

CABINET

Meeting to be held on Wednesday 6 March 2013 at 4.30 pm

Council Chamber, Williton

AGENDA

1. **Apologies for Absence**

2. **Minutes**

Minutes of the Meeting of Cabinet held on 6 February 2013 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 published on 21 February 2013 – **SEE ATTACHED.**

6. **Cabinet Action Plan**

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

7. **Consideration of nomination received under the Community Right to Bid Legislation**

To consider Report No. WSC 22/13, to be presented by Councillor D J Westcott, Lead Member for Community and Customer – **SEE ATTACHED.**

The purpose of the report is to review nominations received and the recommendations from CMT under the Localism Act 2011 Part 5 – the Community Right to Bid.

8. Corporate Performance Report April to December 2012/13

To consider Report No. WSC 32/13 to be presented by Councillor T Taylor, Leader of the Council and Councillor K V Kravis, Lead Member for Resources and Central Support – **SEE ATTACHED.**

The purpose of the report is to provide Members with an update on progress in delivering the corporate priorities, performance of council services including budgetary information and customer satisfaction covering the period from 1 April 2012 to 31 December 2012.

9. Council Tax Support Discretionary Payments Scheme

To consider Report No. WSC 29/13, to be presented by Councillor D J Westcott, Lead Member for Community and Customer – **SEE ATTACHED.**

The purpose of the report is to inform Cabinet of the proposed policy for Council Tax Support Discretionary Payments Scheme.

10. Discretionary Housing Payments

To consider Report No. WSC 30/13, to be presented by Councillor D J Westcott, Lead Member for Community and Customer – **SEE ATTACHED.**

The purpose of the report is to inform Cabinet of the proposed policy for Discretionary Housing Payments Scheme.

11. Policy for Charging for Pre-Application Planning Advice

To consider Report No. WSC 30/13, to be presented by the Planning Manager – **SEE ATTACHED.**

The purpose of the report is to seek Cabinet approval following informal discussions at the Corporate Policy Advisory Group for a policy change to introduce charges for providing pre-application advice on planning proposals.

COUNCILLORS ARE REMINDED TO CHECK THEIR POST TRAYS

CABINET**MINUTES OF THE MEETING HELD ON 6 FEBRUARY 2013****AT 4.30 PM****IN THE COUNCIL CHAMBER, WILLITON****Present:**

Councillor T Taylor Leader

Councillor K V Kravis
Councillor S J Pugsley
Councillor K H TurnerCouncillor C Morgan
Councillor D J Sanders
Councillor D J Westcott**Members in Attendance:**Councillor H J W Davies
Councillor P N Grierson
Councillor B Heywood
Councillor E May
Councillor K M Mills
Councillor D D Ross
Councillor A H Trollope-BellewCouncillor M O A Dewdney
Councillor A P Hadley
Councillor A F Knight
Councillor I R Melhuish
Councillor P H Murphy
Councillor M A Smith**Officers in Attendance:**Chief Executive (A Dyer)
Corporate Director (B Lang)
Section 151 Officer (S Campbell)
Corporate Manager – Housing, Economy and Welfare (I Timms)
Climate Change & Community Liaison Manager (A Lamplough)
Efficiencies and Performance Manager (K Batchelor)
Principal Accountant (S Plenty)
IT Manager (K Penfold)
Meeting Administrator (K Kowalewska)**Also in Attendance:**

Gerry Cox, South West Audit Partnership

CAB91 Apologies for Absence

No apologies for absence were received.

CAB92 Minutes of the Meeting held on 9 January 2013

(Minutes of the Meeting of Cabinet held on 9 January 2013 - circulated with the Agenda.)

RESOLVED that the Minutes of the Meeting of Cabinet held on 9 January 2013 be confirmed as a correct record.

CAB93 **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 D Westcott | All | Watchet | Spoke and voted |
| Councillor K H Turner | All | Brompton Ralph | Spoke and voted |
| Councillor P N Grierson | All | Minehead | Spoke |
| Councillor P H Murphy | All | Watchet | Spoke |
| Councillor A H Trollope-Bellew | All | County | Spoke |

In addition the following interests/lobbying were declared:

| Name | Minute No. | Description of interest | Personal or Prejudicial or Disclosable Pecuniary | Action Taken |
|-------------------------|-------------------|---|---|---------------------|
| Councillor P H Murphy | CAB98 | Drafted the Watchet Library proposal on behalf of Watchet Library Friends | Personal | Spoke |
| Councillor K V Kravis | CAB100 | Involved in a business that pays fees to the Council | Disclosable Pecuniary | Left the Chamber |
| Councillor H J W Davies | CAB100 | Involved in a business that pays fees to the Council | Disclosable Pecuniary | Left the Chamber |
| Councillor A P Hadley | CAB100 | Involved in a business that pays fees to the Council | Disclosable Pecuniary | Left the Chamber |
| Councillor P H Murphy | CAB100 | Involved in a business that pays fees to the Council | Disclosable Pecuniary | Left the Chamber |
| Councillor A F Knight | CAB100 | Involved in a business that pays fees to the Council | Disclosable Pecuniary | Left the Chamber |

CAB94 **Public Participation**

No member of the public had requested to speak.

CAB95 **Forward Plan**

(Copy of latest Forward Plan published 18 January 2013 – circulated with the Agenda.)

The purpose of this item was to approve the latest Forward Plan published 18 January 2013. ²

RESOLVED that the latest Forward Plan published 18 January 2013 be approved.

CAB96 **Cabinet Action Plan**

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

RESOLVED (1) that, CAB87 – Council Tax Technical Reform Amendment to Discounts and Exemptions, be deleted as actioned.

RESOLVED (2) that, CAB88 – Draft Localised Council Tax Support Scheme, be deleted as actioned.

RESOLVED (3) that, CAB89 – Localisation of Council Tax Support – Funding Arrangements, be deleted as actioned.

CAB97 **SWAP Governance Project Approvals**

(Report No WSC 13/13, circulated with the Agenda.)

The purpose of the report was to request the Council to become a member of the South West Audit Partnership Ltd (SWAP Ltd) and to dissolve the current South West Audit Partnership Joint Committee (SWAP).

The Lead Member introduced Gerry Cox from SWAP who made a presentation providing Members with background information. He reported that the driving factor for looking at an alternative governance model was due to difficulties with the current arrangements with the partnership model, and after in depth investigation it was agreed to move to a company limited by guarantee which meant there were no shareholders and it would remain a not for profit organisation. The fundamental change was that each of the members would become owners of the business and have a physical stake in the business. He also reported that there would be no change to the service provided to the Council. He drew Members' attention to the differences in roles and responsibilities and the governance relationship in respect of the Members' Board and the Board of Directors.

The Lead Member reiterated the Section 151 officer comments contained in the report and advised that other options had been explored. She confirmed that SWAP had presented the most cost effective solution for internal auditing. She then proposed the recommendations in the report, which were seconded by Councillor S J Pugsley.

In response to questions, the Section 151 Officer confirmed that it was important, in order to protect its interests, that the Council was represented on the Board of Directors.

The Leader thanked Gerry Cox for his attendance at the meeting.

RESOLVED (1) that it be recommended to Council to approve the formation of a company, limited by guarantee, to replace the existing SWAP Joint Committee.

RESOLVED (2) that it be recommended to Council that the Council be elected to be a Member of the SWAP Ltd from 1 April 2013 on the terms and basis set out in the articles of association, deed and service agreement.

RESOLVED (3) that it be recommended to Council to agree the dissolving of the SWAP Joint Committee at a date to be determined, but not later than 30 June 2013.

RESOLVED (4) that it be recommended to Council to note the separation of responsibilities and the membership profiles of the Members' Board and the Board of Directors.

RESOLVED (5) that it be recommended to Council to note the fees for the provision of internal audit services by SWAP Ltd for the financial year 2013/14 will not increase on the fees paid to SWAP by the Council in 2012/13.

CAB98

Consideration of nominations received under the Community Right to Bid Legislation

(Report No WSC 15/13, circulated with the Agenda.)

The purpose of the report was to review nominations received and the recommendations from CMT under the Localism Act 2011 Part 5 – the Community Right to Bid.

The Lead Member for Community and Customer presented the report and informed that due to a very recent change in ownership of the land at the Silk Mills site in Holford, the nomination should be deferred.

The Lead Member advised Members of the rules on what could be listed as an asset of community value and reported that a list of examples of what could be listed would be available to Members at the next meeting of Cabinet. He proposed the recommendations, which were duly seconded by Councillor C Morgan.

Members noted that if a nomination met the criteria under the relevant regulations there was no other option but to accept it to be listed as an asset of community value.

RESOLVED (1) that the nomination [ACV011] for Silk Mill, Holford to be listed as an Asset of Community Value, be deferred.

RESOLVED (2) that the nomination [ACV012] for Exmoor House Car Park to be listed as an Asset of Community Value, be accepted.

RESOLVED (3) that the nomination [ACV013] for Guildhall Car Park to be listed as an Asset of Community Value, be accepted.

RESOLVED (4) that the nomination [ACV014] for Lion Stables Car Park to be listed as an Asset of Community Value, be accepted.

RESOLVED (5) that the nomination [ACV015] for Lion Stables Public Toilets to be listed as an Asset of Community Value, be accepted.

RESOLVED (6) that the nomination [ACV016] for Watchet Library, Watchet, TA23 0AJ to be listed as an Asset of Community Value, be accepted.

CAB99 **Draft Corporate Plan for 2013/14**

(Report No WSC 17/13, circulated prior to the Meeting.)

The purpose of the report was to introduce the draft West Somerset Council Corporate Plan 2013/14 for recommendation to Council.

The Leader presented the report and advised that the foreword to the Corporate Plan was currently being written and would be available when this item was considered by full Council at the meeting to be held on 20 February 2013. He proposed the recommendation, which was duly seconded by Councillor D J Sanders.

During the discussion Members' noted that the Corporate Plan was in proportion to what the Council could achieve, as recommended in the Local Government Association report. The document was well put together with clear ways of measuring the success of objectives and key tasks whilst recognising the importance of the two chosen priorities.

Members thanked officers for their hard work in preparing the Corporate Plan.

A few typographical errors were highlighted and it was suggested that the section "how we manage our performance" should make reference to the work of the Scrutiny Committee.

The Corporate Director confirmed that the pie chart would be updated to include fees and charges for presentation to Council.

RESOLVED that it be recommended to Council to approve the West Somerset Council Corporate Plan 2013-16, included at Appendix A, as amended, to the report.

CAB100 **Fees and Charges**

(Report No WSC 16/13, circulated with the Agenda.)

The purpose of the report was to propose levels of fees and charges for the period 1 April 2013 to 31 March 2014 (in some cases fee increases will be implemented earlier, this will be stated in the relevant sections of the report).

The Lead Member for Resources and Central Support presented the report who proposed the recommendation, which was seconded by Councillor S J Pugsley.

RESOLVED that the levels of fees and charges as set out in report No WSC 16/13 be approved.

CAB101 Annual Budget and Council Tax Settings 2013-14

(Report No WSC 14/13, circulated with the Agenda.)

The purpose of the report was to provide Members with all the information required for Cabinet to approve the revenue budget and capital programme for 2013/14 for recommendation to Council.

The Lead Member for Resources and Central Support presented the report. She highlighted the challenges faced in setting the budget for 2013/14 considering the reforms to government funding and the late announcement of funding levels.

During the presentation, the Lead Member emphasised the following main points:

- The proposed savings gave particular regard to the future working on a business case with Taunton Deane Borough Council and was reflected throughout the budget setting paper.
- The biggest change to the funding was the business rate retention scheme. Hinkley Point was a large business rate contributor and it was anticipated that there would be a one-off large refund payable to them and as a result, to fund this, money had been allocated to a special earmarked reserve.
- Due to the Medium Term Financial Plan constantly changing, the significant amendments and reasons were highlighted and identified.
- The recommendations from Scrutiny Committee had been reflected in the paper and car parking income had not been included and no extra income had been projected.
- Changes to figures had been circulated to Cabinet Members prior to the meeting and would be included as corrected in the report being presented to Council on 20 February.
- Recent changes to the council tax base had been due to the council tax support scheme and technical reforms and government had recognised that West Somerset Council's level of council tax was in the lower quartile nationally and as a result the Council was able to increase its council tax by a higher percentage than the government's 2% cap.
- The New Homes Bonus would be brought back into the general fund to finance net expenditure rather than ring fencing the money for specific purposes as in previous years.
- A re-profiling budget exercise was currently being undertaken by budget holders to look at accuracy and appropriateness and it was anticipated that this would identify further savings.

- In addition to the identified savings made in 2012/13, a significant amount of extra savings had been attained and front line services had been protected.
- The Capital Programme had been set with regard to the Council's financial situation and did not impact on any future joint working arrangements which may be embarked upon; it also reflected the repayment of an outstanding loan.

The Lead Member proposed the recommendations in the report as amended, which were duly seconded by Councillor S J Pugsley.

Members congratulated the Lead Member on her clear and easy to follow presentation and officers were commended on the huge amount of work and effort involved in preparing the budget, and acknowledged that savings had been made despite the fact that fundamental services had not been affected.

Members were supportive of the budget and welcomed that the grants given to outside bodies and community groups would not be reduced.

RESOLVED (1) that the Equalities Impact Assessment (Appendix D to the report) be considered in accordance with guidance contained in paragraph 7 of the report and the assessment itself.

RESOLVED (2) that the potential impact on the budget report presented to Council of the work currently being undertaken to assess the appropriateness of individual budgets following quarter three budget monitoring, be acknowledged.

RESOLVED (3) that it be recommended to Council that in response to the Equalities Impact Assessment referred to in resolution (1) above, public toilet facilities for both males and females remain available in Blenheim Gardens during the period April to October each year. The reduction in efficiency savings being £1,550.

RESOLVED (4) that it be recommended to Council that Council Tax in 2013/14 is increased by 3.7%.

RESOLVED (5) that the revenue budget for 2013/14 as presented in Appendix B, as amended, to the report be recommended to Council.

RESOLVED (6) that the draft schedule of savings as shown in Appendix B, Table 12, as amended, of the report be recommended to Council.

RESOLVED (7) that the capital programme as presented in Appendix C, Table 13, as amended, of the report be recommended to Council.

RESOLVED (8) that the revised Medium-Term Financial Plan in Appendix B, Table 9, as amended, of the report be recommended to Council.

RISK SCORING MATRIX

Report writers score risks in reports uses the scoring matrix below

Risk Scoring Matrix

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

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

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

Weekly version of Forward Plan published on 21 February 2013

| 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 | Documents and background papers to be available to decision maker | 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/13/3/01 25/09/2012 | 6 March 2013 By Councillor T Taylor – Leader of Council and Councillor K V Kravis – Lead Member Resources & Central Support | Title: Corporate Performance & Budget Monitoring Report 2012-13 – Quarter 3 Decision: to provide Members with an update on progress in delivering corporate priorities, performance of council services including budgetary information and customer satisfaction. | | No exempt / confidential information anticipated | Bruce Lang, Corporate Director 01984 635200 |
| FP 13/3/02 23/11/12 | 6 March 2013 By Councillor D Westcott – Lead Member for Community and Customer | Title: Consideration of nomination/s received under the Community Right to Bid Legislation Decision: To approve listing | | No exempt / confidential information anticipated | Bruce Lang, Corporate Director 01984 635200 |
| FP/13/4/01 25/09/2012 | 3 April 2013 By Councillor K V Kravis – Lead Member Resources & Central Support | Title: Allocation of Section 106 funds held – Quarter 4 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 | Ian Timms, Group Manager Housing, Welfare and Economy 01984 635271 |
| FP/13/4/02 13/02/2013 | 3 April 2013 By Councillor D Westcott – Lead Member for Community | Title: Consideration of nomination/s received under the Community Right to Bid Legislation | | No exempt / confidential information anticipated | Bruce Lang, Corporate Director 01984 635200 |

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|---|---|---|---|---|--|
| FP/13/4/03 15/01/13 | and Customer 3 April 2013 By Councillor D Westcott – Lead Member for Community and Customer | Decision: To approve listing Title: Somerset Major Sports Facilities Strategy and Playing Pitch Assessment Decision: To approve the Somerset Major Sports Facilities Strategy | | No exempt / confidential information anticipated | Steve Watts, Group Manager Environment, Customer and Community 01984 635261 |
| FP/13/4/04 25/09/2012 10 | 3 April 2013 By Councillor D J Westcott – Lead Member Community and Customer | Title: Review of Customer Access Decision: to review customer access. | | No exempt / confidential information anticipated | Steve Watts, Group Manager Environment, Customer and Community 01984 635261 10 |
| FP/13/4/05 25/09/2012 | 3 April 2013 By Councillor K V Kravis – Lead Member Resources & Central Support | Title: Budget Strategy Update Decision: to advise members of the progress to date in formulating a new budget strategy to succeed the current strategy. | | No exempt / confidential information anticipated | Adrian Dyer, Chief Executive 01984 635212 |
| FP/13/4/06 25/09/2012 | 3 April 2013 By Councillor K V Kravis – Lead Member Resources & Central Support | Title: Implementing Value for Money Strategy Decision: to agree way forward to implement Value for Money Strategy. | | No exempt / confidential information anticipated | Adrian Dyer, Chief Executive 01984 635212 |
| FP/13/4/07 21/02/13 | 3 April 2013 By Councillor K V Kravis – Lead Member Resources & Central | Title: Sale of Land at Simonsbath Decision: To consider the sale of land at Simonsbath | | No exempt / confidential information anticipated | Adrian Dyer, Chief Executive 01984 635212 |

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|---|---|---|---|---|---|
| FP/13/4/08 21/02/13 | Support 3 April 2013 By Councillor K V Kravis – Lead Member Resources & Central Support | Title: Commissioning of Property Consultants Decision: To consider the commissioning of Property Consultants | | No exempt / confidential information anticipated | Adrian Dyer, Chief Executive 01984 635212 |
| FP/13/6/01 25/09/2012 | 5 June 2013 By Councillor K V Kravis – Lead Member Resources & Central Support | Title: Cabinet Appointments on Outside Bodies Decision: to appoint representatives to serve on outside bodies for the period to the Annual Meeting in 2014 (except where specific periods are stated). | | No exempt / confidential information anticipated | Bruce Lang, Corporate Director 01984 635200 |
| 11 FP/13/6/02 13/02/2013 | 5 June 2013 By Councillor D Westcott – Lead Member for Community and Customer | Title: Consideration of nomination/s received under the Community Right to Bid Legislation Decision: To approve listing | | No exempt / confidential information anticipated | Bruce Lang, Corporate Director 01984 635200 |
| FP/13/7/01 25/09/2012 | 3 July 2013 By Councillor K V Kravis – Lead Member Resources & Central Support | Title: Allocation of Section 106 funds held – Quarter 1 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 | Ian Timms, Group Manager Housing, Welfare and Economy 01984 635271 |
| FP/13/7/02 25/09/2012 | 3 July 2013 By Councillor T Taylor – | Title: Corporate Performance & Budget Monitoring Report 2012-13 – Quarter 4 | | No exempt / confidential information anticipated | Bruce Lang, Corporate Director 01984 635200 |

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|---|---|--|---|---|---|
| | Leader of Council and Councillor K V Kravis – Lead Member Resources & Central Support | Decision: to provide Members with an update on progress in delivering corporate priorities, performance of council services including budgetary information and customer satisfaction. | | | |
| FP/13/7/03 25/09/2012 | 3 July 2013 By Councillor K V Kravis – Lead Member Resources & Central Support | Title: Review of Financial Regulations [FR2] Decision: to offer comment on the Financial Regulations. | | No exempt / confidential information anticipated | Bruce Lang, Corporate Director 01984 635200 |
| FP/13/7/04 25/09/2012 | 3 July 2013 By Councillor K V Kravis – Lead Member Resources & Central Support | Title: Medium Term Financial Plan Update Decision: to present the updated Medium Term Financial Plan. | | No exempt / confidential information anticipated | Section 151 Officer 01984 635253 01823 355482 |
| FP/13/7/05 13/02/2013 | 3 July 2013 By Councillor D Westcott – Lead Member for Community and Customer | Title: Consideration of nomination/s received under the Community Right to Bid Legislation Decision: To approve listing | | No exempt / confidential information anticipated | Bruce Lang, Corporate Director 01984 635200 |
| FP/13/8/01 13/02/2013 | 7 August 2013 By Councillor D Westcott – Lead Member for Community and Customer | Title: Consideration of nomination/s received under the Community Right to Bid Legislation Decision: To approve listing | | No exempt / confidential information anticipated | Bruce Lang, Corporate Director 01984 635200 |
| FP/13/9/01 13/02/2013 | 4 September 2013 By Councillor D | Title: Consideration of nomination/s received under the Community Right to Bid | | No exempt / confidential information anticipated | Bruce Lang, Corporate Director 01984 635200 |

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|---|--|--|---|---|---|
| | Westcott – Lead Member for Community and Customer | Legislation Decision: To approve listing | | | |
| FP/13/10/01 25/09/2012 | 2 October 2013 By Councillor K V Kravis – Lead Member Resources & Central Support | Title: Allocation of Section 106 funds held – Quarter 2 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 | Ian Timms, Group Manager Housing, Welfare and Economy 01984 635271 |
| FP/13/10/02 25/09/2012 | 2 October 2013 By Councillor T Taylor – Leader of Council and Councillor K V Kravis – Lead Member Resources & Central Support | Title: Corporate Performance & Budget Monitoring Report 2013-14 – Quarter 1 Decision: to provide Members with an update on progress in delivering corporate priorities, performance of council services including budgetary information and customer satisfaction. | | No exempt / confidential information anticipated | Bruce Lang, Corporate Director 01984 635200 |
| FP/13/10/03 13/02/2013 | 2 October 2013 By Councillor D Westcott – Lead Member for Community and Customer | Title: Consideration of nomination/s received under the Community Right to Bid Legislation Decision: To approve listing | | No exempt / confidential information anticipated | Bruce Lang, Corporate Director 01984 635200 |
| FP/13/11/01 13/02/2013 | 6 November 2013 By Councillor D Westcott – Lead Member for Community | Title: Consideration of nomination/s received under the Community Right to Bid Legislation | | No exempt / confidential information anticipated | Bruce Lang, Corporate Director 01984 635200 |

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|---|---|--|---|---|---|
| FP/13/12/01 23/11/2012 | and Customer 4 December 2013 By Councillor K V Kravis – Lead Member Resources & Central Support | Decision: To approve listing Title: Review of Financial Regulations [FR2] Decision: to offer comment on the Financial Regulations. | | No exempt / confidential information anticipated | Bruce Lang, Corporate Director 01984 635200 |
| FP/13/12/02 23/11/2012 14 | 4 December 2013 By Councillor T Taylor – Leader of Council and Councillor K V Kravis – Lead Member Resources & Central Support | Title: Corporate Performance & Budget Monitoring Report 2013-14 – Quarter 2 Decision: to provide Members with an update on progress in delivering corporate priorities, performance of council services including budgetary information and customer satisfaction. | | No exempt / confidential information anticipated | Bruce Lang, Corporate Director 01984 635200 14 |
| FP/13/12/03 13/02/2013 | 4 December 2013 By Councillor D Westcott – Lead Member for Community and Customer | Title: Consideration of nomination/s received under the Community Right to Bid Legislation Decision: To approve listing | | No exempt / confidential information anticipated | Bruce Lang, Corporate Director 01984 635200 |
| FP/14/1/01 | 8 January 2014 By Councillor K V Kravis – Lead Member Resources & Central Support | Title: Fees and Charges Decision: to propose levels of fees and charges for the period 1 April 2014 to 31 March 2015 (in some cases fee increases will be implemented earlier, this will be stated in the relevant sections of the report). | | No exempt / confidential information anticipated | Section 151 Officer |

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|---|---|---|---|---|---|
| FP/14/1/02 | 8 January 2014 By Councillor K V Kravis – Lead Member Resources & Central Support | Title: Allocation of Section 106 funds held – Quarter 3 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 | Ian Timms, Group Manager Housing, Welfare and Economy 01984 635271 |
| FP/14/1/03 15 | 8 January 2014 By Councillor K V Kravis – Lead Member Resources & Central Support | Title: Draft Capital Programme 2013-14 and Capital Strategy Decision: to present the draft Capital Programme 2013/14 and draft Capital Strategy for recommendation to Council. | | No exempt / confidential information anticipated | Section 151 Officer 15 |
| FP/14/1/04 13/02/2013 | 8 January 2014 By Councillor D Westcott – Lead Member for Community and Customer | Title: Consideration of nomination/s received under the Community Right to Bid Legislation Decision: To approve listing | | No exempt / confidential information anticipated | Bruce Lang, Corporate Director 01984 635200 |
| FP/14/2/01 | 5 February 2014 By Councillor K V Kravis – Lead Member Resources & Central Support | Title: Annual Budget & Council Tax Setting 2014-15 Decision: to provide Members with all the information required for Council to approve the revenue budget and capital programme for 2014/15 for recommendation to Council. | | No exempt / confidential information anticipated | Section 151 Officer |
| FP/14/2/02 | 5 February 2014 By Councillor T Taylor – | Title: Draft Corporate Plan for 2014-15 | | No exempt / confidential information anticipated | Adrian Dyer, Chief Executive 01984 635212 |

| 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 | Documents and background papers to be available to decision maker | 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 |
|---|--|--|---|---|---|
| | Leader of Council | Decision: to introduce the draft West Somerset Council Corporate Plan 2014/15 for recommendation to Council. | | | |
| FP/14/2/03.. 13/02/2013 | 5 February 2014 By Councillor D Westcott – Lead Member for Community and Customer | Title: Consideration of nomination/s received under the Community Right to Bid Legislation Decision: To approve listing | | No exempt / confidential information anticipated | Bruce Lang, Corporate Director 01984 635200 |

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 T Taylor, C Morgan, K V Kravis, S J Pugsley, D J Sanders, K H Turner and D J Westcott.

The Scrutiny Committee comprises: Councillors K J Ross, R Lillis, M J Chilcott, M O A Dewdney, G S Dowding, J Freeman, P N Grierson, B Heywood and D D Ross.

| Date/Minute Number | Action Required ¹⁸ | Action Taken |
|--|--|---|
| <p>CAB101 – Annual Budget and Council Tax Settings 2013-14</p> | <p>RESOLVED (1) that the Equalities Impact Assessment (Appendix D to the report) be considered in accordance with guidance contained in paragraph 7 of the report and the assessment itself.</p> <p>RESOLVED (2) that the potential impact on the budget report presented to Council of the work currently being undertaken to assess the appropriateness of individual budgets following quarter three budget monitoring, be acknowledged.</p> <p>RESOLVED (3) that it be recommended to Council that in response to the Equalities Impact Assessment referred to in resolution (1) above, public toilet facilities for both males and females remain available in Blenheim Gardens during the period April to October each year. The reduction in efficiency savings being £1,550.</p> <p>RESOLVED (4) that it be recommended to Council that Council Tax in 2013/14 is increased by 3.7%.</p> <p>RESOLVED (5) that the revenue budget for 2013/14 as presented in Appendix B, as amended, to the report be recommended to Council.</p> <p>RESOLVED (6) that the draft schedule of savings as shown in Appendix B, Table 12, as amended, of the report be recommended to Council.</p> <p>RESOLVED (7) that the capital programme as presented in Appendix C, Table 13, as amended, of the report be recommended to Council.</p> <p>RESOLVED (8) that the revised Medium-Term Financial Plan in Appendix B, Table 9, as amended, of the report be recommended to Council.</p> | <p>At the Council meeting held on 20 February 2013, it was</p> <p>RESOLVED (1) that the Equalities Impact Assessment (Appendix ‘D’ to the report) in accordance with guidance contained in paragraph 7 of the report and the assessment itself be initially considered.</p> <p>RESOLVED (2) that in response to the Equalities Impact Assessment referred to in resolution (1) above public toilet facilities for both males and females remain available in Blenheim Gardens during the period April to October each year. The reduction in efficiency savings being £1,550.</p> <p>RESOLVED (3) that Council Tax in 2013/14 is increased by 3.7% making a Band D charge £137.82.</p> <p>RESOLVED (4) that the revenue budget for 2013/14, as amended and presented in Appendix B to the report, be approved.</p> <p>RESOLVED (5) that the draft schedule of savings, as shown in Appendix B, Table 12 to the report, as amended and presented, be approved.</p> <p>RESOLVED (6) that the capital programme in Appendix C, Table 13 to the report, as amended and presented, be approved.</p> <p>RESOLVED (7) that the revised Medium-Term Financial Plan in Appendix B, Table 9 to the report, as amended and presented, be approved.</p> |

REPORT NUMBER WSC 22/13

PRESENTED BY COUNCILLOR D WESTCOTT,
LEAD MEMBER FOR COMMUNITY & CUSTOMER

DATE 6TH MARCH 2013

Consideration of nominations received to list Assets of Community Value under the Community Right to Bid Legislation

1. PURPOSE OF REPORT

To review a nomination received and the recommendations from CMT under the Localism Act 2011 Part 5 – The Community Right to Bid.

2. RECOMMENDATIONS

2.1. It is recommended that Cabinet:

- 2.1.1 Accept the nomination [ACV017] for John Arlott Playground, Timberscombe to be listed as an Asset of Community Value.
- 2.1.2 Consider and agree to reject, the nomination [ACV011] for Silk Mill. Holford to be listed as an Asset of Community Value

3. RISK ASSESSMENT (IF APPLICABLE)

Risk Matrix

| Description | Likelihood | Impact | Overall |
|--|------------|--------|---------|
| The key risk is reputational in that the council considered not to have dealt with the matter appropriately | 3 | 3 | 9 |
| <i>Approved processes in place. CMT considering the nomination and Cabinet determining the nomination. Scrutiny to undertake any internal reviews requested by the land/building owner</i> | 1 | 3 | 3 |

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

4. BACKGROUND INFORMATION

- 4.1 The Localism Act 2011 places requirements on the council to maintain a list of land/buildings in its area that it considers land of community value. The Community Right to Bid provides the right to nominate land/buildings as Assets of Community Value.

- 4.2 Nominations are initially evaluated by the Corporate Management Team (CMT) who make a recommendation for Cabinet to determine. The Chief Executive is excluded from this process to enable this officer to support any review process in accordance with the requirements of the legislation. This process must be completed within 8 weeks of the nomination being received. CMT considered the nomination that is the subject of this report on 11 February 2013.
- 4.3 Under the relevant regulations it is clear that if a land/building is in the local authority's area, is nominated by a 'relevant body', is not an excluded land/building type and meets the definition of community value then the local authority must list it and inform the interested parties.
- 4.4 A 'relevant body' is defined as a parish council, a voluntary/community body, a neighbourhood forum or a community group with 21+ local members.
- 4.5 An excluded land/building type is defined as a wholly residential property including associated land and a residential caravan park.
- 4.6 If the asset is accepted for nomination, the owner has the right to request an internal review by the council. If the owners remain in disagreement with the listing following the review, they have a right to appeal to an independent tribunal

If an asset that is owned by a local authority is accepted for listing there is no right to request a review.

- 4.7 Once an asset has been listed nothing further happens until the owner decides to sell the land/building unless an exemption applies. The owner will only be able to dispose of the asset after 6 weeks unless an expression of interest is received from a community group to be treated as a potential bidder. If the council receives an expression of interest, then the full 6 months moratorium applies, providing the community with time to prepare a bid.
- 4.8 If a planning application is submitted regarding a land/building that has been listed as an asset of community value, the listing will be a material consideration when the planning authority determines the application.
- 4.9 The decision to list a building or land as an asset of community value must be based on section 88 of the legislation, *'In the opinion of the authority':- The actual current use of the building or other land that is not ancillary use further the social well-being or social interest of the local community and it is realistic to think that there can continue to be use of the building/land which further the social well-being or social interest of the local community (whether or not in the same way). Or*

There is time in the recent past when an actual use of the building or other land that was not ancillary use furthered the social well-being or social interest of the local community and it is realistic to think that in the next five years when there could be non-ancillary use of the building or other land that would further (whether or not in the same way) the social well-being or social interest of the local community.

Social interests includes (in particular) each of the following:-

- (a) cultural interests*
- (b) recreational interests*
- (c) sporting interests*

- 4.10 Listing Nomination for **John Arlott Playground, Timberscombe**
A nomination application has been received to list the John Arlott Playground, Timberscombe as an Asset of Community Value.

The nomination was received from a relevant body – Timberscombe Parish Council. The John Arlott Playground as a playing field is not in any of the excluded categories.

The information submitted is considered to support the definition as an asset of community value, furthering the social well-being or social interest of the local community and it is therefore recommended that the John Arlott Playground be listed as such.

See [Appendix A] for supporting information provided by the parish council.

The information submitted is considered to support the definition as an asset of community value, furthering the social well-being or social interest of the local community and it is therefore recommended by CMT that John Arlott Playground be listed as such.

In accordance with the procedure, the owners of the property have been notified of the nomination. Under section 91 of the Act, these persons/bodies will also be notified of the decision reached by cabinet.

4.11 Listing Nomination for **Silk Mills Site, Holford Combe, Holford**

A nomination application was received to list the Silk Mills Site at Holford Combe as an Asset of Community Value for the Cabinet meeting on 6 February 2013. It was withdrawn from this meeting due to a change of ownership of the site. The new owner has now been contacted and informed of the nomination.

The nomination was received from a relevant body - Silk Mills Action Group, as a community body of 24 local members. The Silk Mills site as an area of woodland is not in any of the excluded categories.

The information submitted is not considered to fulfil the definition as an asset of community value and therefore recommended by CMT that Silk Mills Site be rejected for listing. There is a requirement to provide the reason when rejecting a nomination for listing. If Cabinet is minded to accept the recommendation for rejection, it is suggested that the following reason be given.

The reasons for recommending rejection are that the 'informal use' of the land means that there can be no guarantee of its future use as a community facility

Summary to inform the recommendation/decision

- The current use of the land is woodland with a derelict building on the site
- The community have had 'informal' access to the land for at least the past 60 years
- The 'informal' use has been interpreted as 'ancillary use'
- The nature of 'informal' access is considered un-sustainable in the future given that any future access could be prohibited as it is in private ownership.

See [Appendix B] for supporting information provided by the community group.

In accordance with the procedure, the owners of the property and Holford Parish Council have been notified of the nomination. Under section 91 of the Act, these persons/bodies will also be notified of the decision reached by cabinet.

5. FINANCIAL/RESOURCE IMPLICATIONS

- 5.1. If the asset is accepted for listing, the council need to register the restriction with the Land Registry, the costs associated with this is estimated at £50 per property.
- 5.2. If the Building/land is put up for sale and the Assets of Community Value moratorium applies, the owner can make a claim to the council for compensation. The council are liable

for compensation costs up to £20,000 in any financial year; this can be from a number of small claims or a single large claim. Any compensation costs over the £20,000 will be covered by DCLG.

6. SECTION 151 OFFICER COMMENTS

- 6.1. A sum of £20,000 to cover potential compensation claims has been included in the draft Medium Term Financial Plan in accordance with the Council's request.

7. EQUALITY & DIVERSITY IMPLICATIONS

- 7.1 The Assets of Community Value policy offers greater opportunities for community involvement in the consideration of community assets, potentially leading to increased community benefit.

8. CRIME AND DISORDER IMPLICATIONS

- 8.1. None in respect of this report

9. CONSULTATION IMPLICATIONS

- 9.1. In accordance with the requirements of the Localism Act 2011- Part 5 and the council's agreed process, the owner of the property being nominated and the local parish council are given notice of the nomination application. The council will also notify the relevant member/s, whose ward the property being nominated is within.
- 9.2. The council will notify the relevant body that submitted the nomination, the owner, parish council and ward member/s of the decision to list the property as an asset of community value. If the nomination is unsuccessful, the council must provide the relevant body that made the nomination with the council's reasons for its decision.
- 9.3. In accordance with the requirements of the Localism Act 2011- Part 5, the council must maintain a list of assets of community value and a list of assets nominated unsuccessfully. These lists will be published on the council's website and made available for free inspection by any person at the council's offices in Williton and Minehead.

10. ASSET MANAGEMENT IMPLICATIONS

- 10.1. None specific to the nominations being considered in this report

11. ENVIRONMENTAL IMPACT IMPLICATIONS

- 11.1. None in respect of this report

12. LEGAL IMPLICATIONS

- 12.1 This report arises from the council needing to put in place processes to ensure that it fulfils its obligations under the provisions of the Localism Act 2011.

REPORT TO A MEETING OF CABINET TO BE HELD ON 6TH MARCH 2013

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EMAIL: BDLANG@WESTSOMERSET.GOV.UK

Assets of Community Value – Nomination Form

Section 3 - SUPPORTING INFORMATION FOR THE NOMINATION

3. What are the reasons for nomination this land/building for consideration as an asset of community value?

Please provide as much information as possible, including how the asset furthers the social well-being or social interests (including cultural, recreational, sporting interests) of the community.

The Timberscombe John Arlott Playground is valued by the village and the wider community as a children's play area and village facility, and a group of Friends of the Timberscombe John Arlott Playground has now been formed to raise money for new equipment as the old equipment ages. The formation of this group shows commitment from the village and users of the playground facility. The Friends produce regular newsletters and hold fund-raising events. The field is used by the C.L.O.W.N.S. organisation on their regular visits to the village as well as by local children, not just those from Timberscombe, and the school.

The Parish Council pays for, via its precept and a grant to The Timberscombe John Arlott Playground Association, the grass and hedge cutting, the insurance and an annual safety inspection at the play area and regular meetings of the Trustees are held to manage the field, in conjunction with the Friends.

There is no longer a Youth Club in Timberscombe and facilities for young people in the area are thin on the ground.

The Trustees wish to nominate The Timberscombe John Arlott Playground as a community asset to ensure that the land is not sold or leased for a purpose other than as a children's play area.

In addition, some community functions are held at the play area, usually to raise funds for equipment.

Assets of Community Value – Nomination Form

Section 3 - SUPPORTING INFORMATION FOR THE NOMINATION

3. What are the reasons for nomination this land/building for consideration as an asset of community value?

Please provide as much information as possible, including how the asset furthers the social well-being or social interests (including cultural, recreational, sporting interests) of the community.

This site is of enormous historical, scientific, cultural and archaeological interest. It is also a well known beauty spot within this pretty Quantock Village. The local inhabitants and many visitors love it as it is today and the vast majority of parishioners want to see it made safe and preserved in its present state and not developed in any way. The site is within an ANOB area. It also has an SSSI restriction on it and it is on the boundary of the parish conservation area.

The visible 18th – 19th century remains of the Holford Silk Factory survive as rare, unmodified structures representing the textile industry in West Somerset. Holford was involved with the textile industry from the 16th to the mid 19th century.

The Factory site comprises the remains of four buildings, three tail races, an overshot headwall, two bridges and a weir. The immediate surrounding landscape beyond the factory includes an infrastructure of a header pond, leat, dye pits and a dye house.

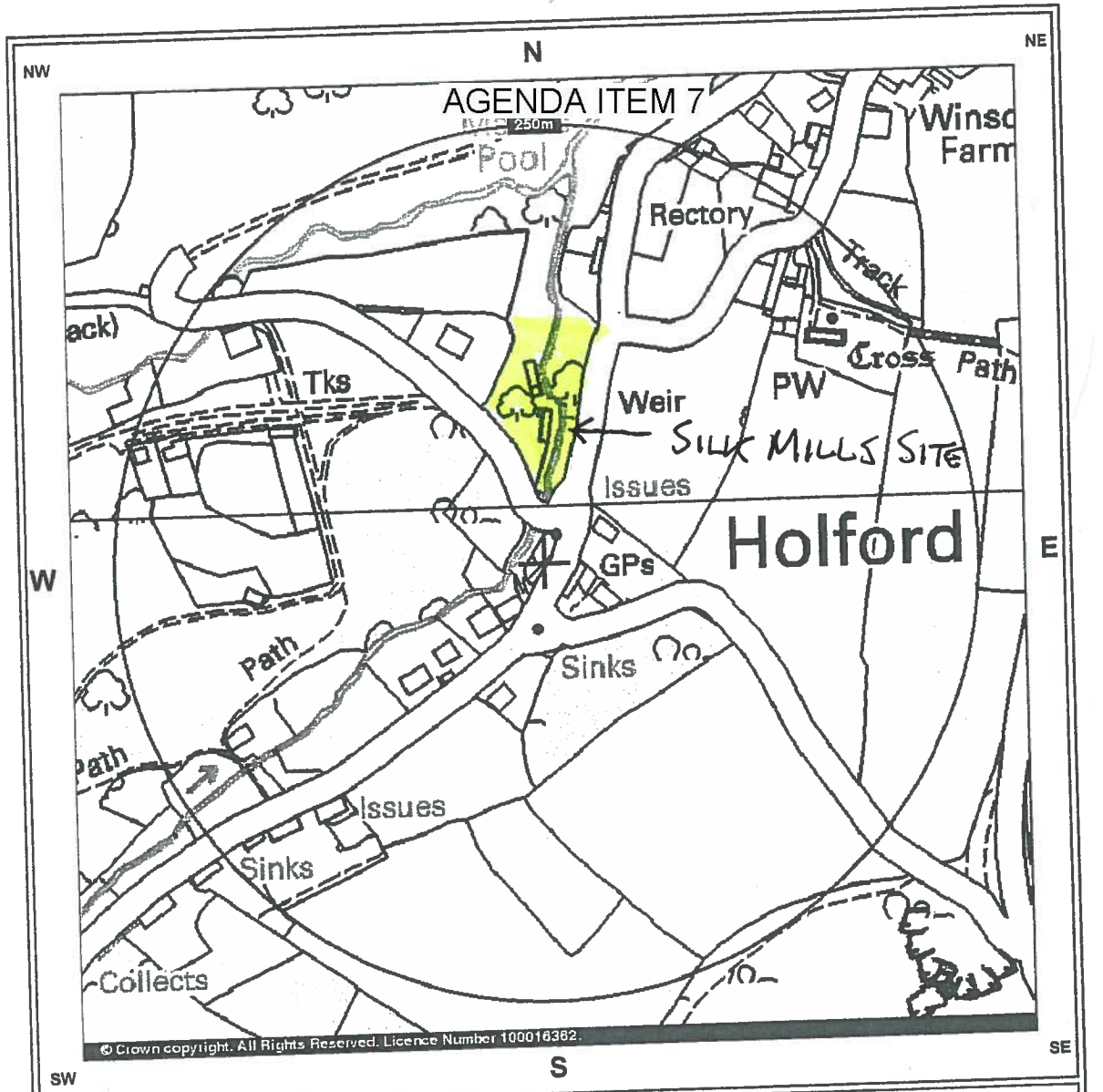
The Warren Survey of 1992 suggests that there are significant buried structures on the site. The English Heritage Survey of 2003 states that the visible remains represent the rural textile industry in its latest stages and as such are an important survival.

The site represents a rare and important aspect of 18th – 19th century social and economic life in Holford and the surrounding area.

The secluded setting of this site is of particular importance to the population of the village. The Factory ruins in the Glen embody a distinctive spirit of history and a place which is valued by both locals and visitors.

Our Action Group is appalled by the LACS's decision to sell the land off for possible redevelopment involving new buildings. We have asked the League to allow the village take it over as a parish amenity but their preference was to put it up for sale on the open market.

We would like it to be an asset to the community and Somerset. We would also like to take ownership of the site and we would hope to set up a committee or a charity to preserve it in its present state with the ruins and bridge and stream banks made safe. It would still be a beauty spot and perhaps it could be opened to the public at certain times with guides to interpret and explain the industrial history of the site and also the natural changes which have taken place since work was abandoned in the area.



Map Legend



Site location

250m Search Band



Water Feature



Building Outline



Search Details

Search address Glenside
 Holford
 BRIDGWATER
 Somerset
 TA5 1RY

Grid Reference 315488E 140967N

Date of Report 24/1/2007

REPORT NUMBER WSC 32/13
 PRESENTED BY COUNCILLOR T TAYLOR, LEADER OF THE COUNCIL
 COUNCILLOR K V KRAVIS, LEAD MEMBER FOR RESOURCES
 & CENTRAL SUPPORT
 DATE 6 MARCH 2013

CORPORATE PERFORMANCE REPORT APRIL – DECEMBER 2012/2013

1. PURPOSE OF REPORT

- 1.1. The purpose of this report is to provide Members with an update on progress in delivering the corporate priorities, performance, **AGENDA ITEM 8** including budgetary information and customer satisfaction covering the period from 1st April 2012 to 31st December 2012.

2. RECOMMENDATIONS

That Cabinet notes the progress in delivering the corporate priorities for 2012/13 and recommends any mitigating actions where there are concerns over their delivery.

That Cabinet notes the performance against Group and Service Indicators, including the Budget monitoring indicators, and recommends any mitigating actions where there is concern that performance is not on track.

3. RISK ASSESSMENT

| 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 <i>The mitigation for this will be the continued strong leadership from Lead Members and CMT to ensure that performance management remains a priority</i> | Likely (3) | Major (3) | High (9) |

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.

4. BACKGROUND INFORMATION

- 4.1. Monitoring our performance is a key element in the Council's Performance Management Framework. The quarterly report attached at **Appendix A** pulls together all relevant matters relating to the Council's performance, including budgetary issues, progress against quarterly performance indicators, and the delivery of corporate priorities with the associated objectives and key tasks.
- 4.2. The quarterly performance report has been divided into 5 sections in order to reflect the 5 Group Service Plans –

- Housing & Economic
- Environment & Community
- Resources
- Corporate Services
- Corporate Management

Each Group section has been further sub-divided into two parts:

- Progress reporting against corporate plan objectives and associated key tasks;
- Performance against a set of key Group & Service Indicators

4.3 As Members may be aware, 2012/13 will be the third year following the introduction of its current process of utilising service plans as part of its operational principles. Officers and Members have endeavoured to learn from previous experience to try and make such service plans fit for purpose and particularly having regard to the Authority's capacity. With this in mind Cabinet will note that the number of performance indicators have been reduced for 2012/13, with the focus being on those services considered to be high priority within the Group.

4.3. Performance Summary and Response to Missed Targets/Milestones

At the start of each group section, Members will note that an additional page has been added to provide an overview of each group's performance for the quarter. This includes performance indicators and key actions where targets/milestones have been missed and the response to this from the relevant Corporate Manager

Scrutiny Committee 18th February 2013

The Scrutiny Committee at its meeting on 18th February 2013 considered this report. During the course of the debate the following questions and comments were made by Members.

During the course of the debate the following main points were raised:

- Noted that the action status for Key Task 1.1.2, delivery of 20 affordable homes in Carhampton, should be amber: the plans had changed during the year which would result in the delivery of the homes being completed in the year 2013/14.
- Members noted that the number of affordable homes delivered in West Somerset this year was a remarkable achievement.
- It was confirmed that the target percentage relating to key task 4.1.1, West Somerset businesses gaining contracts within the supply chain for Hinkley Point C, would be increased.
- It was requested that there be firmer targets relating to key task 4.1.3, maximising job opportunities for West Somerset during the Hinkley C construction phase. Members noted that work relating to economic development was difficult to measure and that any suggestions would be welcomed. Further, that progress was presented and discussed at the Economic Development and Tourism Policy Advisory Group meetings.
- Concern was raised that with the forthcoming change to benefits system, some of the residents of West Somerset could be struggling financially which could in turn increase the 'number of households making applications' and adversely affect KPI 45.
- Members were advised that once the trends relating to car park fines and income and CPE could be measured, it would be easier to predict future income levels.
- The Committee requested that the following information be provided after the meeting:
 - A break down of the Seaward Way Housing annual budget of £140,000, as shown in table 5 of the report.

- To confirm whether the empty properties, relating to key task 1.2.3 and 1.2.4, that were brought back into use were rented properties.
- A report on the work and progress relating to Objective 4, Key Task 4.1 which increases the opportunities for training and skills.
- A full break down of savings relating to grass cutting.
- A break down of 'off street' parking tickets issued in 2012/13 to date.
- How the car parks were monitored regarding the issuing of excess fines.

RESOLVED (1) that the Committee thank all those involved for their hard work;

RESOLVED (2) that the Committee note the progress in delivering the corporate priorities for 2012/13 as set out in the report;

RESOLVED (3) that the Committee note the performance against Group and Service Indicators, including the budget monitoring indicators as set out in the report;

RESOLVED (4) that Cabinet be advised of the points raised by the Committee as set out above.

FINANCE INFORMATION

Summary Position – Revenue

Table 2

| Resources | Annual Budget £ | Predicted Spend 2012-13 £ | Variance £ |
|----------------------------|--------------------|---------------------------------|---------------|
| Performance against Budget | 4,939,603 | 4,651,080 | (288,523) |

Detailed Position – Revenue (by Group)

Table 3

| Group | Annual Budget £ | Predicted Spend 2012-13 £ | Variance £ |
|---------------------------|------------------|---------------------------------|------------------|
| Corporate Director | 1,154,147 | 1,127,965 | (26,182) |
| Housing and Economy | 648,425 | 573,147 | (75,278) |
| Resources | 1,177,091 | 1,008,685 | (168,406) |
| Environment and Community | 1,959,940 | 1,941,283 | (18,657) |
| TOTAL | 4,939,603 | 4,651,080 | (288,523) |

Forecast Reserves

Table 4

| Opening Reserves £ | Budgeted Use of Reserves £ | Budget Variances £ | Reserves at 31 March 2013 £ |
|-----------------------|----------------------------------|-----------------------|-----------------------------------|
| (934,877) | 62,880 | (288,523) | (1,160,520) |

Detailed Position – Capital (by Group Manager)

| Group Manager | Scheme | Annual Budget £ | Predicted Spend 2012-13 £ | Variance £ |
|---------------|----------------------------|--------------------|---------------------------------|---------------|
| Ian Timms | Disabled Facilities Grants | 40,000 | 0 | (40,000) |
| Ian Timms | Affordable Housing Project | 0 | 0 | 0 |
| Ian Timms | Clanville Housing Project | 0 | 92,974 | 92,974 |

| | | | | |
|-------------|--------------------------|----------------|----------------|------------------|
| Ian Timms | Decent Homes | 0 | 0 | 0 |
| Ian Timms | Energy Efficiency | 0 | 0 | 0 |
| Ian Timms | Private Sector Housing | 0 | 0 | 0 |
| Ian Timms | Low Interest Loan Scheme | 0 | 0 | 0 |
| Ian Timms | Seaward Way Housing | 140,000 | 14,700 | 125,300 |
| Ian Timms | Stair Lift Recycling | 0 | 0 | 0 |
| Steve Watts | Buildings | 33,500 | 3,559 | (29,941) |
| Steve Watts | Car Parks | 12,750 | 0 | (12,750) |
| Steve Watts | Harbours | 39,500 | 27,328 | (12,172) |
| Steve Watts | Infrastructure | 85,000 | 34,135 | (50,865) |
| Steve Watts | Land | 10,150 | 6,750 | (3,400) |
| Steve Watts | Other Projects | 75,300 | 51,500 | (23,800) |
| Steve Watts | Information Technology | 157,360 | 77,168 | (80,192) |
| | TOTAL | 593,560 | 308,114 | (285,446) |

5. **FINANCIAL/RESOURCE IMPLICATIONS**

5.1. As set out in the report.

6. **SECTION 151 OFFICER COMMENTS**

6.1. The amount of financial information in the report is designed to encourage Members to focus on the performance data and budget monitoring. Information on council tax and business rates collection figures, investments and borrowing, housing benefit and sundry debtor balances will instead form part of a report that the Audit Committee will consider.

7. **EQUALITY & DIVERSITY IMPLICATIONS**

7.1. None directly in this report.

8. **CRIME AND DISORDER IMPLICATIONS**

8.1. None directly in this report.

9. **CONSULTATION IMPLICATIONS**

9.1. None directly in this report.

10. **ASSET MANAGEMENT IMPLICATIONS**

10.1. None directly in this report.

11. **ENVIRONMENTAL IMPACT IMPLICATIONS**

11.1. None directly in this report.

12. **LEGAL IMPLICATIONS**

12.1. None directly in this report.

REPORT TO CABINET TO BE HELD ON 6 MARCH 2013.

CONTACT OFFICER: SAM RAWLE, SCRUTINY & PERFORMANCE OFFICER
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EMAIL: SJRAWLE@WESTSOMERSET.GOV.UK
SJPLENTY@WESTSOMERSET.GOV.UK



Performance Monitoring Report 2012/13

Housing, Welfare & Economy Group

Service Plan Performance Report Oct-Dec 2012/13 Update

- Corporate Plan Key Actions – Quarterly Progress Report
- Group & Service indicators – Quarterly Performance



Housing, Welfare & Economy Group

Performance Indicators

3 indicators off target

Key Actions

Missed milestones (red) – 3

2.1.1 - Submit Data to support business case for consideration by the Hinkley 106 board and West Somerset Cabinet to maintain supply of all types of housing.

2.1.2 - Deliver agreed outcomes of 2.1.1

2.1.5 - Implement agreed changes and report outcomes to board

Performance Indicator

3 indicators off target (housing prevention/accepted homeless applications/Environmental Health requests

Key Action Summary

There are 29 key actions associated with this service plan of which:

- 22 (76%) are on-track
- 4 (14%) actions are completed
- 3 (10%) actions are 'red' actions because the work has not been completed within the timescales set out in the plan – see above for details

Group Performance Summary for Quarter 3

The **Private sector Housing Partnership** is on target for spending the capital allocated for Disabled Facilities Grants. At the end of quarter 3 there were 23 completions with 7 applications pending approval. The budget of £220,000 plus the additional £64,533 allocated by Central Government in December 2012 will be spent by the end of the financial year 2012/13. Somerset West Landlord and Tenant Services (SweLT) continues to develop a more integrated approach to service delivery. The Landlord Forum was held in October where the opportunity was taken to launch SweLT. Over 80 landlords, 19 from West Somerset, attended the forum and feedback was good. SweLT has rehoused 223 households into the private sector by issuing bond guarantees and cash deposits. 50 landlords owning 80 properties have been accredited through the voluntary Landlord Accreditation scheme. The scheme raises the living standards beyond the minimum legal standard. The partnership is working closely with West Somerset to develop bids for the Hinkley Point Housing fund.

The **Economic Development and Tourism** teams have continued to deliver some pleasing results, especially in terms of business support. 16 business mentors have now been trained and 13 businesses are currently benefiting from this. A contractor has been appointed to deliver a food & drink sector capacity building project and a series of business start –up courses are at the planning stage. This quarter also saw the official opening of the new Hinkley Ready and Enterprise facilities at West Somerset Community College, which means that West Somerset businesses will now be able to access local training opportunities.

Environmental Health and Licensing continued to deliver statutory services throughout the period. Additional 70 Food Inspections were carried out due to re-scores as an element of the star rating system in addition to the planned workload. The absence of the licensing officer in the last month of the quarter has had a significant effect on the rest of the team with registration and processing of applications being managed by team members assisted by the customer service and other colleagues.

The **Housing enabling and LDF team** have continued with work to ensure that the publication draft of the Local Plan is compliant with the National Planning Policy Framework, and also on analysis work which will form the basis of monitoring for Hinkley. This includes preparation work for the necessary further round of consultation prior to publication. These pieces of work are significant representing an “unsung” area of the council. In addition, the Enabling team have provided significant resources for Empty Homes work. This has assisted with the implementation of a new Database for record keeping and monitoring and has led to the initiation of a project in Williton which it is hoped will result in bringing a number of empty properties back into use.

The **Housing Options team** has gone through a period of flux with a new team member settling in and another entering a period of maternity leave. Statutory homelessness services have continued to be delivered throughout this period. Homelessness cases began to climb at the latter end of the quarter with strong demand for temporary accommodation. This indicates a worsening of the economic situation.

Housing & Economy

Priority: Housing

Objective 1: Increase the availability of affordable homes that is appropriate to people's needs

| Ref | Title | Next Milestone | Action Status | Update |
|---|--|-----------------------------|---------------------|--|
| Key Task 1.1 Ensure that the Local Plan Policy on the provision of affordable housing in open market development is maximised and applied to all planning permissions granted | | | | |
| 1.1.1 | Facilitate the delivery of 80 affordable homes by 31 st Mar 2013: Facilitate the delivery of 15 affordable homes in Villes Lane, Porlock | 31 st March 2013 | GREEN (On Track) | Qtr 1 Update Currently on-site. All progressing well and should be complete by March 2013 Qtr 2 Update Work due to commence shortly on Local Lettings Plan and surgeries to be held before properties are allocated on Homefinder System. Completion of scheme still due before the end of March 2013. Qtr 3 Update Properties advertised through Homefinder and allocations visits currently underway |
| 1.1.2 | Facilitate the delivery of 20 affordable homes at Townsend Farm in Carhampton | 31 st March 2013 | GREEN (On Track) | Pre-planning discussions have been held. Hopefully up-to-date plans will be presented to the Parish Council in early September with, if possible, public consultation taking place on the same day. Planning Application should be submitted shortly after Qtr 2 Update Public Consultation event held on 11th October. Comments taken on board and Planning Application currently being drawn up. Qtr 3 Update Further pre-planning meeting held recently. Planning Application due to be submitted by the end of Qtr 4 |

Review of Key Actions to deliver 2012-13 Corporate Priorities

| | | | | |
|-------|--|-----------------------------|-------------------|--|
| 1.1.3 | Conclude scheme on WSC land in Simonsbath to enable the future delivery of 5 affordable homes | 31 st March 2013 | GREEN (On Track) | Awaiting feedback from ENPA and Rural Housing Project following a Historic Buildings/Site survey Qtr 2 Update Report received following Historic Buildings Survey - decisions to be made on way forward Qtr 3 Update Decision to be made on future of site by the end of Qtr 4 following meeting between two respective Chief Executive Officers of WSC & ENPA Qtr 2 Update Contracts Exchanged October 2012 Qtr 3 Update Planning Application due to be made by the end of Qtr 4 Should be starting on site September/October. Delayed due to land ownership issues and then caught up in nesting issues Qtr 2 Update WSC are monitoring the progress towards commencement on site Work is due to start on access and visibility splay in January 2013 with development of the properties due to start no later than April 2013 Qtr 3 Update As Qtr 2 update - still due to start on site in Qtr 4 Qtr 1 Update On-going. 3 complete to date Qtr 3 Update – No further update |
| 1.1.4 | Facilitate the sale of WSC land at Seaward Way in Minehead to deliver 8 of 17 affordable homes | 31 st March 2013 | GREEN (On Track) | |
| 1.1.5 | Facilitate the start on site of 5 affordable homes in Crowcombe | 30 th May 2012 | Green (Completed) | |
| 1.1.6 | Monitor the completion of 27 affordable houses in the district council area. | 31 st March 2013 | GREEN (On Track) | |

1.2.2 25 have been delivered in this quarter which is an increase on previous quarters. This relates to the time lag of results and also for this quarter we have counted the number removed from the list which also includes those properties that have required very little intervention

1.2.3 17 - explanation as 1.2.2

45 explanation as 1.2.3

Review of Key Actions to deliver 2012-13 Corporate Priorities

| Key Task 1.2 | | | | |
|---|--|---------------------------------|----------------------|--|
| To work with landlords and owners of empty properties to return them back into use. | | | | |
| Ref | Title | Next Milestone | Action Status | Update |
| To return 45 empty properties to use per annum up to 31 st Mar 2013: | | | | |
| 1.2.1 | Review empty property database and ensure accuracy of council tax data to ensure New Homes bonus is maximised. All known properties on the database to be surveyed and the database updated. | 30 th September 2012 | GREEN (Completed) | As a key way to ensure New Homes Bonus is maximised, this work is now ongoing through the year. We will focus on this activity in quarter 2 to ensure the task is delivered. Staff from the Rural Housing Project, Somerset West Private Sector Partnership and WSC staff are being used to deliver the task <u>Qtr 2 Update</u> 1.2.1 The database was updated and this work resulted in 30 empty properties being on the database at the end of September. This will generate New Homes Bonus for these 30 additional properties |
| 1.2.2 | Deliver 10 empty properties back into use within the Exmoor panel area. | 31 st March 2013 | GREEN (On Track) | <u>Qtr 2 Update</u> Eight have been delivered in the first two quarters of the year <u>Qtr 3 Update</u> An additional 25 have been delivered in this quarter which is an increase on previous quarters. This relates to the time lag of results and also for this quarter we have counted the number removed from the list which also includes those properties that have required very little intervention |
| 1.2.3 | Deliver 15 empty properties back into use within Minehead and Dunster Panel areas | 31 st March 2013 | GREEN (On Track) | <u>Qtr 2 Update</u> Forty have been delivered in the first two quarters of the year <u>Qtr 3 Update</u> An additional 17 delivered in Qtr 3 – see 1.2.2 regarding explanation |
| 1.2.4 | Deliver 20 empty properties in The Quantock panel area | 31 st March 2013 | GREEN (On Track) | <u>Qtr 2 Update</u> Twelve have been delivered in the first two quarters of the year <u>Qtr 3 Update</u> An additional 45 delivered in Qtr 3 – see 1.2.2 regarding explanation |

Review of Key Actions to deliver 2012-13 Corporate Priorities

| Key Task 1.3 To work with landlords and owners to bring properties up to the Decent Homes Standard | | | | |
|--|--|-----------------------------|----------------------|---|
| Ref | Title | Next Milestone | Action Status | Update |
| | Bring 800 properties up to decent homes standard by: | | | |
| 1.3.1 | In partnership with Wessex Home Improvement Loans delivering 30 low interest loan products | 31 st March 2013 | GREEN (On track) | 3 loans have been approved with a further 5 at application stage. <u>Qtr 2 Update</u> 10 loans completed with a further 4 pending. 6 enquiries awaiting pre visits. On target. <u>Qtr 3 Update:</u> 10 loans completed with 3 ongoing, 4 awaiting pre visits. Not on target. Recent promotions with little take up. Should see significant change with alterations to the Landlord Accreditation scheme grant incentive, which is heavily in favour of loan provision. Push toward empty homes loans. |
| 1.3.2 | Improving 30 privately rented properties to the minimum standard | 31 st March 2013 | GREEN (On track) | 12 Properties have been improved to minimum standard , 8 Proactively, through the Accreditation scheme and 4 through reactive complaint work. <u>Qtr 2 Update</u> Total of 44 properties brought up to the minimum standard through complaint, programmed inspections and landlord accreditation <u>Qtr 3 Update:</u> Total of 215 properties brought up to the Decent Homes Standard through complaint, programmed inspections and landlord accreditation. |
| 1.3.3 | Delivering 40 Disabled Facilities Grants | 31 st March 2013 | GREEN (On track) | 8 Disabled Facilities Grants have been completed to date, with a further 2 approved and 3 at approval stage <u>Qtr 2 Update</u> 37 Disabled Facilities Grants Completed with a further 10 at approval stage – this level of delivery is in line with the allocated budget <u>Qtr 3 Update:</u> 23 major Disabled Facilities Grants completed with 7 at application stage. 12 minor adaptations. Projected to exceed target by 2. |
| 1.3.4 | Delivering the remaining 700 properties through other mechanisms | 31 st March 2013 | GREEN (On track) | 110 properties have been insulated through Warm Streets, Warm Front and advice, This number is expected in the first quarter based on previous years trends where take up increases through |

| | | |
|--|------|---|
| | 2013 | <p>the year</p> <p>Qtr 2 Update</p> <p>100 properties in addition to the 110 above. Below target due to the lower take up of Warm Streets as the scheme is about to end. Target is going to need to be revised down as when originally set, no one was sure on future of Warm Streets and associated energy efficiency schemes</p> <p>Qtr 3 Update:</p> <p>Of the figures in 1.3.2 70 were delivered through Warm Streets/Warm Front. The figure is low as Warm Streets came to an end with the introduction of Green Deal/ECO. It is hoped that some recovery can be made as a result of the DECC bid</p> |
|--|------|---|

Objective 2: Mitigate the impact of the proposed Hinkley Point development on the local housing market

| | | | |
|---|---|----------------------------------|--|
| Key Task 2.1 | | | |
| To establish a mechanism for use by the Hinkley Point C Section 106 Board that recognizes the degree and severity of potential impact on the local housing accommodation market and that targets resources to those areas of greatest impact. | | | |
| Ref | Title | Next Milestone | Action Status |
| | Use the housing fund to maintain the supply of all housing through the construction period: | | |
| | Review available data & establish benchmark of available supply across all tenures. | 30 th April 2012 | Green (Completed) |
| 2.1.1 | Submit Data to support business case for consideration by the Hinkley 106 board and West Somerset Cabinet to maintain supply of all types of housing. | 30th June 2012 | RED (Milestone missed) |
| | | | <p>Update</p> <p>Qtr 2 Update</p> <p>Analysis of tenure (owner-occupation/rented/social housing etc), stock numbers and availability of that stock has been undertaken. A benchmark of availability set at 1st Sept 2012 will enable monitoring of the market and trends going forward</p> <p>Qtr 2 Update</p> <p>The data and monitoring undertaken will be used to inform business cases for bids to the Hinkley Point site preparation S.106 monies identified for housing.</p> <p>The delivery of this action has been affected by the delay to Phase 2. This action is now unlikely to be achieved within 2012/13</p> <p>Qtr 3 Update – No further update</p> |

Review of Key Actions to deliver 2012-13 Corporate Priorities

| 2.1.2 | Deliver agreed outcomes | End of each quarter 2012 | <p>RED (Milestone missed)^K</p> <p>Qtr 2 Update See above. The delivery of this action has been affected by the delay to Phase 2. This action is now unlikely to be achieved within 2012/13 Qtr 3 Update – No further update</p> |
|---|---|---|--|
| <p>Monitor, evaluate and address the impacts of the development on the local housing market in West Somerset:</p> | <p>Establish indicators to monitor trends in take up of properties across all sectors against benchmark. Report to Line Managers Group on monthly basis</p> | <p>Monthly up to March 2013</p> <p>GREEN (On Track)</p> | <p>This monitoring commenced on 1st April and is currently being refined. The Housing and Economy group will continue to monitor trends throughout the year. Qtr 2 Update We are now Monitoring closely the demand for Social Housing ; the eviction reasons for landlords giving notice – this was backdated to beginning of quarter 1 and to date there is no discernable;Monitoring benefit take up in Williton/Watchet on a month to month basis looking for changes that may be affected by demand from EDFemployees and proximity to proposed Park and Ride trend towards Hinkley Qtr 3 Update: No further update</p> |
| 2.1.3 | <p>Through the year identify new or additional actions that are required through either the housing fund or other mechanisms.</p> | <p>Quarterly</p> <p>GREEN (On Track)</p> | <p>We are currently working through production of data to support a number of bids and analysing interventions that will be most effective ahead of accessing the housing fund. This action reacts to the housing fund being accessible. The delay is allowing significant preparatory work to be carried out. Qtr 2 Update During quarter 2 the council took on more Private Sector Leased properties to provide emergency accommodation for additional homeless households this was due to the release of properties formerly used by Magna to provide specialist supported housing. This was an additional action but is outside of any housing fund requirements Qtr 3 Update: No further update</p> |
| 2.1.4 | <p>Agree changes and submit to Hinkley Board for Approval or agree through service plan process</p> | <p>Quarterly</p> <p>GREEN (On Track)</p> | <p>We are currently working through production of data to support a number of bids and analysing interventions that will be most effective ahead of accessing the housing fund. This action reacts to the housing fund being accessible. The delay is allowing significant preparatory work to be carried out. Qtr 2 Update During quarter 2 the council took on more Private Sector Leased properties to provide emergency accommodation for additional homeless households this was due to the release of properties formerly used by Magna to provide specialist supported housing. This was an additional action but is outside of any housing fund requirements Qtr 3 Update: No further update</p> |
| 2.1.5 | <p>Implement agreed changes and report outcomes to board</p> | <p>Quarterly</p> <p>RED (Milestone missed)</p> | <p>Qtr 2 Update The delivery of this action has been affected by the delay to Phase 2. This action is now unlikely to be achieved within 2012/13 Qtr 3 Update: No further update</p> |

Priority: Economy

Objective 3: Broaden the variety of employment opportunities within the district

| Ref | Title | Next Milestone | Action Status | Update |
|---|--|--|-----------------------------|--|
| <p>Key Task 3.1 Work with businesses to stimulate support and demand for broadband and build on the successful Broadband Development UK (BDUK) bid by ensuring West Somerset has an influential role in the necessary action planning.</p> | | | | |
| <p>3.1.1</p> | <p>Stimulate demand for super fast Broadband roll out by proactively positioning West Somerset as part of the nuclear supply chain (within the Low Carbon Cluster initiative)</p> | <p>31st March 2013</p> | <p>GREEN (On Track)</p> | <p>On-going. Regular meetings held with Partners (SCC / SDC / EDF) to progress <u>Qtr 2 Update</u> Attended CSD Seminar and met key contractors (YTKO (business support), Peninsula Enterprise (high growth rural support) and Project Cosmic (Community support) 1:1 meeting held with YKTO and initial plan determined for supporting WS businesses. <u>Qtr 3 Update</u> On-going. State aid implications for 'Connecting Somerset and Devon' project have been satisfactorily resolved and contract with BT is being finalised. No programme relating to where roll-out will occur when and where has been released yet. Exmoor National Park Authority's Rural Broadband expression of interest was successful with full application to be submitted Feb 2013.</p> |
| <p>3.1.2</p> | <p>Promote higher levels skills delivery in West Somerset to cater for the needs of an evolving nuclear supply chain, and increase the number of knowledge economy occupations in the District. WSCC featuring as a potential Higher Education Institution provider within the Somerset Low Carbon Cluster Strategic Framework and Business Plan. Report to Economic Regeneration PAG on quarterly basis</p> | <p>30th January 2013</p> | <p>GREEN (On Track)</p> | <p>On-going, and working with EDF to ensure the West Somerset Community College Service Level Agreement for EDF investment is fit for purpose. WSCC gave presentation to Economic Regeneration PAG on 10th July <u>Qtr 2 Update</u> SCC has submitted an ERDF bid for a Supply Chain cluster and business incubation unit in Bridgwater. Via the County Regeneration. Directors meeting, seeking continued involvement of WSCC within this programme. <u>Qtr 3 Update</u> WSCC new training facilities launched 3 October 2012</p> |

| | | | | |
|-------|--|-----------|---------------------|---|
| 3.1.3 | Report progress to the Economic Regeneration PAG | Quarterly | GREEN (On Track) | West Somerset Community College reported on progress of EDFE investment at the Economic Regeneration PAG held 10th July. Qtr 2 Update Progress reported to PAG October 2012 Qtr 3 Update Updates provided to PAG on 17th October |
|-------|--|-----------|---------------------|---|

Objective 4: Increase the opportunities for training and improving skills

Key Task 4.1

Encourage new development of a significant scale to adopt the provisions of a Skills and Employment Charter through the planning process – supply-chain engagement, working with education and training providers, employment brokerage and procurement practices work are all potential elements of a charter

| Ref | Title | Next Milestone | Action Status | Update |
|-------|---|----------------|---------------------|--|
| 4.1.1 | Work with EDF Energy to ensure that 1% of WS Businesses gain contracts within the Supply Chain for HPC. Report to Economic Regeneration PAG. | Quarterly | GREEN (On Track) | Corinne Matthews attends monthly Local Supply Chain Engagement Meetings with EDFE. LARC bid is currently being worked up to build the capacity of the Food & Drink Supply Chain. Qtr 2 Update LARC funding successfully achieved for food & drink supply chain capacity building project. Brief for contractor about to be advertised for food & drink work. Qtr 3 Update Planning undertaken for WSC / Somerset Chamber / EDFE Energy Facilities Management Supply Chain event to happen Q4. Food & Drink Contractor appointed (Alison Belshaw) |
| 4.1.2 | Provide business support to WS businesses, by developing a mentoring programme, and supporting 20 businesses 2013, 30 businesses annually up to 2016. Report to Economic Regeneration PAG | Quarterly | GREEN (On Track) | Mentoring Bid successful. Procurement of contractor currently underway. Work will start Sept 2012 Qtr 2 Update Kelgaard appointed to deliver business mentoring, and milestones being met Qtr 3 Update 16 mentors trained and 13 businesses supported to date. |
| 4.1.3 | Work with EDF Energy via their jobs brokerage programme and WSCC training programmes to maximise the employment opportunities for WS | Quarterly | GREEN (On Track) | Work on-going. Report made to the July Economic Regeneration PAG Qtr 2 Update |

| | | | |
|---------------------|---|--|--|
| | <p>residents during the construction phase of HPC. Report to Economic Regeneration PAG on 1/4ly basis</p> | | <p>Work on-going, report made to PAG October 2012 Qtr 3 Update Official Launch of WSCC's Hinkley Ready and Enterprise Project held on 2 October, new facilities open and in use.</p> |
| <p>4.1.4</p> | <p>Work with our most disadvantaged communities to ensure that the long workless are able to access employment and training opportunities offered by the HPC project or to other employers who may have lost employees to the project. 10 long-term unemployed mentored and accessing training / employment opportunities in 2012/13. Report to Economic Regeneration PAG</p> | <p>Quarterly</p> <p>GREEN (On Track)</p> | <p>Community Outreach Worker recruited and in post – currently undertaking mapping exercise in relation to provision, and identifying gaps in provision for employment and training opportunities. Update made to the July Economic Regeneration PAG Qtr 2 Update Pre-employment workshop held in October, specific pre-employment issues highlighted and possible solutions identified. Action Plan is being formulated. Qtr 3 Update Pre-employment and Skills Action Plan drafted, and Steering Group established to oversee delivery.</p> |
| <p>4.1.5</p> | <p>Work with the Exmoor Tourism Partnership to improve the quality of the tourism offer by providing specific training and business support in relation to local inspection, Information Technology and sustainable tourism activity.</p> | <p>Quarterly</p> <p>GREEN (On Track)</p> | <p>Exmoor Tourism Partnership Action Plan (2010-2012) about to be reviewed and refreshed. Funding for specific activity related to Phase 2 of the Hinkley Point C Section 106 – so has been delayed. Qtr 2 Update ETP draft action plan refresh presented to PAG, October 2012. Bid of £45K for ETP marketing and promotion presented to ENPA Partnership fund, and successful. Qtr 3 Update WSC / ENPA bid (as a constituent partner) to Interreg IV A Funding Cool Project successful (value £120K). 2013 Brochure printed and ready for distribution.</p> |

Priority: Resources.

Objective 10

The management of efficient and cost effective use of resources

Review of Key Actions to deliver 2012-13 Corporate Priorities

| Key Task 10.2 To ensure that the value of efficiencies, savings and income increases identified and approved, are achieved. | | | | |
|---|--------------------------------------|-----------------|----------------------|--|
| Ref | Title | Next Milestone | Action Status | Update |
| 10.2.10 | Housing Savings from Tourism £14,850 | 31st March 2013 | GREEN (Completed) | Grants for Watchet TIC , Business development partners and Dunster Action Plan removed from the budget. These budgets will need to be monitored throughout the year Qtr 2 Update Cost centre 4323 reduction 2011/12-12/13 = £14,850 50127/Porlock TIC £3.6K removed 50128/Watchet TIC £.75k removed 50216 Business Dev. Partners £8.5k removed from budget but £3k required for 'Into Somerset' 50536 Dunster action plan removed £5k removed |

| KEY TO ACTIONS: | |
|---|-------|
| Action not achieved within target date/milestone. | Red |
| There are concerns/issues that may mean that the action will not be achieved/within the target date/timescale | Amber |
| Action completed or on target to be achieved within the target date/milestone | Green |
| Blank – Milestone not due | |

Service Plan Monitoring - Section 3 Performance measures for day-to-day delivery

Group: Housing, Welfare & Economy

Group Manager: Ian Timms

| Code | Description | 2011/12 | | 2012/13 | | | | Status | Comment |
|-------------------------------|---|---------|--------|---------|------------------|-----------|-------|-------------------|---|
| | | Actual | Target | Qtr 1 | Qtr 2 | Qtr 3 | Qtr 4 | | |
| Group Indicators | | | | | | | | | |
| KBI 41 | Forecast variance from budget | | | £8,120 | (£13,334) | (£75,278) | | | |
| | Budget (£) 648,425 | | | | | | | | |
| | Actual Spend as at 30/12/2012 (£) 615,838 | | | | | | | | |
| Key Service Indicators | | | | | | | | | |
| KPI 41 | % of staff in the group who responded that are satisfied/very satisfied working for the Council | 93% | 85% | | Annual Indicator | | 85% | | |
| KPI 43 | Number of days sickness per employee (FTE) | 2.1 | 5.75 | 1.97 | 2.32 | 3.64 | 5.75 | AMBER (On Target) | This is an annual target. The quarter figures are reported on a cumulative basis. |
| KPI 44 | Group % of PDR's undertaken | 100% | 95% | | Annual Indicator | | 95% | | |
| Housing Options | | | | | | | | | |
| KBI 42 | Forecast variance from budget | £9,031 | | £16,824 | £5,488 | (£30,133) | | | Release Of Earmarked Reserve To Cover Bed and Breakfast Prevention Costs |
| | Budget (£) 217,363 | | | | | | | | |
| | Actual Spend as at 30/12/2012 (£) 217,847 | | | | | | | | |

Service Plan Monitoring - Section 3 Performance measures for day-to-day delivery

Group: Housing, Welfare & Economy

Group Manager: Ian Timms

| Code | Description | 2011/12 | | 2012/13 | | | | | Status | Comment | |
|-------------------------------|--|-----------|--------|------------------|---------|---------|-------|--------|--------------------|--|--------------------------------------|
| | | Actual | Target | Qtr 1 | Qtr 2 | Qtr 3 | Qtr 4 | Target | | | |
| KPI 45 | Number of households making homeless applications (Lower Is Better) | 170 | 176 | 37 | 73 | 114 | | 170 | AMBER (On Target) | Q2 - 36 applications received. Q3 - 41 applications received | |
| KPI 46 | % of homeless applications accepted as statutory homeless (Lower Is Better) | 12.0% | 19% | 21% | 11% | 24% | | 20% | RED (Below Target) | Q1 - 37 applications, 10 accepted. Q2 - 36 applications, 4 accepted, Q3 - 41 applications, 10 accepted | |
| KPI 47 | Number of homelessness events prevented. (Higher Is Better) | 66 | 46 | 11 | 17 | 24 | | 46 | RED (Below Target) | Cumulative figure. | |
| KCI 41 | % of customers who are satisfied or very satisfied with the service | 79% | 75% | Annual Indicator | | | | | 75% | | Corporate Annual Satisfaction Survey |
| Housing Enabling | | | | | | | | | | | |
| KBI 43 | Forecast variance from budget | Nil | | Annual Indicator | | | | | | | |
| KCI 42 | % of partners with whom we work who are satisfied or very satisfied with the service | 100% | 75% | Annual Indicator | | | | | 75% | | Exit Survey with partners |
| Private Sector Renewal | | | | | | | | | | | |
| | Forecast variance from budget | (£24,042) | | £18,584 | £19,706 | £11,835 | | | | Cost Of HIA Contract | |
| | Budget (£) 54,516 | | | | | | | | | | |
| | Actual Spend as at 30/12/2012 (£) 67,844 | | | | | | | | | | |

Service Plan Monitoring - Section 3 Performance measures for day-to-day delivery

Group: Housing, Welfare & Economy

Group Manager: Ian Timms

| Code | Description | 2011/12 | | 2012/13 | | | | Status | Comment |
|---|---|-----------|--------|------------------|-----------|-----------|-------|--------|----------------------|
| | | Actual | Target | Qtr 1 | Qtr 2 | Qtr 3 | Qtr 4 | | |
| KPI 51 | The total number of properties made decent in the private sector through informal or formal action. | 690 | 500 | Annual Indicator | | | | 800 | |
| KPI 52 | Average time taken to process Disabled Facilities Grants (days) | 19 dys | 18 dys | Annual Indicator | | | | 16 dys | |
| KCI 43 | % of customers who are satisfied or very satisfied with the private sector housing service | 99% | 75% | Annual Indicator | | | | 75% | |
| Environmental Health | | | | | | | | | |
| 40 KBI 47 | Forecast variance from budget | (£11,366) | | (£26,441) | (£26,165) | (£16,100) | | | Salary Saving |
| Budget (£) 171,362 | | | | | | | | | |
| Actual Spend as at 30/12/2012 (£) 111,351 | | | | | | | | | |
| KPI 54 | EH: Average time taken to respond to initial request for service (days) | 1.5 | 5 days | 1 dy | 1 dy | 1 dy | | 4 dys | GREEN (Above Target) |
| KPI 56a | EH: % of requests completed within stated service standard (60 days) | 83% | 90% | 85% | 82% | 76% | | 80% | RED (Below Target) |
| KCI 44 | % of customers who are satisfied or very satisfied with the Environmental Health service | 96% | 70% | Annual Indicator | | | | 80% | |
| Licensing | | | | | | | | | |

Service Plan Monitoring - Section 3 Performance measures for day-to-day delivery

Group: Housing, Welfare & Economy

Group Manager: Ian Timms

| Code | Description | 2011/12 | | 2012/13 | | | | Status | Comment |
|--------|---|----------|--------|------------------|----------|-----------|-------|--------|--|
| | | Actual | Target | Qtr 1 | Qtr 2 | Qtr 3 | Qtr 4 | | |
| KBI 51 | Forecast variance from budget | (£5,140) | | (£998) | (£3,090) | (£13,605) | | | Salary Saving and Increased Income Compared With Budget |
| | Budget (£) (53,424) | | | | | | | | |
| | Actual Spend as at 30/12/2012 (£) (£62,309) | | | | | | | | |
| KPI 59 | % of licenses issued on time | 98% | 80% | 98% | 99% | 98% | | 90% | GREEN (Above Target) Data unavailable at time of producing report. Lack of staff resource to extract data for report. |
| 50 | | | | | | | | | |
| KCI 47 | % of customers who are satisfied or very satisfied with the Licensing service | 75% | 70% | Annual Indicator | | | | 70% | |

KBI - Budget/Cost Indicator

KPI - Performance/Process Indicator

KCI - Customer Satisfaction Indicator

Environment & Community Group

Service Plan Performance Report Oct-Dec 2012/13 Update

- **Corporate Plan Key Actions – Quarterly Progress Report**
- **Group & Service indicators – Quarterly Performance**



Environment & Community Group

Performance Indicators

All indicators on target

Key Actions

Missed milestones (red) = 1 (5%)

5.1.2 - Agree Policies as element of Local Plan

Key Service Performance Indicator

100% of service based performance indicators on target

Key Action Summary

There are 19 key actions associated with this service plan of which:

- 3 (16%) are completed
- 7 (37%) are on-track
- 1 (5%) are not due to start during Qtr3
- 7 (37%) actions are 'amber'

Group Performance Summary for Quarter 3

Update to follow

Development Control.

Major Projects/Hinkley Point.

Building Control

Community Safety.
Community Development
Public Services
Environment

Environment, Customer & Community Group

Service Plan Performance Report Oct-Dec 2012/13 Update

Group Performance Summary for Quarter 3

Development Control determined 100% of “minor” and “other” applications within the required 8-week period. Collectively, over qtr 1 - qtr 3, 79% of “major” applications, 95% of “minor” applications and 99% of “other” applications were determined within the target period. This is well above the government targets of 60%, 65% and 80% respectively. A part time member of the team retired and has yet to be replaced.

A complex application for the managed realignment of a seawall and the creation of a range of inter-tidal habitats was determined. This particular application involved the consideration of a range of complex environmental issues and a planning performance agreement was put in place to deliver the application at no cost to the Council.

The **Major Projects/Hinkley Point** staff continued to progress the implementation of the Hinkley Point C Site Preparation Works. This includes the operation of a Service Level Agreement that requires WSC to achieve agreed Performance Standards in discharging planning conditions. WSC continued to meet its objectives during Quarter 3. The Planning Obligations Board for the Hinkley Point C Site Preparation Works met during Quarter 3 to discuss the bid forms and associated documents. The Board, which is chaired and managed by WSC, comprises representatives from EDF, SCC and SDC. The Board will have an integral role in ensuring that monies within the Community Impact Contribution, Housing Contribution and Economic Development Contribution are only used for the purposes as set out in the S106.

The Examination by the Planning Inspectorate into the Development Consent Order finished in September 2012 and the Council entered into a Section 106 Agreement for this main application securing an addition £64m in planning mitigation. Work started with the local communities to begin to draw up funding bids towards these contributions during the latter part of Quarter 3.

The **Building Control** Manager continued to provide assistance to the Goviers Lane pedestrian railway-crossing scheme and this was completed on time and within budget. An official opening ceremony is due to be held on 18th February.

The Team has also been assessing nominations from West Somerset for the South West LABC Building Excellence Awards 2013. The Regional Awards, to be

presented in May 2013, cover the counties of Cornwall, Devon, Dorset and Somerset.

Community Safety continued to play a lead role in progressing the Countywide merger of the Community Safety Partnership and were in discussions with the recently elected Police and Crime Commissioner.

The Minehead Town CCTV enhancement work is nearing completion but it was necessary to involve legal advisors due to the installation company being reluctant to complete the work in an effective and timely fashion. The CCTV system operated by Police volunteers continues to provide an excellent service.

Work is currently ongoing to secure partnership funding in order to install a CCTV system in Watchet (monitored at the Minehead control room) in order to address anti social behaviour.

A County wide working group to tackle illegal waste and fly tipping is being led by Officers from West Somerset. An element of the various work streams includes training in evidence gathering and enforcement, which will be hosted at West Somerset House.

The **Community Development** Team focused on attending various parish and Town Council meetings in Old Cleeve, Williton, Watchet, Stogumber, Brompton Regis, Crowcombe, Huish Champflower, West Quantoxhead. Support was also given to the Strategic Partnership and the Voluntary Sector Forum. Meetings were also held with representatives of local community organisations such as the Watchet Boxing club, Engage, Minehead Eye, Minehead Development Trust and West Somerset Advice Bureau.

Further strategic meetings were held with Somerset Community Development Foundation regarding their Hinkley s106 funding and the Somerset Activity Sports Partnership with the anticipation of accessing Sport England lottery funding in 2013.

Work was also undertaken with colleagues to support the planning and grant decision processes for the internal S106 group. This resulted in the approval of £74,000 to support the Minehead Rugby Club and ARTlife. A decision making role on the LARC executive committee was also included in the work routines.

The **Public Services** Teams have spent time clearing culverts and streams and manually filling sandbags due to the extreme flooding. Damage has been caused at Dulverton Leat and to footpaths in Parks Walk, Minehead that will need addressing.

The **Environment** Team signed a three-year Service Level Agreement with Veolia for street cleansing and public convenience cleaning services. New agreements have also been signed with the National Trust and Exmoor National Park Authority for the cleaning of their public conveniences. Public conveniences were temporarily closed for the winter period on the 19th November and will be re-opening on the 15th March at Dunster, Porlock and Minehead.

The **Information Technology Team** commenced rollout of Windows 7 and Office 2010 this quarter. This is a major piece of work, which has been programmed to complete in the summer of 2013. There will be training for staff using the updated software. The outcome will be improved communication with partners, stakeholders and customers.

The **Estate Management** works included the on-going repairs to Minehead sea front lights, the car park area at Stogumber was devolved to the parish council, the Minehead lagoons were dredged, a proposal to enforce 'A' boards in Minehead was prepared and the completion of the SCC staff relocating into West Somerset House.

The **Customer Services** team continued to work as usual but assistance from a part time member of staff was completed at the end of December.

Environment and Community

Priority: Environment

Objective 5: Balance new development with protecting the district's natural and built environment.

| Ref | Title | Next Milestone | Action Status | Update |
|---|---|----------------|---------------------------|--|
| Key Task 5.1 Undertake public consultation to ensure that the Local Plan Policy / Core Strategy provides a balanced approach with regard to the location and subsequent impact of future development. | | | | |
| 5.1.1 | Prepare a balanced range of statutory planning policies forming the new Local Plan to 2032, informed by public consultation and sustainability appraisal. | July 2012 | GREEN (Completed) | A Sustainability appraisal of the contents of the preferred strategy was undertaken by Environ. Following this, the new West Somerset Local Plan to 2032 went through its Preferred Strategy consultation for eight weeks ending in May. The final "National Planning Policy Framework" was published at the end of March including new requirements for the preparation of Local Plans and Neighbourhood Planning. Work continues to summarise the responses and identify the "main issues raised" during the whole plan preparation period, and also to identify what action is necessary in order to satisfy the new provisions of the NPPF. The new Local Planning requirements of the NPPF are significant and will involve some extension of the plan making process. A report on progress with the above to be made to Local Development Panel on 26th September 2012 |
| 5.1.2 | Agree Policies as element of Local Plan | Sept 2012 | RED (Milestone missed) | Qtr 2 Update Work continued during quarter 2, reports were prepared recommending actions in response to the National Planning Policy Framework (NPPF) and setting out the necessary additional work to progress the Local Plan towards formal publication. Key decisions were recommended at the LDF panel on 18 th Oct. Following this further consultation is required due to changes in the NPPF. |

| | | | | |
|---------------------|---|-------------------|--------------|--|
| | | | | <p><u>Qtr 3 Update</u> The critical piece of NPPF dependent evidence work - the review of the Northern Peninsula Strategic Housing Market Assessment - was commissioned and had been anticipated to be completed in November. However, the release dates by ONS (office of National Statistics) for 2011 small area statistics have delayed the completion of this work, publication of which is now anticipated in mid February 2013. Completion of the review without the new Census data would have rendered it open to criticism when inspected. Work has continued on other NPPF dependent issues such as duty to co-operate, key strategic site allocation and in monitoring the way in which emerging practice is treating the new NPPF provisions. It is currently anticipated that the supplementary consultation exercise arising from the provisions of the NPPF should take place during the June - August 2013 period. This action is unlikely to be achieved within 2012/13</p> |
| <p>5.1.3</p> | <p>Monitor implementation of Polices through the Local Development Panel.</p> | <p>March 2013</p> | <p>Blank</p> | <p>Will commence following completion of 5.1.2</p> |

Objective 6: Minimise waste and increase recycling

| <p>Key Task 6.1 To maintain the increased recycling rates for households created by the implementation of sort it + and promote the opportunities and benefits for businesses to recycle their waste.</p> | | | | |
|---|---|---|--|---|
| <p>Ref</p> | <p>Title</p> | <p>Next Milestone</p> | <p>Action Status</p> | <p>Update</p> |
| <p>6.1.1</p> | <p>Monitor the performance of the Somerset Waste Board against its business plan and advise the Environment PAG on a quarterly basis, making recommendations to the Somerset Waste Board, as appropriate.</p> | <p>Quarterly Env.PAG Dates</p> | <p>GREEN (On Track)</p> | <p>Performance information provided by the Somerset Waste Board presented to the Environment PAG of May 9th and July 10th. Further work is planned by the council to establish a monitoring process for the council Somerset Waste Board business plan. <u>Qtr 2 Update</u> The Env PAG receives an update every quarter on the progress against the Somerset Waste partnership business plan</p> |

Review of Key Actions to deliver 2012-13 Corporate Priorities

| | | | | |
|-------|---|---------------|---------------------|--|
| 6.1.2 | Analyse trends against performance and make recommendations for improvements to SWP 2013/14 business plan | Env.PAG Dates | GREEN (On Track) | This will be undertaken following the setting up of a monitoring process. Qtr 2 Update Somerset Waste Partnership performance reported to Environment PAG on 10 th July & 6 th Sept Qtr 3 Update Somerset Waste Partnership performance reported to Environment PAG on Jan 16 th Steve Watts & Pete Hughes are leading on a fly-tipping enforcement project to be presented to the Somerset Waste Board on 22 nd Feb for approval to proceed. |
|-------|---|---------------|---------------------|--|

PRIORITY: Communities

Objective 8:

Supporting the communities of West Somerset in responding to the Proposed Hinkley Point development.

Key Task 8.1

To ensure that the Council captures the views of the community, highlights all opportunities for people to have their say, and represents the District's residents, businesses and visitors to the best of its ability when responding to EDF Energy's proposed development at Hinkley Point C, both at the planning stage and during the implementation phase if the development receives consent

| Ref | Title | Next Milestone | Action Status | Update |
|-------|--|----------------|---------------------|--|
| 8.1.3 | Support local communities to prepare for developing community opportunities in preparation for available funding | End March 2013 | GREEN (On Track) | Qtr 3 Update Work has been focused with Parish Councils in the Quantock area, attending meetings and raising awareness of the opportunities the CIM (Community Impact Mitigation) fund creates. More specific work has been carried out in the Parishes of Williton, Watchet, Stogursey and Holford where project ideas are coming together. A toolkit to support projects developing new or existing village space has been circulated to Williton & Stogursey Parish Council and has information regarding community engagement and community planning. |

Review of Key Actions to deliver 2012-13 Corporate Priorities

| | | | | |
|---------------------|---|-----------------------|-----------------------------|---|
| | | | | <p>Updates are provided at each Voluntary Sector Forum held quarterly. Other funding opportunities are passed on to groups where appropriate and a partnership bid to Big Lottery has been developed and submitted on 28th Jan 2013 with the West Somerset Advice Bureau.</p> |
| <p>8.1.4</p> | <p>Linking with strategic partners to support local communities that may be adversely affected re: Community safety</p> | <p>End March 2013</p> | <p>GREEN (On Track)</p> | <p>Qtr 3 Update Regular tea and coffee mornings are held at Stogursey village Hall attended by the community safety officers to discuss the hot topics with the community. Work is also underway to acquire a community trailer that can be used to visit affected communities.</p> |

Priority: Resources.

Objective 9:

Provide value for money services

| <p>Key Task 9.1 To undertake a minimum of four Value for Money service reviews with the aim of providing customers with either, an Improved level of service at no extra cost or the same level of service at a reduced cost.</p> | | | | |
|--|--|-------------------|----------------------------|--|
| Ref | Title | Next Milestone | Action Status | Update |
| <p>9.1.3</p> | <p>Subject to topic selected affecting Environment & Community, allocate resources appropriately</p> | <p>March 2013</p> | <p>Amber (Concern)</p> | <p>VFM Reviews underway, those affecting Env & Community are: <ul style="list-style-type: none"> - Street Cleansing - Development Control - Building Control No resource implications within the group at this stage Qtr 3 Update This will now be undertaken as part of the partnership work and will not be completed within 2012/13</p> |

Objective 10

The management of efficient and cost effective use of resources

| Key Task 10.2 To ensure that the value of efficiencies, savings and income increases identified and approved, are achieved. | | | | |
|---|--|-----------------|-----------------|---|
| Ref | Title | Next Milestone | Action Status | Update |
| 10.2.4 | Savings from Litter collection £12,500 | 31st March 2013 | Amber (Concern) | <p><u>Qtr 2 Update</u> Savings of £9.5k achieved Veolia contract savings of £23k minus WSC expenses of £4k (for 6 months)</p> <p><u>Qtr 3 Update</u> No Further action</p> |
| | Savings from Street Cleansing £17,500 | 31st March 2013 | Amber (Concern) | <p><u>Qtr 2 Update</u> Savings of £12.5k achieved Veolia contract savings of £25k (£15k discount + £10 fly-tip budget not required as absorbed into contract (for 6 months)</p> <p><u>Qtr 3 Update</u> No Further action</p> |
| | Savings from Grounds Maintenance £20,418 | 31st March 2013 | Amber (Concern) | <p><u>Qtr 2 Update</u> Savings of £5.4k achieved The anticipated savings from transferring responsibility for Blenheim Gardens to Minehead Town Council have not materialised. Grant to Warden on Quantocks reduced by £1618. Grounds Maintenance Agency work provides income of £3.8k</p> <p><u>Qtr 3 Update</u> WSC and Minehead Town Council are currently working together re: options going forward for Blenheim Gardens including utilising volunteers.</p> |

| | | | |
|---|------------------------|--------------------------|--|
| <p>Savings from Public Conveniences £15,000</p> | <p>31st March 2013</p> | <p>Amber (Concern)</p> | <p>Proposals have been drawn up for changes to a number of public convenience facilities, however work cannot commence until the Equalities Impact Assessments have been completed. The outcome of these is expected at the end of August. <u>Qtr 2 Update</u> Reduced running costs and closures not achieved to-date. Reduction in Utility costs (~£3k) re: winter closures <u>Qtr 3 Update</u> Winter closing savings of £2100. Closures as agreed at Cabinet of 7th Nov 2012 Transfer/closures of public conveniences now included in 2013/14 service plan actions</p> |
| <p>Savings from Community Safety £16,736</p> | <p>31st March 2013</p> | <p>GREEN (Completed)</p> | <p><u>Qtr 2 Update</u> Savings of £16.7k achieved Contribution of £16,739 into cost centre 4336. £12,673 from EDF £4000 from Minehead TC</p> |
| <p>Savings from Community Grants £9,953</p> | <p>31st March 2013</p> | <p>GREEN (Completed)</p> | <p><u>Qtr 2 Update</u> Savings of £9.95k achieved Community grants were reduced by 13.8%: Artlife grant reduction of £2055 Clowns grant reduction of £1398 SASP grant ended £6500</p> |
| <p>Savings from Car Parks £15,000</p> | <p>31st March 2013</p> | <p>Amber (Concern)</p> | <p><u>Qtr 2 Update</u> Car parking income currently down £10k on predicted budget Expected car park income increase as a result of CPE has not transpired. Car Parking fines are also down £8K on predicted budget <u>Qtr 3 Update</u> Update on Car parking income to end Dec '12 – down £12, 663 on predicted income An additional £11,626 savings have been achieved as a result of a reduction in car parking resource from end Sept.</p> |

Review of Key Actions to deliver 2012-13 Corporate Priorities

| | | | | |
|--|---------------------------------------|-----------------|-----------------|---|
| | Savings from Fees and Charges £10,000 | 31st March 2013 | Amber (Concern) | <p>Fees and charges savings were based on pre-planning advice and is unlikely to be achieved</p> <p>Qtr 2 Update</p> <p>Implementation of charges for pre-app advice has been impacted by the reduction of resource (1 FTE) in the planning team. This action is unlikely to be implemented during 2012/13.</p> <p>Qtr 3 Update</p> <p>Introduction of pre-app advice charging now included in 2013/14 service plan actions</p> |
|--|---------------------------------------|-----------------|-----------------|---|

Priority: Leadership

Objective 12:

Endeavour to ensure communities affected by Hinkley Point C development are financially compensated

Key Task 12.2

To ensure that all possible impacts arising from the proposed Hinkley Point C Development are identified and that subsequent mitigation measures, including financial, are maximised

| Ref | Title | Next Milestone | Action Status | Update |
|--------|---|----------------|------------------|--|
| 12.2.5 | Finalise Hinkley Point Planning Obligations Board processes and procedures and have sign off from the board | End March 2013 | GREEN (On Track) | <p>Qtr 3 Update</p> <p>Planning Obligations Board agreed sign off of the Board processes and procedures on the 22nd January 2013 (subject to delegated authority to make minor edits/changes at officer/consultant level). Planning Obligations Board meeting again on the 19th March to discuss launch dates for scheme</p> |
| 12.2.6 | Monitor and maintain condition compliance on the Development site in line with the Service Level Agreement. | End March 2013 | GREEN (On Track) | <p>Qtr 3 Update</p> <p>An SLA meeting was held on the 19th September where WSC were pleased that parties agreed that the average score was 1 (Excellent) although it was noted that 4 conditions had been</p> |

Review of Key Actions to deliver 2012-13 Corporate Priorities

| | | | | |
|--------|--|----------------|---------------------|--|
| 12.2.7 | Monitor progress of development and report within the agreed/approved governance structure | End March 2013 | GREEN (On Track) | <p>delayed to responses from external 3rd parties. The next SLA meeting will be held end of February/early March (dated TBC).</p> <p>Qtr 3 Update</p> <p>An update will be provided in Qtr 4 however, reporting to EDF Energy is on track and progress on WSC priorities and actions is being tracked through individual service and team plans.</p> |
|--------|--|----------------|---------------------|--|

| | |
|---|-------|
| KEY TO ACTIONS: | |
| Action not achieved within target date/milestone. | Red |
| There are concerns/issues that may mean that the action will not be achieved/within the target date/timescale | Amber |
| Action completed or on target to be achieved within the target date/milestone | Green |
| Blank – Milestone not due | |

Service Plan Monitoring - Section 3 Performance Measures for day-to-day delivery

Group: Environment and Community

Group Manager: Steve Watts

| Code | Description | 2011/12 | | 2012/13 | | | | Status | Comment | |
|---|---|-----------|--------|---------|---------|-----------|-------|--------|----------------------|---|
| | | Actual | Target | Qtr 1 | Qtr 2 | Qtr 3 | Qtr 4 | | | Target |
| Group Indicators | | | | | | | | | | |
| KBI 80 | Forecast variance from budget | | | £39,559 | £26,542 | (£18,657) | | | | |
| Budget (£) 1,959,940 | | | | | | | | | | |
| Actual Spend as at 30/12/2012 (£) 1,717,926 | | | | | | | | | | |
| KPI 82 | Number of days sickness per employee (FTE) | 1.32 | 5.75 | 0.71 | 2.22 | 3.46 | | 5.75 | GREEN (Above Target) | This is an annual target. The quarter figures are reported on a cumulative basis. |
| KPI 83 | Group % of PDR's undertaken | 100% | 100.0% | | | | | | | |
| KPI 84 | % of staff in the group who responded that are satisfied/very satisfied working for the Council | 89% | 85.0% | | | | | | | |
| Key Service Indicators | | | | | | | | | | |
| Street Cleansing | | | | | | | | | | |
| KBI 82 | Forecast variance from budget | (£14,386) | | £5,635 | £4,481 | £748 | | | | |
| Budget (£) 433,185 | | | | | | | | | | |
| Actual Spend as at 30/12/2012 (£) 302,260 | | | | | | | | | | |
| KBI 83 | Cost per household | £24.80 | £26.91 | | | | | | | |
| KPI 103 | % of service requests actioned within 5 working days | 88% | 85% | 97% | 91% | 93% | | 85% | GREEN (Above Target) | |

Service Plan Monitoring - Section 3 Performance Measures for day-to-day delivery

Group: Environment and Community

Group Manager: Steve Watts

| Code | Description | 2011/12 | | 2012/13 | | | | | Status | Comment | | |
|---|---|-----------|----------------|------------------|--------|----------|-------|--------|----------------------|---|--------|--|
| | | Actual | Target | Qtr 1 | Qtr 2 | Qtr 3 | Qtr 4 | Target | | | | |
| KPI 85 | % of spot checks undertaken that find full compliance with contract | 100% | 75% | 97% | 95% | 100% | | 75% | GREEN (Above Target) | | | |
| KCI 81 | No of complaints | 12 | 20 | 1 | 1 | 2 | | 20 | GREEN (Above Target) | 20 is the Annual Target | | |
| Waste & Recycling | | | | | | | | | | | | |
| KBI 84 | Forecast variance from budget | (£48,569) | | £2,920 | £3,420 | (£4,180) | | | | | | |
| Budget (£) 1,016,080 | | | | | | | | | | | | |
| Actual Spend as at 30/12/2012 (£) 800,751 | | | | | | | | | | | | |
| KBI 85 | Cost per household | £49.77 | £51.45 | Annual Indicator | | | | | | | £47.19 | |
| KPI 87 | Time taken to restore missed collections | 98% | 100% | 98% | 100% | 100% | | 100% | AMBER (On Target) | Annual Target. Quarterly Figures | | |
| KPI 86 | % of waste recycled and composted (NI 192) | 25.54% | 34.22% | 40.84% | 49.35% | 42.00% | | 50% | AMBER (On Target) | | | |
| KPI 88 | Fly-tipping: % removed within 48 hrs | 86% | 75% | 98% | 86% | 97% | | 75% | GREEN (Above Target) | New Indicator 2010/11. Monitoring started from Quarter 3. | | |
| KPI 90 | Fly-tipping: No of incidents | 103 | Target not set | 23 | 35 | 5 | | | | | | |
| KCI 82 | Waste & Recycling: No of complaints | 14 | 15 | 1 | 2 | 1 | | 23 | GREEN (Above Target) | Annual Target | | |
| KCI 84 | Fly-tipping : No of complaints | 1 | 4 | 0 | 1 | 0 | | 8 | GREEN (Above Target) | Annual Target | | |

Service Plan Monitoring - Section 3 Performance Measures for day-to-day delivery

Group: Environment and Community

Group Manager: Steve Watts

| Code | Description | 2011/12 | | 2012/13 | | | | | Comment | |
|--|--|---------|--------|------------------------------------|------------------------------------|-----------|-------|--------|---------|--|
| | | Actual | Target | Qtr 1 | Qtr 2 | Qtr 3 | Qtr 4 | Target | | Status |
| Car Parking | | | | | | | | | | |
| KBI 108 | Forecast variance from budget | £38,210 | | £11,469 | (£710) | (£3,316) | | | | |
| Budget (£) (286,028) | | | | | | | | | | |
| Actual Spend as at 30/12/2012 (£) (£239,834) | | | | | | | | | | |
| KBI 86 | Income against budget projection(£) | | | £13,276 | £17,420 | £12,663 | | | | |
| Development Control | | | | | | | | | | |
| KBI 91 | Forecast variance from budget | £35,559 | | (£17,436) | (£24,079) | (£16,601) | | | | Salary Saving |
| Budget (£) 80,043 | | | | | | | | | | |
| Actual Spend as at 30/12/2012 (£) 160,068 | | | | | | | | | | |
| KBI 92 | Income against budget projection | £47,181 | | (£20,069) | (£16,386) | (£3,902) | | | | |
| KBI 93 | Average cost per planning application processed | | | Annual Indicator | | | | | | A monitoring system for this indicator has yet to be implemented. |
| KPI 90a | % of major planning applications determined within 13 weeks. | 73% | 70% | no major applications this quarter | no major applications this quarter | 50% | 75% | | | Q3 - 2 applications, one out of time which was at Steart Peninsula |
| KPI 90b | % of minor planning applications determined within 8 weeks | 82% | 75% | 90% | 97% | 100% | 75% | | | GREEN (Above Target) |

Service Plan Monitoring - Section 3 Performance Measures for day-to-day delivery

Group: Environment and Community

Group Manager: Steve Watts

| Code | Description | 2011/12 | | 2012/13 | | | | | Comment | | |
|--|--|-----------|--------|------------------|---------|-------------|-------|--------|----------------------|--|--|
| | | Actual | Target | Qtr 1 | Qtr 2 | Qtr 3 | Qtr 4 | Target | | Status | |
| KPI 90c | % of other planning applications determined within 8 weeks | 91% | 90% | 97% | 100% | 100% | | 90% | GREEN (Above Target) | | |
| KCI 86 | % of customers satisfied with the service received | 96% | 85% | Annual Indicator | | | | | 85% | Service Exit Survey | |
| Building Control | | | | | | | | | | | |
| KBI 95 | Forecast variance from budget | (£6,697) | | £4,413 | £15,843 | £6,523 | | | | Reduced Income Compared With Budget | |
| Budget (£) 33,540 | | | | | | | | | | | |
| Actual Spend as at 30/12/2012 (£) 29,121 | | | | | | | | | | | |
| KBI 96 | Income against budget projection | (£20,865) | | £2,643 | £9,958 | £3,348 | | | | | |
| KPI 92 | % of applications determined within agreed timescale | 100% | 95% | 95% | 95% | unavailable | | 95% | | Group Manager will provide an update at the meeting. | |
| KPI 93 | % of inspections carried out on day requested | 95% | 95% | 95% | 95% | unavailable | | 95% | | Group Manager will provide an update at the meeting. | |
| KCI 87 | % of customers satisfied with the service received | 74% | 80% | Annual Indicator | | | | | 85% | Corporate Annual Satisfaction Survey | |
| Community Safety | | | | | | | | | | | |
| KBI 54 | Forecast variance from budget | £16,078 | | (£50) | £130 | (£3,114) | | | | | |
| Budget (£) 39,663 | | | | | | | | | | | |
| Actual Spend as at 30/12/2012 (£) 24,750 | | | | | | | | | | | |

Service Plan Monitoring - Section 3 Performance Measures for day-to-day delivery

Group: Environment and Community

Group Manager: Steve Watts

| Code | Description | 2011/12 | | 2012/13 | | | | | Status | Comment |
|------|-------------|---------|--|---------|-------|-------|-------|--------|--------|---------|
| | | Actual | Target | Qtr 1 | Qtr 2 | Qtr 3 | Qtr 4 | Target | | |
| | | KPI 62 | The total number of evidence packages produced using material captured by CCTV | 83 | 50 | 19 | 37 | 64 | | |

Key:

KBI - Budget/Cost Indicator

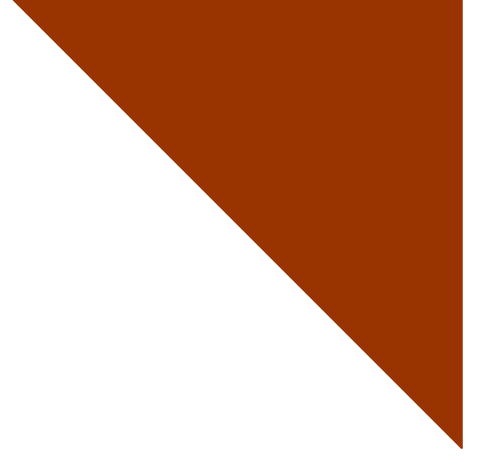
KPI - Performance/Process Indicator

KCI - Customer Satisfaction Indicator

Resources Support Group

Service Plan Performance Report Oct-Dec 2012/13 Update

- **Corporate Plan Key Actions – Quarterly Progress Report**
- **Group & Service indicators – Quarterly Performance**



Resources Group

Performance Indicators

All on Target

Key Actions

All completed or on track

Key Service Performance Indicator

100% of service based performance indicators on target

Key Action Summary

There are 3 key actions associated with this service plan of which:

- 1 (33%) Completed
- 2 (67%) are on track
- .

Group Performance Summary for Quarter 3

Finance – With the departure of the Group Manager and Section 151 Officer at the end of Quarter 2, the finance team have operated under a changing environment for quarter 2 with the support of a seconded 151 Officer on a part time basis and some more hands on involvement from the Chief Executive. To date the team have managed to sustain the necessary systems and processes to properly manage and monitor the council's finances.

The **IT Team** commenced rollout of Windows 7 and Office 2010 this quarter. This is a major piece of work, which has been programmed to complete in the summer of 2013. There will be training for staff using the updated software. The outcome will be improved communication with partners, stakeholders and customers.

Customer Services Team – The % of abandoned calls has improved this quarter by 50%, taking them down from 8% to 4%.

Benefits and Revenues Teams – Quarter 3 has seen another busy period for this section. The draft Council Tax Reduction Scheme was presented to Community PAG and Scrutiny in November. Final approval will be at Full Council in January. The Benefit Section received a visit from the DWP performance team in December. The aim was to look at the team's performance and the adequacy of counter fraud measures.

The team received glowing commendations and the final report stated, 'performance is very good', and, 'believe the service to be effective, making best use of resources while remaining customer-centric'.

Resources

Priority: Resources.

Objective 10

The management of efficient and cost effective use of resources

Key Task 10.2

To ensure that the value of efficiencies, savings and income increases identified and approved, are achieved.

| Ref | Title | Next Milestone | Action Status | Update |
|---------|--|----------------|----------------------|---|
| 10.2.30 | Achieving savings of £15,000 2012/13 as a proportion of the savings from the overall WSC budget: Savings from Finance £15,000 | March 2013 | Green (Completed) | Savings of £15k Achieved Financial system re-negotiation on 12 month extension of contract |

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Priority: Leadership

Objective 12:

Endeavour to ensure communities affected by Hinkley Point C development are financially compensated

Key Task 12.2

To ensure that all possible impacts arising from the proposed Hinkley Point C Development are identified and that subsequent mitigation measures, including financial, are maximised

| Ref | Title | Next Milestone | Action Status | Update |
|-----|-------|----------------|---------------|--------|
|-----|-------|----------------|---------------|--------|

Review of Key Actions to deliver 2012-13 Corporate Priorities

| | | | | |
|--------|--|----------------|---------------------|---|
| 12.2.3 | Establish governance arrangements for Hinkley Point S106 monies | End March 2013 | GREEN (On Track) | <p><u>Qtr 3 Update</u> All key financial processes are now established and Hinkley s106 activity is reported within the Council's regular budget monitoring arrangements with effect from December 2012. A review of financial governance has been carried out by SWAP and is in the process of finalisation. Early indications are that there are no significant issues arising.</p> |
| 12.2.4 | Prepare and present monitoring reports to EDF re: use of S106 monies | End March 2013 | GREEN (On Track) | <p><u>Qtr 3 Update</u> The target date for submitting the first Annual Statement to EDF was met (24th August 2012). The report was generally well received. A joint Hinkley Finance Liaison Group has been established with Sedgemoor, Somerset County Council and EDF. The Councils will prepare an interim financial monitoring statement, to be reviewed by this Group in February 2013. This target date will also be met.</p> |

| | |
|---|-------|
| KEY TO ACTIONS: | |
| Action not achieved within target date/milestone. | Red |
| There are concerns/issues that may mean that the action will not be achieved/within the target date/timescale | Amber |
| Action completed or on target to be achieved within the target date/milestone | Green |
| Blank – Milestone not due | |

Service Plan Monitoring - Section 3 Performance Measures for day-to-day delivery

Group: Resources

Group Manager: Bruce Lang/Steve Watts/Ian Timms

| Code | Description | 2011/12 | | 2012/13 | | | | Status | Comment |
|-------------------------------|---|-----------|--------|------------------|-----------|------------|-------|----------------------|---|
| | | Actual | Target | Qtr 1 | Qtr 2 | Qtr 3 | Qtr 4 | | |
| Group Indicators | | | | | | | | | |
| KBI 121 | Forecast variance from budget | | | (£40,346) | (£89,284) | (£168,406) | | | |
| | Budget (£) 1,177,091 | | | | | | | | |
| | Actual Spend as at 30/12/2012 (£) 643,970 | | | | | | | | |
| <hr/> | | | | | | | | | |
| KPI 121 | % of staff in the group who responded that are satisfied/very satisfied working for the Council | 80% | 75% | Annual Indicator | | | | | |
| KPI 123 | Number of days sickness per employee (FTE) | 2.48 | 5.75 | 0.74 | 1.02 | 1.69 | 5.75 | GREEN (Above Target) | This is an annual target. The quarter figures are reported on a cumulative basis. |
| KPI 124 | Group % of PDR's undertaken | 100% | 95% | Annual Indicator | | | | | |
| Key Service Indicators | | | | | | | | | |
| Benefits | | | | | | | | | |
| KBI 122 | Forecast variance from budget | (£97,791) | | £8,477 | (£24,203) | (£89,969) | | | Savings Based On Benefit Payments and Subsidy Predictions |
| | Budget (£) (67,112) | | | | | | | | |
| | Actual Spend as at 30/12/2012 (£) (201,005) | | | | | | | | |

Service Plan Monitoring - Section 3 Performance Measures for day-to-day delivery

Group: Resources

Group Manager: Bruce Lang/Steve Watts/Ian Timms

| Code | Description | 2011/12 | | 2012/13 | | | | | Status | Comment |
|--|--|-----------|--------|-----------|-----------|-----------|-------|--------|----------------------|-----------------|
| | | Actual | Target | Qtr 1 | Qtr 2 | Qtr 3 | Qtr 4 | Target | | |
| KBI 3 | % of 'Local Authority' error against overall expenditure (Lower Is Better) | 0.16 | <0.48% | 0.24 | 0.21 | 0.1 | | <0.48% | GREEN (Above Target) | |
| KPI 5 | Average processing times for new claims (Lower Is Better) | 16.62 | 17 | 18.60 | 17.8 | 17.4 | | 17 | AMBER (On Target) | Improving trend |
| Revenues | | | | | | | | | | |
| KBI 5 | Forecast variance from budget | (£385) | | (£12,092) | (£9,465) | (£19,117) | | | | Salary Saving |
| Budget (£) 128,396 | | | | | | | | | | |
| Actual Spend as at 30/12/2012 (£) 29,792 | | | | | | | | | | |
| KPI 10 | % of Council Tax collected in the year | 97.70% | 98.2% | 31% | 68% | 86% | | 98.2% | AMBER (On Target) | |
| KPI 12 | % of Business Rates collected in the year | 98.20% | 97.50% | 32% | 60% | 88% | | 98.00% | AMBER (On Target) | |
| Customer Access | | | | | | | | | | |
| KBI 14 | Forecast variance from budget | (£24,001) | | (£25,361) | (£24,591) | (£24,080) | | | | Salary Saving |
| Budget (£) 137,839 | | | | | | | | | | |
| Actual Spend as at 30/12/2012 (£) 84,940 | | | | | | | | | | |

Service Plan Monitoring - Section 3 Performance Measures for day-to-day delivery

Group: Resources

Group Manager: Bruce Lang/Steve Watts/Ian Timms

| Code | Description | 2011/12 | | 2012/13 | | | | | Status | Comment |
|----------------|---|-----------|--------|---------|-----------|-----------|-------|--------|-------------------------|---|
| | | Actual | Target | Qtr 1 | Qtr 2 | Qtr 3 | Qtr 4 | Target | | |
| | % of abandoned calls | 0 | <5% | 8% | 8% | 4.0% | | <5% | GREEN (Above Target) | Improvement on first half of year |
| Finance | | | | | | | | | | |
| KBI 127 | Forecast variance from budget | (£35,350) | | £12,730 | (£15,399) | (£12,090) | | | | |
| | Budget (£) 485,329 | | | | | | | | | |
| | Actual Spend as at 30/12/2012 (£) 343,990 | | | | | | | | | |
| ∞ KPI 132 | % of invoices for commercial goods or services paid within 30 days of receipt | 96.21% | 90% | 97.37% | 97.71% | 96.29% | | 90% | GREEN (Above Target) | |
| KPI 133 | Number of invoices received | 3,267 | | 799 | 741 | 863 | | | | No target set - provides context for KPI 132. |

Key:

KBI - Budget/Cost Indicator

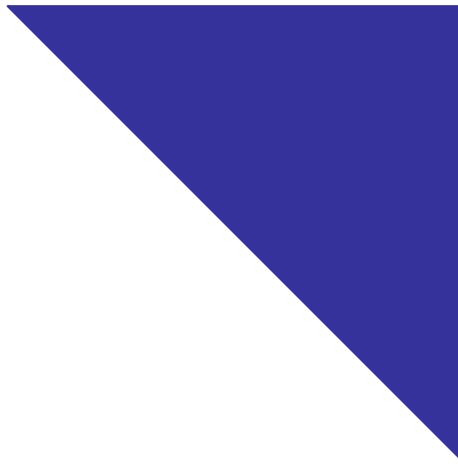
KPI - Performance/Process Indicator

KCI - Customer Satisfaction Indicator

Corporate Services Group

Service Plan Performance Report Oct-Dec 2012/13 Update

- Corporate Plan Key Actions – Quarterly Progress Report
- Group & Service indicators – Quarterly Performance



Corporate Services Group

Key Service Performance Indicator

1 missed target

Key Action Summary

There are 2 actions in the service plan associated with savings and both have been completed.

Group Performance Summary for Quarter 3

Finance – With the departure of the Group Manager and Section 151 Officer at the end of Quarter 2, the finance team have operated under a changing environment for quarter 2 with the support of a seconded 151 Officer on a part time basis and some more hands on involvement from the Chief Executive. To date the team have managed to sustain the necessary systems and processes to properly manage and monitor the council's finances.

Elections – the West Somerset element of the first Police and Crime Commissioner elections was successfully undertaken on 15th November, 2013 including undertaking a joint count exercise at Bristol on the 16th October, 2013 with Sedgemoor Council who were very supportive. This was a busy quarter for the service as an early canvass to update the electoral register was required to be ready for the Police elections and the new register was duly published on 15th October, 2013.

Land charges - 100% of searches dealt with – 165 in total - were returned within 5 days in this quarter; the target is to return at least 90% within the target time and so this was an excellent outcome.

Standards – Two training sessions were held on October for town and parish councilors and clerks in October, following a detailed briefing note was prepared and circulated to all parish and town councils in West Somerset to assist them when dealing with code of conduct, and particularly declarations of interest, issues. The Standards Advisory Committee agreed a way forward in respect of the new role on an independent person following west Somerset attendance at a regional workshop event on the subject.

PR & Media – the post holder left the employment of the council during this quarter and cover has been provided by the Monitoring Officer as required to maintain a level of service. I think we can all agree the Monitoring Officer is doing a sterling job in picking up this key role on top of everything else. Well Done Bruce.

Member Services – statutory deadlines have continued to be met in terms of supporting the decision making process including introducing new arrangements in respect of the requirements for publishing the forward plan for the cabinet. 86% of minutes of meetings during the quarter were placed on the council's web-site within 7 days which was just outside the target of 90% but an improvement on the previous quarter's performance of 77%.

Scrutiny – in addition to the regular quarterly performance monitoring work, the Committee completed a Community Safety Review and a review of the Benefit Fraud Investigation Service as well as receiving an annual report from Manga Housing Association and undertaking the first review of an Asset of Community Value decision.

Human Resources – in addition to undertaking regular HR duties the officer continues to provide valuable support to other areas such as payroll, health and safety and the production of Grapevine.

Performance and Efficiencies - the new Assets of Community Value process has generated lot of interest(and work) and to date 16nomination requests have been received.

Corporate Support – the Local Land and Property Gazetteer(LLPG) has retained its silver level and is the only one to do so amongst Somerset authorities which is an excellent achievement.
The number of complaints received during this quarter was 23 (27 and 35 in the previous two quarters) and 85% of these were responded to within 20 days with the process continuing to be very effective and helpful to the customer.

Freedom of Information – of the 62 FOI requests received during this quarter, 94% were responded to within the 20 days target which as improvement on the previous two quarters (84% and 88%) although there were fewer enquires in number.

Equalities – Impact assessments were finalised on the winter and permanent closure of public toilets and also the council tax reduction schemes.

Corporate Services

Priority: Resources.

Objective 10

The management of efficient and cost effective use of resources

| Key Task 10.2 | To ensure that the value of efficiencies, savings and income increases identified and approved, are achieved. | | | |
|---------------|---|----------------|----------------------|---|
| Ref | Title | Next Milestone | Action Status | Update |
| 10.2.20 | Achieving savings of £12,500 in 2012/13 as a proportion of the savings from the overall WSC budget: HR savings - £7,500. Amend HR external support contract/agreement to reduce base hours | April 2012 | GREEN (Completed) | Service provided by HR consultant reduced by 25% to provides the savings. Subject to demand therefore this will need to be monitored throughout the year. |
| 10.2.21 | Identify & implement actions to deliver (remaining) £5,000 savings | April 2012 | GREEN (Completed) | Savings of £6k achieved Mosaic customer profiling licence cancelled (£3.5k) NLPG/IA £2k removed Playbuilder £0.5k removed |

KEY TO ACTIONS:

| | |
|---|-------|
| Action not achieved within target date/milestone. | Red |
| There are concerns/issues that may mean that the action will not be achieved/within the target date/timescale | Amber |
| Action completed or on target to be achieved within the target date/milestone | Green |
| Blank – Milestone not due | |

Service Plan Monitoring - Section 3 Performance Measures for day-to-day delivery

Group: Corporate Services

Group Manager: Bruce Lang

| Code | Description | 2011/12 | | 2012/13 | | | | Status | Comment |
|-------------------------------|---|----------|--------|------------------|----------|-----------|-------|--------|--------------------|
| | | Actual | Target | Qtr 1 | Qtr 2 | Qtr 3 | Qtr 4 | | |
| Group Indicators: | | | | | | | | | |
| KBI 1 | Forecast variance from budget | | | (£15,275) | (23,079) | (£29,493) | | | |
| | Budget (£) 942,858 | | | | | | | | |
| | Actual Spend as at 30/12/2012 (£) 630,004 | | | | | | | | |
| Key Service Indicators | | | | | | | | | |
| KPI 1 | % of staff in the group who responded that are satisfied/very satisfied working for the Council | 89% | 90% | Annual Indicator | | | | 90% | |
| KPI 3 | Number of days sickness per employee (FTE) | 1.32 | 5.75 | 0.80 | 8.16 | 12.69 | | 5.75 | RED (Below Target) |
| KPI 4 | Group % of PDR's undertaken | 100% | 100% | Annual Indicator | | | | 100% | |
| Electoral Services | | | | | | | | | |
| KBI 10 | Forecast variance from budget | (£4,638) | | £459 | (£1,565) | (£2,635) | | | |
| | Budget (£) 50,595 | | | | | | | | |
| | Actual Spend as at 30/12/2012 (£) 31,091 | | | | | | | | |
| KPI 17 | % Turnout for local elections | 43.11% | 45% | Annual Indicator | | | | 45% | |

Service Plan Monitoring - Section 3 Performance Measures for day-to-day delivery

Group: Corporate Services

Group Manager: Bruce Lang

| Code | Description | 2011/12 | | 2012/13 | | | | Status | Comment |
|--------|---|---------|--------|------------------|-------|-------|-------|--------|---------|
| | | Actual | Target | Qtr 1 | Qtr 2 | Qtr 3 | Qtr 4 | | |
| KPI 16 | Form A's returned after personal visits & before internal checks. | 93% | 90% | Annual Indicator | | | | 90% | |

Key:

KBI - Budget/Cost Indicator

KPI - Performance/Process Indicator

KCI - Customer Satisfaction Indicator

Corporate Management

Service Plan Performance Report Oct-Dec 2012/13 Update

- Corporate Plan Key Actions – Quarterly Progress Report
- Group & Service indicators – Quarterly Performance



Corporate Management

Performance Indicators

1 indicator off target

Key Actions

Missed milestones (red) - 1 (5%)

7.2.1 - Include identified actions for service delivery changes within the appropriate service plans/work plans.

Key Service Performance Indicator

1 indicator with a missed target (Sickness FTE)

Key Action Summary

There are 21 key actions associated with this service plan of which:

- 11 (52%) are completed
- 7 (33%) are on track
- 1 (5%) are not due to start during Qtr 3
- 1 (5%) is an 'amber'....

Group Performance Summary for Quarter 3

Engaged the Local Government Association (LGA) to lead an independent investigation into the Council's financial circumstances. As part of this work discussions were held with the LGA representatives and partners during October with the final report being published in November. Central Government have taken a close interest in this process and meetings were held with the Parliamentary Under Secretary of State with responsibility for Local Government in London on 13th November, 2013 and in West Somerset on 10th December, 2013. The report, which questioned the long term financial viability of the authority, was considered at a meeting of Council held on 12th December, 2013 when it was agreed that the practicalities of the Council becoming either a commissioning authority or a collaborative authority be investigated including looking at mutual and co-operative approaches to delivering local services. The principle was also agreed to working with Taunton Deane Borough Council to draft a business case for the commissioning or sharing of services, management and staff.

Corporate Management

PRIORITY: Communities

Objective 7:

People are given the opportunity and encouraged to influence the delivery of local services

| Key Task 7.1 Consult with people and communities to establish if and how service delivery can be changed. | | | | |
|--|---|--|----------------------|--|
| Ref | Title | Next Milestone | Action Status | Update |
| 7.1.1 | Agree the approach to be adopted to establish whether local communities are receiving the services we provide in a way and at a standard that meets local needs | End July 2012 | GREEN {Completed} | Meeting to discuss and agree approach is to be held in September and so therefore the target date of July will be missed; this is due to other priorities for the staff involved. Qtr 2 Update A report was presented to and approved by CMT in August detailing the approach for refresh of the council's service standard. |
| 7.1.2 | Receive report and agree subsequent actions | End March 2013 <i>* amended milestone (from Oct '12) in response to pressure on resource.</i> | GREEN (On Track) | Qtr 3 Update Work underway as plan agreed by CMT in August. WSC service standards currently being reviewed and proposals will be presented to CMT for discussion at the end Feb 13. |

| Key Task 7.2 Implement any mutually agreed changes in service delivery, establish and monitor new service standards | | | | |
|--|-------|----------------|---------------|--------|
| Ref | Title | Next Milestone | Action Status | Update |
| | | | | |

Review of Key Actions to deliver 2012-13 Corporate Priorities

| | | | | |
|--------------|--|------------|----------------------------------|--|
| 7.2.1 | Include identified actions for service delivery changes within the appropriate service plans/work plans. | Dec 2012 | RED (Milestone missed) | This action will follow completion of Key Task 7.1 |
| 7.2.2 | Identify and agree service standards and monitor through the Performance Management Framework. | March 2013 | Blank | This action will follow completion of Key Task 7.2.1 |

Objective 8:
Supporting the communities of West Somerset in responding to the Proposed Hinkley Point development.

| | | | | |
|--|---|-----------------------|-----------------------------|---|
| Key Task 8.1 | | | | |
| To ensure that the Council captures the views of the community, highlights all opportunities for people to have their say, and represents the District's residents, businesses and visitors to the best of its ability when responding to EDF Energy's proposed development at Hinkley Point C, both at the planning stage and during the implementation phase if the development receives consent | | | | |
| Ref | Title | Next Milestone | Action Status | Update |
| 8.1.1 | Establish a mechanism to enable the local community to make their views known at the appropriate stages during the planning process | End April 2012 | GREEN (completed) | WSC attend the Main Site Neighbourhood Forum that has been established. An independent person chairs this forum. WSC are actively involved in the DCO (Development Control Order) process. |
| 8.1.2 | Include local community views in formal council responses and/or support the communities to make their views known direct | End Dec 2012 | GREEN (On Track) | The Local Impact Report (LIR) incorporated representations from Parish Councils and community groups. Stogursey Parish Council are attending Issue Specific Hearings and Open Floor Hearings that are part of the ongoing DCO Examination process managed by the Planning Inspectorate <u>Qtr 2 Update</u> Meeting scheduled for Oct/Nov with the parliamentary scrutiny select committee to meet local representatives including Stogursey Parish Council and other parish councils in the Sedgemoor DC area that are affected by Hinkley Point. |

Priority: Resources.

Objective 9:
Provide value for money services

| Key Task 9.1 To undertake a minimum of four Value for Money service reviews with the aim of providing customers with either, an Improved level of service at no extra cost or the same level of service at a reduced cost. | | | | | |
|---|--|---|----------------------|--|---|
| Ref | Title | Next Milestone | Action Status | Update | |
| 9.1.1 | To Provide a refreshed Value for Money Strategy detailing a phased approach to the carrying out of VFM reviews for consideration by members at committee | End May 2012 | GREEN (Completed) | VFM report Presented to CMT & due to be presented to Corporate PAG & Cabinet during Aug./Sept 2012. Findings will also be discussed with Portfolio holders during Aug/Sept. | |
| 9.1.2 | To undertake Phase one of these value for money reviews (4) by the end of March 2013 Report to Cabinet on the results of this phase | End March 2013 * amended milestone (from Feb '12) in response to pressure on resource. | GREEN (On Track) | Further detailed work underway on VFM reviews for: <ul style="list-style-type: none"> - Street Cleaning - Development Control - Building Control - Tourism - Economic Development - Corporate Services - Housing (as a countywide project) | Qtr 2 Update Work on-going Visit from Sparse rep. in Oct checking and confirming the council's approach to VFM reviews. |

Objective 10

The management of efficient and cost effective use of resources

| Key Task 10.1 Prioritise existing resource to ensure that the Council is able meet its legal obligations for emerging legislation. (Including the Localism Act, Localisation of Council Tax Benefit, Retention of Business Rates & Universal Credit) | | | | |
|--|---|-------------------|---------------------|---|
| Ref | Title | Next Milestone | Action Status | Update |
| 10.1.1 | To prepare a series of reports as necessary for consideration by members on how to meet its legal obligations together with any subsequent impacts | End December 2012 | GREEN (On Track) | Work underway re Community Right to Challenge and details published on the councils website Assets of community value – work underway – implementation date now known – 12 th Oct 2012. Council Tax Benefit changes – The council undertaking a survey during Aug/Sept to inform the design of the local scheme. The council need to respond to Central .Gov consultation regarding NDR retention by End of Sept 2012. Qtr 2 Update Assets of community value came into force on 26 th Sept Report to approve processes for Community right to Challenge & Assets of community value presented to Cabinet on Oct 26 th . Council Tax Benefit changes were report presented to PAG and will be going to Scrutiny, in November NDR pooling report presented to Council of 26 th Oct |
| 10.1.2 | To oversee the implementation of the identified actions and report on their delivery through the implementation of the performance management framework | End Feb 2013 | GREEN (On Track) | Specific actions will be incorporated into service plans and progress reported via the quarterly performance reports. Localism Act updates are also reported to the Corporate PAG quarterly. |

Key Task 10.2

To ensure that the value of efficiencies, savings and income increases identified and approved, are achieved.

Review of Key Actions to deliver 2012-13 Corporate Priorities

| Ref | Title | Next Milestone | Action Status | Update |
|--------|---|----------------|----------------------|--|
| 10.2.1 | Draft a revised budget strategy that addresses the identified budget gap and complements the delivery of the Medium Term Financial Plan to be approved by members. | End June 2012 | GREEN (Completed) | Member seminars held on 17 th July and with a further seminar planned for 20 th Aug 2012 to review the responses received from members regarding savings prioritisation. MTFP presented to Scrutiny on 16th July and then on to August Cabinet |
| 10.2.2 | Implement the approved budget strategy. | End March 2013 | GREEN (On Track) | Qtr 2 Update Stage 1 of the budget strategy refers to the preparation of a preferred and alternative budget. This was completed during April-August Stage 2 is to identify merger model, work is underway to establish a processes involved and the associated risks Stage 3 is to Consult with Parish & Town councils. They have been consulted with as and when necessary eg. winter closures. |
| 10.2.3 | To deliver the savings target of £157,457 by 31 March 2013: To ensure that the savings target is reached and that suitable, regular update reports are presented during the year | Quarterly | GREEN (On Track) | Updates on the savings will be presented to Corporate PAG throughout the year |

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Priority: Leadership

Objective 11:

Maximise external funding opportunities into the council

Key Task 11.1

By 31st July 2012 to have presented to the Local Government Association & Government Ministers, a comprehensive financial case study which, clearly demonstrates the conclusion that without additional funding the council will no longer be a sustainable unit of local government

| Ref | Title | Next Milestone | Action Status | Update |
|-----|-------|----------------|---------------|--------|
| | | | | |

Review of Key Actions to deliver 2012-13 Corporate Priorities

| | | | | |
|--------|--|---|----------------------|---|
| 11.1.1 | Discuss and agree with members the approach to be adopted together with a timetable | End April 2012 | GREEN (Completed) | Informal Cabinet & CMT have discussed and agreed the approach to be adopted |
| 11.1.2 | Draft the agreed document necessary to substantiate the approach agreed | End Sept 2012 <i>* amended milestone (from June '12) in response to pressure on resource.</i> | GREEN (Completed) | Leader of the council drafted and sent a letter to Bob Neill on 27 th June 2012 providing an update on the council's circumstances Qtr 2 Update Reply to the letter sent to Bob Neill was received by the council on 19th Aug. |
| 11.1.3 | Arrange a meeting with the appropriate representatives from Central Government and other organisations as necessary. | End Dec 2012 <i>* amended milestone (from July '12) in response to pressure on resource.</i> | GREEN (Completed) | On 22 nd June the chair and Chief Executive of the LGA (Local Government Association) had meetings with Leaders and Chief Executives for West Somerset Council, Sedgemoor District Council and Somerset County Council. This meeting was mainly concerned with the Hinkley Point C development but there was also the opportunity taken to speak to both concerning the precarious position of the council's finances A meeting has been arranged for 28 th Aug between WSC and the LGA. |
| 11.1.4 | Attend meetings with government representatives and other bodies as arranged | End Feb 2013 <i>* amended milestone (from Sept '12) in response to pressure on resource.</i> | GREEN (Completed) | Qtr 2 Update On 28 th Aug the Chief Executive met with LGA chief executive Leader Tim Taylor met with Eric Pickles on 26 th Aug. LGA review of working arrangements and financial standing underway, including meetings between LGA, SCC, SDC & TDBC. The chief executive attended a DCLG Seminar on 21 st Sept about the new funding arrangements for local government. Qtr 3 Update WSC reps met with Brandon Lewis on 13 th Nov 2012 and he visited West Somerset Council on 11 th Dec. DCLG were informed of the councils partnership decision by letter on 11 th Dec The LGA have requested monthly updates on the council's progress. |

Objective 12:

Endeavour to ensure communities affected by Hinkley Point C development are financially compensated

Review of Key Actions to deliver 2012-13 Corporate Priorities

| Key Task 12.1 To campaign to Central Government and EDF to ensure that a Community Benefit Contribution scheme is accepted by all parties in relation to the construction, operation and waste storage phases of the proposed Hinkley Point development | | | | |
|---|--|-----------------------|----------------------|--|
| Ref | Title | Next Milestone | Action Status | Update |
| 12.1.1 | Arrange and attend meetings with Central Government and EDF about the Community Benefit Contribution scheme | End Dec 2012 | GREEN (Completed) | Although the issue of Community Benefits has been continually debated with EDF and DECC, the most significant event recently was a meeting in London hosted by the Nuclear Industry Association (NIA) and attended by representatives from DECC, EDF, the NIA and other new nuclear local authorities. The sole topic on the agenda was the furtherance of community benefits argument with Central Government. Following this meeting a briefing was given to selected members of the House Of Lords in order to raise questions on the subject of community benefits during the passage of the finance bill through the House of Lords <u>Qtr 2 Update</u> Chief executive meeting was held between Office Nuclear Development and the LA's hosting new nuclear projects concerning possible community benefits scheme. In November, SCC, SDC & WSC reps meeting John Hayes MP, the secretary for state in DECC. |
| 12.1.2 | Present a report to Council that outlines the proposed framework for the payment of Community Benefit Compensation | End March 2013 | Amber (Concern) | <u>Qtr 3 Update</u> The council are still awaiting central government's decision and announcement on a framework for Community Benefit Scheme. The is likely to be too late to present a report to Council before March '13. |

| Key Task 12.2 To ensure that all possible impacts arising from the proposed Hinkley Point C Development are identified and that subsequent mitigation measures, including financial, are maximised | | | | |
|--|--------------|-----------------------|----------------------|---------------|
| Ref | Title | Next Milestone | Action Status | Update |

Review of Key Actions to deliver 2012-13 Corporate Priorities

| | | | | |
|--------|---|----------------|----------------------|---|
| 12.2.1 | To draft a comprehensive Local Impact Report for consideration by members | End March 2013 | GREEN (Completed) | The Local Impact Report (LIR) went to WSC Cabinet on 4th April 2012 and went to a Special Full Council on 16th April 2012. The final LIR was issued and submitted to the Planning Inspectorate on the 3rd May. |
| 12.2.2 | To ensure that the council is adequately represented at all opportunities during the processes of the DCO (Development Control Order) by the IPC (infrastructure Planning Commission) | End March 2013 | GREEN (Completed) | The Planning Manager and Major Projects Manager have represented WSC at all stages of the DCO Examination process. They have attended Open Floor Hearings on the 9th, 10th, 16th and 17th May. Qtr 2 Update The Planning Manager and Major Projects Manager have attended Issue Specific Hearings on the 26th and 27th June, 17th and 18th July, 14th August and 21st-24th August. WSC Qtr 3 Update Hearings all completed. Now awaiting the final decision due March '13 |

KEY TO ACTIONS:

| | |
|---|-------|
| Action not achieved within target date/milestone. | Red |
| There are concerns/issues that may mean that the action will not be achieved/within the target date/timescale | Amber |
| Action completed or on target to be achieved within the target date/milestone | Green |
| Blank – Milestone not due | |

Service Plan Monitoring - Section 3 Performance Measures for day-to-day delivery

Group: Corporate Management

Responsible Officer: Adrian Dyer

| Code | Description | 2011/12 | | 2012/13 | | | | Status | Comment |
|-----------------------------|---|---------|--------|------------------|-------|--------|-------|--------|--|
| | | Actual | Target | Qtr 1 | Qtr 2 | Qtr 3 | Qtr 4 | | |
| Group Indicators | | | | | | | | | |
| KBI 141 | Forecast variance from budget | | | £178 | £58 | £3,311 | | | |
| | Budget (£) 211,289 | | | | | | | | |
| | Actual Spend as at 30/12/2012 (£) 174,510 | | | | | | | | |
| KPI 141 | % of staff in the group who responded that are satisfied/very satisfied working for the Council | 100% | 85% | Annual Indicator | | | | 85% | |
| KPI 144 | Group % of PDR's undertaken | 100% | 100% | Annual Indicator | | | | 100% | |
| Service Indicators | | | | | | | | | |
| Corporate Management | | | | | | | | | |
| KPI 158 | Overall Staff satisfaction | 94% | 88% | Annual Indicator | | | | 90% | |
| KPI 160 | Number of days sickness per FTE | 1.20 | 5.75 | 0.82 | 1.64 | 4.61 | | 5.75 | GREEN (Above Target) The annual target for this indicator is 5.75 days. The measure is per employee. |
| | % of customers satisfied with the Council | 82% | | Annual Indicator | | | | 82% | |
| | % of customers that think that the Council is delivering value for money | 74% | | Annual Indicator | | | | 75% | |
| | Number of complaints received by the Ombudsman | 7 | | Annual Indicator | | | | 7 | |

Key:

KBI - Budget/Cost Indicator

Service Plan Monitoring - Section 3 Performance Measures for day-to-day delivery

Group: Corporate Management

Responsible Officer: Adrian Dyer

| Code | Description | 2011/12 | | 2012/13 | | | | Status | Comment |
|------|-------------|---------|--------|---------|-------|-------|-------|--------|---------|
| | | Actual | Target | Qtr 1 | Qtr 2 | Qtr 3 | Qtr 4 | | |
| | | | | | | | | | |

KPI - Performance/Process Indicator

KCI - Customer Satisfaction Indicator

Report Number: WSC 29/13

Presented by: Cllr D Westcott – Lead Member for Customer and Community

Author of the Report: Paul Lamb, Principal Benefits Officer

Contact Details:

Tel. No. Direct Line 01984 635224

Email: pslamb@westsomerset.gov.uk

Report to a Meeting of: Cabinet

To be Held on: 6 March 2013

Date Entered on Executive Forward Plan 21 February 2013

Or Agreement for Urgency Granted:

Council Tax Support Discretionary Payments Scheme

1. PURPOSE OF REPORT

- 1.1 To inform the Cabinet of the proposed policy for Council Tax Support Discretionary Payments Scheme.

2. CONTRIBUTION TO CORPORATE PRIORITIES

- 2.1 There is a link to objective 1 task 1.4 in delivery of the council's savings target. The policy assists in maximising collection income.

3. RECOMMENDATIONS

- 3.1 Cabinet recommends to Council approval of the policy for Discretionary Council Tax Rebate attached as Appendix A of this report

4. RISK ASSESSMENT (IF APPLICABLE)

Risk Matrix

| Description | Likelihood | Impact | Overall |
|--|------------|--------|---------|
| West Somerset Council fails to approve a policy for Discretionary Council Tax Rebate before 1 st April 2013, which is not clear and fair and transparent. | 3 | 2 | 6 |
| <i>Approve the scheme before 1st April</i> | 2 | 2 | 4 |

| | | | |
|--|---|---|----|
| West Somerset Council has no policy in place and therefore cannot agree Discretionary hardship payments. | 5 | 4 | 20 |
| <i>Agree the scheme before 1st April 2013</i> | 3 | 4 | 12 |

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

5. BACKGROUND INFORMATION

- 5.1 On 23rd January 2013, members approved the Council Tax Rebate scheme. This included a discretionary fund of £22,500 to help alleviate any potential hardship this may cause
- 5.2 The legislation requires adoption of a local policy by the 1st April 2013. Following the decision of council in January this has been devised, and is attached as appendix A of this report for consideration by cabinet.
- 5.3 In determining a policy acceptable levels of expenditure have to be agreed and these will be linked to The Office of National Statistics data. This is based on a formula relating to decile levels and these are attached as Appendix B of the report. Officers have analysed these levels and believe that the 10th decile is the most appropriate for adoption by the authority
- 5.4 The maximum award level can be set at either 85 % in line with the adopted Council Tax Rebate scheme or at 100% which will allow officers to use the policy to agreed hardship payments with those most affected by the recent changes. It therefore seems appropriate to apply a level of 100% to this scheme as this creates maximum potential to alleviate hardship.
- 5.5 The policy contains expenditure types that are permitted without the need to justification from the applicant, providing they are within acceptable levels. These are
- Fuel and Power.
 - Food and non alcoholic drink
 - Clothing and footwear
 - Household goods and services
 - Health
 - Transport
 - Communication
 - Maintenance paid in respect of a child or former partner
 - Rent payments
 - Council tax payments
- 5.6 Cabinet are able to add additional items if they wish to this list.
- 5.7 The application of this policy will be monitored and reported through the performance management process. The Corporate PAG also asked for a report at it's meeting on Tuesday 19th February once the new policies have been operating in

six months time. If adopted the use of this scheme will be included in that data. This will enable adjustments to be made if appropriate.

6. FINANCIAL/RESOURCE IMPLICATIONS

- 6.1 The discretionary fund forms part of the overall Council Tax Rebate scheme. The cost is borne by the collection fund, which is shared among the preceptors.
- 6.2 The costs of the scheme are therefore neutral and can be accommodated within the amounts agreed by council in January 2013.

7. SECTION 151 OFFICER COMMENTS

- 7.1 The cost of the scheme attributable to West Somerset is approximately 9% which has been budgeted for as part of the overall Localised Council Tax Support Scheme approved by members at the Full Council meeting on 23rd January 2013.

8. EQUALITY & DIVERSITY IMPLICATIONS

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

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

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

- 8.1 The discretionary scheme will enable the Authority to alleviate hardship in arrears of need, and which will contribute to the equality and diversity obligations.
- 8.2 This will enable vulnerable people to access a fund that is bespoke to West Somerset. In particular the identified local priority of rurality will be tackled through those families who are on low wages. This scheme will also address those identified in the Equality Impact Assessment associated with the Council Tax Benefit report.

9. CRIME AND DISORDER IMPLICATIONS

- 9.1 None associated with this report

10. CONSULTATION IMPLICATIONS

- 10.1 A consultation scheme for Council Tax Rebate was undertaken in August and September 2012.
- 10.2 84.71% of the responders were in favour of a discretionary fund to help those in need. This scheme, if adopted, applies this type of fund and aims to provide assistance to the most vulnerable members of our community.

11. ASSET MANAGEMENT IMPLICATIONS

11.1 None associated with this report

12. ENVIRONMENTAL IMPACT IMPLICATIONS

12.1 None associated with this report

13. LEGAL IMPLICATIONS

13.1 If the council does not adopt this scheme by 1st April we will be in difficult situation for discretionary hardship payments. The lack of a scheme would lay the authority open to potential legal challenges where awards are made and perceived to be unfair

13.2.1 It is therefore essential that a scheme is adopted to provide a sound basis for decision making

- APPENDIX A – DRAFT DISCRETIONARY COUNCIL TAX REBATE POLICY**
- APPENDIX B – ALLOWABLE EXPENSES AND EXPENDITURE TRIGGER ITEMS**
- APPENDIX C – HOUSEHOLD FACTOR CALCULATIONS**
- APPENDIX D - DECILE LEVELS FROM OFFICE OF NATIONAL STATISTICS**

APPENDIX A – DRAFT DISCRETIONARY COUNCIL TAX REBATE POLICY

Discretionary Council Tax Rebate

Introduction

Discretionary Council Tax Rebate (DCTR) is to be used to alleviate exceptional hardship to allow customers time to find alternative solutions to shortfalls in income. The availability of DCTR will be promoted by the benefits service and the Authority will do everything possible to assist claimants during the process. Potential claimants must be entitled to Council Tax Rebate.

Background

Following public consultation, the key findings were 84.71% of respondents agreed a 'hardship' fund should be provided for those worse hit by the Council Tax Reforms.

West Somerset Council committed to providing a scheme to help alleviate extreme hardship as a result of the Council Tax Benefit Reforms.

On 19th January 2013, Councillors agreed to include a discretionary fund in the West Somerset Council Tax Rebate scheme.

DCTR can cover shortfalls between eligible council tax liability and payment of Council Tax Rebate.

The main features of the scheme are:

- The scheme is purely discretionary and a claimant does not have a statutory right to a payment
- The administration of the scheme is for the local authority to determine
- DCTR should be seen as an emergency fund. It is not and should not be considered as a way round any current or future entitlement restrictions set out under current or future legislation

Purpose

The purpose of this policy is to specify how West Somerset Council will operate the scheme from 1 April 2013 to indicate some of the factors that will be considered when deciding if a DCTR can be made and to provide guidance on periods of awards and repeat claims. Each case will be treated strictly on its merits and all customers will be treated fairly and equally. West Somerset Council is committed to working with the local voluntary sector, social landlords and other interested parties in the district to maximise entitlement to all available state benefits and this will be reflected in the administration of the DCTR scheme.

Claiming DCTR

A claim for DCTR must be made using the DCTR application form. Anyone enquiring about DCTR (either by phone, in person or correspondence) will be asked to complete a DCTR form and their case referred to a Benefits Officer.

This form will incorporate a standard income and expenditure sheet based on the common financial statement that has been designed to ensure consistency of information and evidence gathering on financial matters. The council reserves the right to request any supporting evidence it deems to be relevant to the application. If the customer is unable or does not supply the required evidence, the benefits service will still consider the application and will take into account any other available factors. If the customer has no valid reason for failing to supply the required evidence, the DCTR will be refused.

Backdated claims will not normally be considered unless there are exceptional circumstances. The maximum period for backdating will be 13 weeks.

Conditions that must be met

- 1) The claimant is entitled to CTR
- 2) The payment is in respect of costs which are potentially eligible for benefit
- 3) The sum of DCTR and CTR does not exceed the overall liability
- 4) DCTR is not used to plug an income gap caused by sanction or suspension to Social Security Benefits

Matters for consideration

In considering whether to make a DCTR award, the customers' financial situation will be looked at. Where their expenses exceed the trigger points in Appendix A, more information may be sought.

Some other factors that may be taken into account are:

- Is the reason for the shortfall due to welfare reform?
- The extent of the shortfall, including whether the customer has capital or disregarded income which can be used to meet it, or whether anyone else is able and willing to help meet the shortfall?
- What steps has the customer taken to try to reduce their liabilities?
- What steps has the customer taken to alleviate the problem?
- Does the customer, or anyone in the household, suffer from a health problem, illness or disability, which means that their choice of housing is restricted?
- Does the customer have other debts to pay, which make meeting the shortfall more difficult?
- **DCTRs are not to be provided to pay off other debts.** The dates the debts were incurred are relevant. Customers should take some responsibility for their level of debt, and the amount they can afford to pay from their income
- If the customer has non priority debts, have they taken/or intend to take advice on how to manage them effectively?
- Does the customer or anyone in the household have any unusual or unusually large expenses which make it harder than normal for them to meet the shortfall?
- Has there been a change of circumstances, which makes it more difficult to meet the shortfall?
- Could the customer reduce other outgoings so that they can meet the shortfall?
- Is this a repeat request for DCTR ? If it is, what steps has the customer taken to try to alleviate the problem since the last application?
- Is the situation short term? It is not and should not be considered as a long term way around any current or future entitlement restrictions set out under legislation.
- If the DCTR application is successful, what steps does the customer plan to take during the payment period to alleviate their position in preparation for when the payment ends?

Allowable Expenditure and Trigger points

The Authority will allow expenditure for:

- Fuel and power
- Food & Nonalcoholic drinks
- Clothing and Footwear
- Household goods & services
- Health
- Transport
- Communication
- A sum for miscellaneous expenditure

The Authority will also allow the following expenditure in full, subject to appropriate evidence being provided:

- Maintenance made in respect of a child or former partner
- Rent
- Council Tax

The Authority will base acceptable levels of expenditure on Office of National Statistics' Table 3.2E Household expenditure by "gross equivalised income decile group (OECD-modified scale)". The level will be set at the 30% decile. This will be known as the "trigger point".

The trigger point level will then be multiplied by the household factor provided by Office of National Statistics. These are:

| Type of Household Member | Equivalence value |
|--------------------------------|-------------------|
| First adult | 1.0 |
| Additional adult | 0.5 |
| Child aged: 14 and over | 0.5 |
| Child aged: 0–13 | 0.3 |

For example, if the base figure is £10 per week, and the household is made up of a lone parent with a child aged six, the trigger point will be £13 (£10 x household factor of 1.3 (1 for first adult and 0.3 for child aged under 14))

These figures will be increased each year using an RPI [calculator](#).

Any expenditure at or below the "trigger point" for allowable expenditure detailed in appendix A will be permitted. Any expenditure in excess of the trigger point or other areas of expenditure will not automatically be considered. The applicant will be required to prove to the decision maker that the level or type of expenditure is essential and reasonable. The applicant will be expected to provide any evidence requested to verify this. This may include receipts, medical evidence and further explanations.

The Decision

The benefit service will decide the amount of DCTR that will be awarded on the basis of the known facts and evidence supplied.

The decision maker will then consider the applicant's income, capital, expenditure, and any relevant circumstances when making their decision

Any agreed award will be credited to the customer's council tax account. No other method of payment will be considered.

The benefits service may need to revise a DCTR award where the customer's circumstances have materially changed. It is the customer's responsibility to notify the council as soon as any change occurs. Any amendment to the claim will be effective from the date of change.

The Benefit service aims to deal with all applications for DCTR within 14 days of the claim form and all accompanying information being received.

Customers will be notified in writing of the outcome and the letter will state the reasons for the decision.

Where the application is successful the notification will advise:

- The amount of the DCTR award
- The requirement to report any relevant change

All notifications of decisions on DCTR claims will offer the opportunity for the customer to seek review.

All successful awards will be reviewed on a regular basis to establish any changes that may impact the award and the steps the claimant is taking to improve their financial situation.

The right to seek a review

DCTR are not payments of Housing Benefit or Universal Credit and are therefore not subject to the statutory appeals mechanism.

The benefits service will operate the following policy for dealing with appeals against any decision on a claim for DCTR:

- A customer, or person nominated to act on their behalf, who disagrees with an ACTR decision may dispute the decision in writing, within one month of the notification letter
- A second Officer will consider the dispute. They will review all of the evidence held and make a decision within 14 days with assistance from the Principal Benefits Officer if appropriate
- Their decision will be deemed as final

Method of payment

An award of DCTR will only be paid directly into the Council Tax Account, thus reducing the annual liability. All future payments will be adjusted to ensure that the account is fully paid up by the end of the Council Tax Year.

In exceptional circumstances, these payments can be made weekly and spread over the 12 month liability period.

Overpayments

The benefits service will seek to recover any DCTR found to be overpaid.

The overpayment will be debited to the customer's council tax account, and recovered in accordance with the Authority's recovery procedure

Monitoring

All DCTRs will be recorded on the benefits service software system (Northgate). Total DCTR expenditure will be monitored on a monthly basis by the Principal Benefits Officer who will ensure expenditure is within budget and correctly profiled throughout the year.

All claims for DCTR will be treated equally and fairly in accordance with West Somerset Councils' policies on race, diversity and equality. West Somerset Council will endeavour to ensure that no-one who applies for DCTR receives less favourable treatment on the grounds of any irrelevant consideration including age, disability, gender, religious beliefs, marital status, nationality, race or sexual orientation.

Fraud

West Somerset Councils' Benefit Service is committed to prevent any fraud and error, and to investigate and detect any fraud within the system.

A customer who tries to fraudulently claim an DCTR by falsely declaring their circumstances, providing a false statement or evidence in support of their application, may have committed an offence under the Theft Act 1968. Where West Somerset Council's Benefit Service suspect that a fraud may have occurred, the matter will be investigated, and this may lead to criminal proceedings being instigated.

Review

This policy will be reviewed and revised to take into account any changes in legislation and to improve effectiveness. The effectiveness of this policy will be regularly monitored and results reported to senior officers and Members.

West Somerset Council reserves the right to adjust the way this policy operates from time to time, in all aspects, in the light of experience, prevailing economic climate and national benefit changes.

February 2013.

APPENDIX B – ALLOWABLE EXPENSES AND EXPENDITURE TRIGGER ITEMS**Figures based on 'Office of National Statistics' Table 3.2E
per adult in household per week (2012) Lowest 10%**

| | |
|--|--------|
| 1 - Fuel and power | £10.21 |
| 2 - Food & Non alcoholic drinks | £22.80 |
| 3 - Clothing and Footwear | £5.57 |
| 4 - Household goods & services | £8.55 |
| 5 - Health | £0.80 |
| 6 - Transport | £11.39 |
| 7 - Communication | £4.20 |
| 8 - Misc. | £12.20 |
| Total not to exceed £75.72 per adult * | |

*Figures taken from report (Appendix C) and calculated at 10% decile group.

Additional allowances include:

- Maintenance in respect of a child or former partner Actual Expenditure
- Rent liability Actual Expenditure
- Council Tax liability Actual Expenditure

APPENDIX C – HOUSEHOLD FACTOR CALCULATIONS

| OECD-modified equivalence scale | |
|---------------------------------|-------------------|
| Type of Household Member | Equivalence value |
| First adult | 1.0 |
| Additional adult | 0.5 |
| Child aged: 14 and over | 0.5 |
| Child aged: 0–13 | 0.3 |

The OECD-modified equivalence scale is the standard scale for the Statistical Office of the European Union (EUROSTAT) and several government departments in the UK use it for key household income statistics. For example, the Department for Work and Pensions (DWP) use the OECD-modified scale for their Households Below Average Income (HBAI) publication and ONS use it for the Effects of Taxes and Benefits on Household Income (ETB) analysis.

The equivalence values for each household member are summed to give a total equivalence number for the household. For example, the total equivalence value for a household containing a married couple with two children aged 10 and 14 is calculated as follows:

$$1 \text{ (first adult)} + 0.5 \text{ (second adult)} + 0.5 \text{ (14-year-old child)} + 0.3 \text{ (10-year-old child)} = 2.3$$

The total equivalence value of 2.3 shows that the household needs more than twice the income of a single adult household in order to achieve a comparable standard of living.

In the final step of the calculation the total income for the household is divided by the equivalence value. For example, if the household described in the example above has an annual income of £30,000, their equivalised income is calculated as follows:

$$£30,000/2.3 = £13,043$$

For a single adult household with an actual income of £30,000 the equivalised income remains at £30,000, because the equivalence value for this household is equal to one. This demonstrates that a single adult household will have a higher standard of living than a larger household with the same level of income.

| The income decile groups were as follows: Income decile | Gross weekly income | Gross weekly equivalised income (OECD-modified scale) |
|--|----------------------------|--|
| 1 | Up to £159 | Up to £131 |
| 2 | £160 to £237 | £132 to £179 |
| 3 | £238 to £314 | £180 to £226 |
| 4 | £315 to £412 | £227 to £276 |
| 5 | £413 to £521 | £277 to £332 |
| 6 | £522 to £650 | £333 to £399 |
| 7 | £651 to £800 | £400 to £483 |
| 8 | £801 to £1,014 | £484 to £594 |
| 9 | £1,015 to £1,367 | £595 to £793 |
| 10 | £1,368 and over | £794 and over |

APPENDIX D - DECILE LEVELS FROM OFFICE OF NATIONAL STATISTICS

United Kingdom

Lower boundary of group (£ per week)

Commodity or service

Average weekly household expenditure (£)

| | Lowest ten per cent | Second decile group | Third decile group | Fourth decile group | Fifth decile group | Sixth decile group | Seventh decile group | Eighth decile group | Ninth decile group | Highest ten per cent | All households |
|--------------------------|--|---------------------|--------------------|---------------------|--------------------|--------------------|----------------------|---------------------|--------------------|----------------------|----------------|
| | | 132 | 180 | 227 | 277 | 333 | 400 | 484 | 595 | 794 | |
| | 2.10 | 2.00 | 2.20 | 2.20 | 2.40 | 2.50 | 2.60 | 2.50 | 2.40 | 2.30 | 2.30 |
| | Weighted average number of persons per household | | | | | | | | | | |
| 1 | 35.30 | 41.40 | 45.10 | 50.50 | 51.60 | 55.80 | 60.20 | 63.30 | 62.00 | 66.80 | 53.20 |
| 3 | 11.50 | 11.00 | 13.90 | 17.20 | 22.00 | 22.90 | 28.90 | 27.90 | 35.50 | 43.00 | 23.40 |
| 4 | 48.60 | 47.60 | 51.50 | 58.20 | 60.10 | 65.30 | 62.50 | 61.90 | 69.20 | 78.80 | 60.40 |
| 5 | 17.10 | 14.10 | 20.00 | 26.90 | 22.70 | 30.80 | 27.80 | 40.70 | 42.20 | 72.10 | 31.40 |
| 6 | 1.60 | 2.50 | 3.30 | 4.10 | 5.40 | 4.20 | 5.50 | 5.50 | 7.10 | 11.20 | 5.00 |
| 7 | 22.80 | 26.20 | 32.40 | 51.10 | 47.40 | 56.30 | 77.10 | 86.90 | 100.20 | 148.30 | 64.90 |
| 8 | 8.40 | 8.30 | 10.30 | 11.50 | 12.50 | 13.80 | 14.30 | 14.80 | 17.10 | 19.20 | 13.00 |
| Total expenditure | 110.80 | 124.30 | 139.40 | 164.90 | 164.50 | 184.00 | 205.10 | 240.40 | 285.60 | 386.40 | 203.10 |

Report Number: WSC 30/13
Presented by: Cllr D Westcott – Lead Member for Customer and Community
Author of the Report: Paul Lamb, Principal Benefits Officer
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Report to a Meeting of: Cabinet
To be Held on: 6 March 2013

Date Entered on Executive Forward Plan 21 February 2013
Or Agreement for Urgency Granted:

DISCRETIONARY HOUSING PAYMENTS SCHEME

1. PURPOSE OF REPORT

- 1.1 To inform the Cabinet of the proposed policy for Discretionary Housing Payments Scheme.

2. CONTRIBUTION TO CORPORATE PRIORITIES

- 2.1 There is a link to objective 1 task 1.4 in delivery of the council's savings target. The policy assists in maximising collection income.

3. RECOMMENDATIONS

- 3.1 Cabinet recommends to Council approval of the policy for Discretionary Housing Payments Scheme attached as **Appendix A** to this report.

4. RISK ASSESSMENT (IF APPLICABLE)

Risk Matrix

| Description | Likelihood | Impact | Overall |
|--|------------|--------|---------|
| West Somerset Council fails to approve a policy for Discretionary Housing Payments before 1 st April 2013, which is not clear and fair and transparent. | 3 | 2 | 6 |
| <i>Approve the scheme before 1st April</i> | 2 | 2 | 4 |
| West Somerset Council has no policy in place and therefore cannot agree Discretionary hardship payments. | 5 | 4 | 20 |
| <i>Agree the scheme before 1st April 2013</i> | 3 | 4 | 12 |

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

5. BACKGROUND INFORMATION

- 5.1 On 2nd July 2001 the Discretionary Housing Payments Scheme (DHP) scheme was introduced. It granted all local authorities power to make a discretionary award to top up the Housing Benefits and Universal Credit (HB/UC) statutory schemes. The legislation governing DHPs can be found in the Discretionary Financial Assistance Regulations 2001 (SI2001/1167) and the subsequent amendment regulations.
- 5.2 DHPs can cover shortfalls between eligible rental liability and payment of Housing Benefit/Universal Credit and help towards housing costs.
- 5.3 In determining a policy acceptable levels of expenditure have to be agreed and these will be linked to The Office of National Statistics data. This is based on a formula relating to decile levels and these are attached as Appendix B of the report. Officers have analysed these levels and believe that the 10th decile is the most appropriate for adoption by the authority.
- 5.4 The main features of the scheme are:
- The scheme is purely discretionary and a claimant does not have a statutory right to a payment
 - Every year the Government may allocate an amount that can be paid out by each local authority in any financial year.
 - The administration of the scheme is for the local authority to determine
 - DHP is not a payment of HB/UC. However the minimum amount of HB/UC must be in payment in the benefit week that a DHP is awarded for
 - DHP should be seen as an emergency fund. It is not and should not be considered as a way round any current or future entitlement restrictions set out under HB/UC legislation
 - It cannot be used to offset overpayment recovery or to cover ineligible service charges
 - Any unspent Government contribution must be returned
- 5.5 The policy contains expenditure types that are permitted without the need to justification from the applicant, providing they are within acceptable levels. These are:
- Fuel and Power.
 - Food and non-alcoholic drink
 - Clothing and footwear
 - Household goods and services
 - Health

- Transport
- Communication
- Maintenance paid in respect of a child or former partner
- Rent payments
- Council tax payments

- 5.6 Cabinet are able to add additional items if they wish to this list. However this list describes the items that have been previously considered in discretionary hardship schemes.
- 5.7 The application of this policy will be monitored and reported through the performance management process.

6. FINANCIAL/RESOURCE IMPLICATIONS

- 6.1 The Government have contributed £68,453 for the 2013/14 DHP fund
- 6.2 The Discretionary Financial Assistance Regulations 2001 (SI2001/1167) permits the Authority to add an additional £102,680 to this 2013/14 fund. This additional cost would need to be borne by the Authority. In light of the financial limitations of the Authority, the scheme has been designed to meet the allocated amount from Government.

7. SECTION 151 OFFICER COMMENTS

- 7.1 The scheme has been designed around the £68,453 being given to West Somerset by Central Government and therefore will result in no additional cost to this Authority.

8. EQUALITY & DIVERSITY IMPLICATIONS

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

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

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

- 8.1 The Discretionary Housing Payments will enable the Authority to alleviate hardship in arrears of need, and which will contribute to the equality and diversity obligations.
- 8.2 This will enable vulnerable people to access a fund that is bespoke to West Somerset. In particular the identified local priority of rurality will be tackled through those families who are on low wages. This scheme will also address those identified in the Equality Impact Assessment associated with the Council Tax Benefit report.

9. CRIME AND DISORDER IMPLICATIONS

9.1 None associated with this report.

10. CONSULTATION IMPLICATIONS

10.1 None associated with this report.

11. ASSET MANAGEMENT IMPLICATIONS

11.1 None associated with this report.

12. ENVIRONMENTAL IMPACT IMPLICATIONS

12.1 None associated with this report.

13. LEGAL IMPLICATIONS

13.1 If the Council does not adopt this scheme by 1st April we will be in difficult situation for discretionary housing payments. The lack of a scheme would lay the authority open to potential legal challenges where awards are made and perceived to be unfair.

13.2 It is therefore essential that a scheme is adopted to provide a sound basis for decision making.

APPENDIX A – DRAFT DISCRETIONARY HOUSING PAYMENTS POLICY

APPENDIX B – ALLOWABLE EXPENSES AND EXPENDITURE TRIGGER ITEMS

APPENDIX C – HOUSEHOLD FACTOR CALCULATIONS

APPENDIX D - DECILE LEVELS FROM OFFICE OF NATIONAL STATISTICS

APPENDIX A – DRAFT DISCRETIONARY HOUSING PAYMENTS POLICY

Introduction

Discretionary Housing Payments (DHPs) are to be used to alleviate hardship to allow customers time to find alternative solutions to housing issues and/or shortfalls in income. The availability of DHPs will be promoted by the benefits service and the Authority will do everything possible to make it easy for potential beneficiaries of DHPs to apply and will assist claimants during the process.

Background

On 2nd July 2001 the DHP scheme was introduced. It granted all local authorities power to make a discretionary award to top up the Housing Benefits and Universal Credit (HB/UC) statutory schemes. The legislation governing DHPs can be found in the Discretionary Financial Assistance Regulations 2001 (SI2001/1167) and the subsequent amendment regulations.

DHPs can cover shortfalls between eligible rental liability and payment of Housing Benefit/Universal Credit and help towards housing costs.

Housing costs can be interpreted more widely to include rent in advance, deposits or other lump sum costs associated with a housing need such as removal costs.

Consideration should also be given to the welfare changes introduced with effect from April 2013 and the subsequent increase in DHP funding.

The main features of the scheme are:

- The scheme is purely discretionary and a claimant does not have a statutory right to a payment
- Every year the Government may allocate an amount that can be paid out by each local authority in any financial year.
- The administration of the scheme is for the local authority to determine
- DHP is not a payment of HB/UC. However the minimum amount of HB/UC must be in payment in the benefit week that a DHP is awarded for
- DHP should be seen as an emergency fund. It is not and should not be considered as a way round any current or future entitlement restrictions set out under HB/UC legislation
- It cannot be used to offset overpayment recovery or to cover ineligible service charges
- Any unspent Government contribution must be returned

Purpose

The purpose of this policy is to specify how West Somerset Council will operate the scheme from 1 April 2013 to indicate some of the factors that will be considered when deciding if a DHP can be made and to provide guidance on periods of awards and repeat claims. Each case will be treated strictly on its merits and all customers will be treated fairly and equally. West Somerset Council is committed to working with the local voluntary sector, social landlords and other interested parties in the borough to maximise entitlement

to all available state benefits and this will be reflected in the administration of the DHP scheme.

Claiming a DHP

A claim for DHP must be made in writing. Anyone enquiring about a DHP (either by phone, in person or correspondence) will be asked to complete a DHP form and their case referred to a Benefits Officer.

This form will incorporate a standard income and expenditure sheet based on the common financial statement that has been designed to ensure consistency of information and evidence gathering on financial matters. The council reserves the right to request any supporting evidence it deems to be relevant to the application. If the customer is unable or does not supply the required evidence, the benefits service will still consider the application and will take into account any other available factors. If the customer has no valid reason for failing to supply the required evidence, the DHP will be refused.

Conditions that must be met

This section is based on the Council's understanding of the legislative requirements as detailed in the Discretionary Financial Assistance Payments 2001 regulations.

- 1) The claimant is entitled to benefit
- 2) The payment is in respect of costs which are potentially eligible for benefit
- 3) The sum of a DHP and the benefit does not exceed the overall liability
- 4) A DHP is not used to plug an income gap caused by sanction or suspension to Social Security Benefits

Matters for consideration

In considering whether to make a DHP award, the customers' financial situation will be looked at. Where their expenses exceed the trigger points in Appendix A, more information may be sought.

Some other factors that may be taken into account are:

- Is the reason for the shortfall due to welfare reform?
- The extent of the shortfall, including whether the customer has capital or disregarded income which can be used to meet it, or whether anyone else is able and willing to help meet the shortfall?
- Is there a real risk of eviction because of the shortfall, or will the landlord accept a reduced payment?
- If the customer has recently taken up the tenancy, did they make enquiries with the local authority or any other service providers about how much benefit they could be expected to get prior to signing up? Could the recently signed tenancy agreement be considered as affordable in relation to the applicant's income?
- What steps has the customer taken to try to reduce their rental liability?
- What steps has the customer taken to alleviate the problem?
- Does the customer, or anyone in the household, suffer from a health problem, illness or disability, which means that their choice of housing is restricted?

- Does the customer have other debts to pay, which make meeting the shortfall more difficult?
- DHPs are not to be provided to pay off other debts. The dates the debts were incurred are relevant, particularly where arrangements were entered into when rent is being restricted. Customers should take some responsibility for their level of debt, and the amount they can afford to pay from their income
- If the customer has debts, have they taken advice on how to manage them effectively?
- Does the customer or anyone in the household have any unusual or unusually large expenses, which make it harder than normal for them to meet the shortfall?
- Has there been a change of circumstances, which makes it more difficult to meet the shortfall?
- Could the customer reduce other outgoings so that they can meet the shortfall?
- Is this a repeat request for a DHP? If it is, what steps has the customer taken to try to alleviate the problem since the last application?
- Is the situation short term? It is not and should not be considered as a long term way around any current or future entitlement restrictions set out under legislation.
- If the DHP application is successful, what steps does the customer plan to take during the payment period to alleviate their position in preparation for when the payment ends?

Period of award

The benefit service will decide the length of time for which a DHP will be awarded on the basis of the known facts and evidence supplied. The award will be reviewed at regular intervals to ensure that is still required.

The start date of a DHP award will usually be:

- The Monday following receipt of the DHP claim, or
- The date on which entitlement to HB/UC commenced (providing the claim is received within one month of the HB/UC decision, or
- The Monday after a relevant change in circumstances giving rise to the need for the DHP

A DHP shall not be awarded for any period for which the customer has no entitlement to HB/UC.

The benefits service may need to revise or revoke a DHP award where the customers' circumstances have materially changed. It is the customers' responsibility to notify the authority as soon as any change occurs. Any amendment to the claim will be effective from the date of change.

In exceptional circumstances the benefits service will consider a request for backdating a DHP application. Such backdating will only be considered for a maximum of 3 months in line with other benefit legislation.

Allowable Expenditure and Trigger points

The Authority will allow expenditure for:

- Fuel and power
- Food & Non alcoholic drinks
- Clothing and Footwear
- Household goods & services
- Health
- Transport
- Communication
- A sum for miscellaneous expenditure

The Authority will also allow the following expenditure in full, subject to appropriate evidence being provided:

- Maintenance made in respect of a child or former partner
- Rent
- Council Tax
-

The Authority will base acceptable levels of expenditure on “**Office of National Statistics’ Table 3.2E Household expenditure by gross equivalised income decile group (OECD-modified scale).**” The level will be set at the 10% decile. This will be known as the “trigger point”.

The trigger point level will then be multiplied by the household factor provided by Office of National Statistics. These are:

| Type of Household Member | Equivalence value |
|--------------------------------|-------------------|
| First adult | 1.0 |
| Additional adult | 0.5 |
| Child aged: 14 and over | 0.5 |
| Child aged: 0–13 | 0.3 |

For example, if the base figure is £10 per week, and the household is made up of a lone parent with a child aged six, the trigger point will be £13 (£10 x household factor of 1.3 (1 for first adult and 0.3 for child aged under 14))

These figures will be increased each year using an RPI [calculator](#)

Any expenditure at or below the “trigger point” for allowable expenditure detailed in appendix A will be permitted. Any expenditure in excess of the trigger point or other areas of expenditure will not automatically be considered. The applicant will be required to prove to the decision maker that the level or type of expenditure is essential and reasonable. The applicant will be expected to provide any evidence requested to verify this. This may include receipts, medical evidence and further explanations.

The Decision

The Benefit service aims to deal with all applications for DHP within 14 days of the claim form and all accompanying information being received.

Customers will be notified in writing of the outcome and the letter will state the reasons for the decision.

Where the application is successful the notification will advise:

- The weekly amount of the DHP award
- The period of the award
- How, when and to whom the DHP will be paid
- The requirement to report any relevant change

All notifications of decisions on DHP claims will offer the opportunity for the customer to seek review.

The right to seek a review

DHPs are not payments of Housing Benefit or Universal Credit and are therefore not subject to the statutory appeals mechanism.

The benefits service will operate the following policy for dealing with appeals against any decision on a claim for DHP:

- A customer, or person nominated to act on their behalf, who disagrees with a DHP decision may challenge the decision in writing, within one month of the notification letter
- A second Officer will review all of the evidence held and make a decision within 14 days with assistance from the Principal Benefits Officer if appropriate
- Their decision will be deemed as final.

Method of payment

The Benefits Customer Services Team Leader will decide the most appropriate person to pay, based upon the circumstances of each case. This could include paying:

- The customer
- Their partner
- An appointee
- Their landlord or agent
- Any third party to whom it might be most appropriate to make payment

We will pay an award of DHP by the most relevant means available in each case. Payment frequency will normally be made in line with the HB award.

Overpayments

The benefits service will seek to recover any DHP found to be overpaid. Normally this involves issuing an invoice to the customer or the person to whom the award was paid. Recovery may be made from any on-going benefit entitlement. The overpayment notification letter will also set out the right of review.

Monitoring

All DHPs will be recorded on the benefits service software system (Northgate). Total DHP expenditure will be monitored on a monthly basis by the Benefits Manager who will ensure expenditure is within budget and correctly profiled throughout the year.

A random sample of decisions will be checked for fairness and consistency. All checks will be recorded.

All claims for DHP will be treated equally and fairly in accordance with West Somerset Councils' policies on race, diversity and equality. West Somerset Council will endeavour to ensure that no-one who applies for DHP receives less favourable treatment on the grounds of any irrelevant consideration including age, disability, gender, religious beliefs, marital status, nationality, race or sexual orientation.

Fraud

West Somerset Councils' Benefit Service is committed to prevent any fraud and error, and to investigate and detect any fraud within the system.

A customer who tries to fraudulently claim a DHP by falsely declaring their circumstances, providing a false statement or evidence in support of their application, may have committed an offence under the Theft Act 1968. Where West Somerset Councils' Benefit Service suspect that a fraud may have occurred, the matter will be investigated, and this may lead to criminal proceedings being instigated.

Review

This policy will be reviewed and revised to take into account any changes in legislation and to improve effectiveness. The effectiveness of this policy will be regularly monitored and results reported to senior officers and Members.

West Somerset Council reserves the right to adjust the way this policy operates from time to time, in all aspects, in the light of experience, prevailing economic climate and national benefit changes.

APPENDIX B – ALLOWABLE EXPENSES AND EXPENDITURE TRIGGER ITEMS**Figures based on ‘Office of National Statistics’ Table 3.2E
per adult in household per week (2012) Lowest 10%**

| | |
|---------------------------------|--------|
| 1 - Fuel and power | £10.21 |
| 2 - Food & Non alcoholic drinks | £22.80 |
| 3 - Clothing and Footwear | £5.57 |
| 4 - Household goods & services | £8.55 |
| 5 - Health | £0.80 |
| 6 - Transport | £11.39 |
| 7 - Communication | £4.20 |
| 8 - Misc. | £12.20 |

Total not to exceed £75.72 per adult *

*Figures taken from report (Appendix C) and calculated at 10% decile group.

Additional allowances include:

- Maintenance in respect of a child or former partner Actual Expenditure
- Rent liability Actual Expenditure
- Council Tax liability Actual Expenditure

APPENDIX C – HOUSEHOLD FACTOR CALCULATIONS

| OECD-modified equivalence scale | |
|--|--------------------------|
| Type of Household Member | Equivalence value |
| First adult | 1.0 |
| Additional adult | 0.5 |
| Child aged: 14 and over | 0.5 |
| Child aged: 0–13 | 0.3 |

The OECD-modified equivalence scale is the standard scale for the Statistical Office of the European Union (EUROSTAT) and several government departments in the UK use it for key household income statistics. For example, the Department for Work and Pensions (DWP) use the OECD-modified scale for their Households Below Average Income (HBAI) publication and ONS use it for the Effects of Taxes and Benefits on Household Income (ETB) analysis.

The equivalence values for each household member are summed to give a total equivalence number for the household. For example, the total equivalence value for a household containing a married couple with two children aged 10 and 14 is calculated as follows:

$$1 \text{ (first adult)} + 0.5 \text{ (second adult)} + 0.5 \text{ (14-year-old child)} + 0.3 \text{ (10-year-old child)} = 2.3$$

The total equivalence value of 2.3 shows that the household needs more than twice the income of a single adult household in order to achieve a comparable standard of living.

In the final step of the calculation the total income for the household is divided by the equivalence value. For example, if the household described in the example above has an annual income of £30,000, their equivalised income is calculated as follows:

$$£30,000/2.3 = £13,043$$

For a single adult household with an actual income of £30,000 the equivalised income remains at £30,000, because the equivalence value for this household is equal to one. This demonstrates that a single adult household will have a higher standard of living than a larger household with the same level of income.

| The income decile groups were as follows: Income decile | Gross weekly income | Gross weekly equivalised income (OECD-modified scale) |
|--|----------------------------|--|
| 1 | Up to £159 | Up to £131 |
| 2 | £160 to £237 | £132 to £179 |
| 3 | £238 to £314 | £180 to £226 |
| 4 | £315 to £412 | £227 to £276 |
| 5 | £413 to £521 | £277 to £332 |
| 6 | £522 to £650 | £333 to £399 |
| 7 | £651 to £800 | £400 to £483 |
| 8 | £801 to £1,014 | £484 to £594 |
| 9 | £1,015 to £1,367 | £595 to £793 |
| 10 | £1,368 and over | £794 and over |

APPENDIX D - DECILE LEVELS FROM OFFICE OF NATIONAL STATISTICS

United Kingdom

| | Lowest ten per cent | Second decile group | Third decile group | Fourth decile group | Fifth decile group | Sixth decile group | Seventh decile group | Eighth decile group | Ninth decile group | Highest ten per cent | All households |
|--------------------------|--|---------------------|--------------------|---------------------|--------------------|--------------------|----------------------|---------------------|--------------------|----------------------|----------------|
| | | 132 | 180 | 227 | 277 | 333 | 400 | 484 | 595 | 794 | |
| | Lower boundary of group (£ per week) | | | | | | | | | | |
| | Commodity or service | | | | | | | | | | |
| | Average weekly household expenditure (£) | | | | | | | | | | |
| | Weighted average number of persons per household | | | | | | | | | | |
| | 2.10 | 2.00 | 2.20 | 2.20 | 2.40 | 2.50 | 2.60 | 2.50 | 2.40 | 2.30 | 2.30 |
| 1 | 35.30 | 41.40 | 45.10 | 50.50 | 51.60 | 55.80 | 60.20 | 63.30 | 62.00 | 66.80 | 53.20 |
| 3 | 11.50 | 11.00 | 13.90 | 17.20 | 22.00 | 22.90 | 28.90 | 27.90 | 35.50 | 43.00 | 23.40 |
| 4 | 48.60 | 47.60 | 51.50 | 58.20 | 60.10 | 65.30 | 62.50 | 61.90 | 69.20 | 78.80 | 60.40 |
| 5 | 17.10 | 14.10 | 20.00 | 26.90 | 22.70 | 30.80 | 27.80 | 40.70 | 42.20 | 72.10 | 31.40 |
| 6 | 1.60 | 2.50 | 3.30 | 4.10 | 5.40 | 4.20 | 5.50 | 5.50 | 7.10 | 11.20 | 5.00 |
| 7 | 22.80 | 26.20 | 32.40 | 51.10 | 47.40 | 56.30 | 77.10 | 86.90 | 100.20 | 148.30 | 64.90 |
| 8 | 8.40 | 8.30 | 10.30 | 11.50 | 12.50 | 13.80 | 14.30 | 14.80 | 17.10 | 19.20 | 13.00 |
| Total expenditure | 110.80 | 124.30 | 139.40 | 164.90 | 164.50 | 184.00 | 205.10 | 240.40 | 285.60 | 386.40 | 203.10 |

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Report Number: WSC 31/13
Presented by: Andrew Goodchild
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Report to a Meeting of: CABINET
To be Held on: 6TH March 2013

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

POLICY FOR CHARGING FOR PRE-APPLICATION PLANNING ADVICE

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to seek Cabinet approval following informal discussions at the Corporate PAG for a policy change to introduce charges for providing pre-application advice on planning proposals.

2. CONTRIBUTION TO CORPORATE PRIORITIES

- 2.1 The proposed introduction of charging for pre-application planning advice meets Corporate Objective 1 and Key Task 1.4 within the 2013-2016 Corporate Plan, which is to:

Ensure that savings and income increases identified for the medium term financial plan for 2013/14 are achieved.

3. RECOMMENDATIONS

- 3.1 That Cabinet recommend to Council that the Council charge for providing pre-application advice in accordance with the charging schedule set out in Appendix A.

4. RISK ASSESSMENT (IF APPLICABLE)

Risk Matrix

| Description | Likelihood | Impact | Overall |
|--|-------------------|---------------|----------------|
| The Council does not respond positively to the recommendations of the recent LGA Report | 2 | 5 | 10 |
| <i>That a pre-application charging scheme is introduced as recommended</i> | 1 | 5 | 5 |
| That overall workload or staff levels within the Planning Team are not sufficient to deliver a good service once a charging scheme is introduced | 3 | 3 | 9 |
| <i>That the Council recognises the link between this issue and income received via the charging scheme</i> | 2 | 3 | 6 |

| | | | |
|--|---|---|---|
| That, because of the charging scheme, customers choose not to seek pre-application advice resulting in poor quality submissions when applications are submitted to the Council | 3 | 3 | 9 |
| <i>That regular customers understand the scheme and the benefits it will bring to their clients and that the benefits of seeking advice continue to be seen when applications are determined by either Officers or Members at Planning Committee</i> | 2 | 3 | 6 |
| That the Council either charges too much or too little for the advice it is providing | 2 | 2 | 4 |
| <i>That an understanding of the scheme in comparison to other nearby Councils is maintained and that charges are reviewed on a yearly basis</i> | 1 | 2 | 2 |

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 desire to provide pre-application advice to potential developers by Local Planning Authorities is well-established best practice and has been encouraged for many years both by Government and the Council. The Government recently confirmed that “early pre-application discussions can have significant benefits for the overall efficiency and effectiveness of the planning application process, including the prospects for securing timely decisions once a planning application has been submitted” (Planning Performance and the Planning Guarantee, Nov 2012).
- 5.2. The concept of Councils charging for pre-application advice is also reasonably well established and some Councils have now been charging for more than 5 years, although this is by no means widespread. Locally Taunton Deane, Sedgemoor, Somerset County Council charge whereas Mendip, South Somerset and Exmoor National Park do not. The ability to charge for the provision of advice is set out in Section 93 of the Local Government Act 2003 which is reproduced in full at part 12 of this report. Section 93 in effect allows Councils to charge for discretionary advice. The Council has previously used Section 93 to enter into Planning Performance Agreements with EDF Energy, National Grid and The Bristol Ports Company.
- 5.3. Previously the Council has informally considered introducing charges for providing pre-application advice. To date the concept has not been taken further due to concerns about the ability of the Council to deliver timely advice. Over the last 4 years the performance of the Planning Team has dramatically improved meaning that it is now possible for the Council to be confident that timely, professional and worthwhile advice can be provided. A summary of the steady improvement is set out in the table below:

| | Government Target | 2009/10 | 2010/11 | 2011/12 | 2012/13* |
|---|-------------------|---------|---------|---------|----------|
| Major Applications determined in 13 weeks | 60% | 20% | 72% | 75% | 79% |
| Minor Applications determined in 8 weeks | 65% | 66% | 73% | 95% | 96% |
| Other Applications determined in 8 weeks | 80% | 75% | 89% | 94% | 99% |

*Up to December 2012

- 5.4. Members will be aware of the recent Local Government Report regarding the future of the Council, which identified the introduction of charging for pre-application advice as an immediate action. Fortunately the Planning Team have for some time been discussing the concept of charging for pre-application advice with the local agents who meet with the Council at our Agents Panel on a quarterly basis. The concept of charging has been discussed as one of a series of service improvements, which are being introduced over the next 12 months. The other improvements include the introduction of an Accredited Agents scheme and change the approach for considering requests about whether or not some forms of development require planning permission.
- 5.5. The agents on the Agents Panel, who between them submit a good proportion of applications which the Council deals with, have been comfortable with the concept of introducing charges for pre-application advice provided that the advice is timely, professional and is as instructive as possible. These features will need to be fundamentals of the service going forward.
- 5.6. In researching approaches to charging regimes it is clear that there is no 'standard' amongst Councils. Amounts charged vary and the types of development included in the charging scheme vary considerably. For example, some Councils charge an hourly rate, some charge by size and type of proposal, some charge for complex applications only, some apply discounts to particular types of development and some are a mix of all of these. The schemes of Taunton Deane, Sedgemoor, Somerset County Council, Bath and North East Somerset, North Somerset, East Devon and Cornwall Councils have all been considered.
- 5.7. In considering a scheme for West Somerset the following factors have been considered:
- West Somerset's workload is predominately based on smaller scale development proposals – on average 38% of applications are for householder development, 27% are for other forms of small scale development such as works to a listed building, advertisements and changes of use and 31% of development is for development of 1-9 dwellings or up to 1000m² of commercial floor space. Only 3-4% of applications fall into the Major category.
 - The officer team at West Somerset is relatively small, with some officers working part-time and it is important for the teams workload to be managed carefully
 - The cost (both in fuel and time) of attending on-site meetings is above average given the relative distances to some parts of the District. In addition some parts of the District are only visited occasionally and opportunities to 'link' trips can be limited.
 - The time taken to negotiate with developers about sites requiring Section 106 agreements is significantly greater than those sites which fall below the thresholds set out in the Councils Supplementary Planning Document for Planning Obligations.
 - Some applications are, by their very nature, technically complex and can involve the Council needing to employ the services of an expert to ensure that information is properly assessed prior to providing an opinion.
 - Much larger schemes, often requiring an Environmental Impact Assessment, will almost always result in the Council needing to procure expert advice due to the fact that the Council does not have any in-house specialists on subjects such as ecology, landscape and visual assessment, archaeology etc.
 - Larger schemes will always involve third parties, such as the County Council and the Environment Agency for example, and as a consequence the amount of time coordinating advice is always higher.
 - There are a number of projects that come forward where, for a variety of reasons, the amount of on-going contact (either written or during meetings) is greater. These projects can consume officer time at a disproportionate rate.
 - Complex and potentially controversial proposals which are likely to result in an application needing to be presented to the Planning Committee are more likely to result in on-going negotiations and will inevitably increase the level of input required from one

or more of the Planning Manager, the Deputy Planning Manager and the Major Projects Manager.

5.8. The scheme as presented in Appendix A has the following features which are present, in order to address the issues set out above:

- Whilst not commonplace amongst 'charging' Councils locally, it is considered that charges will need to apply to householder proposals and very small-scale development. If this were not the case then a significant proportion (65%) of the Planning Team's work would not result in any additional income being generated.
- The scheme is based on a combination of the type of development proposed and the type of response requested rather than a cost for advice from a different grade of officer (such as the scheme operated by Bath and North East Somerset). A key feature of the scheme would be that either the Planning Manager or Deputy Planning Manager would check the written responses before they are issued to ensure consistency. However, it is appropriate to reflect that as the level of complexity increases, the seniority of officer is also likely to increase. This is built into the costs for Written Responses and is reflected in the different hourly rates proposed for further work. The benefit to the team of this approach would be that pre-application requests would be allocated to officers based on workload as well as experience and the costs to the Council are reflected in the fee structure.
- Given the additional costs associated with attending a site visit / meeting it is considered appropriate to charge, in the case of smaller scale proposals, for attendance time and travel costs. On larger scale projects it would be normal practice for an officer to visit the site before providing a written response and so the costs of a site visit / meeting is built into the cost of a written response.
- As set out above, those schemes which will require a Section 106 agreement are likely to result a greater level of input from officers and the thresholds set out in the SPD are reflected by splitting Type 1 and Type 2 Minor Developments.
- Charges reflect those schemes which are technically complex and can involve the Council needing to employ the services of an expert to ensure that information is properly assessed prior to providing an opinion.
- Those larger schemes, which often require an Environmental Impact Assessment, will require a Planning Performance Agreement. This will enable the Council to recover the costs of procuring specialist advice as well as our own costs. In addition the Government are currently consulting on introducing a 'Planning Guarantee' regarding timescales for determination of applications. Using a Planning Performance Agreement will enable the Council to negotiate an appropriate timescale for determination with the developer (as encouraged within the current consultation).
- The level of involvement of officers both in terms of considering the details of the proposal and co-ordinating the advice of others when dealing with more complex development proposals is reflected in the costs for Type 1 and Type 2 Major Development. In West Somerset the number of schemes for over 25 dwellings are relatively low and this is considered an appropriate threshold for increasing costs for advice.
- In order to cater appropriately for those applications which require further correspondence and meetings beyond the normal written response (which is intended to be as comprehensive as possible) it is proposed (as North Somerset Council do) to charge an hourly rate for time taken to deal with additional correspondence or meetings over and above the initial response.
- Whilst the scheme proposed covers the costs of either the Planning Manager or Deputy Planning Manager checking the initial written response, those schemes (which range from the most minor to the larger scale projects) which because of their nature result in the involvement of the 'management team' in the Planning Team in further correspondence and/or meetings, a increased rate per hour is proposed to reflect the greater level of input required.

- 5.9. In considering appropriate costs for particular types of application some comparisons can be drawn. The following tables set out the proposed charges within the proposed scheme at Appendix A compared with nearby authorities.

| Type 3 Major Development | |
|---------------------------------|-------|
| Sedgemoor | PPA |
| West Somerset | PPA |
| North Somerset | £1675 |
| Taunton Deane | £1200 |
| East Devon | £900 |
| Cornwall | £420 |

| Type 2 Major Development | |
|---------------------------------|-------|
| West Somerset | £2000 |
| Sedgemoor | £1800 |
| North Somerset | £1675 |
| Taunton Deane | £1200 |
| East Devon | £750 |
| Cornwall | £420 |

| Type 1 Major Development | |
|---------------------------------|-------|
| Sedgemoor | £1800 |
| West Somerset | £1200 |
| North Somerset | £1155 |
| East Devon | £600 |
| Cornwall | £420 |
| Taunton Deane | £360 |

| Type 2 Minor Development | |
|---------------------------------|------|
| West Somerset | £400 |
| North Somerset | £310 |
| East Devon | £300 |
| Cornwall | £240 |
| Taunton Deane | £240 |
| Sedgemoor | £144 |

| Type 1 Minor Development | |
|---------------------------------|----------|
| North Somerset | £240 |
| Cornwall | £240 |
| Taunton Deane | £240 |
| West Somerset | £200-250 |
| East Devon | £150 |
| Sedgemoor | £144 |

| Type 2 Other Development | |
|---------------------------------|------|
| Cornwall | £120 |
| Taunton Deane | £96 |
| North Somerset | £90 |
| West Somerset | £80 |
| Sedgemoor | £72 |
| East Devon | £0 |

| Type 1 Other Development | |
|---------------------------------|-----|
| Taunton Deane | £96 |
| North Somerset | £90 |

| | |
|---------------|-----|
| Sedgemoor | £72 |
| West Somerset | £40 |
| Cornwall | £0 |
| East Devon | £0 |

| Hourly Rate for Advice | |
|-------------------------------|----------|
| North Somerset | £45-£110 |
| BANES | £50-£70 |
| Somerset County | £60 |
| West Somerset | £30-£50 |

- 5.10. As can be seen the charges by application type vary, in some cases considerably. The scheme for West Somerset is pitched so that, while expensive in relation to larger projects, compares well when considering smaller scale developments. While it has to be recognised that some authorities don't charge for householder development, overall for the majority 96% of West Somerset developments would be charged a 'mid-ranged' rate for the advice when compared with nearby Councils who also charge for pre-application advice. The bulk of applicants in West Somerset (38%) would be charged the lowest rate of Councils that charge for householder development.
- 5.11. Overall, the need to begin to charge for pre-application advice is important in the context of the need to maximise income into the Council. The proposal responds positively to the recommendation from the recent LGA report but importantly is part of a package of measures to further improve service delivery within the Planning Team. The concept of charging will undoubtedly result in a 'bedding-in' period however, the Council is not breaking new ground, has structured its charges to reflect the balance of work specific to this Authority and has gained in principle support from its most frequent customers.

6. FINANCIAL/RESOURCE IMPLICATIONS

- 6.1 It is important to recognise that not all planning applications which the Council considers are made following a pre-application discussion, the Council has a duty to consider applications which are made and the type and number of development proposals varies considerably. As such there is no direct link between the number and type of planning applications received and the number of pre-application enquires.
- 6.2 It is therefore, difficult to predict the number of pre-application enquires which may come forward or the level of income that maybe generated as a result. In addition, as set out in the risk matrix above, there is a risk that some customers maybe discouraged from seeking pre-application advice as a result of the introduction of charges which introduces a further level of uncertainty around likely income. Internal Audit have been asked to provide any relevant findings which will be reported.
- 6.3 Recent staff changes in the Planning Team, including a recent retirement and one member of the team being promoted into the Major Projects Team to deal with the Hinkley Point development who is now funded via the Service Level Agreement with EDF Energy, means that it is important to introduce additional capacity into the Planning Team in order to maintain performance. Clearly it is of great importance to ensure that staff levels are able maintained at a level where a good quality service for responding to pre-application advice is assured.
- 6.4 Clearly it will be important to monitor the impact of the scheme and reflect cost increases on a yearly basis (as with other Council fee levels). At this point it is anticipated that a yearly income of £20,000 is possible and this figure has been reflected in the Budget for the forthcoming year and the Medium Term Financial Plan going forwards.

- 6.5 The posts which are currently vacant following retirement and 'transferred' to the Major Projects Team have not been deleted and so the cost of employing an additional officer will not adversely affect the Medium Term Financial Plan. The income anticipated from the charging scheme is therefore correctly identified as Increased Income in next years budget.

7. SECTION 151 OFFICER COMMENTS

- 7.1 To be provided at the meeting.

8. EQUALITY & DIVERSITY IMPLICATIONS

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

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

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

- 8.1 At present development proposals that require planning permission which come about because of the specific needs of a disabled person in the household benefit from not needing to pay a fee for their planning application. It is intended to reflect these circumstances in the pre-application charging scheme. Whilst the additional fee sought by the Council would increase the cost of each project to the developer, the proportion of this cost is considered so small in the context of the overall costs of building work, that no other equality and diversity implications are anticipated.

9. CRIME AND DISORDER IMPLICATIONS

- 9.1 The report and recommendations have no direct Crime and Disorder implications.

10. CONSULTATION IMPLICATIONS

- 10.1 The Planning Team have been discussing a range of service improvements including the principle of charging for pre-application advice, with those agents on the Agents Panel who regularly submit planning applications to the Council. The details of the scheme and supporting documentation will be discussed at a special meeting of the Panel on 8th March 2013 and any comments received / changes suggested will be feed into the report to Council on the proposed charging scheme.

11. ASSET MANAGEMENT IMPLICATIONS

- 11.1 The report and recommendations have no direct Asset Management implications.

12. ENVIRONMENTAL IMPACT IMPLICATIONS

- 12.1 Environmental Impact will be considered on a case by case basis as part of the response to requests for pre-application advice. The concept of charging for such advice as no direct Environmental Impact implications.

13. LEGAL IMPLICATIONS

- 13.1 Section 93 of the Local Government Act 2003 provides for the ability for Councils to charge for discretionary services provided a number of criteria are met. The full text of Section 93 is set out below

93 Power to charge for discretionary services

(1) Subject to the following provisions, a best value authority may charge a person for providing a service to him if—

- (a) the authority is authorised, but not required, by an enactment to provide the service to him, and
- (b) he has agreed to its provision.

(2) Subsection (1) does not apply if the authority—

- (a) has power apart from this section to charge for the provision of the service, or
- (b) is expressly prohibited from charging for the provision of the service.

(3) The power under subsection (1) is subject to a duty to secure that, taking one financial year with another, the income from charges under that subsection does not exceed the costs of provision.

(4) The duty under subsection (3) shall apply separately in relation to each kind of service.

(5) Within the framework set by subsections (3) and (4), a best value authority may set charges as it thinks fit and may, in particular—

- (a) charge only some persons for providing a service;
- (b) charge different persons different amounts for the provision of a service.

(6) In carrying out functions under this section, a best value authority shall have regard to such guidance as the appropriate person may issue.

13.2 In considering the criteria above it is noted that:

(1)(a) the provision of pre-application advice is not a statutory responsibility

(1)(b) the agreement to pay for the advice will be sought prior to the provision of any such advice, it is intended that an 'applicant' would provide payment for the initial response (with or without a Site Visit) up front, therefore, no payment would be due without the person being aware of the need to pay

(2)(a) no other part of the Local Government Act relates to the concept of charging for pre-application advice

(2)(b) the ability to charge for pre-application advice is not expressly prohibited, a number of other Councils have been successfully charging for a number of years

(3) the anticipated annual income for charging for pre-application advice would not cover the cost of employing and running the Planning Team.

(4) The level of charges set is intended to cover the 'true' costs of providing this particular service.

(5)(a) It is intended, despite this provision, to charge a flat rate for the majority of proposals to aid understanding of the scheme. The intention to secure a Planning Performance Agreement for the very large scale development projects is likely to be bespoke and will invoke the flexibility introduced by this provision. Having considered the Equality and Diversity Implications of the proposed charging scheme, in accordance with this provision, it is not intended to charge for some forms of development – as set out in paragraph 7.1 above.

(5)(b) As above.

(6) Government Guidance on this matter is set out in General Power for Best Value Authorities to Charge for Discretionary Services – Guidance on the Power in the Local Government Act 2003 published by the then Office of the Deputy Prime Minister. This guidance has been taken account of in considering the scheme as proposed.

West Somerset Council
 Pre-Application Planning Advice – Charging Schedule
 April 2013

APPENDIX A

| Nature of Proposal | Written Response | Written Response with a Site Visit | Further Correspondence or meetings / charge per hour | Further meetings involving management team / charge per hour |
|---|--------------------------------|------------------------------------|--|--|
| Type 1 Other Development: Householder Developments | £40 | £60 | £30 per hour | £50 per hour |
| Type 2 Other Developments: Changes of Use / Advertisements / Listed Building Works / Conservation Area Consents / Lawful Development Certificates | £80 | £120 | £30 per hour | £50 per hour |
| Type 1 Minor Developments: 1-7 Dwellings in Minehead, 1-4 Dwellings in Williton and Watchet, 1 dwelling elsewhere / 41-499m ² of commercial use / sites up to 0.1Ha | £200 | £250 | £40 per hour | £80 per hour |
| Type 2 Minor Developments: 8-9 Dwellings in Minehead, 5-9 Dwellings in Williton and Watchet, 2-9 Dwellings elsewhere / 500-999m ² of commercial use / isolated homes in the countryside or rural workers dwellings / sites more than 0.1Ha but less than 2.5Ha | £400 | Site Visit will be carried out | £40 per hour | £80 per hour |
| Type 1 Major Developments: 10-24 Dwellings or 1000-1999m ² of commercial use / sites more than 2.5Ha but less than 5Ha | £1200 | Site Visit will be carried out | £50 per hour | £100 per hour |
| Type 2 Major Developments: 25-199 Dwellings / more than 2000m ² of commercial use / sites more than 5Ha but less than 10Ha | £2000 | Site Visit will be carried out | £50 per hour | £100 per hour |
| Type 3 Major Developments: 200 Dwellings plus / EIA Development / sites more than 10Ha | Planning Performance Agreement | Planning Performance Agreement | Planning Performance Agreement | Planning Performance Agreement |