing knowledge of local employment and training opportunities and associated progression routes. Identify specific training needs and seek to deliver within the locality.	Number of initiatives delivered - 8		GREEN	GREEN	Improving	Contacts made via employment hubs have identified employers willing to participate in work placement and apprenticeships. Work carried out with JCP on facilitating work placements for those on JSA. A referral system is being set up with Minehead JCP to establish client support. Land Management and Skills Confidence building programme will commence with two taster days in October.
4.2.3	Andrew Goodchild	2. WSC New Nuclear	4. WSC The economic opportunities that arise from the development and associated activities are maximised	Address identified barriers which are restricting individual's access to employment and training opportunities. Provide access to mentoring, training and employment opportunities to support those furthest away from the labour market.	Number of people reached – 300  Number of people into employment - 15		GREEN	GREEN	Improving	Number Reached = 106. The employment hubs in Williton and Watchet continue to be well used. Planning for a further hub in the Minehead area is underway a bid to DWP is in process. An intensive mentoring programme has mentored 9 in the area.

Ref	AD	Corporate Aim/Priority	Corporate Objective	Description	Measure	Previous Year	Q1 (RAG)	Q2 (RAG)	Direction	Comments
4.1.2	Andrew Goodchild	2. WSC New Nuclear	4. WSC The economic opportunities that arise from the development and associated activities are maximised	Work with key partners and EDF Energy to support businesses to gain economic benefits from the development in terms of contracts awarded to local suppliers, as well as helping to make businesses more resilient in terms of any displacement and leakage of staff.	Provide bespoke support for businesses to become more resilient in respect of dealing with the effects of displacement of activity or staff to the HPC development. To include Improving the quality of their offering and upskilling and development of current employees.  Target:  Number of individuals accessing specific business support programmes on a 1:1 basis - 50		GREEN	GREEN	Improving	Business Support Programme 'Get Business Get Digital' has now been set up in partnership with Sedgemoor DC and HTAP with delivery of workshops and 1-2-1 support to commence in November 2015 NB Target was previously 20
4.1.4	Andrew Goodchild	2. WSC New Nuclear	4. WSC The economic opportunities that arise from the development and associated activities are maximised	Work with key partners and EDF Energy to support businesses to gain economic benefits from the development in terms of contracts awarded to local suppliers, as well as helping to make businesses more resilient in terms of any displacement and leakage of staff.	Continue to build and develop relationship with the Heart of the South West LEP to understand and exploit funding opportunities via Hinkley Strategic Delivery Forum, Senior Economic Development Officers Group and 1:1 opportunities  Target: Funding bids considered and submitted as appropriate		GREEN	GREEN	Improving	Somerset Chamber has been issued the contract for the interim HPC Supply Chain LEP wide Contract to which WSC has contributed, therefore continuity of provision continues.
4.3.1	Andrew Goodchild	2. WSC New Nuclear	4. WSC The economic opportunities that arise from the development and associated activities are maximised	Work with tourism partners to mitigate the negative effects of the development and take advantage of any opportunities created.	Work with Hinkley Tourism Action Partnership to commission and deliver the following requirements of the S106 Agreement (1) Tourism Monitoring Surveys (2) Visitor Management & Travel Plan  Target:  Number of tourism surveys undertaken - 2  Number of businesses directly communicated with visitor management information - 500		GREEN	GREEN	Improving	4 Tourism monitoring surveys have been commissioned with the first survey carried out in Jul/Aug 15 and report received in September. The Visitor Management & Travel Plan is being developed and will be in place by mid October. 600 businesses are receiving an electronic newsletter that provides management information
4.3.2	Andrew Goodchild	2. WSC New Nuclear	4. WSC The economic opportunities that arise from the development and associated activities are maximised	Work with tourism partners to mitigate the negative effects of the development and take advantage of any opportunities created.	Work with the Hinkley Tourism Action Partnership to deliver the key activity / actions identified within the HTAP Action Plan for 2015/16  Targets:  Number of marketing and promotional initiatives delivered - 5  Number of initiatives delivered promoting day visits - 4		GREEN	GREEN	Improving	The PR Contract has been let to The Agency and they have carried out two key pieces of their plan. Use of the funding to support marketing initiatives has been delayed in line with the slowdown of work at HPC. Planning for using the marketing money will begin in October 2015.
4.3.3	Andrew Goodchild	2. WSC New Nuclear	4. WSC The economic opportunities that arise from the development and associated activities are maximised	Work with tourism partners to mitigate the negative effects of the development and take advantage of any opportunities created.	Deliver capacity building support for the Tourism Industry (via key Organisational groupings and networks) and identify and bid for external funding streams to add value to this activity.  Target:  Number of business support initiatives delivered - 8		GREEN	GREEN	Improving	Supplier procured and contracted with to deliver Digital Advice Support Service. . Plans for Welcome International COOL Toolkit agreed. Capcty building of ETA continues with specific support for membership, marketing and business development supplied. SLA's signed and in place for Minehead, Porlock and Watchet TIC's. Support provided for 2 new collaborations in Watchet.

Ref	AD	Corporate Aim/Priority	Corporate Objective	Description	Measure	Previous Year	Q1 (RAG)	Q2 (RAG)	Direction	Comments
4.4.1	Andrew Goodchild	2. WSC New Nuclear	4. WSC The economic opportunities that arise from the development and associated activities are maximised	Support, enable and facilitate placed based regeneration projects and initiatives.	Support place based community groupings to achieve their economic development / regeneration aspirations by helping with accessing external funding / making dealing with Local Authority Departments as easy as relevantly possible (single conversation) and influencing other stakeholders.		GREEN	GREEN	Improving	Supported 2 successful coastal team bids (Watchet and Minehead) £10K capacity building fund for each awarded. Submitted a Coastal Revival Fund bid for Minehead (seafront enhancement)
4.4.2	Andrew Goodchild	2. WSC New Nuclear	4. WSC The economic opportunities that arise from the development and associated activities are maximised	Support, enable and facilitate placed based regeneration projects and initiatives.	Support local groups and Parish / Town Councils to achieve public realm and public vitality and vibrancy activity (signage / street furniture / street markets / interpretation / digital infrastructure and events)  Target: Number of projects supported - 4		GREEN	GREEN	Improving	Minehead illuminations project completed. Successful Minehead Summer Festival held
4.4.3	Andrew Goodchild	2. WSC New Nuclear	4. WSC The economic opportunities that arise from the development and associated activities are maximised	Support, enable and facilitate placed based regeneration projects and initiatives.	Identify appropriate funding streams and programmes to assist in the delivery of schemes.  Assist in formulation of funding application bids to secure funding for projects  Target:		GREEN	GREEN	Improving	A productive quarter. 2 Coastal teams supported to win £10K funding each (Watchet & Minehead) Interreg Markets Project has progressed to Stage 2 (for submission in Spring 2016) Potential for Princes Trust application scoped out with Cannington College
5.3.1	Paul Fitzgerald	2. WSC New Nuclear	5. WSC Increase the availability of housing supply within West Somerset to mitigated the extra demands linked to Hinkley Point workers	To work with landlords and owners of empty properties to reduce the number of long-term empty homes in the District as measured by the 1st October CTB1 return.	At least 5% reduction compared to previous year CTB1 return (October)	New measure	NOT DUE	GREEN		202 long term empty properties as at 5/10/15 compared to 224 at 6/10/15 9.8% reduction.
5.1.2	Andrew Goodchild	2. WSC New Nuclear	5. WSC Increase the availability of housing supply within West Somerset to mitigated the extra demands linked to Hinkley Point workers	Using the Hinkley Point Housing Fund to provide 185 additional bed spaces in the West Somerset area by 31st Mar 2016	Facilitate the delivery of 30 bed spaces by housing associations in priority areas through Implementation of their Downsizing Policies.		AMBER	AMBER	No Change	Qtr 2 has seen 8 additional bed-spaces delivered.  13 bedspaces have been delivered so far in 15/16
5.1.3	Andrew Goodchild	2. WSC New Nuclear	5. WSC Increase the availability of housing supply within West Somerset to mitigated the extra demands linked to Hinkley Point workers	Using the Hinkley Point Housing Fund to provide 185 additional bed spaces in the West Somerset area by 31st Mar 2016	Facilitate the delivery of 50 bed spaces by private developers using the enabling fund within the Hinkley Section 106 agreement		AMBER	AMBER	No Change	We are currently in discussion with private developers to bring forward suitable schemes



Ref	AD	Corporate Aim/Priority	Corporate Objective	Description	Measure	Previous Year	Q1 (RAG)	Q2 (RAG)	Direction	Comments
5.1.4	Andrew Goodchild	2. WSC New Nuclear	5. WSC Increase the availability of housing supply within West Somerset to mitigated the extra demands linked to Hinkley Point workers	Using the Hinkley Point Housing Fund to provide 185 additional bed spaces in the West Somerset area by 31st Mar 2016	Provide empty property grants and advice to deliver 5 bed spaces through bring properties back into use		AMBER	AMBER	No Change	One referral made to Care and Repair who are in the final stages of taking the property on. In additional a canvas has been carried out of Empty Homes and a number of potential properties have been identified. Work will now start to make contact and refer for assistance as applicable
5.1.5	Andrew Goodchild	2. WSC New Nuclear	5. WSC Increase the availability of housing supply within West Somerset to mitigated the extra demands linked to Hinkley Point workers	Using the Hinkley Point Housing Fund to provide 185 additional bed spaces in the West Somerset area by 31st Mar 2016	Provide 4 first time buyer loans to supplement tenants savings thereby freeing up private/social rented properties		AMBER	AMBER	No Change	All policies have been agreed and we are now ready to start identifying potential purchasers  No referrals made to date
5.1.6	Andrew Goodchild	2. WSC New Nuclear	5. WSC Increase the availability of housing supply within West Somerset to mitigated the extra demands linked to Hinkley Point workers	Using the Hinkley Point Housing Fund to provide 185 additional bed spaces in the West Somerset area by 31st Mar 2016	Facilitate the delivery of 100 bed spaces through the landlord and tenant services scheme		GREEN	NOT AVAILABLE		Awaiting information from SWELT
6.2.3	Andrew Goodchild	2. WSC New Nuclear	6. WSC The development at Hinkley Point is carried out in accordance with approved plans and ensuring that the Council actively monitors the development and responds to any complaints received	To monitor and publicise Noise and Air Quality Data on the Councils website to enable communities affected to access data and, following the agreed complaints procedure, to respond appropriately to issues which arise from development activity.	Investigate and respond proactively to complaints received in relation to the development being carried out at Hinkley Point within 10 working days		GREEN	GREEN		No complaints Q1 No complaints in Q2 as there is limited activity on site
7.1.1	Andrew Goodchild	2. WSC New Nuclear	7. WSC Minimise the effects on the environment by working with partners to positively respond to opportunities to enhance the environment in the affected communities using secured funding within	Develop a programme of investment within West Somerset for the ecology funding provided directly to the council from the development at Hinkley Point	Using data supplied from EDF Energy develop a range of sites suitable for the provision of ecology mitigation  Target: TBC		AMBER	AMBER	No Change	The Major Projects Manager who was leading this work is no longer in post and this project has not been progressed. An equivalent post of Planning Lead will be appointed as part of the Energy Infrastructure structure in due course. Status is amber as there is no time bound commitment for WSC to progress this project
KBI 132	Paul Fitzgerald	Corporate Health	Corporate Health	% of undisputed invoices for commercial goods and services paid within 30 days of receipt	90% or more	92.26%	GREEN	AMBER	Worsening	Q1= 92.90% Q2= 86.23%

Ref	AD	Corporate Aim/Priority	Corporate Objective	Description	Measure	Previous Year	Q1 (RAG)	Q2 (RAG)	Direction	Comments
KPI 133	Paul Fitzgerald	Corporate Health	Corporate Health	Number of invoices received	Measure only - no target.	2771 received	GREEN	GREEN		648 invoices received Qtr1 668 invoices received in Qtr 2
KPI 21	Richard Sealy	Corporate Health	Corporate Health	Number of unique visitors to Council Website	Target - 80,000	162,000 (although a significant number in Q3 were resultant from external testing)	GREEN	GREEN		Q1 = 31,184 Q2 = 27,970
HC5. 32	Terry May	Service Measure	Corporate Health	Increase supply of affordable housing within West Somerset	34 homes pa average (102 homes over 3 years) (Based on 35% of the emerging Local Housing Plan annualised new build housing figure of minus 30% to take account of small sites.)	28 homes for 2014/15	AMBER	AMBER	No Change	Number of Affordable Homes Completed – 0  Completions this year are very much to the end of the financial year with the first 12 expected by the end of October.
HC5. 20	Simon Lewis	Service Measure	Service Measure	Number of Households making homeless applications (lower is better). KPI 45	195 or fewer for the year	124 applications	GREEN	GREEN		Q1=15 homeless applications were taken in this quarter Q2= 18 homeless applications were taken this quarter - 33 for year so far which is forecast to be well under the 124 applications received last year. This is due to increased focus on preventative measures.
HC5. 14	Simon Lewis	Service Measure	Service Measure	Disabled facilities grants - average time taken end to end to complete adaptation work. KPI 52	Average time taken end to end to complete adaptation work. Target 45 Weeks	61 weeks	RED	RED		Q1 - 76 weeks Q2 - 88 weeks (July-Sept) See commentary in main report regarding proposals
KPI 90A	Tim Burton	Service Measure	Service Measure	% major planning applications determined within 13 weeks (or within agreed extension of time)	60%	74%	GREEN	GREEN	Improving	Q1 = 67% Q2 = 100% Out of 3 major applications determined, 3 of these were dealt within 13 weeks or an agreed extension of time.

Ref	AD	Corporate Aim/Priority	Corporate Objective	Description	Measure	Previous Year	Q1 (RAG)	Q2 (RAG)	Direction	Comments
KPI 90B	Tim Burton	Service Measure	Service Measure	% minor planning applications determined within 8 weeks	80%	85.9%	RED	GREEN	Improving	Q1 =48% (12 of 25 applications determined within time) Q2 = 85.1% Out of 27 minor applications determined, 23 of these were dealt within 8 weeks or an agreed extension of time.
KPI 90C	Tim Burton	Service Measure	Service Measure	% of other planning applications determined within 8 weeks	95%	94.2%	GREEN	GREEN		Q1=95% Q2 = 95.7% Out of 47 other applications determined, 45 of these were dealt within 8 weeks or an agreed extension of time.
KPI 160	Richard Sealy	Service Measure	Service Measure	Number of days sickness per FTE	Average of 8 days or lower per FTE	7.89 days 2014/15	GREEN	AMBER		Q1 = projection of 7.4 days is below the target of 8 days for 2015/16.  Q2 = projection of 8.26 days is above the target of 8 days for 2015/16.
KBI 3	Paul Fitzgerald	Service Measure	Service Measure	Housing Benefit - % Local Authority error against overall expenditure (lower is better)	<0.48%	0.30%	GREEN	GREEN	Improving	Q1 = 0.41% Q2 = 0.3%
KPI 5	Paul Fitzgerald	Service Measure	Service Measure	Average processing times or new Housing Benefit claims	22 days or lower	22.69 days	AMBER	AMBER	Improving	Q1 = 30.67 days Q2 = 28.23 days
KPI 6	Paul Fitzgerald	Service Measure	Service Measure	Average processing times for changes in circumstances (lower is better).	9 days or lower	6.52 days	GREEN	GREEN	Improving	Q1 = 9.25 days Q2= 7.82 days

Ref	AD	Corporate Aim/Priority	Corporate Objective	Description	Measure	Previous Year	Q1 (RAG)	Q2 (RAG)	Direction	Comments
KPI 10	Paul Fitzgerald	Service Measure	Service Measure	% Council Tax collected	97.8% by 31st March	97.25%	GREEN	GREEN	No Change	Q1 = 32% Q2= 49%  On target
KPI 12	Paul Fitzgerald	Service Measure	Service Measure	% Business Rates collected	98% or more by 31st March	98.5%	GREEN	GREEN	No Change	Q1 = 50.06% Q2= 63.1%  Performance distorted due to Hinkley Point refund, however underlying performance remains on target.
KPI 103	Chris Hall	Service Measure	Service Measure	Street Cleansing % service requests actioned within 5 working days	85% target	93%	GREEN	GREEN	Improving	Q1=88% Q2 = 100%
KCI 81	Chris Hall	Service Measure	Service Measure	Street Cleansing - No. of complaints (lower is better)	Average of 20 or fewer over the year		GREEN	GREEN	No Change	None received in Q2
KPI 88	Chris Hall	Service Measure	Service Measure	Waste & Recycling Fly-tipping: % removed within 48 hrs	75%	82.5%	GREEN	GREEN	No Change	Q2 = 94%
KPI 90	Chris Hall	Service Measure	Service Measure	Waste & Recycling Fly-tipping: No of incidents	No target -measure only	98 Incidents	AMBER	AMBER	Worsening	Q2 = 54  Total for 15/16 - 93

Ref	AD	Corporate Aim/Priority	Corporate Objective	Description	Measure	Previous Year	Q1 (RAG)	Q2 (RAG)	Direction	Comments
KPI 87	Chris Hall	Service Measure	Service Measure	Waste & Recycling % missed collections collected within 24 hours	100%	98.78%	AMBER	AMBER	No Change	Q1=98.3% Q2 = 97.5%
KPI 86	Chris Hall	Service Measure	Service Measure	Waste & Recycling % of waste recycled and composted	target - 41%	48.94%	GREEN	NOT AVAILABLE	No Change	Data is produced by SWP one month in arrears.  Q1= 51.16 % of waste reused, recycled or composted. Down 0.28% on previous Qtr.  Data for Q2 not yet published by SWP
KPI 94	Chris Hall	Service Measure	Service Measure	Building Control Dangerous structures - % of incidents responded to within 24 hrs.	Target - 95%	100%	GREEN	GREEN	No Change	Q1 = 100% (4 Dangerous structures reported. All seen within 24 hours) Q2 = 100% (5 Dangerous structures reported. All seen within 24 hours)
KPI 92	Chris Hall	Service Measure	Service Measure	Building Control % applications registered within agreed timescale (5 days)	Target - 95%	97%	GREEN	GREEN	No Change	Q1 = 96.84% Q2 = 95% (which is very good - seeing it was holiday time).
KPI 93	Chris Hall	Service Measure	Service Measure	Building Control % of inspections carried out on day registered	Target - 95%	99.01%	GREEN	GREEN	No Change	Q1 = 100% Q2 = 95% ( one inspector during some of this quarter due to holidays – this is an excellent result).
KPI 25	Richard Sealy	Service Measure	Service Measure	Customer Access Abandoned in queue call rate %	Target - <8%	7.86%	GREEN	AMBER	Worsening	Q1 = 7.24% Q2 = 8.83%  Performance has dipped slightly in Q2 due to leave (summer holidays) and sickness.

Ref	AD	Corporate Aim/Priority	Corporate Objective	Description	Measure	Previous Year	Q1 (RAG)	Q2 (RAG)	Direction	Comments
KPI 123	Richard Sealy	Service Measure	Service Measure	Customer Access % of formal complaints given substantive response within 20 working days of receipt.	95%	New WSC Measure	AMBER	AMBER		<p>Q1 = no upheld Ombudsman complaints.</p> <p>65% of customer complaints received and recorded by the Council, have been closed and had a full response with 20 working days . ( 11 responded within time and closed).</p> <p>There are however 4 recorded complaints where the due date has passed but the response date and copy of the response has not been recorded. The outcome of those complaints could materially affect the % reported above.</p> <p>Of these 4 complaints: Breakdown of AD area for outstanding complaints:</p> <p>3 - CH 1 - BL</p> <p>Complaints workshops were held in October. These were well attended and hopefully this will encourage officers to update their complaints on the database which will enable the data to be more accurate (as currently we are unsure of the status of some complaints) We are hoping that due to this training the improvement will be noticable in Q3.</p>
KPI 124	Richard Sealy	Service Measure	Service Measure	FOI requests provided with substantive response within 20 days.	Measure: - Number of FOI enquiries received. Target 75% answered witin 20 working days.	New WSC Measure	GREEN	GREEN	No Change	<p>194 FOI received in Q2</p> <p>90% responded within 20 working days</p> <p>367 FOI Received so far in 15/16</p>
KPI 54	Chris Hall	Service Measure	Service Measure	Environmental Health Average time taken to respond to initial request for service (days)	Average of 4 days or lower	1.5 days	GREEN	GREEN		<p>Q1= 218/219 requests responded to within 4 days.</p> <p>Q2 = 90% of service requests in WSC were responded to within 4 days</p>
KPI 56a	Chris Hall	Service Measure	Service Measure	Environmental Health % of requests completed within stated service standard (60 days)	75% or higher	66%	GREEN	GREEN	Improving	83% of EH SR's were completed within 60 days in Q2

Ref	AD	Corporate Aim/Priority	Corporate Objective	Description	Measure	Previous Year	Q1 (RAG)	Q2 (RAG)	Direction	Comments
KPI 59	Chris Hall	Service Measure	Service Measure	Licensing % of licenses issued on time.	90%	94%	AMBER	GREEN	Improving	Crystal report shows 96% of licenses were issued on time in Q2
HC5. 15	Simon Lewis	Service Measure	Service Measure	How many Disabled facility grant applications have been referred to the Council by Occupational Health/Therapist. KPI 52a	Measure Only - no target	New Measure	GREEN	GREEN		Q2: no. of cases on waiting list: 11. 5 The number of Recommendations is dictated to some extent by the Occupational Therapists available to undertake the assessments. The number for this quarter is constant.
HC5. 22	Simon Lewis	Service Measure	Service Measure	% of homeless applications accepted as statutory homeless (lower is better). KPI 46	Measure only - no target	29.25%	NOT AVAILABLE	GREEN		Q1 = 8 accepted cases (this represents 53% of overall homeless applications received). Q2 = 9 accepted cases (this represents 50% of overall homeless applications received).  Due to the focus being given on prevention we expect to see a decrease in the number of applications received (which has been the case in Q1 and Q2) but of those applications that are made an increased percentage are likely to be accepted as statutorily homeless.
HC5. 24	Simon Lewis	Service Measure	Service Measure	Number of homelessness events prevented (higher is better). KPI 47	Measure only	76	NOT DUE	GREEN		Q1=7 Q2= 32
HC5. 27	Simon Lewis	Service Measure	Service Measure	Number of households in B&B accommodation. KPI 48	Measure only	New WSC Measure reported from Q2	NOT DUE	GREEN		Q1=0 Q2=1
HC5. 29	Simon Lewis	Service Measure	Service Measure	Number of households in temporary accommodation (excluding B&B for which there is a separate measure). KPI 49	Measure only	New WSC Measure reported from Q2	NOT DUE	GREEN		Q1=5 Q2=6





## JMASS Programme - Highlight Summary - Quarter 2 2015/16

1. Project status					
	Project	Delivery status		Funding status	
		Last period	This period	Last period	This period
	Transition Projects	G	G		
	SWO Succession Planning	G	G		
	Deane House Relocation	G	A		
	Project 1 - Visioning		G		
	Project 2 - Affordability		G		

2. Key progress / achievement (July-Oct 2015)	
<b>Transition Plan</b>	<ul style="list-style-type: none"> <li>S151 Backfill in place and further temporary posts (accountancy, communications and admin) will be advertised during Nov.</li> <li>iESE have completed a review of the transformation programme and fed back to JPB and JPAG.</li> <li>Terms &amp; Conditions review progressing – Initial consultation with staff undertaken between 10 Sept and 9 Oct including 10 staff briefing sessions held</li> <li>iESE have undertaken a review of the draft ICT strategy and fed back to JPB and JPAG. Recommendations considered and strategy amended as required.</li> <li>Continued support to the OneTeam newsletter production.</li> <li>Deane House first floor moves are mostly completed, with Housing team as the last, due to move w/c 2 Nov.</li> <li>iESE undertaking a review of customer access for both TDBC &amp; WSC. Initial feedback due mid Nov.</li> </ul>
<b>SWO Succession Planning</b>	<ul style="list-style-type: none"> <li>All staff and affected staff communications commenced</li> <li>Options appraisals detailed for the report.</li> <li>Soft market testing exercise completed for replacing SAP and requirements and indicative costs understood</li> <li>Draft report nearing completion</li> </ul>
<b>Deane House Relocation</b>	<p>A Block due diligence:</p> <ul style="list-style-type: none"> <li>Additional information still awaited regarding the schedule of information.</li> </ul> <p>Planning &amp; design:</p> <ul style="list-style-type: none"> <li>A2 space plan progressed</li> </ul> <p>Future of Deane House:</p> <ul style="list-style-type: none"> <li>Local Development Order process report being drafted to go for Member approval in Q4</li> </ul> <p>Forum Design:</p> <ul style="list-style-type: none"> <li>Concept design received and presented to stakeholder group.</li> <li>Conditional sign off of concept design</li> </ul> <p>Communications:</p> <ul style="list-style-type: none"> <li>Member visits to County Hall arranged</li> <li>Revs &amp; Bens and Tenants Forum update sessions have been held</li> </ul>
<b>Transformation 1-Visioning</b>	<ul style="list-style-type: none"> <li>Nine member visioning and priorities workshops held during August.</li> <li>Wash up sessions held at WSC and TDBC in Sept, presenting a summary of the messages taken from the workshops, also shared with JMT.</li> <li>Draft Corporate Strategies for TDBC and WSC prepared, based on the information received from Members to-date.</li> <li>Joint member event - 'making a difference' was held 27 Oct in Taunton to raise awareness about the statutory duties and discretionary powers, the services</li> </ul>

	delivered across all tiers of local government and to consider options for service delivery.
<b>Transformation 2-Affordability</b>	<ul style="list-style-type: none"> <li>• On-site review undertaken by the LGA</li> <li>• WSC Scrutiny (on 15 Oct) and TDBC's Corporate Scrutiny (on 22 Oct) were provided with a briefing on the approach to budget setting for next financial year (2016/17)</li> <li>• A review of WSC reserves has been undertaken and will be presented to WSC's Cabinet 4 Nov.</li> </ul>

### 3. Key milestones / actions for next period (Nov-Dec 2015)

<b>Transition Plan</b>	<ul style="list-style-type: none"> <li>• Terms and Conditions review – detailed consultation meetings will take place with UNISON regarding the final proposals.</li> <li>• iESE reviewing the draft ICT delivery plan and due to feed back in Nov.</li> </ul>
<b>SWO Succession Planning</b>	<ul style="list-style-type: none"> <li>• Report to be finalised and decision making process to commence</li> <li>• Communications plan agreed</li> <li>• Discussions with SWO and partner authorities progressed</li> </ul>
<b>Deane House Relocation</b>	<ul style="list-style-type: none"> <li>• Awaiting SCC to confirm their position regards the large meeting room</li> </ul>
<b>Transformation 1-Visioning</b>	<ul style="list-style-type: none"> <li>• Members event of 27 Oct identified areas of interest for future member events and will be progressed by the TDBC &amp; WSC members champions.</li> <li>• Members also provided suggestions for progressing the priorities and service delivery options work and these will be developed during Nov.</li> </ul>
<b>Transformation 2-Affordability</b>	<ul style="list-style-type: none"> <li>• Progressing budget setting for 2016/17 for both TDBC and WSC.</li> </ul>

## Energy Infrastructure Programme – Highlight Summary

Quarter 2 – July to September 2015/16

Andrew Goodchild – AD Energy Infrastructure

**WSC Corporate Priority:** Maximising opportunities for West Somerset communities and businesses to benefit from the potential development whilst protecting local communities and the environment

Delivery Status	RAG
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Project / Activity not yet due to start	
No Significant Issues / Progress on target	G
Some significant but resolvable issues	A
Fundamental issue / significant delay	R

Project – Hinkley Point C Highlighted Areas	Overall Status		Progress last Quarter	Actions for next Quarter
	Last	This		
1. Accommodation and Housing				
a) Private Sector Initiatives	G	A	Agreement with delivery partners in place for majority of projects. Loss of Officer is causing issues in terms of tracking progress and ability to develop additional initiatives	Recruit Officer – internal advert resulted in 0 applicants
b) Housing Enabling Schemes	R	R	Very limited progress. Rent cap brought potential schemes to a halt. HCA willing to talk but no interventions to assist in delivery. Raised with Hinkley Strategic Delivery Forum.	Continue to engage with HCA and prepare case to demonstrate need for freedoms and flexibilities within existing funding initiatives via HSDF
2. Community Impact Mitigation				
a) Administering Funds	G	G	100% of both Enquires and EOI's received advice within specified timescales	Expected ramp up in activity should FID take place and CIM Fund opportunity pushed through a programme of community engagement by partners
b) Assisting WSC Communities	A	A	A range of projects have submitted EOI's and are receiving support from Angela Summers'	AD and PFH to meet with Engage and refresh priorities and approach to improve level of advice being offered

			team or Engage West Somerset. Some concern over quality of advice being provided by Engage	
c) Developing WSC Projects	A	A	Stogursey Victory Hall project progressing well. Very limited scope within existing resources to develop WSC projects	Await FID and confirmation of timescales before commissioning 'overarching funding strategy' for WS area
3. Economic Development	G	G	Excellent progress on yearly targets through Q1 and Q2 with specific interventions being delivered. POB and WSC approved programme of activity going forwards.	Continue as planned. Work closely with Watchet Papermill over possible closure to provide support and engage with other agencies
4. Skills and Training	G	G	Good progress on yearly targets. Excellent response to Employment Hubs in Williton and Watchet	Open Employment Hub in Minehead/Alcombe
5. Tourism	G	G	Work progressing well. 1 <sup>st</sup> round of survey's complete	Plans for using marketing money to be developed once overall project timescales confirmed
6. Staff / Funding for Staff	A	A	OK for the moment however, concern that if FID / Transition is delayed then funding will not be in place come April 2016. Overall concern that taking funding now will present problems further into the project with key officers not in place at the peak of construction	Continue engagement with EDF Energy and make case to EDF / Government if necessary depending on timescales of the wider project
7. Community Benefit	A	R	Government view confirmed that Community Benefit is not 'new' money and will come from WSC's share of the Business Rates to be retained up until 2030	Continue to engage with Government, with SCC and SDC (note SDC have released further £100k for lobbying activity), and through the true host authorities of the other nuclear developments
8. Government / Project Wide Issues	R	A	Funding from Chinese due to be announced. EDF gearing up for activity to commence again in early 2016 with possible Transition end Jan 2016 following FID at end of 2015	Continue to monitor and engage as appropriate

Project – Hinkley Point C Account / Budget / Reserve	Income last Quarter	Expenditure last Quarter	Overall Uncommitted Balance	Current Issues
Accommodation and Housing	£0	£271,340	£2,162,154	£2m of spend committed (54% of allocation) awaiting start dates for projects. SDC Enabling schemes not delivered. All but one committed amount now returned to uncommitted balance.
Community Impact Mitigation Fund	£0	£61,750	£4,926,756	£1.3m of committed spend. Projects funded starting to request that funding is released.
Stogursey Contribution	£0	£937	£531,544	Victory Hall feasibility study complete. Awaiting sign off from trustees / management committee
Ecology	£0	£0	£250,000	Not being progressed at present. No staff resources or expertise to deliver
Economic Development	£0	£7,350	£82,243	Plans in place and approved
Health	£0	£0	£20,000	No expenditure to date
Landscape and Visual – Landscape Art	£0	£0	£3,000	Artlife aware of funding available to them
Landscape and Visual – Land Management	£0	£0	£127,750	Plans in place and approved
Leisure – West Somerset	£0	£1,917	£255,149	First meeting of ‘WSC Hinkley Leisure POG’ in October
Leisure – Stogursey	£0	£0	£526,632	Victory Hall feasibility study complete. Awaiting sign off from trustees / management committee
Skills and Training – Outreach	£0	£0	£6,607	Sufficient funds in place for planned activity
Skills and Training – Fit to Work	£0	£0	£18,418	Sufficient funds in place for planned activity
Tourism – Marketing and Promotion	£0	£9,128	£300,301	Tourism Action Partnership has plans in place
Tourism – Information Centres	£0	£0	£85,599	Healthy position agreed with partners

Project – National Grid Highlighted Areas	Overall Status	Progress last Quarter	Actions for next Quarter
Planning Status	G G	Examination finished. WSC Case put to Panel of Inspectors and Secretary of State. Discussion with new National Grid Senior Project Manager over WSC’s role in overseeing project wide requirements and obligations. Workshop on arrangements post consent between Joint Councils held.	Secretary of State’s decision due mid-January 2016. Next session with Joint Councils planned in end January post SoS’s decision and session with National Grid thereafter

Project – National Grid Account / Budget/ Reserve	Income last Quarter	Expenditure last Quarter	Overall Balance	Current Issues
Planning Performance Agreement	£15,978.00 and £1,600	£17,613.94	£0	Contribution towards corporate core from EDF Energy included £1,600 to balance National Grid account.
Condition Discharge Fees	£0	£0	£0	Work in WSC area not expected to commence before 2017/18.
S106 Receipts	£0	£0	£0	S106 agreement signed. However, outstanding matters to be resolved by SoS

Project – Tidal Lagoon Highlighted Areas	Overall Status		Progress last Quarter	Actions for next Quarter
Tidal Lagoon Power / Bridgwater Bay Planning Status	G	G	Initial discussions held. Detailed information and emerging plans not expected until Q4 at the earliest	Continue engagement with Tidal Lagoon Power
Wider Bristol Channel and Severn Estuary Local Authorities Group	A	G	MOU now signed. Launch of group expected in November	Continue engagement and develop case to Government for funding for activity. Activity plan being drawn together.

Project – Tidal Lagoon Account / Budget / Reserve	Income last Quarter	Expenditure last Quarter	Overall Balance	Current Issues
PPA	£0	£0	£0	

Energy Infrastructure Staff Budget	Income last Quarter	Expenditure last Quarter	Overall Balance	Overall Status	Current Issues
From EDF Energy	£0	£79,079.98	£282,854.01	A A	Currently funds from EDF Energy will last until April 2016 (taking account of £50,400 and £1,600 contributions to Corporate Core and National Grid account). Negotiations with EDF Energy regarding FID/Transition to take place in November and potential to draw forward funding from DCO agreement.

From National Grid	£0	£0	£0			Funding agreement has now come to an end and any further work will be on a cost recovery basis should National Grid achieve consent and commence activity in West Somerset
From Tidal Lagoon Power	£0	£0	£0			Discussions regarding a Planning Performance Agreement continue. Meetings in November to progress. Potential income during Q4.
From other sources	£0	£0	£0			Potential contracts for advisory work with Essex County Council, Maldon District Council, Cardiff City Council and Newport City Council.





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*Report Number:* WSC 169/15

*Presented by:* Cllr M Chilcott – Lead Member for Resources and Central Support

*Author of the Report:* Heather Tiso - Revenues & Benefits Manager

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*Report to a Meeting of:* CABINET

*To be Held on:* 2 December 2015

*Date Entered on Executive Forward Plan Or Agreement for Urgency Granted:* 3/6/15

## **COUNCIL TAX REBATE SCHEME REVIEW FOR 2016/17**

### **1. PURPOSE OF REPORT**

- 1.1. To provide Cabinet with information on our existing Council Tax Rebate scheme and the context for reviewing our scheme for Working Age applicants from 2016/17.
- 1.2. To advise the Cabinet of the outcome of the public consultation on our Council Tax Rebate scheme in 2016/17.
- 1.3. To advise Cabinet of the preferred revisions to our Council Tax Rebate scheme in 2016/17 provided by the Corporate Policy Advisory Group on 28 October 2015 and the Scrutiny Committee on 12 November 2015.

### **2. CONTRIBUTION TO CORPORATE PRIORITIES**

- 2.1. Council Tax and Council Tax Rebate are most closely linked with the priority that local democracy and accountability remains within West Somerset by establishing a resilient operating model that is financially sustainable

### **3. RECOMMENDATIONS**

- 3.1. Cabinet, having regard to the consultation response and the Equality Impact Assessment (EIA - see [Appendix 4](#)), recommends the Council amends the CTR scheme to that shown in [Appendix 1](#), (and illustrated in [Model 15](#)) to revise support for working age applicants in 2016/17 by:
  - disregarding maintenance received for children
  - removing entitlement to applicants with capital over £6,000;
  - applying a Minimum Income for Self-Employed applicants; and
  - paying CTR at a level that would be no more than for a Band C property

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

- 4.1. The scoring of the risks identified in following 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.

**Risk Matrix**

Description	Likelihood	Impact	Overall
The increased complexity of financial planning that could result from growing pressure from the Council Tax Rebate scheme if funding reductions are not fully addressed	3	4	12
<i>Cautious assumptions on recovery rate and therefore yield from the scheme.</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. Lower Council Tax collection rate and bad debts. The impact of the scheme is that low incomes working age households are now paying more Council Tax. There will be a point if people are asked to pay more Council Tax where the liability is too high for them and they will not pay anything.	4	4	16
<i>Robust arrears management procedures to maximise collection rate and prudent assumptions on collection rates Council increases bad debt provision with budget</i>	3	4	12
Higher administrative costs	3	3	9
<i>Maximisation of Council Tax collected</i>	2	3	6
Potential growth in the number of claimants.	4	4	16
<i>Realistic assumption on caseload growth based on trends in recent years</i>	3	4	12
If West Somerset's population increases, including an increase in the population segment that currently receives CTR, demand for CTR could increase against funding from the Government. This would increase the funding gap. Such population migration may occur if West Somerset's CTR scheme is more generous than those of neighbouring boroughs. Caseload increases (e.g. major employer loss) and/or total value of awards exceeds estimates	3	4	12
<i>Monthly review. Details provided to Members on a monthly basis</i>	2	4	8
Wider welfare reforms (HB reductions, Universal Credit) cause additional hardship and/or migration of people claiming to West Somerset from more expensive areas and impact on Council Tax Collection	3	3	9
<i>Ensure adherence to robust recovery timetable. Maximise take-up of all available discounts/exemptions/ hardship relief. Strict adherence to monthly monitoring of performance against targets. Maximise DD take-up to free more resource in pursuing recovery</i>	3	2	6
Council fails to meet obligations under relevant equality legislation in adopting a scheme	3	4	12
<i>Carry out 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

Table .4.1

## **5. BACKGROUND INFORMATION**

- 5.1. Responsibility for Council Tax Rebate (CTR) passed to Local Authorities on 1 April 2013. Government also passed funding for CTR to Local Government through the annual Settlement Funding Assessment (SFA), but reduced the amount of funding available by 10% compared to the costs of the previous Council Tax Benefit (CTB) system. Previously, responsibility for CTB was held by central Government and funded by the Department for Work and Pensions (DWP). Local Authorities therefore had to decide whether to absorb the funding reduction across other areas of their budget or pass it on to recipients of CTR by requiring them to make a contribution to their overall Council Tax bill.
- 5.2. Billing Authorities were tasked with designing a CTR scheme for people of working age, while rules for people of pension age are set in regulations prescribed by the Government. This means people of pension age continue to receive assistance at no less amount than had been available under the CTB scheme. Pensioners make up 56% of our CTR caseload, but account for 61% of spending on CTR. This means any cut in the support paid under CTR must be borne by the remaining 44% of working age claimants.
- 5.3. 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.
- 5.4. 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.
- 5.5. The Department for Communities and Local Government (DCLG) provides funding through the annual Settlement Funding Assessment (comprising Revenue Support Grant and Business Rates Baseline) to help meet the cost of localised CTR schemes. Each of the major precepting authorities in Somerset received the initial funding based on their share of Council Tax receipts. In West Somerset, the initial grant awarded to precepting authorities was £2,831,449, with West Somerset Council’s share of this grant being £257,923 (based on a 9.11% share). From 1 April 2014, funding for localised CTR was merged into the Revenue Support Grant and Business Rates Funding Baseline and is not separately identified, but the Settlement Funding Assessment has reduced by 25% in cash terms in the two years up to 2015/16, and is projected to continue to reduce significantly over the next four years.
- 5.6. Therefore, we need to consider the affordability of our current CTR scheme, and consider the cost of the financial support provided against other service priorities and alternative options to address the overall budget gap.
- 5.7. On 9 June 2015, the Community Policy Advisory Group gave a steer on the options on which to take to public consultation to potentially amend our CTR scheme from 2016/17.
- 5.8. On 28 October 2015, the Corporate Policy Advisory Group considered the outcome of public consultation on our CTR scheme and provided a steer to Cabinet on the preferred revisions for Working Age applicants from 2016/17. The Scrutiny Committee, at its meeting on 12 November 2015, agreed with the steer provided by the Corporate Policy Advisory Group.

## 6. EXISTING COUNCIL TAX REBATE SCHEME

- 6.1. 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;
  - Exceptional Financial Hardship fund of £22.5k, through Discretionary Reduction in Council Tax Liability for short-term help (this is a Collection Fund commitment and not fully funded by WSC).
- 6.2. West Somerset Council send 17,831 Council Tax bills amounting to more than £19m each year. Approximately 18% of residents receive financial support through CTR, with 8% of those liable to pay Council Tax, being CTR recipients of working age.
- 6.3. There were 3,531 people who moved from the Council Tax Benefit scheme to the localised Council Tax Rebate scheme. At 31 March 2015, this had reduced to 3,251. Overall caseloads for CTR for all Somerset Authorities have reduced as well as most authorities nationwide. It is accepted that this is primarily due to the gradual improvement in economic conditions as well as increases in pension age.
- 6.4. Other key facts on CTR caseload, spending and budgets are shown below:

Claimant type	% of total claims	Caseload at 31 March 2015	% of total spend	CTR Expenditure 2014/15
Working Age	44%	1,426	39%	£1,032,265
Pension Age	56%	1,825	61%	£1,642,283
<b>Total</b>	<b>100%</b>	<b>3,251</b>	<b>100%</b>	<b>£2,674,548</b>

Table 6.4.1

Comparative data	
Council Tax Benefit awarded 2012/13	£3,105,112
Council Tax Rebate awarded 2013/14	£2,828,556
Council Tax Rebate awarded 2014/15	£2,674,548
<b>Reduction in Council Tax Rebate expenditure in comparison to CTB</b>	<b>£430,564</b>
Council Tax Benefit claims @ 31 March 2013	3,531
Council Tax Rebate claims @ 31 March 2014	3,434
Council Tax Rebate claims @ 31 March 2015	3,251
<b>Reduction in Council Tax Rebate caseload in comparison to CTB</b>	<b>280</b>
Council Tax Rebate Budget 2014/15	£2,795,094
Council Tax Rebate awarded 2014/15	£2,674,548
<b>Saving in Council Tax Rebate awarded in comparison to budget</b>	<b>£120,546</b>

- 6.5. Members will see from the tables on the previous page, that the cost of our CTR scheme is reducing year on year through both the implementation of the local policy and the trend in demand/eligibility for financial assistance. However, funding reduced by 10% in 2013/14 and the Settlement Funding Assessment has reduced by 25% in cash terms in the two years up to 2015/16.
- 6.6. Our current CTR scheme is available on-line through the following web address:  
<http://www.westsomersetonline.gov.uk/getattachment/Council-Tax---Benefits/Benefits/What-s-New-in-Housing-and-Council-Tax-Rebate/Council-Tax-Reduction-Scheme-2015-16.pdf.aspx>

## 7. **COLLECTION ACTIVITY AND DEBT PROFILE FOR 2014/15**

- 7.1. In 2014/15, we collected 97.25% of the net collectable Council Tax income due for 2014/15. This compares with 96.9% in 2013/14 and 97.5% in 2012/13.
- 7.2. 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.
- 7.3. For unoccupied furnished properties ("second homes") Council Tax from 1 April 2013 was payable at 100% instead of 90% that previously applied.
- 7.4. The net collectable amount for Council Tax in 2014/15 increased by 6.5% in comparison to 2012/13. The collection of Council Tax in year was at a similar level, with additional income for West Somerset of £107k based on its preceptor share of 9.35% in 2014/15.

	2012/13	2013/14	2014/15	Difference since 2012/13	% change since 2012/13
Council Tax due	£18,716,143	£19,588,510	£19,941,907	<b>£1,225,764</b>	6.5% ↑
Council Tax Collected (in year)	£18,252,909 (97.52%)	£18,987,905 (96.93%)	£19,392,872 (97.25%)	<b>£1,139,963</b>	6.2% ↑

Table 7.4.1

- 7.5. Despite our best endeavours, it has not been possible to maintain in-year Council Tax collection at the rate it was before the introduction of CTR. For many customers, having to pay Council Tax has caused them budgeting issues, not least because many were also affected by other welfare reform impacts, such as the removal of the spare room subsidy.
- 7.6. While working age CTR recipients represent just 8% of households, the value of their debt accounts for 26% of all Council Tax outstanding at 31 March 2015 (£549,035).

- 7.7. The number of customers affected by recovery action has increased considerably since the introduction of our localised CTR scheme. This increase in collection activities covering both CTR and non-CTR recipients is shown below.

	2012/13	2013/14	2014/15	Difference since 2012/13	% change since 2012/13
Reminders and final notices issued (for all years)	10,325	12,857	12,038	1,713	17% ↑
Summons' issued (for all years)	778	1,012	1,108	330	42% ↑
Liability orders obtained	679	761	1,132	453	67% ↑
Cases referred to enforcement agents	702	879	612	-90	-13% ↓

Table 7.7.1

- 7.8. Since April 2014, the Ministry of Justice has provided new regulations to which Bailiffs should now adhere. Referencing these as Enforcement Agents, the regulations make changes to how fees are imposed. The simplified charging model separates the costs into two elements, the compliance stage (£75) and the enforcement stage (£235). These are in addition to the local authority costs of £75.00. Through West Somerset's existing policy, the use of enforcement agents has been mainly directed at those tax payers not in receipt of CTR. Where enforcement agents are used in CTR cases, it will only be to compliance stage.
- 7.9. It is important to treat all taxpayers fairly and we actively pursue those that do not pay and do not respond to demands. However, in some circumstances additional effort is required to collect relatively small sums of money and that effort may not be economical in view of the value of the debt owed. Furthermore the impact of passing enforcement costs on to residents will only increase their level of the debt further.
- 7.10. More information on the debt profile for West Somerset based on the Council Tax outstanding at 31 March 2015 is shown in [Appendix 5](#).

## 8. **COUNCIL TAX REBATE SCHEME 2016/17**

- 8.1. The Local Government Finance Act 2012 states that before making a scheme we must consult with any major precepting authorities, publish a draft scheme and then consult with other such persons who are likely to have an interest in the operation of such a scheme. We must set a realistic timeframe for consultation to ensure we can seek feedback from all appropriate individuals and groups in the community.
- 8.2. Consultation with precepting authorities (Somerset County Council, Avon and Somerset Police, and Devon and Somerset Fire and Rescue Authority took place on 20 March 2015. Public consultation started on 1 July 2015 and ended on 7 September 2015. At the closing date, we had received 376 responses giving us a confidence interval (CI) of 95%. The CI is a way of expressing how certain we are about the findings from our consultation, using statistics. It gives a range of results that is likely to include the "true" value for the population. Full details of the consultation are shown in [Appendix 2](#). Information on the following page shows a summary of the 6 options on which we consulted, as well as the response received.

8.2.1. **Option 1**

**Consultation Response: 34% in favour**

Under this option we would work out CTR in the same way as we do now. Any shortfall in the funding we get and the CTR we pay in 2016/17 would need to be met from other Council budgets.

8.2.2. **Option 2**

**Consultation Response: 33% in favour**

Under this option, we would ignore (disregard) maintenance received for a child or children to align our CTR scheme more closely with DWP benefits and therefore provide for simple administration.

8.2.3. **Option 3**

**Consultation Response: 62% in favour**

Under this option, applicants with capital of over £6,000 would not be entitled to CTR (under our current scheme, the capital limit is £16,000).

8.2.4. **Option 4**

**Consultation Response: 67% in favour**

Under this option, we would use a Minimum Income figure for those who are self-employed. This Minimum Income would be in line with the UK minimum wage for 35 hours worked. We would not apply it for a designated start-up period of one year to allow the business to become established. If a self-employed person is limited in the hours they can work by circumstances such as having to provide child care, then we would work out the Minimum Income proportionately. This proposal would align our treatment of income for self-employed people with that used for Universal Credit.

8.2.5. **Option 5**

**Consultation Response: 61% in favour**

Under this option, we would change our scheme to pay CTR at a level that would be no more than for a Band C property. This would not disadvantage any applicant that lives in smaller or lesser value property.

8.2.6. **Option 6**

**Consultation Response: 52% in favour**

Under this option we would apply a taper of 65% to the income of applicants with no earnings and apply a taper of 20% to people in work. This would mean two applicants on similar income levels, but where one is in work, would receive different levels of support. The applicant with no earnings would get less CTR, compared to an applicant with earnings receiving the same weekly income.

- 8.3. Case law on consultation has established that it is important not just to consider the options to reduce funding for our CTR scheme, but also to provide options on how the scheme could be retained at the same level with funding being made available from other sources or a reduction in other services. Therefore, in addition to consulting on the options listed on the previous page, we also asked the public for their views on the following:

**Should the Council increase Council Tax to help pay for the scheme?**

**Consultation Response: 54% in favour**

**Should the Council reduce funding to other services to help pay for the scheme?**

**Consultation Response: 19% in favour**

**Should the Council use its reserves to help pay for the scheme**

**Consultation Response: 23% in favour**



- 8.4. The welfare changes announced in the Summer Budget on 8 July 2015 will have a significant impact on our CTR scheme. These changes were not known when consultation started and it is not now possible to amend our scheme to reflect them in 2016/17. As some of changes will reduce claimant income, they will equivalently increase entitlement to CTR. This is because our scheme provides more help for people on lower incomes.
- 8.5. The most significant change to affect our CTR scheme will be the reduction in Tax Credit income. From April 2016, the income a household can earn before the tax credits they receive start to fall, will reduce from £6,420 to £3,850. For every £1 the household earns above that threshold, their tax credits will reduce by 48p, compared to the current rate of 41p. The Institute of Fiscal Studies (IFS) estimate an average loss of £1,000 in Tax Credit income for affected households from April 2016. This would result in increased entitlement to CTR of £200 a year (assuming a taper rate of 20%).
- 8.6. Currently, there are 679 CTR recipients receiving Tax Credits. We estimate the additional cost to our CTR scheme in 2016/17 because of cuts in Tax Credit income will be approximately £136k ([Model 1](#)). The maximum saving that can be achieved by implementing changes to CTR on which we have consulted, would be £102k ([Model 8](#)). This would mean a net additional cost of £33,591.92 (£3,177.80 for WSC based on its share of the collection fund in 2015/16 at 9.46%) when Tax Credit changes are applied. Therefore, it will not be possible for us to apply sufficient savings to meet the additional cost of the CTR scheme through Tax Credit changes.
- 8.7. From April 2016, there will be increased disparity between rules applied for Housing Benefit (HB) and our CTR scheme, therefore adding to the complexity of administration. While the Family Premium will be abolished for new HB claims, it will continue to apply for new CTR applications. In addition, HB claims will be backdated for a maximum of 4 weeks, whereas our CTR scheme will allow for backdating for up to six months.
- 8.8. The benefit cap restricts the amount in certain benefits that a working age household can receive. Any household receiving more than the cap has their Housing Benefit reduced to bring them back within the limit. The Benefit Cap will be cut from £26,000 to £20,000 for households living in the West Somerset area. This will be phased-in gradually during 2016/17, but we estimate up to 50 households will be affected. This reduction in income may mean Council Tax is more difficult to collect from those households affected.
- 8.9. Our CTR scheme's premiums and personal allowance are linked to the rates set by the DWP. Except for pensioners and the disabled, these rates will be frozen in cash terms for four years. For pensioners, premiums and personal allowance will rise by the higher of price inflation, earnings growth or 2.5%. Disability allowances will rise in line with the CPI.
- 8.10. The National Minimum Wage will be increased to £7.20 an hour for those 25 or over from April 2016. It will reach £9.00 an hour by 2020
- 8.11. As well as reductions to benefits in 2016/17, there will be further changes that will be important to consider for our CTR scheme in 2017/18. From April 2017:
- Support provided through Child Tax Credit will be limited to 2 children. This means any subsequent children born after April 2017 will not be eligible for this support.
  - New claims for Child Tax Credit will not be eligible for the "family element" of £545 a year. In effect this will mean families with one or more children born before April 2017 will continue to get the family element but first children born after this date will not get the family element.
  - New claimants of Employment and Support Allowance who are placed in the Work-Related Activity Group will receive the same rate of benefit as those claiming Jobseeker's Allowance. This will mean a reduction of £30.00 a week.
  - Parents receiving benefits (including lone parents) will be expected to look for work when their youngest child turns 3.



## 9. **KEY CONSIDERATIONS**

- 9.1. Any of the options to reduce the level of support we offer through CTR will have an adverse or positive impact on certain applicants or groups of applicants. If we cut the support offered through our CTR scheme, we need to consider a careful selection of options for our particular demographic. There is no single option or change to the CTR scheme that can deliver sufficient savings to meet the predicted budget gap from the reduced Revenue Support Grant and Business Rates funding in 2016/17.
- 9.2. The reality is that any revised scheme that reduces the amount of rebate awarded, needs to establish which applicants are more able to pay an increased level of Council Tax with the reduction in their CTR. The decision will be to choose what options are acceptable to the Council bearing in mind the overall level of finance available.
- 9.3. Although the Council is not legally required to include transitional protection for claimants moving from one CTR scheme to a replacement scheme, the legislation does state that Members must consider if transitional arrangements may be needed and if protection should apply to all groups or just certain groups. Such protection could limit our ability to realise savings.
- 9.4. Should there be any shift in proportions between working age and pension age or further economic downturn resulting in more people relying on some form of state financial support, there would be greater pressure on remaining Council Taxpayers to meet potentially higher outlay.
- 9.5. A decision to reduce CTR for people of working age will mean that Council Tax Collection will be a harder task. This is evidenced by the information shown in paragraph 7.7. This will result in more pressure on Revenues staff and may require additional capacity to maintain tax collection rates.
- 9.6. Detailed financial effects on modelling on each, as well as a mix of the options (complex modelling), is shown in [Appendix 3](#). This modelling also illustrates the effect on applicants and potential savings. The table below shows the illustrative financial effect of the individual options (based on data @ 15 September 2015).

Option	Estimated CTR Expenditure 2016/17	Comparison to estimated cost of scheme in 2015/16 (all preceptors)	Comparison to estimated cost of scheme in 2015/16 (WSC only)
<b>1.</b> No Change but modelled for expected increase in CTR entitlement through reductions in Tax Credit income (34% of respondents in favour – <a href="#">Model 1</a> )	£2,629,553	+ £135,800 (additional cost)	+ £12,846.68 (additional cost)
<b>2.</b> Disregard maintenance received for children (33% of respondents in favour – <a href="#">Model 2</a> )	£2,485,213	+ £8,539* (additional cost)	+ £808* (additional cost)
<b>3.</b> Reduce Capital limit to £6,000 (62% of respondents in favour – <a href="#">Model 3</a> )	£2,484,886	- £8,868* (saving)	- £839* (saving)
<b>4.</b> Minimum Income for self-employed (67% of respondents in favour – <a href="#">Model 4</a> )	£2,404,966	- £88,787* (saving)	- £8,399* (saving)
<b>5.</b> Restrict CTR to Band C (61% of respondents in favour – <a href="#">Model 5</a> )	£2,489,545	- £4,208* (saving)	- £398* (saving)
<b>6.</b> Income taper of 65% for non-working applicants (52% of respondents in favour – <a href="#">Model 6</a> )	£2,484,706	- £9,047* (saving)	- £856* (saving)

Table 9.6.1

- 9.7. The financing risk of the scheme is shared with other precepting Authorities through the tax base calculation. West Somerset share of the collection fund in 2015/16 is 9.46%. The maximum saving that can be achieved is by implementing Options 3 to 6 combined ([Model 8](#)). The illustrative **budgetary** savings for each preceptor is shown below.

Authority	% CTR budget	CTR Budget for 2015/16	Estimated CTR spend in implementing Options 3-6	Estimated budget saving*
<b>WSC</b>	<b>9.46%</b>	<b>£256,845</b>	<b>£226,240</b>	<b>£30,605</b>
Parishes	4.37%	£118,610	£104,511	£14,099
Somerset County Council	69.13%	£1,877,185	£1,653,275	£223,910
Avon and Somerset Police	11.76%	£319,375	£281,246	£38,129
Devon and Somerset Fire Authority	5.28%	£143,297	£126,274	£17,023
<b>Total</b>	<b>100%</b>	<b>£2,715,313</b>	<b>£2,391,545</b>	<b>£323,768</b>

Table 9.7.1.

\* Any savings in the tables 9.6.1. and 9.7.1., *exclude* the effect of the increased cost ([Model 1](#)) of the CTR scheme from applicants' reduced Tax Credit income. For the estimated net effect in applying Tax Credit changes for each of the options, see the [summary](#) contained in [Appendix 3](#).

- 9.8. At the meeting of the Corporate Policy Advisory Group on 28 October 2015, and at the meeting of the Scrutiny Committee on 12 November 2015, Members provided a steer to Cabinet to amend the current CTR scheme to implement a combination of Options 2, 3, 4 and 5 (see [Model 15](#)). This would affect working age applicants in 2016/17 by:

- disregarding maintenance received for children
- removing entitlement to applicants with capital over £6,000;
- applying a Minimum Income for Self-Employed applicants; and
- paying CTR at a level that would be no more than for a Band C property

Implementing [Model 15](#) would result in an estimated saving in comparison to the cost of our current CTR scheme of £90,383.31. When the implications of tax credits changes are taken into account, the net additional cost in 2016/17 is estimated to be £45,416.69 for all preceptors, with West Somerset Council's share of that additional cost at 9.46% being £4,296.42.

## 10. **FINAL DECISION MAKING PROCESS**

- 10.1. Following consideration by the Corporate Policy Advisory Group on 28 October 2015 and the Scrutiny Committee on 12 November 2015, and the Cabinet on 2 December 2015, a report recommending the Council Tax Rebate scheme for 2016/17 is before Full Council on 16 December 2015.
- 10.2. We cannot afford to wait until the deadline of 31 January to approve our local CTR scheme. Realistically, we need the scheme approved in December at the latest. The new scheme impacts on the Council Tax Base. By law, we must have the tax base approved by 31 January if we are to safely set tax next year. We can't risk this not being in place.
- 10.3. The other major preceptors and local town/parish councils are reliant on us providing tax base information in December for their own financial planning and budget setting. How we operate CTR plays a fundamental part in that.

## 11. **FINANCIAL/RESOURCE IMPLICATIONS**

- 11.1. 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 9.46%, the major element of the risk falls on the other precepting local authorities.

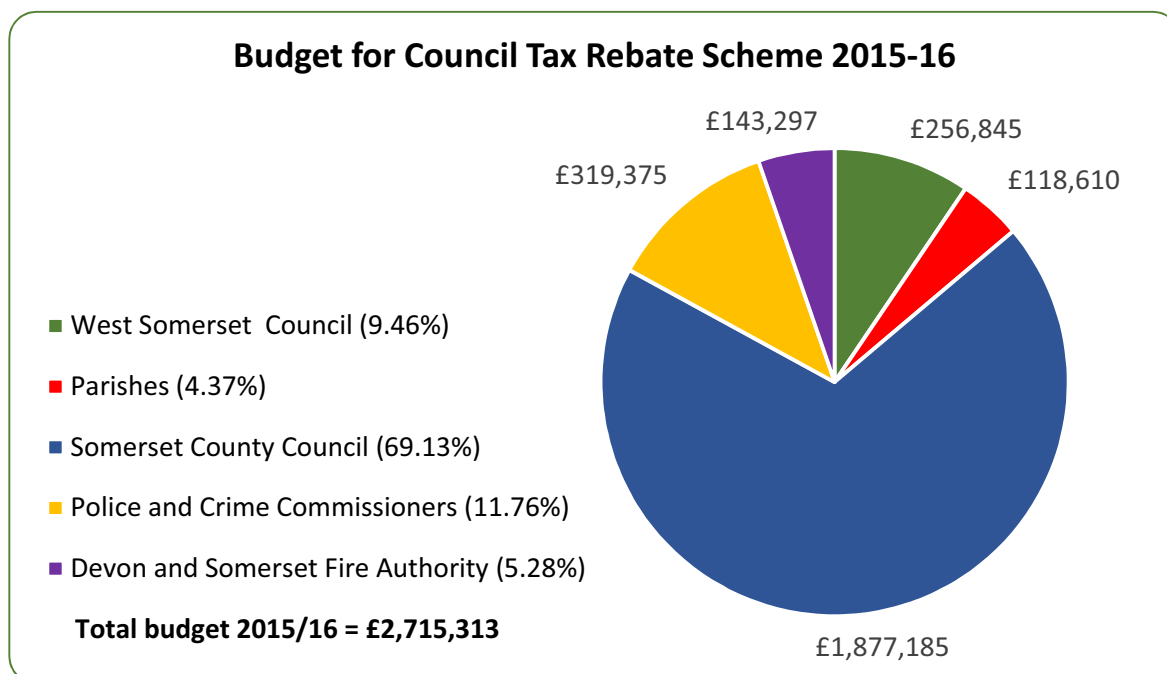


Chart 11.1.1

- 11.2. As reported earlier, funding for CTR was reduced by 10% in 2013/14. Subsequently the Settlement Funding Assessment has reduced by 25% in cash terms in the two years up to 2015/16. If we reduce the CTR budget by the same amount (25%), it will result in a budget of £2,036,485. If there is no change to the existing CTR scheme, we estimate we will award CTR of £2,522,627 in 2016/17. This will mean we have a funding shortfall of £486,142, with WSC’s share of that shortfall being £45,989, however the council has absorbed this within its local budget to date. In terms of budget estimates for next financial year, the total costs of the scheme are below the allowance included in the current tax base and will therefore favourably impact on the council’s financial position. These estimates assume increased expenditure through cuts in Tax Credit income and that caseloads remain steady.
- 11.3. The Council has been required to make significant financial savings in recent years, and faces further cuts in funding and increasing financial risks over the coming years. It is becoming increasingly difficult to preserve core services to local residents. The Medium Term Financial Plan (MTFP) for the Council, as reported to Members on 6 August 2015, stated we have a projected budget gap of £566,000, rising to approximately £1.5m by 2020 if no action is taken to address the financial position. This takes into account projected cost pressures based on current service provision, and further reductions in funding from Government. It is clear that Members will need to consider a number of potential options to reduce costs / increase income to close this gap.
- 11.4. Indicative information received from the Somerset billing authorities of Taunton Deane, Sedgemoor and South Somerset show all are likely to decrease the support - subject to their own local decision processes - they provide to residents through CTR in 2016/17, as all face similar cuts in funding.

- 11.5. While the cost of disregarding maintenance received for children (Option 2) is estimated to result in additional costs for West Somerset Council of £808 in 2016/17, implementing this option would align the treatment of this income type with rules that apply for Housing Benefit and consequently, ease administration. The administrative costs in treating maintenance for children as income in our current scheme mean implementing Option 2 is likely to be cost neutral. In addition, there would be a positive impact on the protected characteristic for gender under section 149 of the 2010 Equality Act as well as assisting in our duties under the 2010 Child Poverty Act.
- 11.6. 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. This funding is merged into the Revenue Support Grant and Business Rates Baseline, and is not separately identified in our annual funding information from Government since 2013/14. 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.
- 11.7. Whilst some funding was initially provided to parishes towards their share of the cost of CTR, the Council approved a decision to cease such funding from 2015/16 as it is no longer affordable (Full Council 19 November 2014).

## **12. SECTION 151 OFFICER COMMENTS**

- 12.1. Members will continue to face some tough decisions around priorities for our services to be affordable. It is clear we cannot afford to deliver services in the same way and/or at the same level as now. Despite balancing the budget for 2015/16 and the work undertaken already to reduce costs, the financial position remains very serious for the authority. The long standing priority of achieving financial sustainability remains key, and this will be harder to achieve as funding continues to fall and pressure on service costs increases.
- 12.2. Members should be aware there are a number of factors beyond the Authority’s control that increase demand on our CTR scheme, such as economic downturn, loss of large local employer etc. and this too will potentially increase the funding shortfall.
- 12.3. The Council is facing a serious financial challenge and Members need to take some difficult decisions. A reduction in the Council’s net budget position is essential to the future sustainability of the Council.

## **13. EQUALITY & DIVERSITY IMPLICATIONS**

- 13.1. 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
- 13.2. The public sector equality duty, as set out in section 149 of the 2010 Equality Act, requires the Council, when exercising its functions, to have “due regard” to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act, and to advance equality of opportunity and foster good relations between those who have a “protected characteristic” and those who do not share that protected characteristic.

- 13.3. The “protected characteristics” are: age, gender, disability, race (including ethnic or national origins, colour or nationality), religion or belief, sex, sexual orientation, pregnancy and maternity, and gender reassignment. Marriage and civil partnership are also a protected characteristic for the purposes of the duty to eliminate discrimination.
- 13.4. The Council must pay due regard to any obvious risk of such discrimination arising from the decision before them. There is no prescribed manner in how the equality duty must be exercised, though producing an EIA is the most usual method. For this reason these matters are examined in the EIA appended to this report at [Appendix 4](#). In addition, debt levels are broken down by claim profile in [Appendix 5](#)
- 13.5. Councillors must consider the effect that implementing any changes to the CTR for 2016/17 will have on equality before making a decision. The EIA will assist with this. Where it is apparent changes to the CTR scheme in 2016/17 would have an adverse effect on equality, then adjustments should be made to seek to reduce that effect. This is known as “mitigation”.
- 13.6. Option 2 to disregard child maintenance within the means test is likely to affect more women than men as those women, either as part of a family or as lone parents, are the greatest recipients of such an income source. Women (or men, but most commonly women) in receiving child maintenance, have the potential to experience an increase in CTR, as a result of this proposal than any other group. There will be a direct correlation between income (of which child maintenance will be a part) and CTR received. Implementing this option will have a positive impact on increasing CTR entitlement for those households receiving maintenance for children. Therefore, there would be a positive impact on the protected characteristic for gender, as well as assisting in our duties under the 2010 Child Poverty Act.
- 13.7. Implementing Option 6 to apply an income taper of 65% instead of 20% to the excess income of applicants with no earnings, will disproportionately disabled CTR recipients. Of the 28 applicants affected by this option, 11 (39%) have disabilities. In addition, Option 6 may also disproportionately affect working age recipients receiving maternity allowance. Women receiving maternity allowance will be considered to have protected characteristics as defined within the Equalities Act 2010 through both their gender and their pregnancy/maternity status. Finally, implementing Option 6 could have a disproportionate negative impact on older applicants still of working age, that receive an occupational pension.
- 13.8. Budgetary pressures and economic and practical factors will also be relevant. The amount of weight to be placed on the same countervailing factors in the decision making process will be for Members to decide.

#### **14. CRIME AND DISORDER IMPLICATIONS**

- 14.1. There are no crime and disorder implications associated with this report.

#### **15. CONSULTATION IMPLICATIONS**

- 15.1. Included within main body of the report above.

#### **16. ASSET MANAGEMENT IMPLICATIONS**

- 16.1. There are no environmental implications associated with this report.

#### **17. ENVIRONMENTAL IMPACT IMPLICATIONS**

- 17.1. There are no environmental implications associated with this report.

#### **18. HEALTH & WELLBEING**

- 18.1. There are no health and wellbeing implications associated with this report.

## 19. **LEGAL IMPLICATIONS**

- 19.1. Section 33 of the Welfare Reform Act 2012 abolished Council Tax Benefit and any replacement scheme is excluded from the scope of the Universal Credit system set up by Section 1 of that Act. The Local Government Finance Act 2012 ("the 2012 Act") amends the Local Government Finance Act 1992 ("the 1992 Act") to make provision for the localisation of Council Tax Rebate.
- 19.2. The 2012 Act amends the 1992 Act by adding a new section 13A to state that Council Tax will be reduced to the extent set out in an authority's Council Tax reduction scheme and to such further extent as the authority sees fit (new s13A(1)(c) replicating the existing provision for authorities to adopt specified additional classes).
- 19.3. Local authorities must make a Council Tax reduction scheme setting out the reductions which are to apply in its area by persons or persons in classes consisting of persons whom the authority considers to be in financial need.
- 19.4. Paragraph 5 of Schedule 1A to the Local Government Finance Act 1992, as inserted by Schedule 4 to the Local Government Finance Act 2012, requires the authority to consider whether, for each financial year, the CTR scheme is to be revised or replaced. Where the scheme is to be revised or replaced the procedural requirements in paragraph 3 of that schedule apply. Any revision/replacement must be determined by 31<sup>st</sup> of January in the preceding year to the year which the changes are to apply.
- 19.5. The council must therefore consider whether the scheme requires revision or replacement and if so, consult with precepting authorities (Somerset County Council, Avon and Somerset Police, and Devon and Somerset Fire and Rescue Authority), publish a draft scheme and then consult with such persons as are likely to have an interest in the operation of that scheme prior to determining the scheme before 31 January 2016. If any proposed revision is to reduce or remove a reduction to which a class of person is entitled, the revision must include such transitional provision as the Council sees fit.
- 19.6. Case law has confirmed that consultation must:
- be undertaken when proposals are at a formative stage;
  - include sufficient reasons for particular proposals to allow those consulted to give intelligent consideration and an intelligent response;
  - give consultees sufficient time to make a response; and
  - be conscientiously taken into account when the ultimate decision is taken.

Therefore, it is most important that Members in considering amending our CTR scheme for 2016/17, carefully consider such issues, as a failure to do so may render the scheme unlawful.

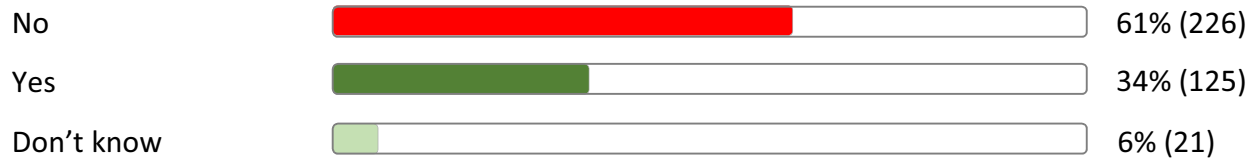
- 19.7. In a decision published on 6 November 2015, the High Court found that procedure in adopting a Council Tax Rebate scheme was defective where Members deciding on the scheme failed to access the Equality Impact Statement (EIA) appended to the officers' report or failed to understand the importance of reading it in discharging their statutory obligation under the public sector equality duty. Therefore, it is vital that Members both read and consider the EIA at [Appendix 4](#), as a failure to do so may result in a decision on our CTR scheme for 2016/17 being found defective.

**West Somerset Council**  
**Council Tax Reduction Scheme**  
**S13A and Schedule 1a of the Local Government Finance Act 1992**

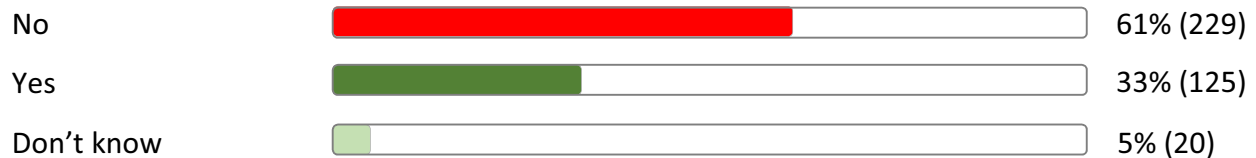


**Option 1**

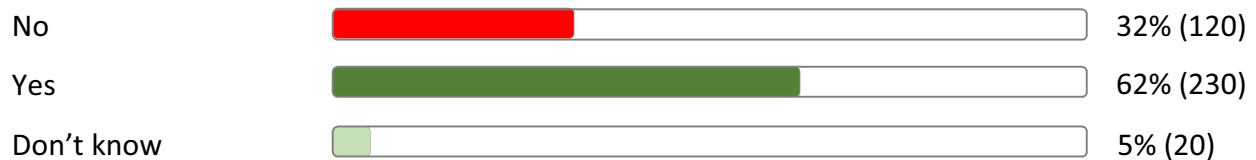
Do you agree with the principal that the current CTR scheme is unchanged for 2016/17?<sup>52</sup>

**Option 2**

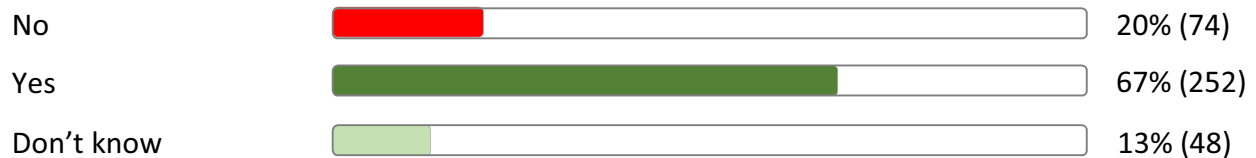
Do you agree with the principle that maintenance received for children should be disregarded (ignored) when working out income for CTR?

**Option 3**

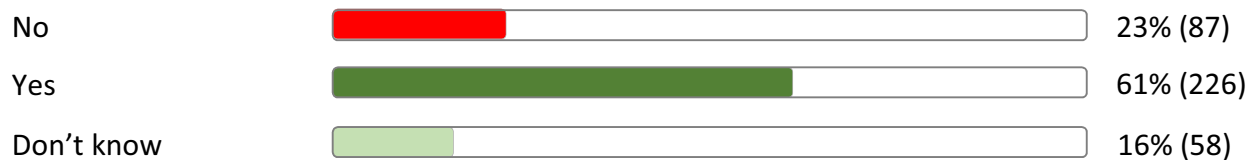
Do you agree with the principle that the capital limit for CTR is reduced from £16,000 to £6,000?

**Option 4**

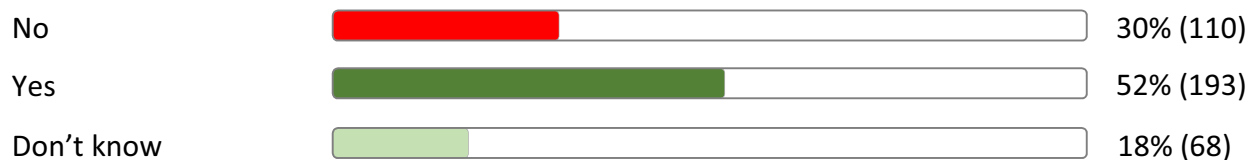
Do you agree with the principal that we should use a minimum earned income figure for those who are self-employed?

**Option 5**

Do you agree with the principle that we pay CTR at a level that would be no more than for a Band C property?

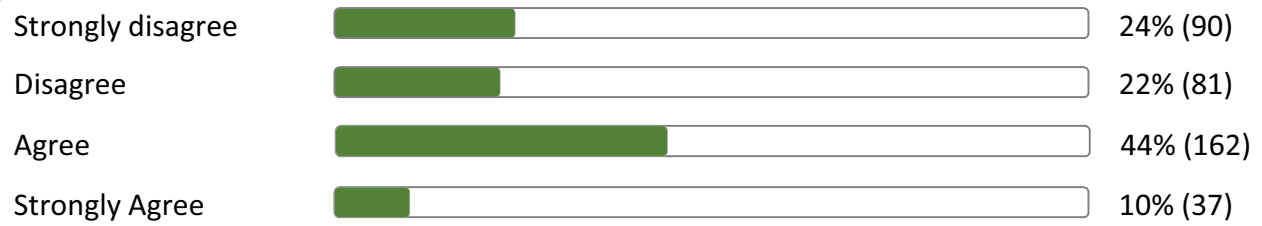
**Option 6**

Do you agree with the principle that we apply a taper of 65% to applicants with no earnings and a taper of 20% to people in work?

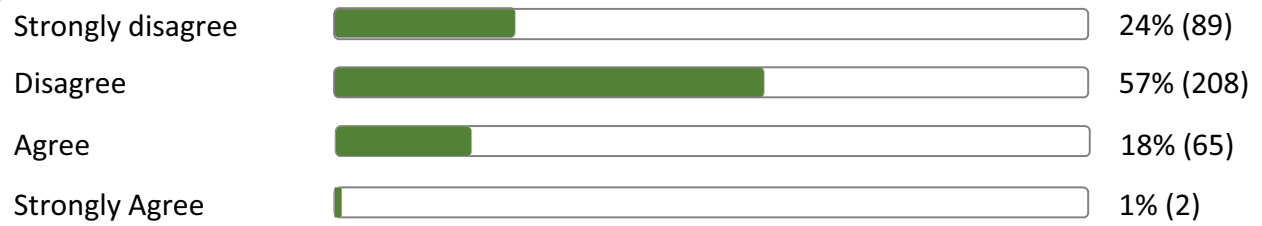




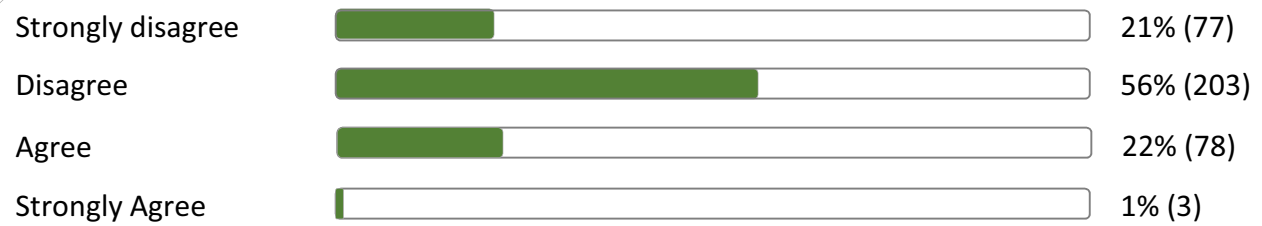
**Should the Council increase Council Tax to help pay for the scheme?**



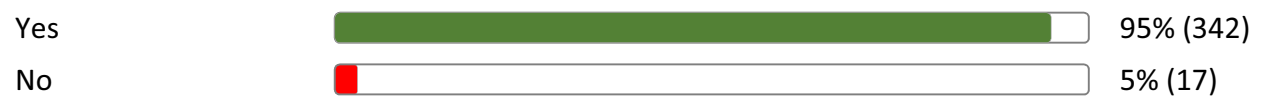
**Should the Council reduce funding to other services to help pay for the scheme?**



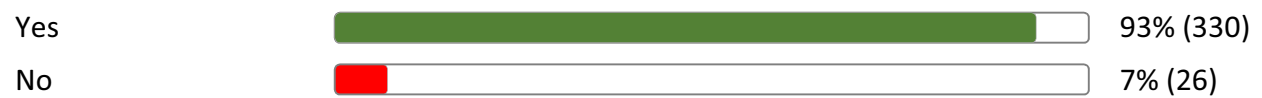
**Should the Council use its reserves to help pay for the scheme?**



**Are you a resident of West Somerset?**



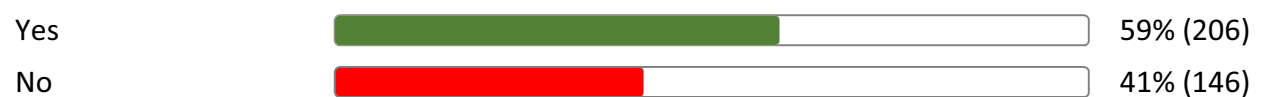
**Do you pay Council Tax?**



**Do you currently receive Council Tax Rebate?**

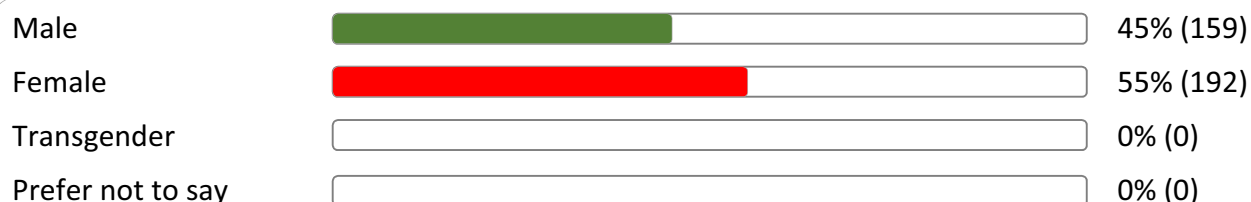


**Do you work, either full or part time?**

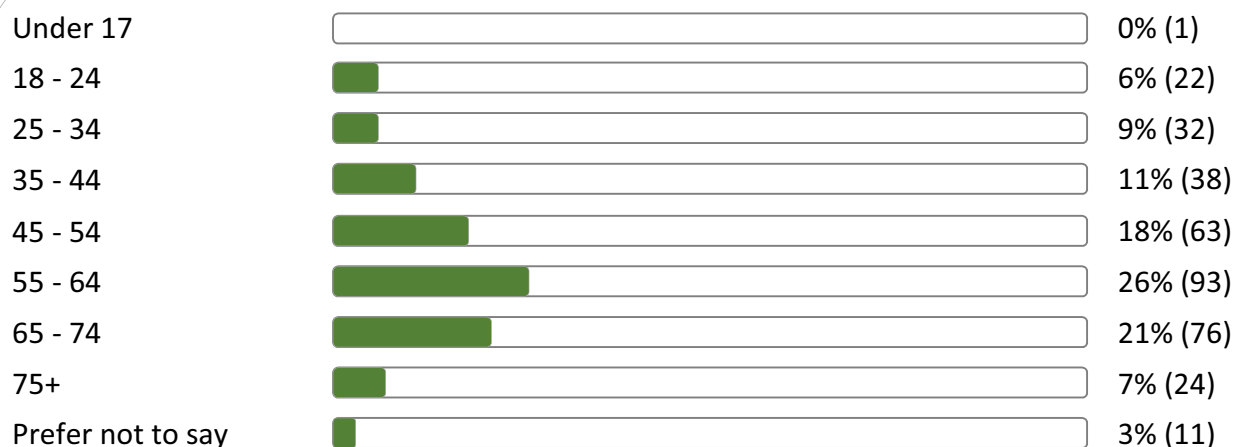


## What is your gender?

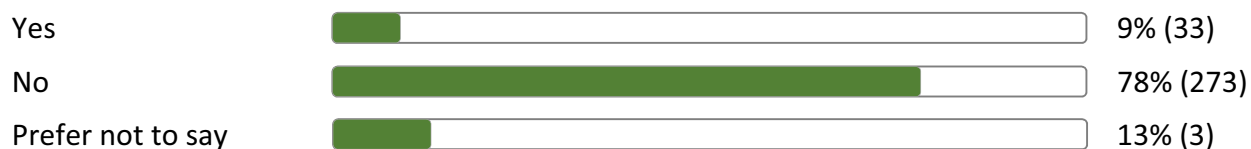
54



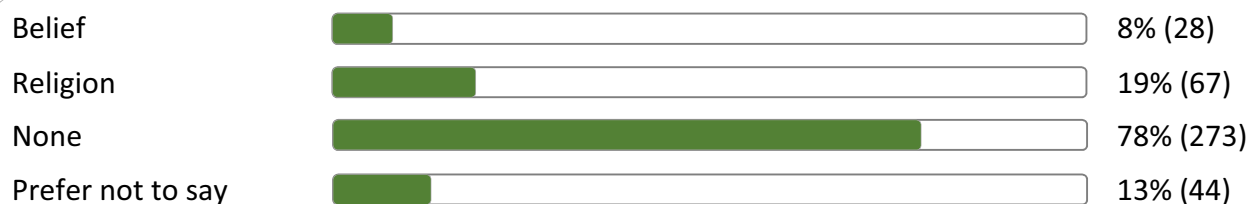
## What is your age group?



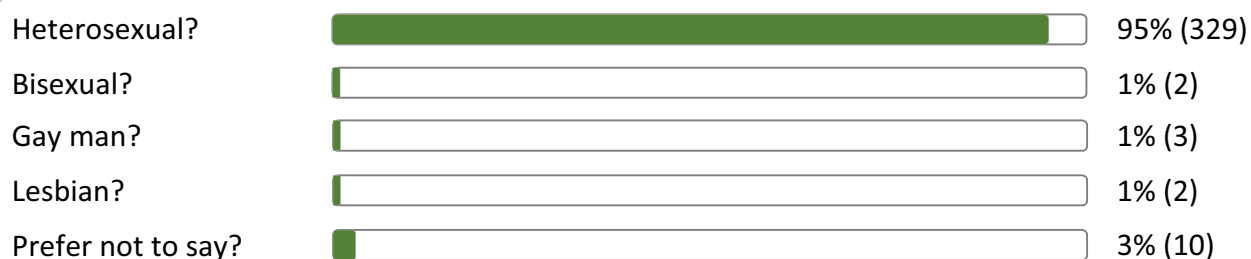
## Do you consider yourself as having a disability or long-term physical or mental health condition?



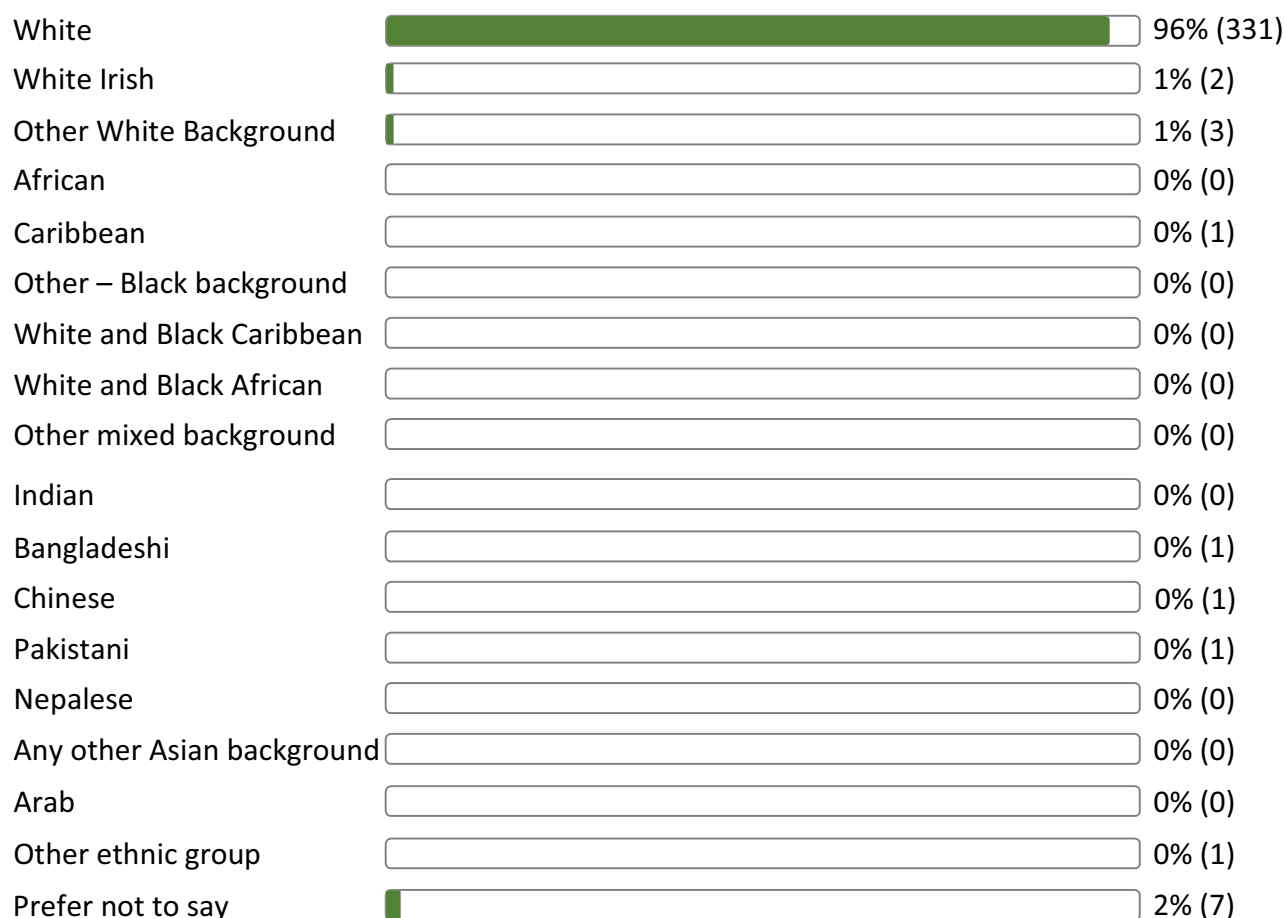
## Do you consider yourself to have a religion or belief?



## Do you consider your sexual orientation to be



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



### Question 1: Should the Council continue with the existing scheme?

- 14 Except for Option 2 below
- 16 It should properly revert to what it was two years ago
- 23 Many of us are still suffering from the recession and to find oneself even more strained would be a step too far
- 29 This would be best for claimants with low income
- 33 The Council Tax Rebate Scheme should be reviewed annually to take any changes into consideration
- 43 It should be capped so that working people are the only ones feeling the pinch of cuts and austerity measures.
- 59 Already pay too much council tax now
- 62 This would be the best for claimants with low income
- 88 Would not want to pay more council tax
- 109 Help where needed
- 129 Unfair for CT payers to pay more as your scheme is already too generous
- 181 Should change so child maintenance is no longer disregarded
- 272 People on benefits already struggle
- 368 No scrap it

**Question 2: Should the Council disregard maintenance payments received for children?**

- 2 Why - household income should be taken into account
- 9 Ignoring Child Maintenance rewards family breakdowns. Families (whether two parent or single parent) should have their total income assessed in the same way. Single parents should not have parts of their income ignored.
- 18 The maintenance is intended for the wellbeing of the children and should not be taxed.
- 29 Best option for single parents
- 33 Available income is still income and must be considered. Because someone else decides to have lots of kids I don't want to pay for them.
- 43 This is income to the household and the person paying it doesn't have it taken off their income; they are treated as having that money when in reality they don't, it's unfair.
- 62 Best option for single parents
- 101 So many maintenance payments are not made
- 129 Shouldn't be disregarded, should be used as an income
- 136 Should not be disregarded
- 178 No it should be considered as income
- 181 This is an income!
- 184 Should be counted as an income
- 199 Should be included
- 233 Should be included
- 353 Maybe could be capped

**Question 3: Should the Council reduce the capital limit to £6,000?**

- 2 Penalises those who save
- 26 Too big a change - it would hit poor families very hard
- 29 Adversely affect small savers, disincentive to save
- 33 Perhaps consider even a Capital Limit of £5,000. I can't believe the current is as high as £16,000 as these people clearly do not need subsidising.
- 43 This appears to be a way to save funds, affecting only a few people for a large gain. Anyone with £6000 + in the bank can afford to pay council tax and is not living in poverty.
- 59 Why should someone with more savings than me not have to pay when I do because I don't get benefits
- 69 Maybe to £10,000
- 158 £10,000 more acceptable
- 159 Reduce to 10,000
- 171 £10,000
- 182 They don't need help if they have this much in savings
- 215 £10-12 would be fairer

**Question 4: Should the Council apply a Minimum Income for Self Employed applicants?**

- 14 Expecting all self employed people in West Somerset to earn £12,000 a year is unrealistic.
- 29 Create further problems for low earners
- 30 Not targeting the lowest income households. Brings the SE into line with employed earners
- 33 This principle is correct
- 35 It will save the council a lot of money and increase the income of these customers to a proper level
- 43 I have to be honest, I don't understand the rules regarding this and can't answer it.
- 51 High as poss they fiddle accounts
- 62 Creates further problems for low earners
- 88 Self employed people don't earn set amounts
- 111 Unless audited accounts
- 171 It's too easy to hide earnings
- 195 They work cash in hand
- 304 Takes longer than 2 years
- 350 Too much cash in hand

**Question 5: Should the Council limit support to a maximum of a Band C property?**

- 2 May cause poverty for those in established homes
- 14 Band D is generally taken as the average family home
- 27 It is totally appalling working people not getting any benefits but paying tax should subsidise people in very expensive houses
- 29 Low income family may require a large house, families should not be forced to move
- 33 Agreed, it may also help reduce under occupancy so long as suitable smaller homes are available.
- 43 Properties above Band C tend to be larger, with either larger households and more wages or other benefit income coming in, plus it acts as a taper - it reduces rather than ends entitlement to help and is therefore a fairer system.
- 51 Good saving
- 62 Families should not be forced to move
- 88 Do they need to be in a band D property if they need to claim?
- 110 Look at size of family
- 129 Banding needs to be re-done out of date

**Question 6: Should the Council increase the income taper for applicants with no earnings?**

- 27 But earnings should include pensions only those on benefits to get 65% taper
- 29 Unfair to disabled
- 33 Absolutely not. You cannot be seen to discriminate against the unemployed as you would do if you went ahead with this. It should be the same rate for both employed and unemployed people.
- 43 This government, locally and nationally, promised the people of this country it would always pay to be in work. It's about time that promise was fulfilled. This is a genuine reward to those in lower paid work.
- 62 Unfair to disabled
- 88 Does not encourage people to work more
- 129 Include DLA
- 304 Big jump from 20% to 65%

**Please use the space below to make any other comments you have about the Council's preferred options:**

- 4 The Current scheme appears consistent and fair. The various options could have haphazard consequences for certain individuals/families that could increase hardship in a way that may not be fair.
- 9 Scheme is way more complicated than it needs to be, with various tapers and disregards etc. Looks like you are trying to preserve the previous Government Housing Benefit Scheme rather than develop a local scheme. There should instead be a simple formula which looks only at TOTAL HOUSEHOLD income received (irrespective of sources/types) and disregards nothing. The band of the property someone lives in should also be irrelevant as is no reflection of their wealth or ability to pay Council Tax and is a very out of date valuation carried out by the Government many years ago. Instead simple scheme could be that if your total household income is below, say £8,000 (minimum wage levels) pa you get 90% help, £8-12k 75%, £12-15k £50% , £15-£20k 25%.  
Extremely simple.
- 11 Does the Council have any reserves if they are in debt? Increase the tax to the maximum for a couple of years to get funding back to a norm
- 14 I suggest that people in work should have more of their income disregarded.
- 15 The Council should be more proactive in calling for government to fully restore the offset for operating the rebate scheme.
- 16 Instead of following the government's line and attacking the poorest and most disadvantaged in society, the council should be attacking those in Westminster who are foisting so many cuts WITHOUT a democratic mandate. We didn't elect this council to roll over and do the bidding of Cameron, Osborne and Ian Duncan Smith.
- 17 The council should enable people to keep more of their incomes by increasing the earnings disregard.
- 18 The earnings disregard should be maintained to enable people on low pay to keep more of their income, which is proportionately more valuable to them than higher paid people, and it is likely to be spent locally.
- 19 The Council should protect the current earnings disregard rules
- 20 I would like the council to disregard earnings of the low paid when it comes to consideration of rebates
- 21 Increase disregarded income allowances.
- 24 Its a Government idea let them pay not us, we already support the Dossers and Scroungers enough.
- 25 I urge the council to adopt Labour's policy of encouraging work by letting people who are employed keep more of their income, through what is called the "earnings disregard".
- 26 It is important to encourage people to stay in work even if on a low income. It would be counter-productive to reduce rebates if it meant that working became uneconomic.
- 28 The council could adopt Labour's policy of encouraging work by letting people who are employed keep more of their income, through the "earnings disregard". I prefer raising extra council tax on band B properties as these are 'average size' and therefore more able to pay a little extra to assist those who are in difficulties.
- 29 Earnings disregard could be increased, incentive for people who work.
1. You cannot afford to do nothing
  2. It should be reviewed each year
  3. You cannot discriminate against the unemployed
  4. Do not use financial reserves, even in the short term

Although we see where each contribution should be going to - the general public never see what is best value and how that figure was reached. It would be good to know. Thank you for this opportunity that I can let you know what I think

- 43 I am in favour of options 3, 5 and 6 and more support for working people; or at least less of a burden to pay for others.
- 62 Earnings disregard could be increased, incentive for people who work
- 100 The rebate scheme should be only for those who are need and require the extra support
- 105 Clamp down more on people abusing the system
- 110 More fraud detection needed
- 160 Save money where ever possible
- 161 Savings should be protected as everything has got more expensive.
- 168 I can't get the benefits I need- why should I pay for others
- 283 I already pay enough for people on benefits
- 349 Make as many savings needed

**Question 8: Should the Council increase Council Tax to help pay for the scheme?**

- 16 Tell the government to stop giving money away to their cronies and this could then be used to support poorer families.
- 18 Not increasing the CT by a small amount each year causes the councils income to drop including in relation to other authorities.
- 27 This will mean yet again those of us just above any benefit levels subsidise those who are
- 33 As per comments #1-6 previous
- 43 It is about time people stopped being penalised for working and rewarded for doing nothing!
- 51 Take it from benefits saving make them get a job
- 54 Should be central government funded
- 187 If making savings
- 197 We pay enough already
- 232 Put it up more
- 291 But not for options 1-6

**Question 9: Should the Council reduce funding to other services to help pay for the scheme?**

- 16 See above
- 33 I don't want to pay for others
- 43 This would negatively impact on all residents of West Somerset, not just those in receipt of benefits.
- 51 Save on benefits first we already pay enough to support them
- 54 As above
- 59 What services?
- 303 Central gov should supply more funding
- 348 Too many cuts already

**Question 10: Should the Council use its reserves to help pay for the scheme?**

- 16 See 8 above
- 33 Unfortunately, you will never recoup capital reserves
- 43 That is just bad financial planning and solves nothing in the long run.
- 322 Get more money from government



# Consultation on our Council Tax Rebate Scheme 2016/17



## Introduction

Council Tax Rebate (CTR) is a means-tested discount to help people on low incomes pay their Council Tax. It is a local scheme run by West Somerset Council that replaced Council Tax Benefit. No money is paid to the people who claim it. Instead, we reduce their Council Tax bill by the amount of support they are entitled to.

On 1 April 2013 Central Government ended the national Council Tax Benefit scheme and gave responsibility for designing and administering CTR to Local Authorities. At the same time, the Government made Local Authorities responsible for funding CTR, but reduced the finance available by 10%. Our current Council Tax Rebate Scheme broadly follows the principles and rules that applied to Council Tax Benefit and has been largely unchanged since its introduction on 1 April 2013.

Under the current scheme, everybody of working age who receives CTR must pay a contribution of 15% towards their Council Tax bill. This means the maximum support working age applicants receive is 85% of their Council Tax bill. Pension-age applicants continue to receive up to 100% support. Currently, approximately 3,250 households claim CTR, including pension-age applicants. Of these, approximately 1,400 are of working-age.

In addition to the CTR Scheme, the Council offers a Discretionary Reduction in Council Tax Scheme for residents who demonstrate exceptional financial hardship or exceptional personal circumstances that justify a reduction or waiver of their Council Tax bill. This scheme is intended to offer short term help, and we make awards on a case by case basis.

## Why are we carrying out consultation?

Partly, we need to revise our CTR Scheme because of reductions to the Council's funding that is putting pressure on local services. As funding reductions are likely to continue until the end of the decade, the Council needs to strike a balance between a CTR Scheme that is affordable and fair, not only for who receive CTR, but also residents that depend on wider services.

The Council needs to look at all areas of spending to identify savings, as well as identifying how it can generate more income. The Council can reduce spending, increase Council Tax or, in the short-term, use financial reserves. The Council will need to consider all of these things to a greater or lesser extent, and the key will be to strike the right balance between them.

In Part A of this questionnaire we set out 6 options for the CTR Scheme from 1 April 2016. We give examples of the effects for each of the options.

Part B of the questionnaire asks for your views on how the scheme should be funded. Part C provides an opportunity for suggestions and comments as well as asking you to provide information about yourself as part of our commitment to equalities monitoring.







## How may this consultation affect me?

Everyone liable to pay Council Tax pays for the Council Tax Rebate Scheme through their Council Tax payments. Therefore, it is important to get the views of all Council Tax payers regardless of whether you receive Council Tax Rebate or not.

Any changes to the scheme will directly affect working-age households receiving Council Tax Rebate now or in the future.

Central Government set the scheme for pension-age applicants and they will not be directly affected by any changes. For Council Tax Rebate, we treat you as being of pension age if you or your partner are old enough to receive Pension Credit. From April 2016, anyone born before 5th April 1953 will be considered to be of Pension Age.

It is important you have all the information you need to provide informed answers. The background to the consultation and information about our Council Tax Rebate Scheme is available on our website at:

[www.westsomersetonline.gov.uk/benefitconsultation](http://www.westsomersetonline.gov.uk/benefitconsultation)

## How and when can you respond to the proposals?

The consultation will be from 1 July 2015 to 7 September 2015. You can respond to the consultation:

By completing and returning the questionnaire to:

Revenues & Benefits Service  
West Somerset Council  
Killick Way  
Williton  
TAUNTON  
TA4 4QA

Or complete the form on-line at: [www.westsomersetonline.gov.uk/benefitconsultation](http://www.westsomersetonline.gov.uk/benefitconsultation)

## Next steps

Because of the timescales involved and the legal requirement that the Council adopts its scheme by 31 January 2016 at the latest if it is to take effect from 1 April 2016, the consultation must close on 7 September 2015.

A report will be presented to the Council's Corporate Policy Advisory Group on 28 October 2015 to put forward the result of the consultation. We will listen carefully to what residents tell us, and the consultation results will be considered alongside other evidence and information for the Council to make the final decision on the scheme to adopt. Following the decision, the results from the consultation will be available on: [www.westsomersetonline.gov.uk/benefitconsultation](http://www.westsomersetonline.gov.uk/benefitconsultation)

## Extra information

More information can be found at: [www.westsomersetonline.gov.uk/benefitconsultation](http://www.westsomersetonline.gov.uk/benefitconsultation)  
[www.communities.gov.uk/localgovernment](http://www.communities.gov.uk/localgovernment)

Telephone: 01643 703704 (lines open weekdays 8.30am-5.00pm)

Email: [benefits@westsomerset.gov.uk](mailto:benefits@westsomerset.gov.uk)





### Option 1 - No change to the existing Council Tax Rebate Scheme

Costs of the scheme are funded by West Somerset Council, Somerset County Council, Avon and Somerset Police and Devon and Somerset Fire and Rescue Authority.

If we adopt Option 1, we will work out Council Tax Rebate in the same way as we do now. The amount of help will not reduce as long as the individual circumstances that relate to the application for Council Tax Rebate do not change. The current scheme means people of working age must pay a minimum contribution of 15% of their Council Tax bill. We show the average minimum contributions for 2015/16 below.

Band	Annual Council Tax		Minimum annual contribution		Minimum weekly contribution	
	Single Person	Couple	Single Person	Couple	Single Person	Couple
<b>A</b>	£742.99	£990.65	£111.45	£148.60	£2.13	£2.84
<b>B</b>	£866.81	£1,155.74	£130.02	£173.36	£2.49	£3.32
<b>C</b>	£990.65	£1,320.87	£148.60	£198.13	£2.84	£3.79
<b>D</b>	£1,114.48	£1,485.97	£167.17	£222.90	£3.20	£4.26
<b>E</b>	£1,362.15	£1,816.20	£204.32	£272.43	£3.91	£5.21
<b>F</b>	£1,609.80	£2,146.40	£241.47	£321.96	£4.62	£6.16
<b>G</b>	£1,857.47	£2,476.62	£278.62	£371.49	£5.33	£7.11
<b>H</b>	£2,228.96	£2,971.94	£334.34	£445.79	£6.39	£8.53

### Option 2 - Disregard maintenance payments received for children

Currently, when we work out income for Council Tax Rebate we include maintenance that is received for children. This is different from Housing Benefit rules, where we ignore (disregard) child maintenance. If we change how we work out income under this option to disregard maintenance for children, we estimate it would increase the cost of our Council Tax Rebate Scheme by £5,000 and would mean extra help for 26 families in 2016/17.

### Option 3 - Reducing the Capital Limit

Currently applicants with savings and investments of more than £16,000 are not entitled to any Council Tax Rebate. Under this option, we could reduce this limit to £6,000. We estimate this change would save £11,000 and would affect 16 working age households currently getting Council Tax Rebate.

Only those working-age residents with at least £6,000 in savings will be affected. Residents who have less savings will not be affected. Where a working-age resident has more than £6,000 in savings, no support whatsoever will be payable. Currently our scheme allows for some support to be provided, although the higher the level of savings the less we can award.



## Option 4 - Setting a Minimum Income for Self-Employed People

Currently when we work out earned income for self-employed claimants, we base it on an assessment of the income and expenditure of the business.

To align Council Tax Rebate with Universal Credit, under this option we would use a minimum earned income figure for those who are self-employed. This would be in line with the UK minimum wage for 35 hours worked. From 1 October 2015, the adult National Minimum Wage will be £6.70 an hour. The rate for 18 to 20 year olds will be £5.30 an hour, while the rate for 16 to 17 year olds will be £3.87 an hour. Any income above this amount would be taken into account based on the actual amounts earned.

We would not apply this minimum income for a designated start-up period of one year to allow the business to become established. We would allow one start-up period in 5 years to allow the applicant to start up a different trade, profession or vocation from that carried out previously.

Similarly if a self-employed person is limited in the hours they can work by circumstances such as having to provide child care then we will work out the Minimum Income proportionately. We estimate this change would save £101,000 and would affect 129 working age households currently getting Council Tax Rebate.

Such a change could incentivise working-age applicants to grow and expand their business. However, where a working-age resident is in self-employment and continues to run a business where their income is below the minimum level, we will assume they earn at least minimum wage (based on a 35 hour week).

## Option 5 - Limit support to a maximum of 85% of a Band C property

The Valuation Office Agency put each property in a valuation band based on its value as at April 1991. This band decides the amount of Council Tax payable. There are eight Council Tax bands - A is the lowest band and H is the highest. Currently we work out Council Tax Rebate based on the Council Tax Band of the property the applicant lives in, regardless of whether that band is A or H.

We could change our scheme to only pay Council Tax Rebate at a level that would be no more than for a Band C property. This would not disadvantage any applicant that lives in smaller or lesser value property.





Where an applicant lives in a property that is either **Band D, E, F, G or H**, we would work out their Council Tax Rebate based on the Council Tax that would have been payable if they lived in a **Band C** property. The maximum Council Tax Rebate they could receive would be **85%** of the Council Tax payable for a **Band C** property. Applicants resident in a **Band A, B or C** property would not be affected by this change.

The majority of Council Tax Rebate applicants live in lower banded properties and will not be affected by this option. We estimate this change would save **£15,000** and would affect **72** working age households currently getting Council Tax Rebate.

For example, currently the average maximum Council Tax Rebate for a working age couple living in a **Band D** property would be **£1,263.07** (**£1,485.97 x 85%**). If we implemented the option to limit support to an equivalent **Band C** property, the maximum Council Tax Rebate they could receive would be **£1,122.74** (**£1,320.87 x 85%**). This would mean they would have to pay a minimum annual payment of **£363.23**. In this example, implementing this option would mean support would be reduced by at least **£140.34**.

### Option 6 - Increase income taper from 20% to 65% for applicants with no earnings

When we work out Council Tax Rebate, we compare income to an amount that reflects basic weekly needs. This amount is called an “applicable amount” that will vary according to the applicant’s circumstances. If the applicant’s weekly income exceeds the applicable amount, we deduct **20%** (income taper) of that excess from the maximum Council Tax Rebate they can receive.

Under this option we could apply a taper of **65%** to applicants with no earnings and apply a taper of **20%** to people in work. This would mean two applicants on similar income levels, but where one is in work, would receive different levels of support. The applicant with no earnings would get less Council Tax Rebate, compared to an applicant with earnings receiving the same weekly income.

For example, where the applicant’s weekly income is **£100** and the applicable amount is **£90**, we treat them as having an excess income of **£10** a week. Under this option, we would deduct **£2** a week (**20%** of **£10**) from the maximum Council Tax Rebate a working applicant could receive but we would deduct **£6.50** (**65%** of **£10**) for the non-working applicant.

This option will not affect any applicant whose income is less than their applicable amount.

We estimate this change would save **£46,000** and would affect **115** working age households currently getting Council Tax Rebate.





### Examples for each option

We show an estimate of the impact of each option below. We have based estimates on the 2015/16 Council Tax rates and show the minimum contribution for working age Council Tax Rebate applicants if we implement each option. These are only estimates as we work out every case on the individual circumstances.



Example Households	Option 1 Minimum annual contribution if scheme is unchanged	Option 2 Minimum annual contribution if we disregard child maintenance	Option 3 Minimum annual contribution if capital limit reduced to £6,000	Option 4 Minimum annual contribution if we apply a minimum income for the self-employed	Option 5 Minimum annual contribution if we limit support to a maximum of 85% of a Band C property	Option 6 Minimum annual contribution if we apply an income taper of 65% for applicants with no earnings
<b>Example 1</b> Lone Parent aged 45 with two children living in a Band D property. Weekly income: child benefit of £34.40, child maintenance of £150, part-time earnings of £95 and tax credits of £120.	£1,114.48 (no change)	£167.17 (reduction of £947.31)	£1,114.48 (no change)	£1,114.48 (no change)	£1,114.48 (no change)	£1,114.48 (no change)
<b>Example 2</b> Couple both aged 50 living in a Band C property. Applicant disabled receiving Disability Living Allowance. Partner working, earning £235 a week. Savings of £6,200.	£491.98 (no change)	£491.98 (no change)	£1,320.87 (increase of £828.89)	£491.98 (no change)	£491.98 (no change)	£491.98 (no change)
<b>Example 3</b> Single person aged 30 living in a Band A property. Self-employed - weekly income of £100.	£111.45 (no change)	£111.45 (no change)	£111.45 (no change)	£742.99 (increase of £631.54)	£111.45 (no change)	£111.45 (no change)
<b>Example 4</b> Single person aged 26 living in a Band E property, receiving Income based Jobseekers Allowance.	£204.32 (no change)	£204.32 (no change)	£204.32 (no change)	£204.32 (no change)	£520.10 (increase of £315.78)	£204.32 (no change)
<b>Example 5</b> Single person aged 58 living in a Band C property with weekly pension of £130.	£743.61 (no change)	£743.61 (no change)	£743.61 (no change)	£743.61 (no change)	£743.61 (no change)	£990.65 (increase of £247.04)



**Question A1: Should the Council continue with the existing scheme?**

Full details of the current 2015/16 scheme and Council reports are in the on-line consultation information at [www.westsomersetonline.gov.uk/benefitconsultation](http://www.westsomersetonline.gov.uk/benefitconsultation)

Thinking about Option 1 (No Change), do you agree with the principle that the current Council Tax Rebate Scheme is unchanged for 2016/17?

Yes  No  Don't know

Comments:

**Question A2: Should the Council disregard maintenance payments received for children?**

Thinking about Option 2 (Disregard Child Maintenance), do you agree with the principle that maintenance received for children should be disregarded (ignored) when working out income for Council Tax Rebate?

Yes  No  Don't know

Comments:

**Question A3: Should the Council reduce the capital limit to £6,000?**

Thinking about Option 3 (Reducing the Capital Limit), do you agree with the principle that the level is reduced from £16,000 to £6,000?

Yes  No  Don't know

Comments:

**Question A4: Should the Council apply a Minimum Income for Self-Employed applicants?**

Thinking about Option 4 (Minimum Income for the Self Employed), do you agree with the principle that we should use a minimum earned income figure for those who are self-employed?

Yes  No  Don't know

Comments:



**Consultation on our Council  
Tax Rebate Scheme 2016/17**

**Question A5: Should the Council limit support to a maximum of a Band C property?**

Thinking about **Option 5** (Limit to **Band C**), do you agree with the principle that we pay **Council Tax Rebate** at a level that would be no more than for a **Band C**?

Yes     No     Don't know

Comments:

**Question A6: Should the Council increase the income taper for applicants with no earnings?**

Thinking about **Option 6** (Increase income taper to **65%** for applicants with no earnings), do you agree with the principle that we apply a taper of **65%** to applicants with no earnings and a taper of **20%** to people in work? The applicant with no earnings would get less **Council Tax Rebate**, compared to an applicant with earnings receiving the same weekly income.

Yes     No     Don't know

Comments:

**Please use the space below to make any other comments you have about the Council's preferred options:**



## Paying for the scheme

The cost of the Council Tax Benefit scheme in 2012/13 was £3.1 million. This was fully funded by the Government. West Somerset Council, Somerset County Council, Avon and Somerset Police and Devon and Somerset Fire and Rescue Authority received funding of £2.8 million from the Government in 2013/14 to help finance our Council Tax Rebate Scheme.

Since 2014/15, although funding for Council Tax Rebate has been provided in our normal grant allocation, the Government have not separately identified it. The grant we received from the Government reduced significantly in the years up to 2015/16. If we apply similar cuts to the funding we received for Council Tax Rebate in 2013/14 it would leave £2.1 million. In 2014/15 we spent £2.7 million on Council Tax Rebate.

Given the annual reductions in Government spending and the Council's own budgeting pressures, we are considering options to reduce the cost of the Council Tax Rebate Scheme and how we finance the scheme. Any additional funding for a Council Tax Rebate Scheme would need to be found from one or more of the following options: (a) Increasing Council Tax (b) Cutting other services or (c) Using Council reserves.

## Increasing Council Tax

West Somerset Council strives to find a fair balance between supporting people who are more frequent users of particular local services, or who require more targeted support, and wider local taxpayers more generally.

We have tried to ease the financial burden on households, particularly over the past few years when times have been difficult, making use of additional resources from Government to help keep Council Tax rises down. Keeping Council Tax increases under control benefits all those who pay Council Tax, including those eligible for support. The Council owes a financial duty to all Council Tax payers to ensure that it manages its resources efficiently and that Council Tax is kept at a manageable level.

Full Council sets the Council's budget on an annual basis and it will consider the level of Council Tax for 2016/17 in February 2016.

Local Authorities are not legally allowed to increase Council Tax by 2% or more without conducting a local referendum. A referendum is expensive for the Council to run and the general population may vote against an increase of 2% or more.

## Making cuts to other services

As an alternative to making changes to the Council Tax Rebate Scheme, West Somerset Council, Somerset County Council, Avon and Somerset Police and Devon and Somerset Fire and Rescue Authority could cut spending in other areas. If spending on Council Tax Rebate is to be protected or increased, this will increase the amount that needs to be saved from other budgets that are already facing the need for significant savings as we seek to meet budget shortfalls.

## Use of financial reserves

The Council retains reserves to be used for infrastructure and one off projects or intended to reduce the impact of unexpected financial pressures that may occur. Overall, the use of reserves is not considered a viable permanent solution to protecting recurrent spending on Council Tax Rebate.





**Consultation on our Council  
Tax Rebate Scheme 2016/17**

**Question B1: Should the Council increase Council Tax to help pay for the scheme?**

For example, if the Council Tax was increased by 1% or £14.33 a year for a Band D property, an additional £550,000 would be provided in Council Tax income. This could then be used to protect the current Council Tax Rebate Scheme.

Please let us know if you:

Strongly Agree     Agree     Disagree     Strongly Disagree

Comments:

**Question B2: Should the Council reduce funding to other services to help pay for the scheme?**

For example, if the Council decided to reduce other services more funds would be available. This could then be used to protect the current Council Tax Rebate Scheme.

Please let us know if you:

Strongly Agree     Agree     Disagree     Strongly Disagree

Comments:

**Question B3: Should the Council use its reserves to help pay for the scheme?**

For example, if West Somerset Council used its reserves, more funds would be available to maintain the current Council Tax Rebate Scheme. However, the use of reserves is a short term solution because once reserves are used the scheme would not be fundable.

Please let us know if you:

Strongly Agree     Agree     Disagree     Strongly Disagree

Comments:

## Model 1

**Current Council Tax Rebate Scheme (2015/16) modelled for expected increases in CTR entitlement as a result of reductions in Tax Credit income**

	Pension Age	Working age	Total
Number of claims	1,702	1,310	3,016
Total weekly awards	£28,761.52	£21,668.27	£48,379.15
Average weekly award	£16.90	£16.54	£16.04
<b>Estimated 2016/17 awards</b>	<b>£1,499,707.79</b>	<b>£1,129,845.40</b>	<b>£2,629,553.19</b>
Estimated expenditure 2015/16			£2,493,753.19
<b>Saving in comparison to 2015/16</b>			<b>-£135,800.00</b>
Budget 2015/16			£2,715,312.98
<b>Estimated underspend in 2016/17 compared to budget for 2015/16</b>			<b>£85,759.79</b>

## Model 2

### Current scheme modelled to disregard maintenance received for children

	Pension Age	Working age	Total
Number of claims	1,702	1,310	3,012
Total weekly awards	£28,761.52	£18,900.10	47,662
Average weekly award	£16.90	£14.43	£15.82
<b>Estimated 2016/17 awards</b>	<b>£1,499,707.79</b>	<b>£985,505.44</b>	<b>£2,485,213.23</b>
Estimated expenditure 2015/16			£2,493,753.19
<b>Saving in comparison to 2015/16</b>			<b>-£8,867.56</b>
Budget 2015/16			£2,715,312.98
<b>Estimated underspend in 2016/17 compared to budget for 2015/16</b>			<b>£230,099.75</b>

Working age customers	Number increased	Average weekly increase
Single, no children	0	£0.00
Couple no children	0	£0.00
Lone parent with children	24	£5.69
Couple with children	7	£3.95
	<b>31</b>	<b>£5.30</b>
Self employed	6	£4.63
Employed	20	£5.64
Applicants with a disability	2	£3.90

### Model 3

#### Current scheme modelled to remove entitlement to applicants with capital over £6,000

	Pension Age	Working age	Total
Number of claims	1,702	1,295	2,997
Total weekly awards	£28,761.52	£18,893.82	£47,655.34
Average weekly award	£16.90	£14.59	£15.90
<b>Estimated 2016/17 awards</b>	<b>£1,499,707.79</b>	<b>£985,177.84</b>	<b>£2,484,885.63</b>
Estimated expenditure 2015/16			£2,493,753.19
<b>Saving in comparison to 2015/16</b>			<b>£8,867.56</b>
Budget 2015/16			£2,715,312.98
<b>Estimated underspend in 2016/17 compared to budget for 2015/16</b>			<b>£230,427.35</b>

Working age customers	Number reduced	Average weekly reduction
Single, no children	6	£11.24
Couple no children	1	£13.22
Lone parent with children	4	£8.81
Couple with children	4	£13.65
	<b>15</b>	<b>£11.37</b>
Self employed	5	£13.86
Employed	6	£7.44
Applicants with a disability	2	£9.96

## Model 4

### Current scheme modelled to apply a Minimum Income for Self-Employed applicants

	Pension Age	Working age	Total
Number of claims	1,702	1,230	2,932
Total weekly awards	£28,761.52	£17,361.11	£46,122.63
Average weekly award	£16.90	£14.11	£15.73
<b>Estimated 2016/17 awards</b>	<b>£1,499,707.79</b>	<b>£905,258.00</b>	<b>£2,404,965.79</b>
Estimated expenditure 2015/16			£2,493,753.19
<b>Saving in comparison to 2015/16</b>			<b>£88,787.40</b>
Budget 2015/16			£2,715,312.98
<b>Estimated underspend in 2016/17 compared to budget for 2015/16</b>			<b>£310,347.19</b>

Working age customers	Number reduced	Average weekly reduction
Single, no children	37	£12.61
Couple no children	10	£14.69
Lone parent with children	36	£11.78
Couple with children	52	£12.88
	<b>135</b>	<b>£12.65</b>
Self employed	135	£12.65
Employed	0	£0.00
Applicants with a disability	15	£10.76

## Model 5

Current scheme modelled to pay CTR at a level that would be no more than for a Band C property

	Pension Age	Working age	Total
Number of claims	1,702	1,310	3,012
Total weekly awards	£28,761.52	£18,983.18	£47,744.70
Average weekly award	£16.90	£14.49	£15.85
<b>Estimated 2016/17 awards</b>	<b>£1,499,707.79</b>	<b>£989,837.04</b>	<b>£2,489,544.83</b>
Estimated expenditure 2015/16			£2,493,753.19
<b>Saving in comparison to 2015/16</b>			<b>£4,208.36</b>
Budget 2015/16			£2,715,312.98
<b>Estimated underspend in 2016/17 compared to budget for 2015/16</b>			<b>£225,768.15</b>

Working age customers	Number reduced	Average weekly reduction
Single, no children	2	£2.97
Couple no children	2	£2.49
Lone parent with children	4	£6.26
Couple with children	7	£6.42
	<b>15</b>	<b>£5.39</b>
Self employed	8	£5.49
Employed	2	£1.74
Applicants with a disability	1	£14.55

## Model 6

Current scheme modelled to apply an income taper of 65% to applicants with no earnings and an income taper of 20% to people in work

	Pension Age	Working age	Total
Number of claims	1,702	1,302	3,004
Total weekly awards	£28,761.52	£18,890.38	£47,651.90
Average weekly award	£16.90	£14.51	£15.86
<b>Estimated 2016/17 awards</b>	<b>£1,499,707.79</b>	<b>£984,998.44</b>	<b>£2,484,706.23</b>
Estimated expenditure 2015/16			£2,493,753.19
<b>Saving in comparison to 2015/16</b>			<b>£9,046.96</b>
Budget 2015/16			£2,715,312.98
<b>Estimated underspend in 2016/17 compared to budget for 2015/16</b>			<b>£230,606.75</b>

Working age customers	Number reduced	Average weekly reduction
Single, no children	20	£5.25
Couple no children	4	£7.35
Lone parent with children	3	£10.90
Couple with children	1	£6.82
	<b>28</b>	<b>£6.21</b>
Self employed	0	£0.00
Employed	0	£0.00
Applicants with a disability	11	£6.14

## Model 7

### Current scheme modelled for all options:

- disregard maintenance received for children
- remove entitlement to applicants with capital over £6,000
- apply a Minimum Income for Self-Employed applicants
- pay CTR at a level that would be no more than for a Band C property
- apply an income taper of 65% to applicants with no earnings and an income taper of 20% to people in work

	Pension Age	Working age	Total
Number of claims	1,702	1,213	2,915
Total weekly awards	£28,761.52	£17,151.89	£45,913.41
Average weekly award	£16.90	£14.14	£15.75
<b>Estimated 2016/17 awards</b>	<b>£1,499,707.79</b>	<b>£894,348.40</b>	<b>£2,394,056.19</b>
Estimated expenditure 2015/16			£2,493,753.19
<b>Saving in comparison to 2015/16</b>			<b>£99,697.00</b>
Budget 2015/16			£2,715,312.98
<b>Estimated underspend in 2016/17 compared to budget for 2015/16</b>			<b>£321,256.79</b>

Working age customers	Number reduced	Average weekly reduction	Number increased	Average weekly increase
Single, no children	53	£10.47	0	£0.00
Couple no children	14	£12.64	0	£0.00
Lone parent with children	43	£10.89	18	£5.43
Couple with children	57	£12.58	2	£4.20
	<b>167</b>	<b>£11.48</b>	<b>20</b>	<b>£5.31</b>
Self employed	137	£12.54	1	£4.66
Employed	21	£8.95	15	£5.28
Applicants with a disability	23	£9.81	1	£4.81



## Model 8

### Current scheme modelled to for all options to reduce CTR spend:

- remove entitlement to applicants with capital over £6,000
- apply a Minimum Income for Self-Employed applicants
- pay CTR at a level that would be no more than for a Band C property
- apply an income taper of 65% to applicants with no earnings and an income taper of 20% to people in work

	Pension Age	Working age	Total
Number of claims	1,702	1,212	2,914
Total weekly awards	£28,761.52	£17,103.73	£45,865.25
Average weekly award	£16.90	£14.11	£15.74
<b>Estimated 2016/17 awards</b>	<b>£1,499,707.79</b>	<b>£891,837.32</b>	<b>£2,391,545.11</b>
Estimated expenditure 2015/16			£2,493,753.19
<b>Saving in comparison to 2015/16</b>			<b>£102,208.08</b>
Budget 2015/16			£2,715,312.98
<b>Estimated underspend in 2016/17 compared to budget for 2015/16</b>			<b>£323,767.87</b>

Working age customers	Number reduced	Average weekly reduction
Single, no children	53	£10.47
Couple no children	14	£12.64
Lone parent with children	43	£10.89
Couple with children	57	£12.58
	<b>167</b>	<b>£11.48</b>
Self employed	137	£12.54
Employed	21	£8.95
Applicants with a disability	23	£9.81

## Model 9

**Current scheme modelled to remove entitlement to applicants with capital over £6,000 and apply a Minimum Income for Self-Employed applicants**

	Pension Age	Working age	Total
Number of claims	1,702	1,218	2,920
Total weekly awards	£28,761.52	£17,240.68	£46,002.20
Average weekly award	£16.90	£14.15	£15.75
<b>Estimated 2016/17 awards</b>	<b>£1,499,707.79</b>	<b>£898,978.48</b>	<b>£2,398,686.27</b>
Estimated expenditure 2015/16			£2,493,753.19
<b>Saving in comparison to 2015/16</b>			<b>£95,066.92</b>
Budget 2015/16			£2,715,312.98
<b>Estimated underspend in 2016/17 compared to budget for 2015/16</b>			<b>£316,626.71</b>

Working age customers	Number reduced	Average weekly reduction
Single, no children	41	£12.59
Couple no children	11	£14.55
Lone parent with children	40	£11.49
Couple with children	56	£12.36
	<b>148</b>	<b>£12.35</b>
Self employed	138	£12.51
Employed	6	£9.22
Applicants with a disability	19	£9.54

## Model 10

Current scheme modelled to apply a Minimum Income for Self-Employed applicants and pay CTR at a level that would be no more than for a Band C property

	Pension Age	Working age	Total
Number of claims	1,702	1,230	2,932
Total weekly awards	£28,761.52	£17,320.10	£46,081.61
Average weekly award	£16.90	£14.08	£15.72
<b>Estimated 2016/17 awards</b>	<b>£1,499,707.79</b>	<b>£903,119.24</b>	<b>£2,402,827.03</b>
Estimated expenditure 2015/16			£2,493,753.19
<b>Saving in comparison to 2015/16</b>			<b>£90,926.16</b>
Budget 2015/16			£2,715,312.98
<b>Estimated underspend in 2016/17 compared to budget for 2015/16</b>			<b>£312,485.95</b>

Working age customers	Number reduced	Average weekly reduction
Single, no children	39	£12.11
Couple no children	12	£12.65
Lone parent with children	38	£11.47
Couple with children	56	£12.75
	<b>145</b>	<b>£12.53</b>
Self employed	136	£12.58
Employed	15	£9.55
Applicants with a disability	16	£11.00

## Model 11

Current scheme modelled to remove entitlement to applicants with capital over £6,000, apply a Minimum Income for Self-Employed applicants and pay CTR at a level that would be no more than for a Band C property

	Pension Age	Working age	Total
Number of claims	1,702	1,218	2,920
Total weekly awards	£28,761.52	£17,199.67	£45,961.19
Average weekly award	£16.90	£14.12	£15.74
<b>Estimated 2016/17 awards</b>	<b>£1,499,707.79</b>	<b>£896,839.72</b>	<b>£2,396,547.51</b>
Estimated expenditure 2015/16			£2,493,753.19
<b>Saving in comparison to 2015/16</b>			<b>£97,205.68</b>
Budget 2015/16			£2,715,312.98
<b>Estimated underspend in 2016/17 compared to budget for 2015/16</b>			<b>£318,765.47</b>

Working age customers	Number reduced	Average weekly reduction
Single, no children	43	£12.14
Couple no children	13	£12.70
Lone parent with children	42	£11.21
Couple with children	56	£12.70
	<b>154</b>	<b>£12.14</b>
Self employed	137	£12.64
Employed	21	£8.95
Applicants with a disability	18	£10.88

## Model 12

Current scheme modelled to apply a Minimum Income for Self-Employed applicants, pay CTR at a level that would be no more than for a Band C property and apply an income taper of 65% to applicants with no earnings and an income taper of 20% to people in work

	Pension Age	Working age	Total
Number of claims	1,702	1,223	2,925
Total weekly awards	£28,761.52	£17,201.10	£45,962.62
Average weekly award	£16.90	£14.06	£15.71
<b>Estimated 2016/17 awards</b>	<b>£1,499,707.79</b>	<b>£896,914.60</b>	<b>£2,396,622.39</b>
Estimated expenditure 2015/16			£2,493,753.19
<b>Saving in comparison to 2015/16</b>			<b>£97,130.80</b>
Budget 2015/16			£2,715,312.98
<b>Estimated underspend in 2016/17 compared to budget for 2015/16</b>			<b>£318,690.59</b>

Working age customers	Number reduced	Average weekly reduction
Single, no children	51	£10.34
Couple no children	14	£12.64
Lone parent with children	41	£11.43
Couple with children	55	£12.64
	<b>161</b>	<b>£11.60</b>
Self employed	136	£12.58
Employed	15	£9.55
Applicants with a disability	21	£9.80

## Model 13

Current scheme modelled to pay CTR at a level that would be no more than for a Band C property and apply an income taper of 65% to applicants with no earnings and an income taper of 20% to people in work

	Pension Age	Working age	Total
Number of claims	1,702	1,303	3,005
Total weekly awards	£28,761.52	£18,864.17	£47,625.69
Average weekly award	£16.90	£14.48	£15.85
<b>Estimated 2016/17 awards</b>	<b>£1,499,707.79</b>	<b>£983,631.88</b>	<b>£2,483,339.67</b>
Estimated expenditure 2015/16			£2,493,753.19
<b>Saving in comparison to 2015/16</b>			<b>£10,413.52</b>
Budget 2015/16			£2,715,312.98
<b>Estimated underspend in 2016/17 compared to budget for 2015/16</b>			<b>£231,973.31</b>

Working age customers	Number reduced	Average weekly reduction
Single, no children	14	£4.33
Couple no children	4	£7.52
Lone parent with children	7	£8.25
Couple with children	8	£6.47
	<b>33</b>	<b>£6.07</b>
Self employed	8	£5.49
Employed	2	£1.74
Applicants with a disability	6	£7.38

## Model 14

Current scheme modelled to remove entitlement to applicants with capital over £6,000 and pay CTR at a level that would be no more than for a Band C property

	Pension Age	Working age	Total
Number of claims	1,702	1,295	2,997
Total weekly awards	£28,761.52	£18,817.44	£47,578.96
Average weekly award	£16.90	£14.53	£15.88
<b>Estimated 2016/17 awards</b>	<b>£1,499,707.79</b>	<b>£981,195.16</b>	<b>£2,480,902.95</b>
Estimated expenditure 2015/16			£2,493,753.19
<b>Saving in comparison to 2015/16</b>			<b>£12,850.24</b>
Budget 2015/16			£2,715,312.98
<b>Estimated underspend in 2016/17 compared to budget for 2015/16</b>			<b>£234,410.03</b>

Working age customers	Number reduced	Average weekly reduction
Single, no children	8	£9.17
Couple no children	3	£6.07
Lone parent with children	8	£7.54
Couple with children	10	£9.52
	<b>29</b>	<b>£8.52</b>
Self employed	12	£9.07
Employed	8	£6.01
Applicants with a disability	3	£11.50

## Model 15

Current scheme modelled to disregard maintenance received for children, remove entitlement to applicants with capital over £6,000, apply a Minimum Income for Self-Employed applicants and pay CTR at a level that would be no more than for a Band C property

	Pension Age	Working age	Total
Number of claims	1,702	1,243	2,945
Total weekly awards	£28,761.52	£17,330.51	£46,092.03
Average weekly award	£16.90	£13.94	£15.65
<b>Estimated 2016/17 awards</b>	<b>£1,499,707.79</b>	<b>£903,662.09</b>	<b>£2,403,369.88</b>
Estimated expenditure 2015/16			£2,493,753.19
<b>Saving in comparison to 2015/16</b>			<b>£90,383.31</b>
Budget 2015/16			£2,715,312.98
<b>Estimated underspend in 2016/17 compared to budget for 2015/16</b>			<b>£311,943.10</b>

Working age customers	Number reduced	Average weekly reduction	Number increased	Average weekly increase
Single, no children	43	£12.14	0	£0.00
Couple no children	13	£12.70	0	£0.00
Lone parent with children	42	£11.21	18	£5.69
Couple with children	56	£12.70	7	£3.95
	<b>154</b>	<b>£12.14</b>	<b>25</b>	<b>£5.20</b>
Self employed	137	£12.64	0	£0.00
Employed	21	£8.95	19	£5.64
Applicants with a disability	43	£12.14	2	£3.91



### Summary of potential savings based on estimated CTR expenditure in 2016/17 compared to expenditure in 2015/16

	Saving (all preceptors)	Saving for WSC @ 9.46%
Model 1. Expected increases in CTR through reductions in Tax Credits	<b>-£135,800.00</b> (additional cost)	<b>-£12,846.68</b> (additional cost)
Model 2. Disregard maintenance received for children	<b>-£8,539.96</b> (additional cost)	<b>-£807.88</b> (additional cost)
Model 3. Remove entitlement to applicants with capital over £6,000	<b>£8,867.56</b>	<b>£838.87</b>
Model 4. Apply minimum income for self-employed applicants	<b>£88,787.40</b>	<b>£8,399.29</b>
Model 5. Pay CTR at no more than for a Band C property	<b>£4,208.36</b>	<b>£398.11</b>
Model 6. Apply an income taper of 65% to applicants with no earnings and an income taper of 20% to those in work	<b>£9,046.96</b>	<b>£855.84</b>
Model 7. Implement all options to change CTR scheme (Models 2 to 6 combined)	<b>£99,697.00</b>	<b>£9,431.34</b>
Model 8. Implement all options to reduce CTR scheme (Models 3 to 6 combined)	<b>£102,208.08</b>	<b>£9,668.88</b>
Model 9. Remove entitlement to applicants with capital over £6,000 and apply minimum income for self-employed applicants (Models 3 & 4 combined)	<b>£95,066.92</b>	<b>£8,993.33</b>
Model 10. Apply minimum income for self-employed applicants and pay CTR no more than for a Band C property (Models 4 & 5 combined)	<b>£90,926.16</b>	<b>£8,601.61</b>
Model 11. Remove entitlement to applicants with capital over £6,000, apply minimum income for self-employed applicants and pay CTR at no more than for a Band C property (Models 3, 4 & 5 combined)	<b>£97,205.68</b>	<b>£9,195.66</b>
Model 12. Apply minimum income for self-employed applicants, pay CTR at a level that would be no more than for a Band C property and apply an income taper of 65% to applicants with no earnings and an income taper of 20% to those in work (Models 4, 5 & 6 combined)	<b>£97,130.80</b>	<b>£9,188.57</b>
Model 13. Pay CTR at a level that would be no more than for a Band C property and apply an income taper of 65% to applicants with no earnings and an income taper of 20% to those in work (Models 5 & 6 combined)	<b>£10,413.52</b>	<b>£985.12</b>
Model 14. Remove entitlement to applicants with capital over £6,000 and pay CTR at a level that would be no more than for a Band C property (Models 3 & 5 combined)	<b>£12,850.24</b>	<b>£1,215.63</b>
Model 15. Disregard maintenance received for children, no CTR for applicants with capital over £6,000, apply minimum income for self-employed applicants and pay CTR at no more than for a Band C property (Models 2 to 5 combined)	<b>£90,383.31</b>	<b>£8,550.26</b>

### Summary of potential CTR savings based on estimated expenditure in 2016/17 compared to budget for 2015/16

	Budget saving (all preceptors)	Budget saving for WSC @ 9.46%
Model 1. Expected increases in CTR through reductions in Tax Credits	<b>£85,759.79</b>	<b>£8,112.88</b>
Model 2. Disregard maintenance received for children	<b>£230,099.75</b>	<b>£21,767.44</b>
Model 3. Remove entitlement to applicants with capital over £6,000	<b>£230,427.35</b>	<b>£21,798.43</b>
Model 4. Apply minimum income for self-employed applicants	<b>£310,347.19</b>	<b>£29,358.84</b>
Model 5. Pay CTR at no more than for a Band C property	<b>£225,768.15</b>	<b>£21,357.67</b>
Model 6. Apply an income taper of 65% to applicants with no earnings and an income taper of 20% to those in work	<b>£230,606.75</b>	<b>£21,815.40</b>
Model 7. Implement all options to change CTR scheme (Models 2 to 6 combined)	<b>£321,256.79</b>	<b>£30,390.89</b>
Model 8. Implement all options to reduce CTR scheme (Models 3 to 6 combined)	<b>£323,767.87</b>	<b>£30,628.44</b>
Model 9. Remove entitlement to applicants with capital over £6,000 and apply minimum income for self-employed applicants (Models 3 & 4 combined)	<b>£316,626.71</b>	<b>£29,952.89</b>
Model 10. Apply minimum income for self-employed applicants and pay CTR no more than for a Band C property (Models 4 & 5 combined)	<b>£312,485.95</b>	<b>£29,561.17</b>
Model 11. Remove entitlement to applicants with capital over £6,000, apply minimum income for self-employed applicants and pay CTR at no more than for a Band C property (Models 3, 4 & 5 combined)	<b>£318,765.47</b>	<b>£30,155.21</b>
Model 12. Apply minimum income for self-employed applicants, pay CTR at a level that would be no more than for a Band C property and apply an income taper of 65% to applicants with no earnings and an income taper of 20% to those in work (Models 4, 5 & 6 combined)	<b>£318,690.59</b>	<b>£30,148.13</b>
Model 13. Pay CTR at a level that would be no more than for a Band C property and apply an income taper of 65% to applicants with no earnings and an income taper of 20% to those in work (Models 5 & 6 combined)	<b>£231,973.31</b>	<b>£21,944.67</b>
Model 14. Remove entitlement to applicants with capital over £6,000 and pay CTR at a level that would be no more than for a Band C property (Models 3 & 5 combined)	<b>£234,410.03</b>	<b>£22,175.19</b>
Model 15. Disregard maintenance received for children, no CTR for applicants with capital over £6,000, apply minimum income for self-employed applicants and pay CTR at no more than for a Band C property (Models 2 to 5 combined)	<b>£311,943.10</b>	<b>£29,509.82</b>

### Estimated net effect through applying reduction in Tax Credit income compared to expenditure in 2015/16

	Additional cost (all preceptors)	WSC @ 9.46%
Model 1. Expected increases in CTR through reductions in Tax Credits	<b>£135,800.00</b>	<b>£12,846.68</b>
Model 2. Disregard maintenance received for children	<b>£144,339.96</b>	<b>£13,654.56</b>
Model 3. Remove entitlement to applicants with capital over £6,000	<b>£126,932.44</b>	<b>£12,007.81</b>
Model 4. Apply minimum income for self-employed applicants	<b>£47,012.60</b>	<b>£4,447.39</b>
Model 5. Pay CTR at no more than for a Band C property	<b>£131,591.64</b>	<b>£12,448.57</b>
Model 6. Apply an income taper of 65% to applicants with no earnings and an income taper of 20% to those in work	<b>£126,753.04</b>	<b>£11,990.84</b>
Model 7. Implement all options to change CTR scheme (Models 2 to 6 combined)	<b>£36,103.00</b>	<b>£3,415.34</b>
Model 8. Implement all options to reduce CTR scheme (Models 3 to 6 combined)	<b>£33,591.92</b>	<b>£3,177.80</b>
Model 9. Remove entitlement to applicants with capital over £6,000 and apply minimum income for self-employed applicants (Models 3 & 4 combined)	<b>£40,733.08</b>	<b>£3,853.35</b>
Model 10. Apply minimum income for self-employed applicants and pay CTR no more than for a Band C property (Models 4 & 5 combined)	<b>£44,873.84</b>	<b>£4,245.07</b>
Model 11. Remove entitlement to applicants with capital over £6,000, apply minimum income for self-employed applicants and pay CTR at no more than for a Band C property (Models 3, 4 & 5 combined)	<b>£38,594.32</b>	<b>£3,651.02</b>
Model 12. Apply minimum income for self-employed applicants, pay CTR at a level that would be no more than for a Band C property and apply an income taper of 65% to applicants with no earnings and an income taper of 20% to those in work (Models 4, 5 & 6 combined)	<b>£38,669.20</b>	<b>£3,658.11</b>
Model 13. Pay CTR at a level that would be no more than for a Band C property and apply an income taper of 65% to applicants with no earnings and an income taper of 20% to those in work (Models 5 & 6 combined)	<b>£125,386.48</b>	<b>£11,861.56</b>
Model 14. Remove entitlement to applicants with capital over £6,000 and pay CTR at a level that would be no more than for a Band C property (Models 3 & 5 combined)	<b>£122,949.76</b>	<b>£11,631.05</b>
Model 15. Disregard maintenance received for children, no CTR for applicants with capital over £6,000, apply minimum income for self-employed applicants and pay CTR at no more than for a Band C property (Models 2 to 5 combined)	<b>£45,416.69</b>	<b>£4,296.42</b>

# West Somerset Council

## Equality Impact Analysis Record Form

### Council Tax Rebate 2016/17

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: Revenues & 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. The Government state any CTR scheme must protect pensioners at the existing level of support. That decision means the burden falls disproportionately upon those of Working Age.

From 1 April 2014, funding for localised CTR is incorporated in Settlement Funding Assessment (SFA) and not separately identified. The SFA has reduced by 25% in cash terms in the two years up to 2015/16. If we reduce the CTR budget by the same amount (25%), it will result in a budget of £2,036,485. If there is no change to the existing CTR scheme, we estimate we will award CTR of £2,522,627 in 2016/17. This will mean we have a budget shortfall of £486,142, with WSC's share of that shortfall being £45,989. 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 2015/16 is 9.46%.

## 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.

West Somerset Council's Local Council Tax Rebate scheme is designed to retain the majority of features of the CTB scheme. The CTB scheme recognised the additional financial burden of disability through a system of additional allowances/premiums within the means test. The authority's scheme continues to include the allowances/premiums that featured in the CTB scheme and, as such, the scheme positively recognises disability.

The CTB scheme recognised the additional financial burden those with children have, through a system of additional allowances that recognise each child, child care costs and enhanced premiums for Lone parents in the means test. WSC's CTR scheme continues to include the allowances/premiums that featured in the CTB scheme and, as such, the scheme positively recognises those with caring responsibilities.

On 20 November 2013 Full Council agreed to maintain the same scheme for 2014/15 with the same principles as detailed above. On 19 November 2014, Full Council agreed to maintain the same scheme for 2015/16 with the same principles as detailed above.

However, as a result of the continuing reductions to the Settlement Funding Assessment, we have worked 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 develop options to revise our CTR scheme for working age applicants from 2016/17.

Continuing to allow the same level of CTR in 2016/17 for working age recipients could impact negatively upon the authority's budget and the budget of those that levy a precept to it (WSC, County Council, Fire, Police Authorities and Parish Councils). An adverse effect on service provision might result in us, and the other major preceptors, having to stop, reduce or seek additional charges for services with a disproportionate effect on the most vulnerable.

On 9 June 2015, the Community Policy Advisory Group agreed on options to take to public consultation for our CTR scheme for 2016/17. Public consultation on proposals to change the CTR scheme in 2016/17 started on 1 July 2015 and ended on 7 September 2015. Every Council Taxpayer had the opportunity to comment on the proposals. The options on which we consulted are as follows:

**Option 1** - No change we would work out CTR in the same way as we do now. Any shortfall in the funding we get and the CTR we pay in 2016/17 would need to be met from other Council budgets.

**Option 2** - We would ignore (disregard) maintenance received for a child or children to align our CTR scheme more closely with DWP benefits and therefore provide for simple administration.

**Option 3** - Applicants with capital of over £6,000 would not be entitled to CTR (under our current scheme, the capital limit is £16,000).

**Option 4** - We would use a Minimum Income figure for those who are self-employed. This Minimum Income would be in line with the UK minimum wage for 35 hours worked. We would not apply this Minimum Income for a designated start-up period of one year to allow the business to become established. If a self-employed person is limited in the hours they can work by circumstances such as having to provide child care, then we would work out the Minimum Income proportionately. This proposal would align our treatment of income for self-employed people with that used to work out Universal Credit.

**Option 5** - We would change our scheme to pay CTR at a level that would be no more than for a Band C property. This would not disadvantage any applicant that lives in smaller or lesser value property.

**Option 6** - We would apply a taper of 65% to the income of applicants with no earnings and apply a taper of 20% to people in work. This would mean two applicants on similar income levels, but where one is in work, would receive different levels of support. The applicant with no earnings would get less CTR, compared to an applicant with earnings receiving the same weekly income.

In addition to considering the impact of the proposed options, the welfare changes announced in the Summer Budget on 8 July 2015 will also have a significant impact on our CTR scheme. As some of changes will reduce claimant income, they will equivalently increase entitlement to CTR. This is because our scheme provides more help for people on lower incomes. The most significant change to affect our CTR scheme will be the reduction in Tax Credit income. From April 2016, the income a household can earn before the tax credits they receive start to fall, will reduce from £6,420 to £3,850. For every £1 the household earns above that threshold, their tax credits will reduce by 48p, compared to the current rate of 41p. The Institute of Fiscal Studies (IFS) estimate an average loss of £1,000 in Tax Credit income for affected households from April 2016. This would result in increased entitlement to CTR of £200 a year (assuming a taper rate of 20%).

From April 2016, while the Family Premium will be abolished for new HB claims, it will continue to apply for new CTR applications. In addition, HB claims will be backdated for a maximum of 4 weeks, whereas our CTR scheme will allow for backdating for up to six months. The benefit cap restricts the amount in certain benefits that a working age household can receive. Any household receiving more than the cap has their Housing Benefit reduced to bring them back within the limit. The Benefit Cap will be cut from £26,000 to £20,000 for households living in the West Somerset area. This will be phased-in gradually during 2016/17, but we estimate up to 50 households will be affected. This reduction in income may mean Council Tax is more difficult to collect from those households affected.

Our CTR scheme's premiums and personal allowance are linked to the rates set by the DWP. Except for pensioners and the disabled, these rates will be frozen in cash terms for four years. For pensioners, premiums and personal allowance will rise by the higher of price inflation, earnings growth or 2.5%. Disability allowances will rise in line with the CPI.

The National Minimum Wage will be "rebranded" as the National Living Wage and will be increased to £7.20 an hour for those 25 or over from April 2016. It will reach £9.00 an hour by 2020.

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

Our localised CTR scheme affects all claimants who are of working age (and those of working age currently not in receipt of CTR but who may apply in the future). Limited equality data is held within WSC's CTR computer system (as the collection of such information has not been necessary for administering CTR) given the caseload can come from all sections of the community it is likely there will be claimants (and their household members) that contain the full range of protected characteristics as defined within the Equalities Act 2010 and include:

- Age
- Disability
- Gender
- Gender Reassignment
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race
- Religion and belief
- Sexual orientation

The Government expects local authorities to establish schemes that minimise the impact on vulnerable groups. The Council Tax Reduction Schemes (Prescribed Requirements) Regulations 2012 include provisions for those of working age but none of those prescribed requirements set out the level of support to be given.

We have obtained data relating to people affected from our Council Tax Rebate (CTR) processing system. The data available has allowed us to analyse impact on people according to their age, disability, family circumstances and level of income. We have modelled options on scenarios with "live" data based on actual entitlements and CTR recipients at that point in time. We asked general diversity questions as part of the consultation exercise.

In addition, we have undertaken debt profiling against the CTR customer base ([Appendix 5](#)) and also against those customer groups impacted most by the key elements of our localised scheme.

### **Data Sources**

- WSC Council Tax Benefit and Council Tax Rebate records
- WSC Public Consultation response 1 July 2015 to 7 September 2015
- Modelling data from Northgate Forecasting utility

### **Citizen Engagement**

To raise awareness of our proposals and to encourage participation in the consultation process the following activities took place:

- Dedicated web page created on WSC website with online survey;
- Consultation document for options and proposals for the CTR scheme for 2016/17 sent to households during July and August 2015;
- Representatives from WSC Revenues & Benefits Service at Minehead Festival to promote consultation and encourage participation
- Engagement with Village Agents and representatives from RSLs;
- Consultation forms in West Somerset House and Minehead offices.

We received 55 responses online, while the remaining 324 were completed on paper surveys.



### Section 3: Equality Impact Assessment (by protected characteristic)

#### Age

The proposed scheme for 2016/17 is subject to some national prescription relating to protecting pensioners' entitlements. Therefore we have no discretion about whether or not to follow this principle. The Government is committed to protecting pensioners on low incomes and therefore have prescribed a scheme for pensioners through legislation. This means that pensioners will not see any reduction in their CTR in comparison with their former levels of Council Tax Benefit. Pensioners will still be entitled to claim up to 100% of their Council Tax liability through CTR. West Somerset has a high pensioner population therefore, there will be a disproportionate effect on working age people with this policy.

The Council's general equality duty is lessened to an extent with regard to older people as Government has prescribed that pensioners are not to be affected by CTR. However, we have a responsibility to foster good relationships between people who share a protected characteristic and those who do not. There is a risk of harming the relationship between pensioners and working age claimants of CTR as pension age claimants are not affected and working age claimants have a greater reduction to their CTR to cover the shortfall in funding. Implementing Option 6 to apply an income taper of 65% instead of 20% to the excess income of applicants with no earnings, could disproportionately affect older working age recipients who receive an occupational pension. In mitigating such an effect, officers could apply a discretionary reduction in Council Tax liability through exceptional hardship as appropriate and in accordance with our policy.

The minimum age for receiving CTR is 18 and so people under the age of 18 will not be impacted directly by the CTR scheme. Indirect impact has been considered as people under the age of 18 are included as part of a claimant's household and the Council has a duty to prevent child poverty as outlined in the Child Poverty Act 2010. The CTR scheme retains the majority of the former Council Tax Benefit assessment rules, including the use of applicable amount and personal allowances. The personal allowances and applicable amounts used to calculate CTR are the amounts deemed necessary to provide for basic needs based on household composition and disability. These allowances and applicable amounts take the claimant's circumstances into account and mean they are awarded more support if they have children or dependents under the age of 18.

The CTR scheme for 2016/17 will continue to disregard Child Benefit in income calculations meaning that the added income this provides will not reduce the CTR that an applicant receives. In conducting consultation for our CTR scheme for 2016/17, Option 2 proposes to disregard maintenance received for children. A decision to implement this option will have a positive impact on increasing CTR entitlement for those households receiving maintenance for children.

In considering the debt profile of our existing CTR scheme, 27% of working age CTR recipients had arrears of Council Tax in March 2015 in comparison with 7% of those people not receiving CTR. The average debt for people in arrears **not** receiving CTR was £384.27 - higher than the average debt for working age CTR recipients (£354.19). The average debt across the CTR scheme for all working age recipients is £97.18. This is higher than average debt per house for non-CTR recipients at £27.22.

<b>Table 1</b>	Council Tax Accounts where CTR is <b>not</b> 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
<b>Total for non-CTR recipients</b>	<b>14,554</b>	<b>1,031</b>	<b>7.08%</b>	<b>£384.27</b>	<b>£27.22</b>	<b>£396,187</b>

<b>Table 2</b>	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	1,830	33	1.80%	£370.75	£6.69	£12,235
Working Age Employed	327	74	22.63%	£469.47	£106.24	£34,741
Working Age – not in employment	1,120	323	28.84%	£327.78	£94.53	£105,873
Total for CTR recipients	3,277	430	13.12%	£355.46	£46.64	£152,848
<b>Working age</b>	<b>1,447</b>	<b>397</b>	<b>27.44%</b>	<b>£354.19</b>	<b>£97.18</b>	<b>£140,614</b>



## Disability

Disabled people have a limited ability to work and are likely to have higher level disability related living expenses. 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. The personal allowances and applicable amounts currently used to calculate CTR, are the amounts deemed necessary to provide for basic needs based on household composition and disability. These allowances and applicable amounts already take the claimant's circumstances into account and mean that they are awarded more support if they or anyone in their household has a disability than if the household had the same income but contained no-one with a disability.

In common with other working age recipients, people with disabilities will receive less CTR under the localised scheme than they did under CTB. However, the limited changes between CTB and our local CTR scheme are not such as to introduce disproportionately adverse effects on people based on disabled people as a specific group. Outside of CTR, the Council Tax scheme itself recognises disability by exempting those with a severe mental impairment, the CTR scheme will not impact upon that exemption and it will continue to apply where appropriate. Additionally, the Council Tax scheme also recognises disability where a dwelling occupied by a disabled person has a room that is adapted or additional to meet the needs of that resident. In those cases the band attributable to that dwelling for the purposes of Council Tax is reduced in advance of any further reduction under CTR.

Analysis of the effect in implementing Options 2 - 5 do not demonstrate a disproportionate negative impact on this group. The average level of debt for CTR recipients in 2014/15 receiving the disabled premium is £223.10 - significantly lower than the scheme average of £354.19 for working age claims.

**Table 4**

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)	31	6	19%	£548.28	£3,289.68
Working age (other)	414	88	21%	£200.93	£17,681.80
<b>Total</b>	<b>445</b>	<b>94</b>	<b>21%</b>	<b>£223.10</b>	<b>£20,971.48</b>

However, implementing Option 6 to apply an income taper of 65% instead of 20% to the excess income of applicants with no earnings, will disproportionately affect disabled customers. Of the 28 current applicants that would be affected by such a change, 39% (11) are treated as disabled. In mitigating such an effect, officers could apply a discretionary reduction in Council Tax liability through exceptional hardship as appropriate and in accordance with our policy.

## Gender

There are a greater number of female recipients of CTR within our caseload (either single, lone parents or part of a couple) than male recipients. Consequently more females will be impacted by changes made to our CTR scheme than males. However, gender will not be a direct factor in any part of the assessment of CTR as it is not considered to be a characteristic that requires a higher applicable amount when assessing support. The majority of lone parents in receipt of CTR are female. 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.

Some working age CTR applicants, both men and women, will receive less CTR under Options 3 - 5 than they do now, but analysis does not demonstrate a disproportionate effect. However, Option 2 to disregard child maintenance as income within the means test is likely to affect more women than men as those women, either as part of a family or as lone parents, are the greatest recipients of such an income source. Women (or men, but most commonly women) in receiving child maintenance, have the potential to experience an increase in CTR, as a result of this proposal than any other group. There will be a direct correlation between income (of which child maintenance will be a part) and CTR received.

The average level of debt for working age lone parents in 2014/15 was £341.26 - lower than the scheme average of £354.19 for working age claims. See overleaf for table 5 detailing debt levels for this group.

**Table 5**

<b>Lone parents</b>	<b>Number of claims</b>	<b>Cases with debt</b>	<b>% of cases with debt</b>	<b>Average debt for those in arrears</b>	<b>Total debt</b>
Working age (employed)	143	34	24%	£442.57	£15,047.35
Working age (other)	262	91	35%	£303.41	£27,609.86
<b>Total</b>	<b>405</b>	<b>125</b>	<b>31%</b>	<b>£341.26</b>	<b>£42,657.21</b>

### **Gender Reassignment**

We hold no data on our Council Tax system to identifying the names or numbers of current CTR applicants who share this protected characteristic. Gender reassignment is not a factor in any part of the assessment of CTR and it is not considered to be a characteristic which requires a higher applicable amount when assessing support. In common with other working age CTR applicants, transgendered people will receive less CTR under the proposals for change in 2016/17. However, these are not such as to introduce disproportionately adverse effects on transgendered people as a specific group.

### **Marriage and Civil Partnership**

Options for changing our CTR scheme for 2016/17 do not introduce disproportionately adverse effects on people based on their marriage or civil partnership status.

### **Pregnancy and Maternity**

For the purposes of CTR, pregnancy and maternity must be considered as two separate characteristics as while the applicants is pregnant, her applicable amounts and personal allowances are lower (as for a person without children). Once a child is born, it becomes part of the household composition and increased allowances are applied. Pregnancy alone is not a factor in the current assessment of CTR as it is not considered to be a characteristic that requires a higher applicable amount.

Providing that the child (or children) forms part of the mother's household composition once it is born, the application for CTR will then include the child (or children) as part of the household and the applicable amount will increase which, once other income changes have been taken into account may provide for a more generous assessment of CTR and reduced Council Tax payments.

The CTR scheme will retain the current disregard of Child Benefit in income calculations, meaning the income that Child Benefit provides will not reduce the amount of CTR that a recipient receives as a result of having a baby. We have not identified any disproportionate impact in implementing Options 1-5 of this policy in relation to pregnancy and maternity. Implementing Option 6 to apply an income taper of 65% instead of 20% to the excess income of applicants with no earnings, could disproportionately affect working age recipients receiving maternity allowance. In mitigating such an effect, officers will apply a discretionary reduction in Council Tax liability through exceptional hardship as appropriate and in accordance with our policy.

### **Race**

West Somerset historically has a low BME (Black & Minority Ethnic) population compared to the rest of Somerset. Race is not a factor in the assessment of CTR and it is not considered to be a characteristic that requires a higher applicable amount.

Some working age CTR applicants, people of all races, will receive less CTR under the proposals for change in 2016/17. However, these are not such as to introduce disproportionately adverse effects on people based on their race status.

### **Religion and Belief**

We do not gather data on religion or belief as part of the CTR application process; we do not hold full data specific to religion or belief within our caseload.

Religion and belief is not a factor in any part of the assessment of Council Tax Rebate as it is not considered to be a characteristic which requires a higher applicable amount.

Some working age CTR applicants, people of all or no religion or belief, will receive less CTR under the proposals for change in 2016/17. However, these are not such as to introduce disproportionately adverse effects on people based on their religion or belief status.

## Sexual Orientation

Sexual orientation is not be a factor in any part of the assessment of CTR as it is not considered to be a characteristic which requires a higher applicable amount when assessing support.

Some working age CTR applicants will receive less CTR under the proposals for change in 2016/17. However, these are not such as to introduce disproportionately adverse effects on people based on their sexual orientation.

## Children and duties under the 2010 Child Poverty Act

There are 715 working age CTR recipients with children, accounting for 49% of all working age CTR recipients. Of those with children, 30% (218) have debt totalling £79,805.02 with these arrears making up 57% of all Council Tax debt for those of working age getting CTR support.

**Table 6**

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)	238	57	24%	£508.42	£28,980.07
Working age (other)	477	161	34%	£315.68	£50,824.95
<b>Total</b>	<b>715</b>	<b>218</b>	<b>30%</b>	<b>£366.08</b>	<b>£79,805.02</b>

## Other Groups (non-statutory)

### Employment

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.

The number of working age CTR recipients in employment is 327, accounting for 23% of all working age recipients. Those CTR recipients without employment are 6% more likely to have Council Tax arrears, although the average value of their debt (£327.78) is less than for those with employment (£469.47).

Couples in employment without responsibility for children, have the greatest average debt at £643.01, while non-working applicants with disabilities, have the lowest average debt of £200.93.

<b>Table 7</b>	Single, no children	Couples, no children	Couples with children	Lone parents	Disabled
Working Age Employed	£212.51	£643.01	£605.77	£442.57	£548.28
Working Age – not in employment	£345.73	£323.61	£331.64	£303.41	£200.93

### **Rural Isolation (West Somerset is a rural district with poor transport networks which can affect the way we deliver services)**

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

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.

#### **Carers**

Larger families or people with disabilities may be in larger properties to cater for disability needs and so carers are able to stay overnight.

#### **Armed Forces**

Veteran Benefits will continue to be fully disregarded in the means test for Council Tax Rebate.

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

#### **Other**

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.

### **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.**

In considering options to change our CTR scheme we have tried hard to balance the reality of a significant cut in Central Government funding to protecting the most vulnerable members of our community as far as practicable.

In mitigating any disproportionate effect through implementing any of the proposed options to change our CTR scheme, officers could apply a reduction in Council Tax liability through exceptional hardship as appropriate and in accordance with our discretionary policy.

The proposals acknowledges that recipients of CTR need to contribute more to meet the funding shortfall but also looks to protect people with protected characteristics as much as possible. All working age recipients will continue to be expected to pay something toward their Council Tax.

## Section 4: ACTION PLAN

Identified Issue/Negative Impact	Action needed to mitigate impact	Who is responsible	By When	Expected outcomes from carrying out action	Result
Less Support available for low income households, including those with protected characteristics, to meet their Council Tax.	Application of a discretionary reduction in Council Tax liability through exceptional hardship fund	Principal Benefits Officer	On-going	<ul style="list-style-type: none"> <li>To provide short-term help for instances of hardship.</li> <li>Most vulnerable supported</li> <li>Understood by local advice agencies</li> </ul>	
Less support will mean more low income households having to pay Council Tax, including those with protected characteristics. limited means could result in late payment /non-payment	Proactive approach to debt management	Principal Revenues and Corporate Debt Officer	On-going	<ul style="list-style-type: none"> <li>To attempt to intervene at an early point and avoid additional costs being incurred for late payment wherever possible</li> </ul>	
Less Support available for low income households, including those with protected characteristics, to meet their Council Tax.	Publicity and promotion of changes being introduced by new scheme	Revenues & Benefits Manager	January to March 2016	<ul style="list-style-type: none"> <li>To help citizens plan and budget.</li> </ul>	
Low income households, including those with protected characteristics will be affected by the proposed changes	Monitoring of impacts post April 2016	Revenues & Benefits Manager	Throughout 2016/17	<ul style="list-style-type: none"> <li>To identify unexpected impacts of the local CTR scheme with a view to making adjustments to the scheme the following year, if practicable.</li> </ul>	
Less Support available for low income households, including those with protected characteristics, to meet their Council Tax.	Promotion of other available welfare benefits, discretionary payments and Council Tax discounts	Revenues & Benefits Manager	Throughout 2016/17	<ul style="list-style-type: none"> <li>To lessen financial impact on citizens through either increasing income or reducing Council Tax.</li> </ul>	

**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 28 October 2015, Cabinet on 2 December 2015 and Full Council on 16 December 2015.

**Section 7: Sign Off**

Completed by:	H Tiso
Date:	16 October 2015
Reviewed by:	
Date:	

*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 2016/17**

**Date of report: 16 December 2015**

**Author of report: Heather Tiso**

**Audience for report: Full Council**

**Outcome from report being considered**

## CTR Tax Rebate - Debt Profile @ 31 March 2015

### Table 1 – Profile of claims with arrears

	Number of cases	Cases with debt	Percentage of cases with debt	Average arrears cases	Average arrears across scheme	Total arrears
Pension Age	1,830	33	1.80%	£370.75	£6.69	£12,234.67
Working Age Employed	327	74	22.63%	£469.47	£106.24	£34,740.55
Working Age Other	1,120	323	28.84%	£327.78	£94.53	£105,873.23
Total	3,277	430	13.12%	£355.46	£46.64	£152,848.45
<b>Total for working age</b>	<b>1,447</b>	<b>397</b>	<b>27.44%</b>	<b>£354.19</b>	<b>£97.18</b>	<b>£140,613.78</b>

### Table 2 – Profile of claims – Claim numbers

	Total claims	Passported	Children	Couple	Single	Lone parent	Disabled
Pension Age	1,830	1,135	24	555	1,272	3	0
Working Age Employed	327	1	238	108	76	143	31
Working Age Other	1,120	858	477	318	540	262	414
Total	3,277	1,994	739	981	1,888	408	445
<b>Total for working age</b>	<b>1,447</b>	<b>859</b>	<b>715</b>	<b>426</b>	<b>616</b>	<b>405</b>	<b>445</b>

### Table 3 – Total arrears

	Total arrears	Passported	Children	Couple	Single	Lone parent	Disabled
Pension Age	£12,234.67	£1,164.87	£0.00	£4,569.29	£7,665.38	£0.00	£0.00
Working Age Employed	£34,740.55	£0.00	£28,980.07	£16,718.13	£2,975.07	£15,047.35	£3,289.68
Working Age Other	£105,873.23	£78,332.74	£50,824.95	£28,478.08	£49,785.29	£27,609.86	£17,681.80
Total	£152,848.45	£79,497.61	£79,805.02	£49,765.50	£60,425.74	£42,657.21	£20,971.48
<b>Total for working age</b>	<b>£140,613.78</b>	<b>£78,332.74</b>	<b>£79,805.02</b>	<b>£45,196.21</b>	<b>£52,760.36</b>	<b>£42,657.21</b>	<b>£20,971.48</b>

### Table 4 – Number of claims with arrears

	Total with arrears	Passported	Children	Couple	Single	Lone parent	Disabled
Pension Age	33	10	0	15	18	0	0
Working Age Employed	74	0	57	26	14	34	6
Working Age Other	323	251	161	88	144	91	88
Total	430	261	218	129	176	125	94

Table 5 –Percentage of claims with arrears

	Total claims	Total with arrears	Passported	Children	Couple	Single	Lone parent	Disabled
Pension Age	56%	2%	1%	0%	3%	1%	0%	0%
Working Age Employed	10%	23%	0%	24%	24%	18%	24%	19%
Working Age Other	34%	29%	29%	34%	28%	27%	35%	21%
Total	100%	13%	13%	29%	13%	9%	31%	21%
<b>Total for working age</b>	<b>44%</b>	<b>27%</b>	<b>29%</b>	<b>30%</b>	<b>27%</b>	<b>26%</b>	<b>31%</b>	<b>21%</b>

Table 6 – Average arrears per case

	Total	Passported	Children	Couple	Single	Lone parent	Disabled
Pension Age	£370.75	£116.49	£0.00	£304.62	£425.85	£0.00	£0.00
Working Age Employed	£469.47	£0.00	£508.42	£643.01	£212.51	£442.57	£548.28
Working Age Other	£327.78	£312.08	£315.68	£323.61	£345.73	£303.41	£200.93
Total	£355.46	£304.59	£366.08	£385.78	£343.33	£341.26	£223.10
<b>Total for working age</b>	<b>£354.19</b>	<b>£312.08</b>	<b>£366.08</b>	<b>£396.46</b>	<b>£333.93</b>	<b>£341.26</b>	<b>£223.10</b>

Table 7– Average arrears across scheme

	Total	Passported	Children	Couple	Single	Lone parent	Disabled
Pension Age	£6.69	£1.03	£0.00	£8.23	£6.03	£0.00	£0.00
Working Age Employed	£106.24	£0.00	£121.77	£154.80	£39.15	£105.23	£106.12
Working Age Other	£94.53	£91.30	£106.55	£89.55	£92.19	£105.38	£42.71
Total	£46.64	£39.87	£107.99	£50.73	£32.01	£104.55	£47.13
<b>Total for working age</b>	<b>£97.18</b>	<b>£91.19</b>	<b>£111.62</b>	<b>£106.09</b>	<b>£85.65</b>	<b>£105.33</b>	<b>£47.13</b>

Table 8 – Total Arrears by Council Tax Band

	A	B	C	D	E	F	G
Pension Age	£6,283.24	£3,226.02	£2,266.92	£52.70	£4.05	£401.74	£0.00
Working Age Employed	£3,880.80	£10,930.44	£11,067.65	£6,344.21	£0.00	£2,517.45	£0.00
Working Age Other	£36,236.09	£37,101.52	£19,951.57	£2,733.10	£9,472.55	£378.40	£0.00
Total	£46,400.13	£51,257.98	£33,286.14	£9,130.01	£9,476.60	£3,297.59	£0.00
<b>Total for working age</b>	<b>£40,116.89</b>	<b>£48,031.96</b>	<b>£31,019.22</b>	<b>£9,077.31</b>	<b>£9,472.55</b>	<b>£2,895.85</b>	<b>£0.00</b>



Table 9 Number of cases with arrears by Council Tax Band

	A	B	C	D	E	F	G
Pension Age	510	598	397	231	54	32	0
Working Age Employed	65	129	80	39	7	7	0
Working Age Other	415	444	187	60	11	3	0
Total	990	1,171	664	330	72	42	0
<b>Total for working age</b>	<b>480</b>	<b>573</b>	<b>267</b>	<b>99</b>	<b>18</b>	<b>10</b>	<b>0</b>

Table 10 – Average Arrears by Council Tax Band

	A	B	C	D	E	F	G
Pension Age	£12.32	£5.39	£5.71	£0.23	£0.08	£12.55	£0.00
Working Age Employed	£59.70	£84.73	£138.35	£162.67	£0.00	£359.64	£0.00
Working Age Other	£87.32	£83.56	£106.69	£45.55	£861.14	£126.13	£0.00
Total	£46.87	£43.77	£50.13	£27.67	£131.62	£78.51	£0.00
<b>Total for working age</b>	<b>£83.58</b>	<b>£83.83</b>	<b>£116.18</b>	<b>£91.69</b>	<b>£526.25</b>	<b>£289.59</b>	<b>£0.00</b>

Table 11 – Claims with Children – Arrears Analysis

	Number of cases	Cases with arrears	Average arrears case	Average arrears across scheme	Total arrears
Pension Age	24	0	£0.00	£0.00	£0.00
Working Age Employed	238	57	£508.42	£121.77	£28,980.07
Working Age Other	477	161	£315.68	£106.55	£50,824.95
Total	739	218	£366.08	£107.99	£79,805.02
<b>Total for working age</b>	<b>715</b>	<b>218</b>	<b>£366.08</b>	<b>£107.99</b>	<b>£79,805.02</b>

Table 12 – Lone Parent Claims – Arrears Analysis

	Number of cases	Cases with arrears	Average arrears case	Average arrears across scheme	Total arrears
Pension Age	3	0	£0.00	£0.00	£0.00
Working Age Employed	143	34	£442.57	£105.23	£15,047.35
Working Age Other	262	91	£303.41	£105.38	£27,609.86
Total	408	125	£341.26	£104.55	£42,657.21
<b>Total for working age</b>	<b>405</b>	<b>125</b>	<b>£341.26</b>	<b>£105.33</b>	<b>£42,657.21</b>

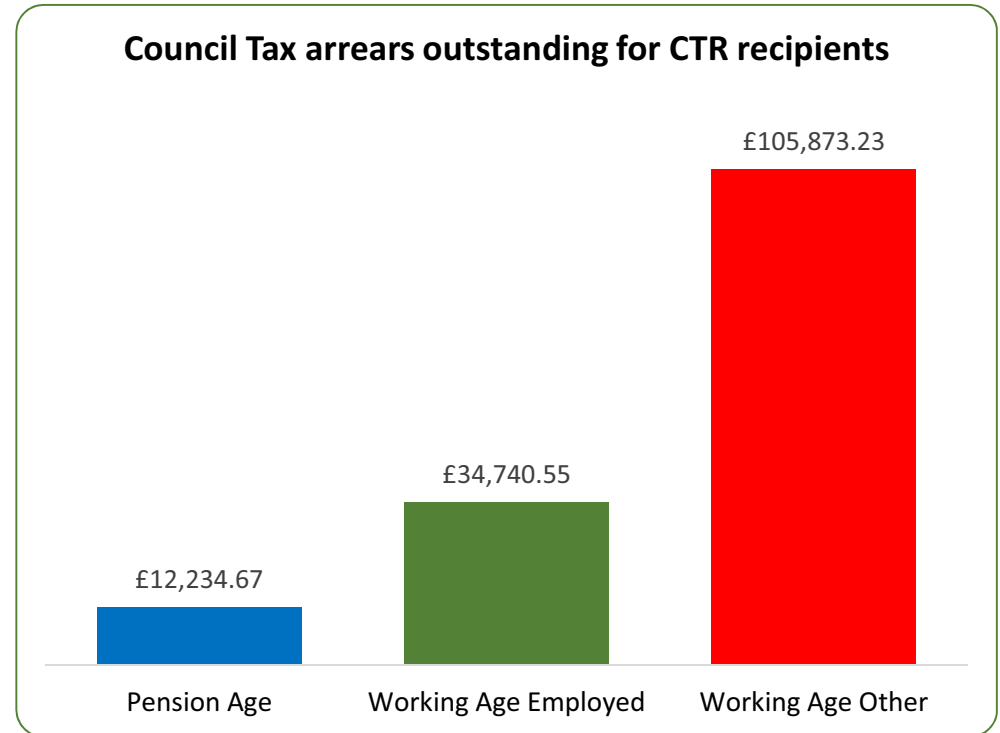
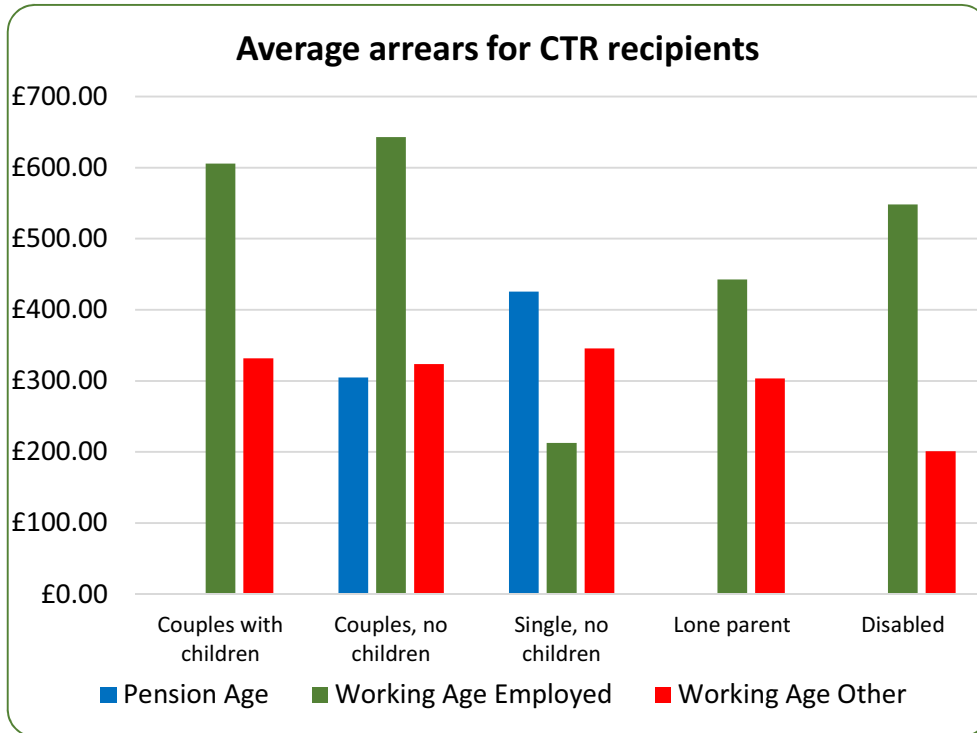
Table 13 – Claims with a Disability Premium – Arrears Analysis					
	Number of cases	Cases with arrears	Average arrears case	Average arrears across scheme	Total arrears
Pension Age	0	0	£0.00	£0.00	£0.00
Working Age Employed	31	6	£548.28	£106.12	£3,289.68
Working Age Other	414	88	£200.93	£42.71	£17,681.80
Total	445	94	£223.10	£47.13	£20,971.48
<b>Total for working age</b>	<b>445</b>	<b>94</b>	<b>£223.10</b>	<b>£47.13</b>	<b>£20,971.48</b>

Table 14 – Passported Claims – Arrears Analysis					
	Number of cases	Cases with arrears	Average arrears case	Average arrears across scheme	Total arrears
Pension Age	1,135	10	£116.49	£1.03	£1,164.87
Working Age	859	251	£312.08	£91.19	£78,332.74
<b>Total</b>	<b>1,994</b>	<b>261</b>	<b>£304.59</b>	<b>£39.87</b>	<b>£79,497.61</b>

Table 15 – Couples (no children) claiming CTR – Arrears Analysis					
	Number of cases	Cases with arrears	Average arrears case	Average arrears across scheme	Total arrears
Pension Age	555	15	£304.62	£8.23	£4,569.29
Working Age Employed	108	26	£643.01	£154.80	£16,718.13
Working Age Other	318	88	£323.61	£89.55	£28,478.08
Total	981	129	£385.78	£50.73	£49,765.50
<b>Total for working age</b>	<b>426</b>	<b>114</b>	<b>£396.46</b>	<b>£106.09</b>	<b>£45,196.21</b>

Table 16 – Single People Claiming CTR – Arrears Analysis					
	Number of cases	Cases with arrears	Average arrears case	Average arrears across scheme	Total arrears
Pension Age	1,272	18	£425.85	£6.03	£7,665.38
Working Age Employed	76	14	£212.51	£39.15	£2,975.07
Working Age Other	540	144	£345.73	£92.19	£49,785.29
Total	1,888	176	£343.33	£32.01	£60,425.74
<b>Total for working age</b>	<b>616</b>	<b>158</b>	<b>£333.93</b>	<b>£85.65</b>	<b>£52,760.36</b>

Table 17 – Comparison of Working Age cases – Arrears Analysis					
	Number of cases	Cases with arrears	Average arrears case	Average arrears across scheme	Total arrears
Working age (working)	327	74	£469.47	£106.24	£34,740.55
Working age (not working)	1,120	323	£327.78	£94.53	£105,873.23
<b>Total for working age</b>	<b>1,447</b>	<b>397</b>	<b>£354.19</b>	<b>£97.18</b>	<b>£140,613.78</b>





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*Report Number:* WSC 153/15

*Presented by:* Councillor Keith Turner, Lead Member for Housing, Health and Wellbeing

*Author of the Report:* Scott Weetch, Community & Client Services Manager

*Contact Details:*

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*Email:* s.weetch@tauntondeane.gov.uk

*Report to a Meeting of:* Cabinet

*To be Held on:* 2<sup>nd</sup> December 2015

*Date Entered on Executive Forward Plan Or Agreement for Urgency Granted:* 23 June 2015

## LICENSING OFFICER POST – WEST SOMERSET COUNCIL

### 1. PURPOSE OF REPORT

1.1 To outline the requirement for a full time licensing officer post.

### 2. CONTRIBUTION TO CORPORATE PRIORITIES

2.1 The creation of a permanent Licensing Officer whose predominant function is to deliver the licensing service within West Somerset will promote the corporate priorities particularly with regard to 'ensuring everyone has access to our services and is treated equally and fairly'. An appropriately resourced licensing function will also ensure that public safety is kept at the forefront of decision making.

### 3. RECOMMENDATIONS

3.1 That Members agree the appointment of a permanent full time Licensing Officer Post.

### 4. RISK ASSESSMENT (IF APPLICABLE)

#### Risk Matrix

Description	Likelihood	Impact	Overall
Reputational and Financial risk from complaints, improper activity and/or legal challenge	5	4	20
Creation of permanent Licensing Officer Post	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 Historically West Somerset Council was served by a single Licensing Officer post which became vacant upon the retirement of the post holder following an extended period of sick leave.
- 5.2 During this period of absence and up until the commencement of the Joint Management and Shared Services (JMASS) project, a basic level of service delivery was provided by the West Somerset Council Environmental Health Team with support from the Taunton Deane Borough Council Licensing Staff.
- 5.3 No additional resources were introduced into the Licensing Team through the JMASS project and consequently the team's resources were over stretched and were unable to maintain an acceptable level of service delivery across the two Councils.
- 5.4 This resulted in, amongst other issues, a back log of applications to be processed and a drop in the level of customer service. Redeployment and extra training of staff improved the situation but a lack of resilience within the team resources showed that this approach was not sustainable.
- 5.5 Authority to reinstate the licensing officer post was sought from Cabinet which agreed an initial funding of £10,000 and the recruitment of a temporary Licensing Officer was secured in March of this year. This funding was sufficient to fund the post until 24 July 2015. After that date further funding has been approved to continue the delivery of the service within existing means. This is explained further below.
- 5.6 The temporary post holder has moved the Council to a position where it can demonstrate the proper consideration and effective determination of all licensing applications received.

### **Licences issued**

- 5.7 The tables below illustrate the demand levels for different application types across Taunton Deane and West Somerset to be completed by the licensing team. This shows the numbers of licences issued across the various regimes. It can be seen that during the last three and a half years, demand is slightly higher in Taunton Deane than West Somerset, but the difference is not as marked as had been anticipated. The demand levels fall at 58% for Taunton Deane and 42% in West Somerset. Figure 1 shows the last 6 months. Figure 2 shows the preceding 3 years. Taxis peak in West Somerset on a 3 yearly basis as all drivers renew their licences at the same time.

<b>Taunton Deane</b>						
<b>Licences issued April to September 2015 inclusive</b>						
<b>Category</b>	<b>Total for period</b>			<b>Category</b>	<b>Total for period</b>	
Alcohol Sales/Public Entertainment	256			Alcohol Sales/Public Entertainment	240	
Street/House Collections	6			Street/House Collections	18	
Lotteries	2			Lotteries	31	
Pavement Cafes	2			Pavement Cafes	n/a	
Pet Shop/Animal Welfare	15			Pet Shop/Animal Welfare	4	
Hackney Carriage/Private Hire Vehicles	148			Hackney Carriage/Private Hire Vehicles	58	
Drivers/Operators	129			Drivers/Operators	82	
Street Trading	16			Street Trading	6	
Skin Piercing	16			Skin Piercing	2	
Gambling Act	1			Gambling Act	2	
Promotional Event	10			Promotional Event	n/a	
Scrap Metal Dealers				Scrap Metal Dealers	0	
				Other		
Other - Campsite					6	
<b>TOTAL: Licenses Issued</b>	<b>601</b>			<b>TOTAL: Licenses Issued</b>	<b>449</b>	
		57.20%				42.80%

Figure 1 - demand profile April to September 2015



Category	2012/13		2013/14		2014/15	
	Taunton Deane	West Somerset	Taunton Deane	West Somerset	Taunton Deane	West Somerset
Alcohol Sales/Public Entertainment	257	395	277	366	227	320
Street/House Collections	84	107	94	83	69	37
Lotteries	8	62	21	74	14	51
Pavement Cafes	9	n/a	7	n/a	11	n/a
Pet Shop/Animal Welfare	27	22	36	14	12	11
Hackney Carriage/Private Hire Vehicles	202	64	234	65	218	71
Drivers/Operators	199	91	223	43	246	44
Street Trading	41	27	44	29	34	15
Skin Piercing	23	2	24	3	30	1
Gambling Act	3	14	2	9	0	6
Promotional Event	68	n/a	71	n/a	47	n/a
Scrap Metal Dealers	18	0	2	1	0	0
Temporary Event Notices	343	263	350	237	296	229
Other		10		20		10
<b>TOTAL: Licenses Issued</b>	<b>1282</b>	<b>1057</b>	<b>1385</b>	<b>944</b>	<b>1204</b>	<b>795</b>
	54.80%	45.20%	59.50%	40.50%	60.20%	39.80%

Total TD  
4472

Total WS  
3245

Overall total  
7717

Overall TD %	
58	42

Figure 2- Demand profile 2012-2015

## Future

- 5.8 Not recruiting an additional officer will lead to applications not being progressed, no resilience within the team and a lack of time available to the Manager to conduct long term strategic activities, project planning and performance management.
- 5.9 If the Licensing function is not carried out in an efficient manner and the proper consideration and effective determination of applications cannot be demonstrated the Council may be subject to complaints or legal challenges and public safety may be compromised.
- 5.10 The creation of a permanent Licensing Officer post would ensure compliance with legal timescales and performance indicators for the progression and determination of applications and help to address any potentially unlawful over recovery.
- 5.11 Retaining the post will also provide the team with sufficient sustainable resources to effectively monitor and where necessary to enforce compliance with legislation.

## 6. **FINANCIAL/RESOURCE IMPLICATIONS**

- 6.1 The licensing service within local authorities is not permitted to charge more than it costs to run the service. Income from fees levied is approximately £88,000 per year for West Somerset.
- 6.2 *“Councils must not use fees covered by the European Union Services Directive to make a profit or act as an economic deterrent to deter certain business types from operating within an area... Fees should be broadly cost neutral in budgetary terms, so that, over the lifespan of the licence, the budget should balance. Those benefitting from the activities permitted by the various licences should not, so far as there is discretion to do so, be subsidised by the general fund.”*  
(Source: LGA Guidance on locally set fees  
[http://www.local.gov.uk/documents/10180/5854661/L14-42+fees+guidance+report\\_05.pdf/5a4e8874-31e2-4158-b0cc-b5f30556c243](http://www.local.gov.uk/documents/10180/5854661/L14-42+fees+guidance+report_05.pdf/5a4e8874-31e2-4158-b0cc-b5f30556c243) )
- 6.3 Licensing income is from a combination of self-determined and nationally set fees levied by the Council. The Licensing Service is able to set fees to recover its reasonable costs for those self-determined fees. However, this is only true for certain licence types such as Hackney Carriage and Private Hire Operators, Animal Boarding establishments and so on. Others, such as those under the Licensing and Gambling Acts are set by Government. Government set fees have not been reviewed since being set, despite pressure from the Local Government Association for all fees to be locally set. Other regimes, such as charitable collection, are not able to levy a fee and as such, the Council would expect to make a small loss on its Licensing Service. This must be the case as Licensing is only able to recover its reasonable

costs and must not set a budget to over recover. This is a well-established principle in public law. Any over or under recovery should be clearly accounted for and must be taken into consideration for subsequent years' fee setting, with the aim that broadly speaking a 'zero balance' is achieved for delivering this service. As a service, Licensing cannot make a profit nor may it cross subsidise any other Council function unless it can be proved to be directly beneficial to the licensing activity that recovered it. For example, an over recovery in taxi fees could be used to train drivers about safeguarding issues, but it could not be used to train all staff in safeguarding issues as that would not be specific to the regime from which the money derived.

- 6.4 If an over or under recovery from licensing fees were to be identified this would be managed through a trading account so as not to place West Somerset Council in an unlawful position. The funding for the Licensing Officer post will be through this account with no expected impact on the general fund.
- 6.5 A full time licensing officer for West Somerset Council, at the current 2015/16 salary and on costs in total £32,684 plus additional sums for vehicle usage etc.
- 6.6 As stated above any surplus or deficit in 2015/16 and future years will be transferred into the account and fees and charges will be adjusted accordingly to bring the fund to zero over a rolling period of time.

#### 6.7 Licensing salary costs

Table 1 – Original costs with no additional West Somerset specific staff

Original budget		WSC		TDBC		
Job Title	Hours worked	Total Budget	WSC % split	WSC Budget	TDBC % split	TDBC Budget
		£	%	£	%	£
Licensing Manager	37	43,391.00	20	8,678.20	80	34,712.80
Licensing Officer	37	32,764.00	20	6,552.80	80	26,211.20
Licensing Officer	37	32,764.00	20	6,552.80	80	26,211.20
Licensing Assistant	16	9,709.00	20	1,941.80	80	7,767.20
Licensing Assistant	22.2	13,808.00	20	2,761.60	80	11,046.40
		£132,436.00		£26,487.20		£105,948.80

*Service comment: This is the original JMASS structure and it has proven not to be effective or adequate for the workloads related to this service. Even with Environmental Health staff working on licensing, demand outstripped output considerably. This is not a safe model to carry forward.*

Table 2 – Original costs if split according to workload

Current % split of time (based on licenses issued please see 5.7)			WSC		TDBC	
Job Title	Hours worked	Total Budget	WSC % split	WSC Cost	TDBC % split	TDBC Cost
		£	%	£	%	£
Licensing Manager	37	43,391.00	42	18,224.22	58	25,166.78
Licensing Officer	37	32,764.00	42	13,760.88	58	19,003.12
Licensing Officer	37	32,764.00	42	13,760.88	58	19,003.12
Licensing Assistant	16	9,709.00	42	4,077.78	58	5,631.22
Licensing Assistant	22.2	13,808.00	42	5,799.36	58	8,008.64
		£132,436		£55,623.12		£76,812.88

*Service comment: This table is based on the original JMASS structure as at Table 1, but with costs split according to the demands as outlined in section 5.7.*

Table 3 – Current costs with temporary member of staff

Job Title	Hours worked	Total Budget	WSC		TDBC	
			WSC % split	WSC Budget	TDBC % split	TDBC Budget
			%	£	%	£
Licensing Manager	37	43,391.00	20	8,678.20	80	34,712.80
Licensing Officer	37	32,764.00	20	6,552.80	80	26,211.20
Licensing Officer	37	32,764.00	20	6,552.80	80	26,211.20
Licensing Officer	37	32,674.00	100	29,429.36*	0	0
Licensing Assistant	16	9,709.00	20	1,941.80	80	7,767.20
Licensing Assistant	22.2	13,808.00	20	2,761.60	80	11,046.40
		£165,110		£55,916.36		£105,948.80

\*This is the total cost for the temporary post at the bottom of the scale. £32,764 represents these posts at the top of their scale i.e. their maximum cost

*Service comment: It has become apparent that having a full time member of staff with a sole West Somerset focus is beneficial and has cleared the backlog.*

Table 4 – proposed costs with full time member of staff

			WSC		TDBC	
Job Title	Hours worked	Total Budget	WSC % split	WSC Budget	TDBC % split	TDBC Budget
		£	%	£	%	£
Licensing Manager	37	43,391.00	20	8,678.20	80	34,712.80
Licensing Officer	37	32,764.00	20	6,552.80	80	26,211.20
Licensing Officer	37	32,764.00	20	6,552.80	80	26,211.20
Licensing Officer	37	32,674.00	100	32,764.00	0	0
Licensing Assistant	16	9,709.00	20	1,941.80	80	7,767.20
Licensing Assistant	22.2	13,808.00	20	2,761.60	80	11,046.40
		£165,110	36	£59,251.20	64	£105,948.80

*Service comment: The model in table 4 addresses the previous gap between demand and apportionment of costs. There are currently some additional costs in Taunton Deane which are not presented here as there are two extra temporary members of staff – one officer and one assistant to address a significant backlog there.*

## **7. COMMENTS ON BEHALF OF SECTION 151 OFFICER**

- 7.1 The Council's financial position has been well-reported, and faces ongoing and increasing financial pressures.
- 7.2 Under regulations, the costs of the majority of licensing activity is chargeable to license fee payers and the Council can charge up to the full estimated reasonable costs of the associated activities. Certain fees are set by central government – and these may fall above or below the cost of the related licenses. For locally set fees, we assess the reasonable costs of each licensing function and set fees for the purpose of fully recovering such costs.
- 7.3 The expenditure and income estimates will be updated as part of the annual fees and charges process to inform the fee levels for 2016/17 onwards, and any under or over recovery within 2015/16 financial year would be managed through the self-financing earmarked reserve mechanism. Members will need to appreciate that fees may therefore change up or down from year to year to reflect volatility in costs and income projections and the intended break-even approach.

## **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 None

## **9. CRIME AND DISORDER IMPLICATIONS**

9.1 The four licensing objectives under the Licensing Act 2003 are:

- Prevention of crime and disorder
- Public safety
- Prevention of public nuisance
- Protection of children from harm

This seems a very reasonable basis on which to found the Licensing Service in general. Having a specific member of staff in place will help to achieve these aims.

## **10. CONSULTATION IMPLICATIONS**

10.1 None

## **11. ASSET MANAGEMENT IMPLICATIONS**

11.1 None

## **12. ENVIRONMENTAL IMPACT IMPLICATIONS**

12.1 None

## **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

## **14. LEGAL IMPLICATIONS**

14.1 Failure to comply with the requirements of legislation may result in legal challenge to the Council.





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*Report Number:* WSC 170/15

*Presented by:* Cllr Chilcott, Lead Member for Resources and Central Support

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*Report to a Meeting of:* Cabinet

*To be Held on:* 2<sup>nd</sup> December 2015

*Date Entered on Executive Forward Plan Or Agreement for Urgency Granted:* 10/2/2015

## FINANCIAL MONITORING REPORT 2015-16 (APRIL – SEPTEMBER 2015)

### 1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to provide Members with details of the Council's latest forecast financial outturn position for the 2015/16 financial year for both revenue and capital budgets, together with information relating to predicted end of year reserve balances.

### 2. CONTRIBUTION TO CORPORATE PRIORITIES

- 2.1 The Council's financial performance is directly linked to the 'Local Democracy' priority in terms of local accountability and maximising government funding. Additionally, financial performance and monitoring of financial information is crucial to monitoring the progress being made in delivering all Council services.

### 3. RECOMMENDATIONS

- 3.1 That Cabinet notes the current financial standing of the Council together with the estimated position at the end of the financial year.

### 4. RISK ASSESSMENT (IF APPLICABLE)

#### Risk Matrix

Description	Likelihood	Impact	Overall
That the Authority overspends against the approved budget	2	4	8
<i>Regular budget monitoring reports are produced and managers actively manage the budgets under their responsibility</i>	1	4	4

- 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 regular monitoring of financial information is a key element in the Council's Performance Management Framework. Crucially it enables remedial action to be taken in response to significant budget variances, some of which may be unavoidable. It also provides the opportunity to assess any consequent impact on reserves and the Council's the Medium Term Financial Plan.
- 5.2 As this report covers the position following the review at the end of the second quarter, it is generally expected that there would be fewer variances to report at this stage. Managers will take into account within forecasts the impact of any planned actions to control or mitigate early identified variances within budgets.
- 5.3 The Q2 financial monitoring position was reported to Scrutiny Committee on 12 November 2015. The position was noted with no formal recommendations made to Cabinet. However comments from the Committee included:
- Whether a further review of the Sustainability Reserve, the Election Reserve, the JMASS Reserve and the Car Park Reserve could take place with a view of the possibility of returning further balances to the General Fund. The response from AD Resources at the committee is that these funds have been identified as needed for the purpose intended therefore cannot be released at this point, however reserves will continue to be reviewed from time to time to ensure any identified surplus balances are released in future.
  - It was noted that £120,000 had been approved to be spent on Asset Compliance work to date and that there could be further costs arising if it is identified more work is needed.
  - The choices and budget priorities remain a member decision.

## 6. REVENUE BUDGET OUTTURN 2015/16 AND RESERVES

- 6.1 This is the Q2 financial monitoring report for 2015/16. This report provides an indication of the forecast outturn for the year and any significant variances to budget. There are risks and uncertainties within the forecast, and Officers will continue to monitor the position closely throughout the remainder of the year and will provide updates as appropriate.
- 6.2 The current forecast outturn for the 2015/16 Revenue Budget shows a projected net underspend of £107,489 for Q2 following on from a reported underspend of £20,489 in Q1. Table 1 below provides a summary the revenue budget and outturn for the year.

**Table 1 – Summary Predicted Revenue Outturn 2015/16**

	Original Budget £	Current Budget £	Predicted Outturn £	Variance £
Corporate	88,640	88,640	88,640	0
Operations	3,528,383	3,841,273	3,754,273	-87,000
Housing and Communities	573,727	468,727	468,727	0
Growth and Development	449,383	550,181	550,181	0
<b>Subtotal - Net Service Costs</b>	<b>4,640,133</b>	<b>4,948,821</b>	<b>4,861,821</b>	<b>0</b>
Interest costs and income	20,000	20,000	20,000	0
Revenue Funding of Capital Costs	76,633	76,633	76,633	0
Capital debt repayment ("MRP")	225,300	225,300	225,300	0
<b>Subtotal – Net Costs</b>	<b>4,962,066</b>	<b>5,270,754</b>	<b>5,183,754</b>	<b>-87,000</b>
Transfers from Earmarked Reserves	-149,928	-787,827	-787,827	0
Transfers to Earmarked Reserves	0	200,000	200,000	0
Transfers to/from General Reserves	0	329,211	329,211	0

	Original Budget £	Current Budget £	Predicted Outturn £	Variance £
<b>NET BUDGET AND EXPENDITURE</b>	<b>4,812,138</b>	<b>5,012,138</b>	<b>4,925,138</b>	<b>-87,000</b>
Business Rates Funding	-1,554,776	-1,754,776	-1,775,265	-20,489
Revenue Support Grant	-880,491	-880,491	-880,491	0
New Homes Bonus	-571,015	-571,015	-571,015	0
Council Tax	-1,885,584	-1,885,584	-1,885,584	0
Collection Fund Deficit - Business Rates	149,928	149,928	149,928	0
Collection Fund Surplus - Council Tax	-70,200	-70,200	-70,200	0
<b>TOTAL FUNDING</b>	<b>-4,812,138</b>	<b>-5,012,138</b>	<b>-5,032,627</b>	<b>-20,489</b>
<b>NET UNDER(-)/OVERSPEND FOR THE YEAR</b>	<b>0</b>	<b>0</b>	<b>-107,489</b>	<b>-107,489</b>

- 6.3 The main variance to budget reported this quarter relates to Rent Allowances where there is a predicted underspend against budget of £87,000. This is in respect of ongoing benefit adjustments in that payments are being recovered from claimants in respect of Housing Benefit overpayments. There are no other material variances being reported this quarter.

### **In Year Savings**

- 6.4 With regard to the overall position against the revenue budget, for financial planning it is normally assumed any final net underspend or overspend at the end of the financial year will be transferred to or from General Reserves. Members will be aware from the 2014/15 Outturn Report, and taking into account that reserves have reduced to the minimum acceptable level it is essential that costs do not exceed the budget for the year, and it is also advisable to identify in year savings/underspends to boost reserves.
- 6.5 The Assistant Director Resources has led an in-year review of budgets and earmarked reserves to identify savings that can be made in the current financial year. Cabinet on 4 November 2015 recommended the transfer of net in-year savings of £212,092 to General Reserves, and the transfer of £156,119 from earmarked reserves to General Reserves. This was approved by Full Council at its meeting on 18 November 2015 increasing General Reserves by £368,211.
- 6.6 Cabinet on 4 November 2015 also recommended a supplementary budget allocation of £80,000 from General Reserves to fund asset related compliance work including condition surveys, inspections and testing. This was also approved by Full Council on 18 November 2015 and therefore this reduces the unallocated reserves balance, effectively reducing the savings referred in 6.5 above.

## **7. GENERAL RESERVES**

- 7.1 The Original Net Budget for the year did not include any planned transfers to or from General Reserves, however there have been two supplementary estimates approved since the budget was set in February. The following table shows that the current approved reserves balance is **£797,110**.

**Table 2 – General Reserves Balance 31 March 2016**

	£
Balance Brought Forward 1 April 2015	529,899
<i>Supplementary Budget Allocations Already Approved:</i>	
Wheddon Cross public convenience	-12,000
Exford public convenience	-9,000
Transfer of 2015/16 budget savings (Approved by Full Council on 18 <sup>th</sup> November ; net of supplementary allocations of £13,000 Assistant Harbour Master and £5,000 Port Marine Safety Code costs, approved September 2015)	212,092
Transfer of earmarked reserves (Approved by Full Council on 18 <sup>th</sup> November)	156,119
Supplementary estimate for asset compliance costs (Approved by Full Council on 18 <sup>th</sup> November 2015)	-80,000
<b>Current approved reserves balance</b>	<b>797,110</b>
Recommended Minimum Balance	500,000
Projected Balance above recommended minimum	297,110

7.2 The balance of £797,110 leaves “headroom” of £297,110 above the recommended minimum balance. In view of the financial position and risks faced, and taking into account the concerns of the external auditor within the qualified value for money (VFM) conclusion for 2014/15 based on reserves being at the minimum and the scale of budget challenge, the strong advice is to maintain reserves above the recommended minimum.

7.3 As has been highlighted to Members previously, reserves are ‘one-off’ funds and this is not a sustainable basis for funding ongoing services, which will need to be addressed through the budget setting process for future years.

## **8. EARMARKED RESERVES**

8.1 Earmarked Reserves are amounts that have been set aside for specific purposes from existing resources, where the expenditure is expected to be incurred in future years. The table below provides a summary of the movement in earmarked reserve balances during 2015/16 financial year to date.

**Table 3 – Estimated Earmarked Reserves Balance 31 March 2016**

	Balance £
Balance Brought Forward 1 April 2015	3,901,346
Transfers From Earmarked Reserves in 2015/16	-346,867
Transfers To Earmarked Reserves in 2015/16	200,000
Approved Transfers to General Reserves (Full Council 18 <sup>th</sup> Nov)	-156,119
Proposed Balance Carried Forward 31 March 2016	3,598,360

8.2 As can be seen from the table above, the current estimated earmarked reserves balance as at 31 March 2016 stands at £3,598,360. Full details of earmarked reserves can be found in Appendix A to this report. A significant proportion of the balance - £2,980,228 - relates to the Business Rates Smoothing Reserve which is required to fund the projected Collection Fund deficit in 2016/17 and provide a small contingency for business rates funding volatility.

## **9. CAPITAL BUDGET PREDICTED OUTTURN 2015/16**

9.1 The following table summarises the position for both general schemes and Hinkley-funded schemes. Actual spend up to September 2016 totals £965,429, and at this stage no

significant variances against budget have been reported with a minor net underspend of less than £9,252 across the whole programme.

**Table 4 – Summary Capital Programme Outturn Q2 2015/16**

	General Schemes £	Hinkley Funded Schemes £	Total £
Original Capital Budget 2015/16	790,000	0	790,000
Supplementary Budget Approvals	464,040	0	464,040
Carry Forwards from 2014/15	577,719	898,149	1,475,868
<b>Revised Capital Budget 2015/16</b>	<b>1,831,759</b>	<b>898,149</b>	<b>2,729,908</b>
Actual Spend to date	458,534	506,895	965,429
Forecast spend October 2015 to March 2016	1,059,289	391,254	1,450,543
Forecast Outturn 31/03/16	1,517,823	898,149	2,415,972
<b>Projected Year End Spend v Budget</b>	<b>-313,936</b>	<b>0</b>	<b>-313,936</b>
Projected Spend in 2016/17 subject to Carry Forward approval at year end	304,684	0	304,684
<b>Total Forecast Spend on All Schemes</b>	<b>1,822,507</b>	<b>898,149</b>	<b>2,720,656</b>
<b>Net Underspend (-) / Overspend</b>	<b>-9,252</b>	<b>0</b>	<b>-9,252</b>

- 9.2 Although this report covers the period to September, Table 4 and the Appendix reflect approved supplementary budgets since 30 September to ensure the budget information is up to date. A scheme by scheme analysis of the 2015/16 Q2 by scheme is set out in **Appendix B**.
- 9.3 The overall General Fund capital funding position remains very limited for the Council, and it needs to be borne in mind that the current Capital Programme for 2015/16 requires funding of £1,153,549 from the Useable Capital Receipts Reserve. Below is a table showing the latest forecast for the reserve, and shows that the reserve is currently over-committed pending new receipts due later this financial year in respect of the sale of low cost affordable homes at Clanville Grange and the completion of the sale of surplus land in Minehead.

**Table 5 – Useable Capital Receipts Reserve Balance 31 March 2016**

	Actual £
Balance Brought Forward 1 April 2015	896,581
Actual Capital Receipts to date, as reported to Scrutiny 12 November	101,858
Net receipt in November from disposal of Seaward Way leisure land	1,062,082
<b>Current Balance of Capital Receipts Available</b>	<b>2,060,521</b>
Funding of capital costs approved in the 2015/16 Original Budget (refer to Annual Budget & Council Tax Setting Report to Council 25 February 2015 for detail)	-472,367
Funding of capital costs approved in the 2014/15 Carry Forwards (refer to Revenue and Capital Outturn Report to Council 19 August 2015 for detail)	-421,182
Capital Receipts Required to fund 2015/16 Supplementary Approvals (2 x Clanville Grange property purchases, £93,000 and £117,000; Watchet cargo shed demolition £50,000)	-260,000
<b>Current Capital Receipts Funding Required for Approved Schemes</b>	<b>1,153,549</b>
<b>Uncommitted Capital Receipts Balance</b>	<b>906,972</b>

- 9.4 Currently the approved Capital Programme has not required an increase in the underlying capital borrowing requirement.

## **10. FINANCIAL/RESOURCE IMPLICATIONS**

- 10.1 Contained within the body of the report.

## **11. COMMENTS ON BEHALF OF SECTION 151 OFFICER**

- 11.1 Following the 2014/15 outturn position and reduction of general reserves to the acceptable minimum, the financial resilience of the authority has changed significantly. It is a concern that reserves are diminished which makes any new unbudgeted spending in-year unaffordable. Action has been taken to increase reserves through identification of in-year savings and release of previously earmarked reserves, which has increased General Reserves to a better position. This has been driven in part by the budget strategy to enable some potential use of reserves towards the 2016/17 budget. This will be dependent on these reserve balances being in place at the end of the financial year. The current projected underspend provides some confidence that reserves will not be needed to address in year unplanned spend, however as this report presents the best estimates at the half-year point, there remains a risk that the position could change.
- 11.2 It is crucial that Members hold a strong stance with regard to financial decisions, and support essential efforts that are now needed to contain and reduce spending in the current financial year (a) to ensure the Council has immediate flexibility to deal with absolutely essential and unavoidable costs, and (b) to boost reserves to provide essential short-term resilience if needed through the budget process for next year.
- 11.3 It is pleasing to note that a significant capital income has recently been received following the completion of sale of land at Seaward Way. This improves the capital reserves position. Plans to use capital receipts to repay debt are currently being reviewed, and further options in this regard will be presented to Members for consideration through the budget process.

## **12. EQUALITY & DIVERSITY IMPLICATIONS**

- 12.1 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 include:
- 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
- 12.2 There are no implications identified in respect of this report.

## **13. CRIME AND DISORDER IMPLICATIONS**

- 13.1 None directly in this report.

## **14. CONSULTATION IMPLICATIONS**

- 14.1 None directly in this report.

## **15. ASSET MANAGEMENT IMPLICATIONS**

- 15.1 None directly in this report.

## **16. ENVIRONMENTAL IMPACT IMPLICATIONS**

- 16.1 None directly in this report.

**17. HEALTH & WELLBEING**

- 17.1 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.
- 17.2 There are no implications identified in respect of this report.

**18. LEGAL IMPLICATIONS**

- 18.1 None directly in this report.





SUMMARY OF PREDICTED EARMARKED RESERVES AS AT 30<sup>TH</sup> SEPTEMBER 2015

Earmarked Reserve Account	1 April Balance £	Transfers In	Transfers Out	Transfers Between Accounts	31 March (Projected Balance) £	Comments
Area Based Grant	84,384		-45,000		39,384	Fund 40% of economic regeneration manager. Approved by Full Council on 18 <sup>th</sup> Nov that £45,000 be returned to General Reserves
Community Safety	3,533				3,533	External funding specifically earmarked for community safety initiatives
Land Charges	25,511				25,511	Government grant specifically earmarked for providing refunds when due
Tourism	12,107				12,107	Specifically earmarked for tourism and is topped up by Exmoor National Park Authority
Sustainability Reserve	57,698		-40,000		17,698	Earmarked for initiatives that have a positive impact upon the long term sustainability of the Council, used for essential asset maintenance and health and safety works
Minehead Events	396				396	Mary Portas grant – specifically earmarked
DHP Reserve	44,861		-44,861		0	Government Grant – specifically earmarked for Discretionary Hardship Payments. Approved by Full Council on 18 <sup>th</sup> Nov that £44,861 be returned to General Reserves
District Election Reserve	30,000				30,000	Earmarked for costs of 2015 elections
Water Bathing Signs	1,266				1,266	Environmental grant specifically earmarked
Other Election Reserve	23,663				23,663	Funds to meet the additional costs of Individual Electoral Registration
Inspire	7,131				7,131	Earmarked for costs under the Inspire Directive
Transparency Code	2,588		-2,588		0	Earmarked to meet the cost of complying with the Transparency Code. Approved by Full Council on 18 <sup>th</sup> Nov that £2,588 be returned to General Reserves
Exmoor at your Fingertips	1,780		-1,780		0	LARC Fund to fund the Exmoor at your fingertip project

<b>Earmarked Reserve Account</b>	<b>1 April Balance £</b>	<b>Transfers In</b>	<b>Transfers Out</b>	<b>Transfers Between Accounts</b>	<b>31 March (Projected Balance) £</b>	<b>Comments</b>
Minehead Town Centre Signage	500				500	Contribution from Minehead Chamber of Trade and Morrison s106 to fund the signs
Our Place	10,934				10,934	Contribution for the Our Place project
CCTV	1,565				1,565	Underspend in 2013/14 earmarked to fund the purchase of a new CCTV camera
Homelessness Prevention	43,620				43,620	Balance of Homeless Prevention funding plus remainder of Mortgage Rescue Grant
Morrison's Footpath	6,000				6,000	Earmarked to part fund the footpath upgrade
JMASS Reserve	275,714				275,714	Funding to support transformation costs under JMASS, which comprises £150,000 share of Transformation Challenge Grant, £105,514 remainder of the £358,000 allocated to fund original JMASS Business Case, and £20,200 for up front Business Case costs.
Watchet Harbour Dredging	13,200		-13,200		0	Underspend in 2013/14 earmarked to fund additional dredging.
Customer Service Equipment Reserve	666		-666		0	Specialised Chair Required (Health and Safety)
Car Parking Reserve	15,767		-5,767		10,000	Monies set aside in respect of maintenance and signage required during 2015/16. Approved by Full Council on 18 <sup>th</sup> Nov that £5,767 be returned to General Reserves
Environmental Health Reserve	3,718				3,718	Destitute Burial Reserve
Minehead Harbour Dredging Reserve	5,500		-5,500		0	2014/15 unused budget carried forward to 2015/16
Online DHP Reserve	5,375		-5,375		0	Online Software Requirement for Revenues and Benefits
Compliance Works – Estates	26,736		-26,736		0	Asset maintenance compliance works to be completed in 2015/16

<b>Earmarked Reserve Account</b>	<b>1 April Balance £</b>	<b>Transfers In</b>	<b>Transfers Out</b>	<b>Transfers Between Accounts</b>	<b>31 March (Projected Balance) £</b>	<b>Comments</b>
Strategic Housing Market Area Assessment Reserve	1,000		-1,000		0	Contribution towards the Strategic Housing Market Area Assessment in 2015/16
Business Development Reserve	3,195				3,195	Funding from various sources (Somerset Skills & Learning £500, Chairman Fund £1,500, Hinkley C S106 £1,000 plus £100 from Eat Exmoor ER) to fund initiatives to support small businesses
Planning Reserve	20,000		-20,000		0	Carry forward of £20,000 from planning fee income to fund specialist technical advice for major planning applications. E.g. Landscape visual impact assessments, retail studies etc.
Somerset Growth Board	957		-957		0	Growth Board core costs for 2015/16
Dulverton Mill Leat	12,195				12,195	Carry forward of unused budget agreed as part of 14-15 financial monitoring reports
Hinkley Corporate Cost Reserve	50,000		-50,000		0	To Earmark Hinkley Contribution to the Corporate Core (Full Cost as we are still under the SPW Agreement at 31st March) to cover salary cost in the event that the transition to the DCO is significantly delayed or does not happen. Approved by Full Council on 18 <sup>th</sup> Nov that £50,000 be returned to General Reserves
Revenues and Benefits Reserve	67,905		-7,903		60,002	Transfer to earmarked reserve to mitigate reduction in New Burdens grant. Approved by Full Council on 18 <sup>th</sup> Nov that £7,903 be returned to General Reserves
Training Reserve	10,000		-10,000		0	Underspend carried forward to 2015/16
Licensing Staff Reserve	10,000		-10,000		0	To fund extra resource within West Somerset Council.
Finance Reserve	15,000				15,000	Underspend to provide resilience / maternity cover cost share
Community Right to Challenge	5,000				5,000	Government Grant set aside to support the administration of applications under regulations.

<b>Earmarked Reserve Account</b>	<b>1 April Balance £</b>	<b>Transfers In</b>	<b>Transfers Out</b>	<b>Transfers Between Accounts</b>	<b>31 March (Projected Balance) £</b>	<b>Comments</b>
Assets of Community Value	10,000				10,000	Government Grant set aside to support the administration of applications under regulations.
Business Rates Retention Smoothing Account	2,930,156	200,000	-149,928		2,980,228	The balance brought forward of £2,930,156 is required to fund the Council's 40% share of the Business Rates Collection Fund Deficit reported for 2014/15 and forecast for 2015/16. This reflects the impact of total £7.18m refund for Hinkley B. The current balance shown does not include the proposed transfer in of £200,000 included in the recommendations in Q1.
Planning Policy Reserve	61,725		-61,725		0	Monies set aside and to be drawn down in 2015/16 to cover additional costs arising and relating to the West Somerset Local Plan preparation through to examination and beyond to adoption.
<b>Totals</b>	<b>3,901,346</b>	<b>200,000</b>	<b>-502,986</b>	<b>0</b>	<b>3,598,360</b>	

Scheme	Original Budget 2015-16 £	Carry Forward 2014-15 £	Supplementary Estimates 2015-16 £	Current Budget 2015-16 £	Actual Spend 30.09.2015 £	Forecast Spend Rest of Year £	Total Spend in 2015-16 £	Total Spend v Current Budget £	Forecast Spend in Future Years £	Total Programme Spend £	Forecast Programme Variance £
<b>General Schemes</b>											
Street Cleansing Vehicles	0	138,000	0	138,000	28,000	102,000	130,000	(8,000)	0	130,000	(8,000)
Exford Public Conveniences	0	0	9,000	9,000	0	9,000	9,000	0	0	9,000	0
Wheddon Cross Public Conveniences	0	0	12,000	12,000	0	12,000	12,000	0	0	12,000	0
Superfast Broadband	240,000	0	0	240,000	0	0	0	(240,000)	240,000	240,000	0
JMASS ICT Transformation	221,000	52,915	0	273,915	0	273,915	273,915	0	0	273,915	0
Single IT Platform Revenues	0	71,680	0	71,680	0	71,680	71,680	0	0	71,680	0
Microsoft Licence	12,000	0	0	12,000	10,832	0	10,832	(1,168)	0	10,832	(1,168)
IS Annual Projects	61,000	0	0	61,000	28,676	32,324	61,000	0	0	61,000	0
Dulverton Weir	0	2,191	0	2,191	0	2,191	2,191	0	0	2,191	0
Disabled Facilities Grants	241,000	50,080	0	291,080	145,540	145,540	291,080	0	0	291,080	0
Decent Homes	0	21,200	0	21,200	10,578	10,578	21,156	(44)	0	21,156	(44)
Stair Lift Recycling	0	1,000	0	1,000	480	480	960	(40)	0	960	(40)
Former Visitor Information Centre Disposal Costs	0	4,200	0	4,200	0	4,200	4,200	0	0	4,200	0
7 The Esplanade, Watchet	15,000	0	0	15,000	0	15,000	15,000	0	0	15,000	0
East Wharf Contingent Disposal Costs	0	64,684	0	64,684	0	0	0	(64,684)	64,684	64,684	0
Demolition of the Cargo Shed	0	0	50,000	50,000	3,050	46,950	50,000	0	0	50,000	0
Harbours - Pre Cast Concrete Columns (Watchet)	0	23,574	0	23,574	3,850	19,724	23,574	0	0	23,574	0
Harbours - Pile Bracket Fixings (Watchet)	0	18,330	0	18,330	9,900	8,430	18,330	0	0	18,330	0
Harbours - Replacement Ladder (Watchet)	0	3,000	0	3,000	0	3,000	3,000	0	0	3,000	0
Steam Cost Trail	0	0	34,040	34,040	34,040	0	34,040	0	0	34,040	0
Seaward Way Housing Land	0	21,500	0	21,500	0	21,500	21,500	0	0	21,500	0
Seaward Way Leisure Land	0	7,208	0	7,208	0	7,208	7,208	0	0	7,208	0
Aquasplash Site Disposal Costs	0	13,900	0	13,900	8,800	5,100	13,900	0	0	13,900	0
Clanville Grange Low Cost Housing Scheme	0	0	210,000	210,000	90,987	119,013	210,000	0	0	210,000	0
<b>Sub-total - General Schemes</b>	<b>790,000</b>	<b>493,462</b>	<b>315,040</b>	<b>1,598,502</b>	<b>374,733</b>	<b>909,833</b>	<b>1,284,566</b>	<b>(313,936)</b>	<b>304,684</b>	<b>1,589,250</b>	<b>(9,252)</b>
<b>S106-Funded General Schemes</b>											
Burgage Road Play Area, Stogursey (s106)	0	2,000	0	2,000	2,000	0	2,000	0	0	2,000	0
Heritage Trail Minehead (s106)	0	18,743	0	18,743	18,287	456	18,743	0	0	18,743	0
Watchet Outdoor Gym Project (s106)	0	24,995	0	24,995	24,995	0	24,995	0	0	24,995	0
Illuminations Project (s106)	0	38,519	0	38,519	38,519	0	38,519	0	0	38,519	0
Wellington Pavillion	0	0	149,000	149,000	0	149,000	149,000	0	0	149,000	0
<b>Sub-total - S106 Schemes</b>	<b>0</b>	<b>84,257</b>	<b>149,000</b>	<b>233,257</b>	<b>83,801</b>	<b>149,456</b>	<b>233,257</b>	<b>0</b>	<b>0</b>	<b>233,257</b>	<b>0</b>
<b>General Fund Programme Total</b>	<b>790,000</b>	<b>577,719</b>	<b>464,040</b>	<b>1,831,759</b>	<b>458,534</b>	<b>1,059,289</b>	<b>1,517,823</b>	<b>(313,936)</b>	<b>304,684</b>	<b>1,822,507</b>	<b>(9,252)</b>
<b>Hinkley-Funded Schemes</b>											
Burgage Road Play Area, Stogursey (CMF)	0	51,128	0	51,128	48,674	2,454	51,128	0	0	51,128	0
Tropiquaria Play Equipment (CMF)	0	17,471	0	17,471	17,471	0	17,471	0	0	17,471	0
Prospect House (HF)	0	37,800	0	37,800	36,000	1,800	37,800	0	0	37,800	0
SHAL Housing Association (HF)	0	80,000	0	80,000	0	80,000	80,000	0	0	80,000	0
Williton Bowling Club (CMF)	0	13,000	0	13,000	0	13,000	13,000	0	0	13,000	0
Westfield United Church (CMF)	0	110,000	0	110,000	0	110,000	110,000	0	0	110,000	0
Roadwater Village Trust (CMF)	0	25,000	0	25,000	0	25,000	25,000	0	0	25,000	0
Living Over The Shop (HF)	0	204,750	0	204,750	204,750	0	204,750	0	0	204,750	0
First Time Buyers (HF)	0	105,000	0	105,000	0	105,000	105,000	0	0	105,000	0
Steam Coast Trail (Leisure)	0	4,000	0	4,000	0	4,000	4,000	0	0	4,000	0
Wembdon Village Hall and Playing Field (CMF)	0	250,000	0	250,000	200,000	50,000	250,000	0	0	250,000	0
<b>Hinkley Fund Programme Total</b>	<b>0</b>	<b>898,149</b>	<b>0</b>	<b>898,149</b>	<b>506,895</b>	<b>391,254</b>	<b>898,149</b>	<b>0</b>	<b>0</b>	<b>898,149</b>	<b>0</b>
<b>TOTAL CAPITAL PROGRAMME ALL SCHEMES</b>	<b>790,000</b>	<b>1,475,868</b>	<b>464,040</b>	<b>2,729,908</b>	<b>965,429</b>	<b>1,450,543</b>	<b>2,415,972</b>	<b>(313,936)</b>	<b>304,684</b>	<b>2,720,656</b>	<b>(9,252)</b>



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*Report Number:* WSC 171/15

*Presented by:* Cllr. Mandy Chilcott, Lead Member for Resources

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*Report to a Meeting of:* Cabinet

*To be Held on:* 2<sup>nd</sup> December 2015

*Date Entered on Executive Forward Plan Or Agreement for Urgency Granted:* 10/2/2015

## **FEES & CHARGES 2016/17**

### **1. PURPOSE OF REPORT**

- 1.1 To consider the proposed fees and charges for the period 1 April 2016 to 31 March 2017, prior to submission to Full Council on 16 December.

### **2. CONTRIBUTION TO CORPORATE PRIORITIES**

- 2.1 Whilst there is no direct contribution to the delivery of corporate priorities the recommendations in the report are aimed at ensuring full costs of service delivery are recovered where allowed.

### **3. RECOMMENDATIONS**

- 3.1 Cabinet is requested to recommend to Full Council the proposed Fees and Charges for 2016/17 on the following bases.

- 3.1.1 The following fees are unchanged:

- Hackney Carriage Licences
- Private Hire Licences
- Acupuncture/Tattooing/Skin Piercing/Semi-Permanent Skin-Colouring Licences
- Scrap Metal Dealers Licensing
- Animal Welfare Licences
- Street Trading Licences
- Gambling Licences
- Caravan Site Licences
- Land Search Fees
- Housing Inspections for Immigration Purposes
- Freedom of Information Enquiries

3.1.2 The following changes are proposed:

**Amended charge structure for:**

- Building Control Charges

**Increased charges for:**

- Harbour Mooring and Slipway Fees;
- Pleasure Boat Dues;
- Various Waste Charges
- Pre-Planning Advice

**Decreased charges for:**

- Court Summons and Liability Orders for Council Tax and Business Rates

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

**Risk Matrix**

Description	Likelihood	Impact	Overall
Fees as set are open to challenge as the basis of charge is not defined <i>Fees are set in accordance with the Council approved policy</i>	2 Possible	3 Major	6 High
The council fails to deliver the Medium-Term Financial Plan <i>Fees are set in accordance with the Council approved policy</i>	2 Possible	3 Major	6 High

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 and after the mitigation measures have been actioned.

**5. BACKGROUND INFORMATION**

5.1 Full Council (24th July 2010) approved a Fees and Charges Policy which governs the setting of all fees and charges by the Council for a 3 year period. Fee-setting requires a framework (as identified in the policy) to ensure that reasonable information is taken into consideration when agreeing the level of charges, concessions and acceptability of charges to service users. The policy was reviewed last year and continues to provide a relevant framework for fee setting.

5.2 As part of the 2015/16 budget setting process Members supported the principles of either inflationary increases or full cost recovery where appropriate for the Council's various fees and charges that it sets locally. Proposals for Fees and Charges for 2016/17 have continued in line with these principles.

5.3 Attached at **Appendix A** is a summary of the sources of fee income generated by the Council. In accordance with the policy, this summary shows the considerations applied to each type of fee, notably if it is –

- a statutory fee that the Council cannot control
- a discretionary fee that is levied to influence behaviour or recover service costs, or



- a reasonable charge designed to help discharge a Council's responsibility.

- 5.4 **Appendix A** also considers other aspects of the fees policy –
- concessions for some service users
  - ability to generate surpluses to fund service maintenance or growth, and
  - the need to consult with service users over price amendments.
- 5.5 Attached at **Appendix B** is a summary of all fees, current levels and proposed increases / decreases.
- 5.6 Also attached at **Appendix C** is further information on the various fees being proposed including any equality impact assessments where applicable.
- 5.7 This report does not contain details in respect of car parking charges. Proposals for car parking are currently being developed, and details of the draft proposals will be taken through the Council's formal decision-making process.
- 5.8 The following is a summary of the proposals for fee changes in 2016/17.

<b>Charging Area</b>	<b>2015/16 Arrangements</b>	<b>2016/17 Proposals</b>
Harbour and Slipway Fees	Various	Various
Pleasure Boat Dues	£106.40	£117.00
Green waste sacks x 10	£25.00	£26.00
Waste - 3 x bulky items	£40.00	£41.00
Waste - Subsequent items	£10.00	£11.00
Building Control	Various	Various
Planning	Various	Various
Court Summons and Liability Orders (Council Tax and Business Rates)	£75.00	£62.00

### **NOTES ON PARTICULAR FEES**

#### **Harbour Fees**

- 5.9 To be increased by approximately 10% as evidence suggests that WSC fees are considerably lower than other ports and the ultimate goal should be for the harbours to be self-financing.

#### **Waste Services Various**

- 5.10 Slight increases have been proposed in respect of Green waste sacks, bulky items and subsequent items. However, due to the volatility of demand, it would be imprudent to recognise any increased income as a result of this proposal at this stage.

#### **Building Control**

- 5.11 An amended charge structure for 2016/17 has been proposed and is included in Appendix B to this report.

#### **Planning**

- 5.12 Increases have been proposed to some types of development and are included in Appendix B to this report. Following debate at Scrutiny on 12 November further work

has been undertaken in respect of planning fees leading to amended fee proposals being included in this report for consideration by Cabinet.

### **Court Summons and Liability Orders (Council Tax and Business Rates)**

- 5.13 Due to a recent High Court Case Local Authorities are required to review and detail the breakdown of how costs are calculated. The proposal is a single charge added at the point the summonses are issued, where previously a separate Liability Order fee was added at the date of the hearing. The implementation of the new fees would take effect from 17<sup>th</sup> December 2015.

## **6. SCRUTINY COMMITTEE COMMENTS**

- 6.1 Further involvement from Scrutiny Committee was requested by the Chair in setting the Fees and Charges. Fees and charges will normally be reviewed by Scrutiny prior to presentation to Cabinet to consider for recommendation to Council through the annual budget process. Consideration may be given to any additional formal Scrutiny engagement.
- 6.2 Discussion took place in relation to Court Summons and Liability Orders following a high court review into the breakdown of how costs were calculated. As a result there would be a reduction in costs to take notice of the high court case and avoid potential legal challenge.

## **7. FINANCIAL/RESOURCE IMPLICATIONS**

- 7.1 Fees and charges income contributes to the overall costs of running the organisation. The level of fees and charges impact directly on the Council's budget and detailed analysis is required to understand the impact of price increases and decreases on service budgets as a whole. It is important that fee levels comply with statutory requirements and where there are no statutory levels in place, that they are reasonable, affordable and proportionate to the service costs.
- 7.2 In order to set appropriate fees, services will need to analyse trends and understand how fee levels influence their customers. An understanding of risks associated with the fee levels is paramount in setting appropriate levels which will generate a value which can be confidently relied upon for budget setting purposes. Any unforeseen loss of income will impact on the Council's resources and may lead to overspends and affect service delivery.
- 7.3 In the main, the changes proposed to the draft fees and charges for 2016/17 will have minimal, or no impact on predicted income received by the Authority, apart from the slight increase in income from pre-planning advice and the reduction in respect of Court Costs as detailed in the table below.

<b>Service</b>	<b>Increase in Income Estimate</b>
Pre-Planning Advice	Approx. 3,000
<b>Service</b>	<b>Reduction in Income Estimate</b>
Court Costs (Council Tax and Business Rates)	Approx. £11,050

## **8. COMMENTS ON BEHALF OF SECTION 151 OFFICER**

8.1 The draft proposed fees have been prepared according to the policy approved by Council in July 2010. That policy was designed to last a number of years to assist officers and members in approving future fee changes. The framework identified by the policy ensures that decisions are made in the light of all information available, to ensure that councillors can be satisfied and stand by their decisions.

8.2 In order to balance the budget in a challenging economic climate, councils will seek to set fees and charges on a full cost recovery basis for certain services. This is an ongoing exercise which will progress alongside the JMASS transformation.

## **9. EQUALITY & DIVERSITY IMPLICATIONS**

9.1 **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

9.2 All charges are applied universally to customers and as such there are no equality and diversity implications in respect of this report.

## **10. CRIME AND DISORDER IMPLICATIONS**

10.1 None in respect of this report.

## **11. CONSULTATION IMPLICATIONS**

11.1 None in respect of this report.

## **12. ASSET MANAGEMENT IMPLICATIONS**

12.1 None in respect of this report.

## **13. ENVIRONMENTAL IMPACT IMPLICATIONS**

13.1 None in respect of this report.

## **14. HEALTH & WELLBEING**

14.1 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.

14.2 None in respect of this report.

**15. LEGAL IMPLICATIONS**

15.1 Building Control fees; Water Sampling charges; and Licensing are set in accordance with relevant guidance.

## **West Somerset Council Fees and Charges Strategy**

## **Appendix A**

The Council is committed to moving towards a sustainable medium-term financial plan, whilst not making services unaffordable to households on limited incomes. In order to ensure fees and charges are being used effectively, the council will ensure its overall charging policy links with its corporate aims and objectives.

This document sets out an overall policy framework to support and guide a practical approach to fees and charges that is consistent with the council's corporate plan.

### **Use of powers to charge**

It is vital that the council looks at all opportunities for reducing costs and increasing income. The Medium Term Financial Plan shows that based on current estimates, savings are required in the medium term.

Councils do not always make the most effective use of their charging powers. In its 2008 study 'Positively Charged', the Audit Commission identified that: -

- Only one in five councils believed they were using charging to its full potential
- Powers introduced in 2003 to charge for discretionary have remained largely unused by councils
- Nearly half of all councils have no agreed policy to guide their decisions on the use of charges
- Decisions on levels of charging are most often driven by corporate income targets, historic charges and by levels in neighbouring councils rather than knowledge of the likely impact on use of services

They recommended that: -

- Councils need to understand better the likely impact of charges on users, and on patterns of service use, and
- they need to communicate better about the purpose of charging, and be accountable for their charging decisions

### **Ability to Charge**

Charges do more than just raise income. They have a role to play in the achievement of council objectives; controlling access; funding investment; responding to competition; and influencing public behaviour.

Charges should be reviewed annually as part of the setting of the revenue budget, but considered in the context of this strategy.

The basis of the powers that councils have to raise income from charging for services is historic, varied and complex. Broadly they fall into three headings;

#### Statutory Fees

This includes services such as planning fees, liquor and entertainment licences, where the maximum permissible fee is prescribed in legislation. In many cases there is scope to provide discretionary services over and above

the statutory service with the introduction of a supplementary charge, for example: -

- pre-application planning advice
- pre-application building control advice

#### Reasonable charges

Services that the council has a duty to provide and can make a 'reasonable' charge (for example commercial waste collection and disposal)

#### Discretionary Fees

Powers conferred by the Local Government Act 2003 allow best value authorities (i.e. Counties, Districts, Town and Parish Councils) to charge for discretionary services. There is a duty to ensure that, taking one year with another, the charges do not exceed the costs of provision.

The budgeted fees to be raised in 2015/16 are shown in **Appendix A1**.

#### **Proposed framework for charging**

The policy framework would apply to any service that the council has a power and discretion to provide to the community, or has a statutory duty to provide, and has discretion to set a charge.

#### **Key principles of the framework**

##### **Recovery of cost**

- Where possible, the cost of providing a discretionary service should be fully recovered through charges except where the council makes a positive decision to the contrary.
- The Council could aim to maximise the potential to generate income, for example, through differential charging to tap into the value placed on the service by different users.
- Where a service is 'demand-led' and/or competes with others based on quality and cost the charge should be determined by the maximum that users are prepared to pay and take account of competitor pricing.

##### **Concessions for certain service users**

- Decisions to exempt a particular service from the full cost recovery requirement may be taken by the Council -
  - To support a particular group or group of users in support of achieving its corporate objectives
  - Where it would be impractical (e.g. public access to parks)
  - Where charging would not be cost effective
- Concessionary charges may be available in the following circumstances:
  - To users on low incomes. This will normally be defined as those in receipt of housing or council tax benefit, pension credit or working tax credit
  - Where a business case is made to support a short-term reduction in charges aimed at increasing take-up and the overall income yield for the service in the long-term.

- Where a service is subsidised as a result of a positive decision by the council, the level of subsidy will be made explicit and the decision will be subject to regular review.

### **Information relevant to charging**

- In order to support the decision-making process behind the level of fees and charges and any service concessions, better information is needed. **Appendix A2** contains suggested areas of consideration that could help to make better decisions about the level of charges that should be set.

### **New charges**

- As part of the process of setting new or reviewing existing charges, targets will be established, both qualitative and quantitative.
- Where considered appropriate, after consultation with the Equality Officer, an Equality Impact Assessment should be carried out in order to consider the likelihood of any disproportionate adverse impact on vulnerable groups
- When introducing new charges or making changes to existing charges, the council will have regard to the views of users and other stakeholders. There is a checklist to complete for new charges in **Appendix A3**.

### **Contribution to corporate priorities**

- There may be circumstances where income generation is not the key driver for the way in which prices are set, for example, where the council wishes to manage demand, deter or incentivise certain behaviour, such as encouraging recycling or reducing car use. In this context, the principles of pricing should apply and in particular that any charged activities, enforcement etc. must at least recover cost.

### **Annual review of charges**

- There will be an annual review of fees and charges by officers and elected members as part of the budget setting process. For each service, charging information will be set out in a format that demonstrates that the income stream has been developed in accordance with the principles and approach in this document. There is a checklist to complete in **Appendix A3**.

### **Definition of total cost**

- The council defines total cost as all costs attributable to the service, including allocated overheads and costs of administration and collection.

### **Sources of information for this policy**

- Oxford City Council Fees and Charges Strategy
- Shepway District Council Fees and Charges Strategy
- “Positively charged” – Audit Commission January 2008
- “Is there something I should know?” – Audit Commission July 2009

### Appendix A1 - Sources of Fees

Income from fees and charges is a vital resource for local authorities. West Somerset Council's 2015/16 Budget includes the following income from fees and charges: -

Income Source	(Income)	Net budgeted service (surplus) / cost *
<b>Statutory Fees</b>		
Development Control	(£126,500)	£12,853
Licensing	(£88,600)	(£17,240)
<b>Reasonable Charges</b>		
Council Tax court costs	(£57,550)	£257,867
NDR court costs	(£6,450)	(£50,120)
Harbours	(£16,985)	£39,489
Open Spaces	(£9,450)	£273,944
Environmental Health	(£15,450)	£180,618
<b>Discretionary Fees</b>		
Building Control	(£126,550)	£113,822
Land Charges	(£64,500)	£1,198
Housing Private Sector	(£1,500)	£59,195
Parking	(£498,575)	(£267,461)
<b>Sub-total</b>	<b>(£1,021,110)</b>	<b>£604,165</b>
<b>Reasonable Charges</b>		
Waste & Recycling	(£97,500)	£1,160,558
<b>Grand Total</b>	<b>(£1,109,610)</b>	<b>£1,764,723</b>

In comparison, for 2015/16 budgeted Council Tax revenue is £1.886m, Business Rates Retention £1.555m and Government Grant is £1.452m.

\* Members are advised that the current budget process does not incorporate the "full cost" of services (for example, no budget is recorded for capital charges). As such, the reported position should be treated as indicative only.



## Appendix A2 - Information that will help to set charges

Clarity on the objectives		
Why is this an issue?	<ul style="list-style-type: none"> <li>• A problem within the service area that charging could influence?</li> <li>• A corporate target that charging could help achieve?</li> <li>• A desire to increase take-up or discourage use?</li> <li>• A need to generate income in order to maintain service levels within the service or elsewhere?</li> </ul>	
What are we hoping to achieve?	<ul style="list-style-type: none"> <li>• Reduction in problems in certain service areas?</li> <li>• Generate economic growth?</li> <li>• Encourage access to services by under-represented groups?</li> <li>• Meet costs and raise money for related objectives?</li> </ul>	
What are the constraints	<ul style="list-style-type: none"> <li>• Wider council strategic issues</li> <li>• Service plans</li> <li>• Agreed charging policy framework</li> </ul>	
The impact of different charging options		
Factors to consider	The data that will help	The analysis that is needed
Who is using the service and when?	Data on service use, as applicable: <ul style="list-style-type: none"> <li>• By location</li> <li>• By time of day</li> <li>• By day of the week</li> <li>• Seasonal information</li> </ul>	<ul style="list-style-type: none"> <li>• Use compared to target</li> <li>• Analysis of customers by age, gender, race, disability, socio-economic group, reasons for service use</li> </ul>
The impact of changes to service on service use and other objectives	<ul style="list-style-type: none"> <li>• Historical data on the impact on service use when the council made changes to other local charging levels</li> <li>• Impact and evaluation data from similar councils who have implemented changes</li> </ul>	<ul style="list-style-type: none"> <li>• Forecasts of the likely impact of the charging options on user type and location</li> <li>• Analysis of the impact of changed car park charges in previous years</li> <li>• Forecasts of impact of changes on wider objectives</li> </ul>

<b>Understanding costs and income</b>		
<b>Factors to consider</b>	<b>The data that will help</b>	<b>The analysis that is needed</b>
What are your current costs and income?	<ul style="list-style-type: none"> <li>• Total costs and total income generated</li> <li>• Income data from similar councils</li> </ul>	<ul style="list-style-type: none"> <li>• Analysis of income data to show cost and income by location / type / service level</li> <li>• Analysis of cost and income over time, and by location</li> </ul>
The impact of changed charges on income	<ul style="list-style-type: none"> <li>• Income data from similar councils who have made changes to charging levels</li> </ul>	<ul style="list-style-type: none"> <li>• Forecast of the likely impact of the options on income, using forecasts for changes in car park use</li> </ul>
Does the level of income generation / subsidy reflect local priorities?	<ul style="list-style-type: none"> <li>• The current level of subsidies</li> <li>• Comparison of subsidies with similar councils, with similar community profiles</li> </ul>	<ul style="list-style-type: none"> <li>• Analysis of whether income is making desired contribution to the overall income of the council</li> <li>• Analysis of whether any subsidies can be linked to other council priorities (for example reduced charges to promote economic growth)</li> </ul>
Will further cost pressures be faced in the future?	<ul style="list-style-type: none"> <li>• Data on the efficiencies that the council has planned to make</li> </ul>	<ul style="list-style-type: none"> <li>• Forecast of potential future cost pressures, including changes in service, the impact of regeneration</li> <li>• Analysis of impact of future pressures on income</li> </ul>
<b>What do the public think?</b>		
<b>Factors to consider</b>	<b>The data that will help</b>	<b>The analysis that is needed</b>
How acceptable are the proposals to the public?	<ul style="list-style-type: none"> <li>• A breakdown of public views by customer group, geographical area and type of service user</li> <li>• Historical data on how the public reacted to other changes to charging made in previous years</li> </ul>	<ul style="list-style-type: none"> <li>• Analysis of complaints, enquiries from focus groups to understand the concerns locally</li> <li>• Analysis of what happened after previous changes to charging levels</li> </ul>
What impact will the proposals have on the public?	<ul style="list-style-type: none"> <li>• Comparisons of satisfaction levels in similar councils, with similar community profiles, who made similar changes to charging levels</li> </ul>	<ul style="list-style-type: none"> <li>• Analysis and forecast of the impact that each option may have on public satisfaction levels.</li> <li>• Analysis of the views and the potential impact on other, for example local retailers</li> </ul>

**Appendix A3 – Charging Checklist**  
**Revisions to fees and charges or introduction of new fees – toolkit**

Background Information	
1.	Charge to be considered:
2.	Is this a new charge or an amendment to existing?
3.	Is the charge set by Statute?
4.	Is the level of charge set by Statute?
5.	Is the level of charge based on full cost recovery?
6.	Present level of charges:  Service Level A                      Service Level B                      Service Level C Service Level D                      Service Level E                      Service Level F Service Level G                      Service Level H                      Service Level I
The impact of different options	
7.	Who is using the service and when? (breakdown by customer group)
8.	What impact will changed charges have on service use?
9.	Is there evidence that there will be a disproportionate impact on some customer groups? If yes a full equality impact assessment will need to be carried out
10.	What are the projected impacts on other council objectives?
Costs and Income	
11.	What are the current levels of income generated?
12.	What impact will changed charges have on income?
13.	Does the level of income generation reflect local priorities?
14.	Will further cost pressures be faced by the public?
Understanding public opinion	
15.	What consultation and involvement has been carried out?
16.	How acceptable are the proposals to the public?
17.	What impact will the options have on the public?



**Hackney Carriage / Private Hire****NO CHANGES PROPOSED**

<b>DRIVERS</b>		
<b>LICENCE</b>	<b>CURRENT</b>	<b>PROPOSED</b>
Application for new drivers licence	£80.00	£80.00
Application for a new 3 year driver's licence	£170.00	£170.00
Replacement Badge	£15.00	£15.00
Advertising on vehicles	£35.00	£35.00
Medical	£18.00	£18.00
<b>VEHICLES</b>		
<b>LICENCE</b>	<b>CURRENT</b>	<b>PROPOSED</b>
Hackney Carriage/Private Hire Vehicle Licence	£168.50	£168.50
Hackney Carriage/Private Hire Vehicle Licence - Renewal	£168.50	£168.50
Transfer of interest for vehicle	£40.00	£40.00
Meter test	£20.00	£20.00
Trailer Plate	£15.00	£15.00
Replacement vehicle plate	£15.00	£15.00
Internal identification sticker	£16.00	£16.00
<b>PRIVATE HIRE OPERATOR</b>		
<b>LICENCE</b>	<b>CURRENT</b>	<b>PROPOSED</b>
Private Hire Operator Licence 1 year	£70.00	£70.00
Private Hire Operator Licence 3 years	£150.00	£150.00

**West Somerset Council Private Water Supply Charges****NO CHANGES PROPOSED**

Activity	Max Charge	WSC Charge	Notes
Risk Assessment	£500	Hourly rate x time plus mileage  Typically £119  Proposed £119	Based on time to carry out the risk assessment and sampling combined. It includes time to report, including advice, maintenance of records and time for the preparation of plans & drawings. Time for a simple risk assessment and sampling combined is min. 3.2 hours plus mileage costs (typically charge £119). Cost for analysis is additional (see below)
Sampling	£100	Hourly rate x time plus mileage.  Typically £55 Proposed £55	Based on time taken to carry out the sampling visit. It includes time on site, preparation and reporting time & advice and maintenance of data. For a simple compliance visit time is 1.4 hour plus mileage (typically charge £55). This charge also applies to any requests for

Activity	Max Charge	WSC Charge	Notes
			sampling. Cost for analysis is additional (see below)
Investigation	£100	Hourly rate x time plus mileage	Local authority investigation under regulation 15 in the event of a contravention, however if improvements can be secured without the need for an investigation no charge made
Authorisation	£100	Hourly rate x time	Following an application preferably in writing seeking an authorisation (under regulation 17). Costs are related to drafting legal notices and consulting with health authority and other relevant persons (where relevant)
<b>Analysis (currently using Somerset Scientific Services)</b>			
Under Reg. 10	£25	£25	Where supply provides <10m <sup>3</sup> per day or, 50 people and is used for domestic purposes. Cost shown is for Conductivity, Enterococci, E.coli, pH and turbidity. Additional parameters added depending on risk.
Check Monitoring	£100	£43	Check monitoring is carried out to ensure that water complies with minimum standards according to Schedule 2. Cost shown is for Coliforms, E.coli, Colony Counts, pH, Conductivity, Turbidity, Ammonium, Colour, Taste & Odour and any residual disinfectants. Other parameters (at cost) added depending on site visit and meeting any relevant conditions in Schedule 2
Audit Monitoring	£500	Typical price is an additional £16 (arsenic & enterococci)	This includes any additional parameters (based on risk) in addition to check monitoring (above) listed in Schedule 1. Parameters can be excluded depending on risk.

### **Licensing - Acupuncture/Tattooing/Electrolysis/Skin Piercing/Semi-Permanent Skin-Colouring**

#### **NO CHANGES PROPOSED**

<b>Registration</b>	<b>Current</b>	<b>Proposed</b>
Premises	£100.00	£100.00
Individual at premises	£50.00	£50.00

### **Licensing - Scrap Metal Dealers**

#### **NO CHANGES PROPOSED**

<b>Application Type</b>	<b>Current</b>	<b>Proposed</b>
SMD Licence – Grant (3 year duration)	£755.00	£755.00
SMD Licence – Renew (3 year duration)	£744.00	£744.00
SMD Licence – Variation	£50.00	£50.00

**Licensing - Animal Welfare****NO CHANGES PROPOSED**

<b>ANIMAL WELFARE</b>	<b>Current</b>	<b>Proposed</b>
Animal Boarding	£113.50	113.50
Dangerous Wild Animals	£173.00	173.00
Dog Breeding	£113.50	113.50
Home Boarding Licence	£113.50	113.50
Pet Shop Licence	£113.50	113.50
Riding Establishments Up to 10 horses	£106.00	106.00
Riding Establishments 10 - 25 horses	£132.00	132.00
Riding Establishments 26+ horses	£165.00	165.00
Zoos*	£408.00	408.00
Zoos - Transfer	£141.50	141.50

**Licensing – Street Trading****NO CHANGES PROPOSED**

	<b>Current</b>	<b>Proposed</b>
<b>STREET TRADING CONSENTS</b>		
A' Roads - Annual	£884.00	£884.00
A' Roads - 6 months	£458.00	£458.00
A' Roads - 3 months	£230.00	£230.00
Other Areas - Annual 0800 - 2000 hours	£455.00	£455.00
Other Areas - Annual 0800 - 2330 hours	£911.00	£911.00
Other Areas - 6 months 0800 - 2000 hours	£247.50	£247.50
Other Areas - 6 months 0800 - 2330 hours	£495.00	£495.00
Other Areas - 3 months (minimum) 0800 - 2000 hours	£124.00	£124.00
Other Areas - 3 months (minimum) 0800 - 2330 hours	£247.50	£247.50

<b>DAILY RATES FOR ONE-OFF EVENTS (ALL AREAS) - Stalls 0900 - 2000</b>	<b>Current</b>	<b>Proposed</b>
Up to 5m2 (50% reduction for charitable organisations)	£16.50	£16.50
Up to 7m2 (50% reduction for charitable organisations)	£22.50	£22.50
Replacement/Additional Assistant Badge Fee	£10.00	£10.00
<b>Temporary Street Trading/Markets</b>		
Charitable Events (75% of proceeds allotted to charity / cause)	£10.00	£10.00
Commercial Event 5 - 24 stalls / vehicles	£25.00	£25.00
Commercial Event 25 - 49 stalls / vehicles	£50.00	£50.00
Commercial Event 50 or more stalls / vehicles	£100.00	£100.00

**Licensing – Gambling****NO CHANGES PROPOSED**

<b>Gambling Premises Licence - Bingo</b>	<b>Current</b>	<b>Proposed</b>
New Application	£3,049.00	£3,049.00
New Application – with Provisional Statement	£523.00	£523.00
Provisional Statement	£3,049.00	£3,049.00

Transfer	£1,045.50	£1,045.50
Re-instatement	£1,045.50	£1,045.50
Variation	£1,537.50	£1,537.50
Annual Fees	£871.50	£871.50
<b>Gambling Premises Licence - Betting (Not on Course)</b>	<b>Current</b>	<b>Proposed</b>
New Application	£2,614.00	£2,614.00
New Application – with Provisional Statement	£523.00	£523.00
Provisional Statement	£2,614.00	£2,614.00
Transfer	£1,045.50	£1,045.50
Re-instatement	£1,045.50	£1,045.50
Variation	£1,307.00	£1,307.00
Annual Fees	£523.00	£523.00

<b>Gambling Premises Licence - Track Betting (On Course)</b>	<b>Current</b>	<b>Proposed</b>
New Application	£2,178.00	£2,178.00
New Application – with Provisional Statement	£410.00	£410.00
Provisional Statement	£2,178.00	£2,178.00
Transfer	£820.00	£820.00
Re-instatement	£820.00	£820.00
Variation	£1,127.50	£1,127.50
Annual Fees	£871.00	£871.00

<b>Gambling Premises Licence - Adult Gaming Centre (AGC)</b>	<b>Current</b>	<b>Proposed</b>
New Application	£1,742.50	£1,742.50
New Application – with Provisional Statement	£523.00	£523.00
Provisional Statement	£1,742.50	£1,742.50
Transfer	£1,045.50	£1,045.50
Re-instatement	£1,045.50	£1,045.50
Variation	£871.00	£871.00
Annual Fees	£871.00	£871.00

<b>Gambling Premises Licence - Family Entertainment Centre (FEC)</b>	<b>Current</b>	<b>Proposed</b>
New Application	£1,742.50	£1,742.50
New Application – with Provisional Statement	£410.00	£410.00
Provisional Statement	£1,742.50	£1,742.50
Transfer	£820.00	£820.00
Re-instatement	£820.00	£820.00
Variation	£871.00	£871.00
Annual Fees	£666.50	£666.50

<b>Temporary Use Notice (TUN)</b>	<b>Current</b>	<b>Proposed</b>
New	£45.00	£45.00
Replacement	£25.00	£25.00

<b>Family Entertainment Centre Gaming Machine Permits</b>	<b>Current</b>	<b>Proposed</b>
New Application	£300.00	£300.00
Renewal	£300.00	£300.00
Change of Name	£25.00	£25.00
Copy of Permit	£15.00	£15.00



<b>Licenced Premises Gaming Machine Permit</b>	<b>Current</b>	<b>Proposed</b>
New Application	£150.00	£150.00
Variation	£100.00	£100.00
Transfer	£25.00	£25.00
Change of Name	£25.00	£25.00
Copy of Permit	£15.00	£15.00
Annual Fee	£50.00	£50.00

<b>Notification of 2 or less Gaming Machines</b>	<b>Current</b>	<b>Proposed</b>
Notification	£50.00	£50.00

<b>Prize Gaming Permit</b>	<b>Current</b>	<b>Proposed</b>
New Application	£300.00	£300.00
Renewal	£300.00	£300.00
Change of Name	£25.00	£25.00
Copy of Permit	£15.00	£15.00

<b>Club Gaming &amp; Club Machine Permit</b>	<b>Current</b>	<b>Proposed</b>
New Application	£200.00	£200.00
Variation	£100.00	£100.00
Copy Permit	£15.00	£15.00
Renewal	£200.00	£200.00
Annual Fee	£50.00	£50.00

<b>Lotteries</b>	<b>Current</b>	<b>Proposed</b>
New	£40.00	£40.00
Renewal	£20.00	£20.00

### Licensing - Caravan Sites

#### **NO CHANGES PROPOSED**

<b>Nature of Proposal</b>	<b>Ability to charge came into force 1 April 2014</b>
Caravan Site Licence - Grant	£152.00
Caravan Site Licence - Transfer	£28.00

### Local Land Charges - Search Fees

#### **NO CHANGES PROPOSED**

	<b>Current</b>	<b>Proposed</b>
POSTAL / OVER THE COUNTER		
Whole Search	<b>£99.00</b>	<b>£99.00</b>
LLC1	£22.00	£22.00
LLC1 (Additional parcel of land)	£1.00	£1.00
CON 29R	£90.00	£90.00
Additional parcel of land	£10.00	£10.00
CON290 Printed Questions	£7.50	£7.50
Additional Enquiries	£10.00	£10.00
Enquiry on closed search	£20.00	£20.00
Speed Search	£175.00	£175.00

	<b>Current</b>	<b>Proposed</b>
Personal Search	No Charge	No Charge
<b>NATIONAL LAND INFORMATION (NLIS) SEARCHES</b>		
Whole Search	<b>£95.00</b>	<b>£95.00</b>
LLC1	£22.00	£22.00
CON 29R	£85.00	£85.00
Additional parcel of land	£10.00	£10.00
CON290 Printed Questions	£7.50	£7.50
Additional Enquiries	£10.00	£10.00
Enquiry on closed search	£20.00	£20.00
Speed Search	£170.00	£170.00

### **Private Sector Housing**

#### **NO CHANGES PROPOSED**

	<b>Current</b>	<b>Proposed</b>
Housing Inspections for Immigration Purposes	£129.00	£129.00

### **Harbour Moorings and Pleasure Boats**

#### **CHANGES PROPOSED (all charges include VAT)**

	<b>Current (2015/16)</b>	<b>Proposed (2016/17)</b>
Mooring Fees – Annual	£36.60	£40.25
Mooring Fees – Weekly	£7.70	£8.50
Mooring Fees – Daily	£1.90	£2.10
Slipway Fee – Annual	£75.20	£82.70
Slipway Fee – Weekly	£26.60	£29.30
Slipway Fee – Daily	£12.30	£13.50
<b>All the above fees are cost per metre or part of metre and include VAT</b>		
Mooring Fees are applicable to Minehead only		
Slipway Fees are applicable to both Watchet and Minehead		
Annual (permanent mooring only)		£60.00
Mooring Transfer Fee <i>(Transfer between moorings and/or new vessel and where a Sailing Club Mooring is transferred to a WSC mooring, and the annual fee has already been paid to the Sailing Club)</i> <i>Price includes VAT</i>	£40.00	£44.00
Pleasure Boat Dues (excluding hobbling duties)	£106.40	£117.00
<i>Cost per visit to Harbour</i>		
<i>Price includes VAT</i>		

**Court Summons and Liability Orders for Council Tax and Business Rates****CHANGES PROPOSED**

	Current Charges		Proposed Charges
	Summons	Liability Order	Summons & Liability Order Combined
<b>Council Tax</b>	£61.00	£14.00	£62.00
<b>Business Rates</b>	£61.00	£14.00	£62.00

**Elections**

<b>Election Costs</b>	Recharged to parishes on equitable basis
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**Somerset Waste Partnership charges****CHANGES PROPOSED**

	Current	Proposed
Green Waste Bins	£53.00	£53.00
Green Waste Sacks x10	£25.00	£26.00
3 x bulky items	£40.00	£41.00
Subsequent items	£10.00	£11.00

**Building Control Charges****CHANGES PROPOSED**

<b>Table A – New Dwellings</b>		
No.	Current Charge (excl VAT)	Proposed Charge (excl VAT)
1	£670.22	£670.22
2	£982.98	Individually Determined
3	£1,251.06	Individually Determined
4	£1,429.79	Individually Determined
5	£1,608.51	Individually Determined
6	£1,787.24	Individually Determined
7	£1,921.28	Individually Determined
8	£2,055.32	Individually Determined
9	£2,189.37	Individually Determined
10	£2,323.41	Individually Determined
11	£2,457.45	Individually Determined
12	£2,591.49	Individually Determined
13	£2,725.53	Individually Determined
14	£2,859.57	Individually Determined
15	£2,993.61	Individually Determined
16	£3,127.66	Individually Determined
17	£3,261.70	Individually Determined
18	£3,395.74	Individually Determined
19	£3,529.79	Individually Determined

**Notes for Table A**

1. For 2 or more dwellings or if the floor area of any dwelling exceeds 300m<sup>2</sup> the charge is Individually determined
2. The Building Notice Charge is the sum of the plan charge and inspection charge + 25%
3. The Regularisation charge is the sum of the plan charge and inspection charge + 50%.  
Regularisation charges are not subject to VAT.

<b>Schedule B – Domestic Works</b>		
<b>Type of Work</b>	<b>Current Charge (Excluding Vat)</b>	<b>Proposed Charge (Excluding Vat)</b>
Single storey Extension <10m <sup>2</sup>	£312.76	Individually Determined
Single storey Extension 10m <sup>2</sup> - 40m <sup>2</sup>	£428.94	£428.94
Single storey Extension 40m <sup>2</sup> - 80m <sup>2</sup>	£464.68	Individually Determined
Multi storey Extension <40m <sup>2</sup>	£491.49	£491.49
Multi storey Extension 40m <sup>2</sup> - 120m <sup>2</sup>	£571.91	Individually Determined
Multi storey Extension 120m <sup>2</sup> - 200m <sup>2</sup>	£607.66	Individually Determined
Loft Conversion >40m <sup>2</sup>	£402.13	£402.13
Loft Conversion 40m <sup>2</sup> - 100m <sup>2</sup>	£428.94	Individually Determined
Garage/carport <100m <sup>2</sup>	£268.09	£268.09
Garage conversion	£245.74	Individually Determined
Replacement of up to six windows and doors	£67.02	£67.02
Total glazing (up to 20 windows)	£134.04	Individually Determined
Electrical installation	£160.85	Individually Determined
Renovation of thermal elements, such as wall, floor or roof work	£160.85	£134.04

**Notes for Table B:**

1. For all domestic works outside the categories described above the charge will be individually determined.
2. Where part of an extension is single storey and part is two-storey the charge for a two-storey extension will be applied.
3. Where a first floor extension is constructed over an existing single storey structure the charge applied is that for a single storey extension of the same floor area.
4. The Regularisation charge is the sum of the plan charge and the inspection charge +50%.
5. Regularisation charges are not subject to VAT.

## Pre-planning Advice Charges

### CHANGES PROPOSED

Nature of Proposal	Written Response with a Site Visit	Further Correspondence or meetings / charge per hour	Further meetings involving management team / charge per hour
<b>Type 1 Other Development:</b> Householder Developments	Current £50 Proposed £96.80	Current £30 per hour Proposed £30 per hour	Current £50 per hour Proposed £50 per hour
<b>Type 2 Other Developments:</b> Changes of Use / Advertisements / Listed Building Works / Conservation Area Consents / Lawful Development Certificates	Current £100 Proposed £96.80	Current £30 per hour Proposed £30 per hour	Current £50 per hour Proposed £50 per hour
<b>Type 1 Minor Developments:</b> 1-4 Dwellings / up to 499m <sup>2</sup> of commercial use / sites up to 0.1Ha	Current £225 Proposed £242.00	Current £40 per hour Proposed £40 per hour	Current £80 per hour Proposed £80 per hour
<b>Type 2 Minor Developments:</b> 5-9 Dwellings / 500-999m <sup>2</sup> of commercial use / isolated homes in the countryside or rural workers dwellings / sites more than 0.1Ha but less than 2.5Ha	Current £400 Proposed £363	Current £40 per hour Proposed £40 per hour	Current £80 per hour Proposed £80 per hour
<b>Type 1 Major Developments:</b> 10-24 Dwellings / 1000-1999m <sup>2</sup> of commercial use / sites more than 2.5Ha but less than 5Ha	Current £1,200 Proposed £1,200	Current £50 per hour Proposed £50 per hour	Current £100 per hour Proposed £100 per hour
<b>Type 2 Major Developments:</b> 25-199 Dwellings / more than 2000m <sup>2</sup> of commercial use / sites more than 5Ha but less than 10Ha	Current £2,000 Proposed £2,000	Current £50 per hour Proposed £50 per hour	Current £100 per hour Proposed £100 per hour
<b>Type 3 Major Developments:</b> 200 Dwellings plus / EIA Development / sites more than 10Ha	Planning Performance Agreement	Planning Performance Agreement	Planning Performance Agreement

- **\*\*\*All prices are exclusive of VAT which will need to be added to the above charges at the current rate\*\*\***
- A site visit will be carried out in advance of all pre-application advice being provided which will be in writing
- Town or Parish Councils are entitled to a 50% reduction in the respective fee
- Works to provide facilities for a disabled person are exempt from paying a pre-application advice fee
- If different elements of works on one site fall into two of the categories above only the larger of the two fees will be charged

Where both Development Management and Planning Policy officers need to attend the meeting there will be an additional cost as shown below:

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

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

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

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

	<b>Current Charges 2015/16</b>	<b>Proposed Charges 2016/17</b>
Do I need Planning Permission	F,O.C	<ul style="list-style-type: none"> <li>• £44.00 + vat @ 20% = £52.80.</li> </ul>
High hedges applications	F.O.C	<ul style="list-style-type: none"> <li>• £44.00 + vat @ 20% = £52.80.</li> </ul>

### **Area of Outstanding Natural Beauty (AONB) Charges**

#### **Householders – no involvement at this level**

Written Advice	£78.00 (2 hrs)
Meeting with note	£88.00 (2hrs + £10 travel)

Level 2a - Minor developments (e.g. less than 5 dwellings, 500 sq m industrial):

Written Advice	£146.50 (3.5 hrs + £10 travel)
Meeting with note	£224.50 (5.5 hrs + £10 travel)

Level 2b – Larger scale minor developments (e.g. between 5 and 10 dwellings, 500 and 1000 sq m industrial):

Written Advice	£205.00 (5 hrs + £10 travel)
Meeting with note	£283.00 (7 hrs + £10 travel)

Level 3a - Major Developments (e.g. more than 10 dwellings, 1,000 sq m industrial):

Written Advice	£410.00 (10 hrs + £10 travel)
Meeting with note	£566.00 (14 hrs + £10 travel)

Level 3b – Large Scale Major Developments (e.g. more than 50 dwellings, 5,000 sq m industrial):

Written Advice
Meeting with note

This level by negotiation on case by case basis: unlikely to be within the AONB.

## Freedom of Information Charges

### **NO CHANGES**

#### Estimating the costs of processing FOI requests; (section 4(3) of the FOI regulations)

When estimating the cost of complying with a written request for Information, the Council will take into account the staff time involved in the following activities:

- Determining whether the information is held.
- Locating the information or a document that may contain the information.
- Retrieving and extracting the information, or a document that may contain the Information.

The cost of the above activities will be calculated by applying an hourly rate of £25 per person, (section 4(4) of the FOI regulations.)

When calculating the costs to process requests, the Council cannot take account of the time taken to consider whether information is exempt under the Act or the time involve in redacting any information which is not to be disclosed.

#### Where the cost to process a request is **below** £450

Where the cost of complying with a written request for information is estimated to be below £450, there will be no charge unless the disbursement costs (printing copying and postage) exceed £10. Where disbursement costs exceed £10, the applicant will be issued with a fees notice and must pay the costs within a period of three months before the Council can comply with the request.

Disbursements costs applied by the Council are shown later.

#### Where the cost to process a FOI request **exceeds** £450

In accordance with the Freedom of Information and Data Protection (appropriate Limits and Fees) Regulations 2004, the Council is not obliged to respond to a written request for information, where it estimates that the cost of complying with the request would be in excess of £450 (which equates to 18 hours of work at £25 per hour).

If the cost exceeds £450 we will charge for all the hours at a rate of £25 per hour or decline the request - alternatively, we will assist the requester in refining the request to within 18 hours to ensure no charge (other than possible disbursements) will be incurred.

Staff costs will be calculated as follows:

- Staff costs (£25 per hour) involved in determining whether the Council holds the information.
- Staff costs (£25 per hour) of locating, retrieving and extracting the information.
- Disbursement and staff costs (£25 per hour) incurred in informing the applicant that the information is held.
- Disbursement and staff costs (£25 per hour) incurred in communicating the information to the applicant.

#### Campaign requests

If the Council receives two or more related requests within a period of 60 consecutive working days, from a person or different persons who appear to be acting in concert or in pursuance of a campaign, the costs of complying with the individual requests will be aggregated.

Priced publications

These will be charged at cover price plus postage where relevant.

Disbursements

Photocopies: A4 Black & White 20p per sheet, A3 Black & White 30p per sheet, A4 Colour £1.00 per sheet, A3 Colour £1.50 per sheet

Prints from a PC: Black & White 20p per page (additional cost for producing A3), Colour £1.00 per page (additional cost for producing A3), Photo quality paper prints £1.50 per page

Any other sizes or finishes by agreement in advance.

By default we will print/copy in black and white/greyscale on white A4 paper using both sides.

Postage costs: Default postage will be by 2<sup>nd</sup> class Royal Mail. Prices for alternative postage methods will be at the prevailing rates.

Other Charges

CD Rom/DVD                                    £1.00 per Disc

Data Protection Act 1998

Under the Data Protection Act 1998, the Council will charge an individual the sum of £10 for requesting personal information held by the Council about the individual. These requests for information are referred to as subject access requests. The Council will not process the subject access request until the £10 fee has been received.

**Discounts**

None, although no charge for disbursements will be made where the aggregate cost is below £10.



## **West Somerset Council Fees and Charges 2016/17**

### **Licensing**

#### **Background**

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

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

The Government sets fees under the Licensing Act and Gambling Act and these have not changed since they were first set. However, where legislation allows for cost recovery, fees are levied against the administration of the regime and the supervision of licences issued.

These fees are calculated from a combination of four elements:

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

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

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

The figures calculated for the 2015/16 fee setting were part of an ongoing process towards achieving full cost recovery. At this stage, it is unclear whether this has been achieved and as such, it is recommended to keep the fee levels the same for 2016/17. Initial drafts of a fee construction method have outlined that there is a problem in applying the model when there are a relatively small number of applications. This would result in unusually high fees and this is not desirable or defensible. During 2016, a robust examination of the current fee levels as well as the true cost of Government set fees will take place as part of a wider review of the licensing service.

### **Legal Authority**

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

#### Animal Licensing

Animal Boarding Establishments Act 1963

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

#### Breeding of Dogs Act 1973

s3A

(2)A local authority may charge fees—

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

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

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

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

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

#### Pet Animals Act 1951

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

#### Riding Establishment Act 1964

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

#### Dangerous Wild Animals Act 1976

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

Zoo Licensing Act 1981

"s15

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

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

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

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

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

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

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

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

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

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

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

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

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

Caravan Sites

Power to levy a fee

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

s.3(2A) A local authority in England may require a relevant protected site application in respect of land in their area to be accompanied by a fee fixed by the authority

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

Charitable Collections

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

Gambling Act 2005

Gambling Act 2005

Various Regulations

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

Licensing Act 2003

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

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

Fees were set centrally by the Government in 2005 and currently there is no local discretion over fees or levels of cost recovery. There has been no increase in these fees during that period.

Scrap Metal Dealers

Scrap Metal Dealers Act 2013 Schedule 1 s6

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

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

s115E Licensing Fee Construction Overview

Highways Act 1980

s115F

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

Sex Establishments

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

Schedule 3

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

Skin Piercing

Adoption of Part VIII of the LG(MPA) 1982

Acupuncture – LG(MPA) 1982 s14(6)

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

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

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

Street Parties

No Power to levy a fee

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

Street Trading Consents

Adoption of Schedule 4 the LG(MPA)1982

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

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

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

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

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

### Taxis

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

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

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

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

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

(b) the reasonable cost of providing hackney carriage stands; and

(c) any reasonable administrative or other costs in connection with the foregoing and with the control and supervision of hackney carriages and private hire vehicles.

### All fees

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

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

### All Fees with the exception of Taxis

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

#### R(Hemming and others) v Westminster Council

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

### **Charges**

As set out in Appendix B.

**Discounts**

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

**Budget Impacts**

As set out above there is no legal authority to levy a charge in respect of charitable collections and the costs of this regime (approx £5K) will need to be borne by the Council. Equally, where fees were set by Government a long time ago, at the very least, there will have been an inflationary impact to the Council's costs. This is estimated to be in the region of 33% between 2005 and 2014 (source Bank of England Inflation Calculator). The Council also bears these costs.

All other fees have been constructed on full cost recovery based on an anticipated number of applications (calculated using an average of the last three years figures). Should application numbers fall below the anticipated figure then full cost recovery may not be achieved.

**Equality Impact Assessment**

An Equalities Impact Assessment is not necessary as no changes to the fees are proposed.

## **West Somerset District Council Fees and Charges 2016/17**

### **Court Costs**

#### **Background**

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

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

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

#### **Legal Authority**

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

#### **Charges**

The 2015/16 charges were agreed by Council in December 2014. A review of these charges took place in November 2014 and the charges for 2015/16 remained the same as 2014/15. However due to a recent High Court Case Local Authorities are required to revise and detail the breakdown of how costs are calculated. Therefore this new charge will come into immediate effect once Council have approved the proposal.

The proposal is a single charge added at the point the summonses are issued unlike before where a separate Liability Order fee was added at the date of the hearing. This is included within Appendix B.

#### **Discounts**

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

**Budget Impacts**

The decrease in the court costs raised will be approximately £11,050 per annum.

**Equality Impact Assessment**

There has been no material change to the policy of charging for summons and or liability orders due to charges decreasing as such there is no requirement for an Equality Impact Assessment.



## **West Somerset District Council Fees and Charges 2016/17**

### **Waste Services – Somerset Waste Partnership**

#### **Background**

This paper relates to the non-statutory elements of the waste service provided by West Somerset Council through the Somerset Waste Partnership.

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

Extra consideration was given to those customers who cannot store a green bin, they are already paying more by volume for the waste they are disposing of due to the price and capacity of the bags, but have flexibility as they are not tied into any annual contract.

#### **Legal Authority**

- These are discretionary services leaving customers with choice.
- The charge for this service is set locally by each of the partners.
- There is no requirement for this to be a 'cost recovery only' service however the green waste service would continue to be subsidised.

#### **Charges**

- Green waste bins and bulky items are classified as non-business for VAT purposes and as such no vat is payable on these services. The green waste sacks are standard rated (currently 20%) which is included in the price shown below.
- There are no proposed changes to the budget as a result of these limited increases as detailed in Appendix B.

#### **Discounts**

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

**Budget Impacts**

Any price increase has the potential to have an effect on the number of users of the service. The green waste bin service is proposed as no increase as West Somerset Council went to a revenue cost neutral service during 2015/16.

**Equality Impact Assessment**

Please see Equality Impact Assessment form below.

### Impact Assessment form and action table

What service is impacted and why complete this assessment?	<b>Price increases for the sale of non-statutory waste stream collection.</b>															
<b>Section One – Aims and objectives of the policy /service</b>																
<p><b>To increase the costs, reducing the subsidy of additional waste streams as set out in the table.</b></p> <p>Each year it is necessary to consider an increase in the waste various waste streams as currently this remains a subsidised service.</p>																
<table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th style="width: 35%;"></th> <th style="width: 30%;">Current £ (2015/16)</th> <th style="width: 35%;">Proposed £ (2016/17)</th> </tr> </thead> <tbody> <tr> <td>Green Waste Bins</td> <td>53.00</td> <td>53.00</td> </tr> <tr> <td>Green Waste Sacks x10</td> <td>25.00</td> <td>26.00</td> </tr> <tr> <td>3 x bulky items</td> <td>40.00</td> <td>41.00</td> </tr> <tr> <td>Subsequent items</td> <td>10.00</td> <td>11.00</td> </tr> </tbody> </table>			Current £ (2015/16)	Proposed £ (2016/17)	Green Waste Bins	53.00	53.00	Green Waste Sacks x10	25.00	26.00	3 x bulky items	40.00	41.00	Subsequent items	10.00	11.00
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3 x bulky items	40.00	41.00														
Subsequent items	10.00	11.00														
There is no proposed change to the budget as a result of these limited increases.																
<b>Section two – Groups that the policy or service is targeted at</b>																
This will impact on the majority of the users of the scheme, with the exception of those with green waste bins.																
<b>Section three – Groups that the policy or service is delivered by</b>																
This service is delivered on behalf of West Somerset Council through the Somerset Waste Partnership. Traditionally each partner tries to set is fees consistently but there is an opportunity for WSC to set their differently to the other partners.																
<b>Section four – Evidence and Data used for assessment</b>																
A discussion of the SWP senior management group jointly agreed the proposals, this is attended by Assistant Director for Operational Delivery on behalf of WSC.																
<b>Section Five - Conclusions drawn about the impact of service/policy/function on different group highlighting negative impact or unequal outcomes.</b>																
There are not thought to be any unequal outcomes from this proposal. There remains no requirement for users to buy this service from SWP and there are no contractual tie-ins enforcing the new increased prices.																
<b>Section six – Examples of best practise</b>																
Best practice is not identified in this report, this is a question of the level of subsidy that TDBC are prepared to make.																

<b>Impact Assessment Issues and Actions table</b>						
Service area				Date		
<b>Identified issue drawn from your conclusions</b>	<b>Groups affected</b>	<b>Actions needed – how will your service or policy be amended</b>	<b>Who is responsible</b>	<b>By when</b>	<b>Is a monitoring system required</b>	<b>Expected outcomes from carrying out actions</b>
<b>Knowing our Communities, engagement and satisfaction</b>						
Potential negative impact from price increase	All customer equally	Review numbers of new customers throughout the year to assess any negative impact	Chris Hall	As part of the budget setting process for 17/18	Budget monitoring is in place.	Unknown
<b>Responsive services and customer care</b>						
<b>Place shaping, leadership and partnerships</b>						
<b>A modern and diverse workforce</b>						

## **West Somerset District Council Fees and Charges 2016/17**

### **Watchet and Minehead Harbour 2016/17**

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

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

The proposed charges are detailed within Appendix B to this report.

This report identifies a new fee structure for commercial vessels operating from the ports. The reason for the alternative schedule is that officers felt there was a distinction between leisure owners and those operating a business from the Harbour.

Anecdotal evidence suggests that West Somerset Council fees are considerably lower than other ports, this proposed fee increase does not seek to resolve that situation and further work on comparisons will be undertake in the coming year.

## **West Somerset District Council Fees and Charges 2016/17**

### **Development Management**

#### **Background**

The Councils provide a pre-application service for those contemplating submitting planning applications. The response gives an informal officer view on the likelihood of gaining permission as well as detailing the information necessary to support an application.

#### **Legal Authority**

The majority of local planning authorities now charge for this type of service, although charges should be set to no more than cover the cost of providing the service. The two Councils currently have different schedules. As the service is provided by the same officers it makes sense to harmonise the charges. In light of reduced resources and significant increases in previous years it is not considered appropriate to increase the fees this year. The harmonised fees are based upon the current Taunton Deane schedule. It is also proposed to introduce an additional service within Areas of outstanding Beauty whereby the AONB service provides specialist advice at an additional cost. The additional charge will be passed to the relevant AONB service.

#### **Discounts**

None

#### **Budget Impacts**

These changes should have no impact upon the budget in 2016/17

#### **Equality Impact Assessment**

Not applicable as charges are not being increased

## **West Somerset District Council Fees and Charges 2016/17**

### **Data Protection Act – Freedom of Information Act**

#### **Background**

This report seeks to formalise the charges the Council can make in relation to Freedom of Information Requests and Data Protection Act Subject Access Requests.

#### **Legal Authority**

The method of calculating charges within this report is in accordance with the Freedom of Information and Data Protection (appropriate limits and fees) Regulations 2004.

Disbursements are set locally and should be reasonable and not designed to generate a surplus.

The £10 for DPA subject access requests is a maximum and is discretionary but is helpful in limiting frivolous requests.

#### **Discounts**

None, although no charge for disbursements will be made where the aggregate cost is below £10.

#### **Budget Impacts**

This is likely to have negligible impact on 2016/17 budgets.

#### **Equality Impact Assessment**

In order not to disadvantage customers with disabilities the Council will not charge for providing information in an alternative format, if the Disability Discrimination Act (DDA) covers the person requesting it, unless the original document was a priced publication. In this case, the charge for the alternative format will not exceed the cost of the original publication. The Council's current policies in relation to translation of documents into languages other than English will apply.