

To:

Members of Scrutiny Committee

(Councillors P H Murphy (Chairman), N Thwaites (Vice Chairman), I Aldridge, R Clifford, G S Dowding, B Leaker, B Maitland-Walker, J Parbrook, and R Woods)

Members of Cabinet

(Councillor A Trollope-Bellew (Leader), M Chilcott (Deputy Leader), M Dewdney, K J Mills, C Morgan, S J Pugsley, K H Turner, D J Westcott)

Our Ref CS

Contact Emily McGuinness emcguinness@westsomerset.gov.uk

Date 16 November 2016

**THE PRESS AND PUBLIC ARE WELCOME TO ATTEND THE MEETING
THIS DOCUMENT CAN BE MADE AVAILABLE IN LARGE PRINT, BRAILLE, TAPE FORMAT
OR IN OTHER LANGUAGES ON REQUEST**

Dear Councillor

I hereby give you notice to attend the following meeting:

SCRUTINY COMMITTEE

Date: Thursday 24 November 2016

Time: 3.30 am

Venue: Council Chamber, Council Offices, Williton

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

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

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

Yours sincerely



BRUCE LANG
Proper Officer

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.

SCRUTINY COMMITTEE

Meeting to be held on Thursday 24 November 2016 at 3.30 pm

Council Chamber, Williton

AGENDA

1. Apologies for Absence

2. Minutes

Minutes of the Scrutiny Committee held on 13 October 2016, to be approved and signed as a correct record – **SEE ATTACHED.**

3. Declarations of Interest

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

4. Public Participation

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

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

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

5. Notes of Key Cabinet Decisions/Action Points

To review the Key Cabinet Decisions/Action Points from the Cabinet Meeting held on 2 November, 2016. – **SEE ATTACHED.**

6. Cabinet Forward Plan

To review the latest Cabinet Forward Plan for the months of November onwards, published on 2 November 2016. – **SEE ATTACHED.**

7. Chairman's Announcements

An opportunity to update the Committee on any matters of interest or matters arising.

8. **Cessation of Funding for Public Conveniences – A Scrutiny Review of Progress with Agreed Policy**

To consider Report No. WSC 130/16 to be presented by Councillor Murphy – **SEE ATTACHED.**

The purpose of the report is to establish the progress to date with achieving the budget savings and the process following the Council approving to cease the funding of the provision of public conveniences and increasing chargeable public conveniences.

9. **Minehead Events Group.**

To consider Report No. WSC 132/16 to be presented by Councillor Mills – **SEE ATTACHED.**

The purpose of the report is to set out the proposed Governance arrangements for Minehead Events Group.

10. **Draft Proposals for Fees and Charges 2017/18**

To consider Report No. WSC 133/16 to be presented by Councillor Chilcott– **SEE ATTACHED.**

The purpose of the report is to set out the proposed fees and charges for next financial year, effective from April 2017. These are provided to Scrutiny Committee to review and comment on before being considered by Cabinet Members for their recommendations to Full Council in December 2016.

11. **Budget Update and Savings Options 2017/18**

To consider Report No. WSC 134/16 to be presented by Councillor Chilcott– **SEE ATTACHED.**

The purpose of the report is to provide Scrutiny Committee with an update on budget estimates for 2017/18 and Medium Term Financial Plan (MTFP) forecasts, and to consult with Members on a range of savings options being considered for the Budget.

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

To consider Report No. WSC 135/16 to be presented by Councillor Turner – **SEE ATTACHED.**

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

out in the report.

13. Scrutiny Committee Work Plan

To receive items and review the Scrutiny Committee Work plan for 2016/17. - **SEE ATTACHED.**

14. Scrutiny Local Memorandum of Understanding Somerset Rivers Authority

As per the attached Memorandum of Understanding and Draft Constitution, the Somerset Rivers Authority have agreed to establish and Joint Scrutiny Panel. West Somerset Council has been asked to nominate two Scrutiny Committee members to be part of this Joint Panel. – **SEE ATTACHED.**

Exclusion of the Press and Public

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

The Confidential Appendices included as part of Item 12 (Appendix A) contains information that could release confidential information relating to the financial or business affairs of any particular person (including the authority holding that information). It is therefore proposed that after consideration of all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

15. CONFIDENTIAL Appendix A - Recycle More, Domestic Waste Collection Services.

To be considered appended with Report No. WSC 135/16 to be presented by Councillor Turner – **SEE ATTACHED.**

COUNCILLORS ARE REMINDED TO CHECK THEIR POST TRAYS

The Council's Vision:

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

The Council's Corporate Priorities:

- Local Democracy:
Securing local democracy and accountability in West Somerset, based in West Somerset, elected by the people of West Somerset and responsible to the people of West Somerset.

- New Nuclear Development at Hinkley Point
Maximising opportunities for West Somerset communities and businesses to benefit from the development whilst protecting local communities and the environment.

SCRUTINY COMMITTEE

Minutes of the Meeting held on 13th October 2016 at 3.30 pm

Present:

Councillor P H MurphyChairman
Councillor R ThwaitesVice-Chairman

Councillor I Aldridge
Councillor G S Dowding
Councillor B Maitland-Walker
Councillor R Woods

Councillor R Clifford
Councillor B Leaker
Councillor J Parbrook

Members in Attendance:

Councillor D Archer
Councillor K J Mills
Councillor A Trollope-Bellew

Councillor M Chilcott
Councillor M Dewdney

Officers in Attendance:

Corporate Strategy and Performance Manager (P Harding)
Assistant Director – Resources (P Fitzgerald)
Finance Manager (J Nacey)
Revenues and Benefits Service Manager (H Tiso)
Corporate Strategy and Performance Officer (R Doyle)
Democratic Services Co-ordinator (E McGuinness)
Democratic Services Officer (M Prouse)
Democratic Services Officer (A Randell)

Councillors Murphy, Woods and Archer left the meeting at 5pm and Councillor Thwaites was appointed Chairman for the remainder of the Committee.

Councillor Dowding left at 5.45

SC 23 Apologies for Absence

An apology was received from Cllr K Turner.

SC 24 Minutes

(Minutes of the Meeting of the Scrutiny Committee held on 16 August 2016 – circulated with the Agenda.)

The minutes were put to the vote.

As the majority of members voting approved the minutes it was:

RESOLVED that the Minutes of the Scrutiny Committee held on 16 August 2016 be confirmed as a correct record.

SC 25 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.	Description of Interest	Personal or Prejudicial or Disclosable Pecuniary	Action Taken
Cllr B Maitland - Walker	All Items	Carhampton	Personal	Spoke and voted
Cllr P H Murphy	All Items	Watchet	Personal	Spoke and voted
Cllr J Parbrook	All items	Minehead	Personal	Spoke and voted
Cllr N Thwaites	All items	Dulverton	Personal	Spoke and voted

SC 26 Public Participation

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

SC 27 Notes of Key Cabinet Decisions/Action Points

(Copy of Notes of Cabinet Decisions/Action Points, circulated at the meeting.)

RESOLVED that the Key Cabinet Decisions/Action Points from the meeting of the Cabinet held on 8 September 2016, be noted.

SC 28 Cabinet Forward Plan

(Copy of the Cabinet Forward Plan published 4 October 2016, circulated at the meeting)

RESOLVED that the Cabinet Forward Plan published on 4 October 2016, be noted.

SC 29 Chairman's Announcements

The Chairman made the committee aware that as additional Scrutiny meeting had been arranged for November 24th where the Budget Update and Minehead Events group would be considered.

SC 30 **Review of Council Tax Rebate Scheme for 2017/2018**

The report WSC 100/16 was introduced by Councillor Chilcott and presented by the Revenue and Benefits Service Manager.

The purpose of the report was for members to consider proposed revisions to the local CTR scheme and to consult with interested parties if it wishes to change the scheme. Consultation on the agreed options and consideration must now be given to the scheme for the financial year 2017/18 that would require approval by Full Council by 31 January 2017.

During discussion, the following points were raised:

- A 20% council tax contribution from working age recipients was discussed. If this was adopted it would align West Somerset with the Taunton Deane scheme.
- Concerns were expressed with proposals in withdrawing the entitlement for those aged 18-21. Only 18% of those in the consultation supported this.
- Members were made aware that option 4 could still be recommended without removing support for those in the 18-21 age group.
- Rate relief was considered on a case by case basis, based on circumstances such as health issues..
- Concerns were expressed that those that had their benefits reduced would be put in the same position as new applicants for council tax rate relief, with the likelihood of a greater rate relief bill in future years. This was seen as an issue which could be factored in.
- Councillors suggested aligning the rate relief scheme with other authorities would give a consistent approach and avoid a postcode lottery in the area.
- Members were requested to be mindful of budget issues and consultation responses. Administration costs of the scheme impacted on the budget. An increase by more than 20% would likely lead to a drop in the collection rate.

RESOLVED that:-

The Scrutiny Committee, following the consultation response and the Equality Impact Assessment (EIA - see Appendix 4), recommends the Council amends the current CTR scheme to that illustrated in Model 11. This would implement a combination of Options 2 and 4 and would:

- (a) Reduce the maximum CTR available to people of working age to 80%;
and

(b) Align the CTR scheme for 2017/18 with changes made by the Government to other welfare benefits with the exception that applicants aged 18-21 would continue to be eligible for CTR.

2) The 2017/18 Council Tax Rebate scheme is recommended for 2017/18 only.

SC 31 Quarter 2 2016/2017 Performance Report

The report WSC 111/16 was introduced by Councillor Trollope-Bellew

The purpose of the report was to provide members with key performance management data up to the end of month 5 Quarter 2 2016/17, to assist in monitoring the Council's performance.

During discussion, the following points were raised:

- Delays in the processing times of housing benefit claims were raised. It was determined that there had been a delay in the claims due to annual billing undertaken in quarter 1, which focused the majority of resource. New staff and a new computer system had also been introduced which added to delays. Delays in claims had improved in August with the average claim being at 30 days.
- There had been a new home improvement agency contract awarded to undertake adaptations, an improvement would be reported next quarter with the response times anticipated to be reduced from 40 weeks to around 30.
- Sickness absence figures were considered. It was requested that figures providing a comparison with other authorities be resent to Councillors.

RESOLVED that:- The Scrutiny Committee note the report.

SC 32 Financial Monitoring 2016/17 as at 31st August

The report WSC 112/16 was introduced by Councillor Chilcott

The purpose of this report was to provide an update on the projected "outturn" – end of year – financial position of the Council for the financial year 2016/17 (as at 31 August 2016).

During discussion, the following points were raised:

- Members questioned if there were any further hidden housing repair costs. This was something that could be looked into if there were any risks around housing repairs.
- The costs of recent works to the Minehead cliffs had been taken into account and were factored into budget monitoring.
- There would be a review on earmarked reserves for Councillors to consider amongst the budget setting reports.

- Questioning took place on the Somerset Rivers Authority outturn budget and funding for flood defenses. Further information was to be detailed through a Bill that was going through the House of Lords.
- A reserve had been set aside for the enhancement and upgrade of toilet facilities.

RESOLVED that:- The Scrutiny Committee noted the Council's forecast financial performance as at 31 August 2016 with the estimated position at the end of the financial year.

SC 33 Four Year Finance Settlement 2016/2017 to 2019/2020

The report WSC 115/16 was introduced by Councillor Chilcott

The purpose of this report was to present to Scrutiny Committee an update on the arrangements for a possible four year funding settlement from Government in relation to certain grants.

During discussion, the following points were raised:

- The New Homes Bonus was under review, due to this details of this were not included in the report.
- It was questioned if the elderly would be protected. Residents comments would be responded to and Scrutiny comments taken into account in terms of protecting the elderly residents in the finance settlement.
- The draft efficiency plan detailed in paragraph 3 on page 109 of the report was referred to. It was questioned if a report on this could be considered at a future Scrutiny meeting. It was determined that work was still being undertaken to develop this alongside the asset review for the purposes of generating income through greater commercialism.
- All assets were to be looked into as part of the review. Members voiced concerns over what could be perceived as asset stripping of assets in Minehead. There was a reluctance to sell any assets that generated income and members wanted the aspect of the social value of assets recognised under the review.
- It was requested that priority be given to selling high value assets that generate low income.
- Members requested that a list of assets be provided along with further information on how TAG's fed into the asset review.
- Reassurance was requested for receipts from the sale of any assets would not be used to benefit Taunton Deane. Councillors were reminded that under the creation of a new council there would be one budget and not separated between both authorities.

RESOLVED that:-

- 1) Based on the information available at this point in time, The Scrutiny

Committee supports the proposal of the Leader, Lead Member for Resources and the S151 Officer to apply for a four year funding settlement in respect of grants identified in this report for the period 2016/17 to 2019/20, and Members are subsequently informed of the Secretary of State's decision.

2) Scrutiny Committee notes and comments on the draft Efficiency Plan.

SC 34 Housing Enforcement Policy

The report WSC 113/16 was introduced by Councillor Karen Mills.

The purpose of the report was to seek Member approval for the Somerset West Housing Standards Policy. The policy had been developed with the assistance of the Council's partners which include; Sedgemoor District Council, Taunton Deane Borough Council, private sector landlords, tenants, Taunton Association for the Homeless, Bridgwater YMCA, and Somerset Care and Repair. This was a three year policy detailing how the partnership will regulate standards in private sector housing.

During discussion, no points were raised.

RESOLVED that:- The Scrutiny Committee recommend to the Executive to approve the Housing Standards Policy and charges.

SC 35 Amendment to the Private Sector Renewal Policy

The report WSC 114/16 was introduced by

The purpose of the report was to seek member approval for an amendment to the Somerset West Private Sector Housing Renewal Policy to include new prevention grant and equipment provisions to assist applicants applying for disabled adaptations and to assist with essential modifications to housing or repairs for owner occupiers and tenants with repairing obligations in order to prevent accidents or ill-health.

During discussion, the following points were raised:

- It was confirmed that the policy had also been adopted in Taunton Deane and Sedgemoor district Councils.
- Concerns were raised with delays blocking hospital beds where patients in some instances were waiting for home adaptations. The Joint Commissioning Board which was made up of NHS care services and all local Councils worked closely together and were aware of challenges such the rising costs of care alongside an ageing population.
- Work was done alongside the NHS and quality assurance officers at Somerset County Council to ensure that adaptations are completed and checked within weeks of patient discharge from hospital.

- Stair lifts were reused and recycled where possible. Concrete ramps had been replaced by modular ramping that could be removed after it's no longer needed.
- The new contract had been awarded with 24 hour turnaround times for adaptations.
- Gas and Electric adaptations were done through grants through the companies. These were no longer undertaken by local authorities.

RESOLVED that:- The Scrutiny Committee approve the amendments to the Somerset West Private Sector Renewal Policy.

SC 36 **Scrutiny Committee Work Plan**

(Copy of the Forward Plan for 2016, circulated with the agenda.)

RESOLVED that the Scrutiny Forward Plan published on 5th October be noted.

The meeting closed at 6.10pm.

MEETING: CABINET

DATE: 2 November 2016

NOTES OF KEY DECISIONS

Note: The details given below are for information and internal use only and are not the formal record of the meeting

AGENDA ITEM	DECISION	CONTACT LEAD OFFICER
Forward Plan (Agenda Item 5)	Agreed that the Forward Plan for the month of January 2017 be approved.	Assistant Chief Executive
HPC Planning Obligations Board – Allocations of CIM Funding (Agenda Item 7)	Agreed that the recommendations of the Hinkley Point C Planning Obligations Board be endorsed as follows: <ul style="list-style-type: none">To release £12,500 to the YMCA Somerset Coast from the CIM fund ring-fenced for West Somerset towards the Beach Hotel Theatre project subject to conditions specified by the Planning Obligations Board.	Community and Housing Lead – Energy Infrastructure
Review of Council Tax Rebate Scheme for 2017/18 (Agenda Item 8)	Agreed (1) that having regard to the recommendations from the Scrutiny Committee, the consultation response and the Equality Impact, it be recommended to Council to amend the current CTR scheme to that illustrated in Model 11. This will implement a combination of Options 2 and 4 and will: <ul style="list-style-type: none">(a) Reduce the maximum CTR available to people of working age to 80%; and(b) Align the CTR scheme for 2017/18 with changes made by the Government to other welfare benefits with the exception that applicants aged 18-21 would continue to be eligible for CTR. Agreed (2) that it be recommended to Council to approve the 2017/18 Council Tax Rebate Scheme for 2017/18 only.	Revenues and Benefits Manager
Hinkley Point C Update (Agenda Item 9)	Agreed (1) that the recent progress on the Hinkley Point C project be noted. Agreed (2) that the recent changes to the Energy Infrastructure Team be noted. Agreed (3) that the content of the Annual Statement be noted.	Assistant Director Place and Energy Infrastructure
Financial Monitoring 2016/17 as at 31/8/16 (Agenda Item 10)	Agreed that the Council's forecast financial performance as at 31 August 2016 with the estimated position at the end of the financial year be noted.	Assistant Director Resources
Qtr 2 month 5 2016/17 Performance Report (Agenda Item 11)	Agreed that the Council's performance be noted.	Corporate Strategy and Performance Manager
Allocation of HPC S106 TIC Funds (Agenda Item 12)	Agreed (1) that it be recommended to Council to approve the allocation of £71,000 from HPC S106 allocations for tourist information centres. This includes the remaining funds of £60,649.33 from the Site Preparation Works agreement, and part of the funds of £10,350.67 from the first Development Consent Order Works agreement. Staggered payments would be made in line with service level agreements with centres, which total: <ul style="list-style-type: none">(a) £48,000 to West Somerset Council for the purposes of supporting Minehead, Porlock and Watchet tourist	Economic Regeneration and Tourism Manager

	<p>information services for two financial years in 2016/17 and 2017/18.</p> <p>(b) £23,000 to Sedgemoor District Council for the purposes of supporting Burnham-on-Sea, Cheddar and Bridgwater tourist information services in 2016/17.</p> <p>Agreed (2) that a service provider for tourism information services to the community of Watchet be advertised and to delegate the commissioning of the service to the Lead Member for Economic Regeneration and Economic Development and the Economic Regeneration Manager in line with a provider satisfying the requirements of the service level agreement as detailed in paragraph 4.2 of the report.</p> <p>Agreed (3) that Somerset County Council be advised that their proposed allocation of £10,000 set aside from the 2015/16 approval process will revert to the Hinkley Tourism Action Partnership fund, unless claimed by 31 March 2017.</p>	
Lease of 25 Brunel Way, Minehead (Agenda Item 14)	<p>Agreed (1) that the lease of 25 Brunel Way, Minehead to Party B on a 15 year term at £6,250 per annum be approved.</p> <p>Agreed (2) that all other terms and conditions of the lease to be agreed by the Asset Manager in consultation with the Lead Member for Resources and Central Support.</p>	Asset Manager
Business Rates Write Off Requests (Agenda Item 15)	Agreed that the write off of £34,835.23 in respect of irrecoverable Business Rates be approved.	Senior Debt and Recovery Officer
Amendment to Private Sector Renewal Policy – Disabled Facilities Grants and repairs assistance (Agenda Item 17)	Agreed that the amendments to the Somerset West Private Sector Housing Renewal Policy be approved.	Partnership Manager, Somerset West Private Sector Housing Partnership
Housing Enforcement Policy (Agenda Item 18)	Agreed that the Somerset West Private Sector Housing Partnership Housing Standards Policy and charges be approved.	Partnership Manager, Somerset West Private Sector Housing Partnership
Harassment and Unlawful Evictions Policy (Agenda Item 19)	Agreed that the Somerset West Private Sector Housing Partnership Harassment and Unlawful Evictions Policy be approved.	Partnership Manager, Somerset West Private Sector Housing Partnership

For a record of the reasons for the decision; details of any alternative options considered and rejected by the decision-making body at the meeting at which the decision was made; a record of any conflict of interest relating to the matter decided which is declared by any member of the decision-making body which made the decision; and in respect of any declared conflict of interest, a note of dispensation granted by the relevant local authority's head of paid service, please use the attached link below, to the Council's website where the minutes and relevant reports can be viewed:

<http://www.westsomersetonline.gov.uk/Council---Democracy/Council-Meetings/Cabinet-Meetings/Cabinet---2-November-2016>

Date: 3 November 2016

Weekly version of Cabinet Forward Plan published on 2 November 2016

Forward Plan Ref / Date proposed decision published in Forward Plan	Date when decision due to be taken and by whom	Details of the proposed decision	Does the decision contain any exempt information requiring a resolution for it to be considered in private and what are the reasons for this?	Contact Officer for any representations to be made ahead of the proposed decision
FP/17/1/02 6/01/2016	4 January 2017 By Lead Member Resources & Central Support	Title: Financial Monitoring Report Decision: to provide Members with details of the Council's expected financial outturn position in 2016/17 for both revenue and capital budgets, together with information relating to predicted end of year reserve balances	No exempt / confidential information anticipated	Paul Fitzgerald, Assistant Director Resources 01823 358680
FP/17/1/03 6/01/2016	4 January 2017 By 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	Tim Burton, Assistant Director Planning and Environment 01823 358403
FP/17/1/04 6/01/2016	4 January 2017 By Lead Member Resources & Central Support	Title: Fees and Charges 2017/18 Decision: to propose levels of fees and charges for the period 1 April 2017 to 31 March 2018 (in some cases fee increases will be implemented earlier, this will be stated in the relevant sections of the report) for recommendation to Council	No exempt / confidential information anticipated	Paul Fitzgerald, Assistant Director Resources 01823 358680
FP/17/1/05 6/01/2016	4 January 2017 By Lead Member for Energy Infrastructure	Title: Hinkley Point Decision: to consider key issues relating to Hinkley Point	No exempt / confidential information anticipated	Andrew Goodchild, Assistant Director Energy Infrastructure 01984 635245
FP/17/1/09 04/06/2015	4 January 2017 By Lead Member Resources & Central Support	Title: Review of Financial Regulations [FR2] Decision: to recommend to Council to approve updated Financial Regulations	No exempt / confidential information anticipated	Paul Fitzgerald, Assistant Director Resources 01823 358680
FP/17/1/10	4 January 2017	Title: West Somerset Lottery	No exempt / confidential	Angela Summers

Forward Plan Ref / Date proposed decision published in Forward Plan	Date when decision due to be taken and by whom	Details of the proposed decision	Does the decision contain any exempt information requiring a resolution for it to be considered in private and what are the reasons for this?	Contact Officer for any representations to be made ahead of the proposed decision
4/10/2016	By Lead Member for Community and Customer	Decision: to recommend to Council to explore the possibility of setting up a West Somerset Lottery	information anticipated	Housing and Community Project Lead 01984 635318
FP/17/1/11 19/10/2016	4 January 2017 By Lead Member Resources & Central Support	Title: Transfer of Public Conveniences Decision: to consider the transfer of public conveniences	No exempt / confidential information anticipated	Tim Child, Asset Manager 07760260465
FP/17/1/12 19/10/2016	4 January 2017 By Lead Member Resources & Central Support	Title: Allocation of Hinkley Point C Community Impact Mitigation Funding Decision: to present the recommendations of the HPC Planning Obligations Board for the allocation of monies from the CIM Fund	No exempt / confidential information anticipated	Lisa Redston, CIM Fund Manager 01984 635218
FP/17/1/13 02/11/2016	4 January 2017 By Lead Member Resources & Central Support	Title: Hinkley Point C Housing Fund Strategy Decision: to recommend to Council to approve the HPC Housing Fund Strategy	No exempt / confidential information anticipated	Lisa Redston, CIM Fund Manager 01984 635218
FP/17/2/01 02/08/2016	1 February 2017 By Lead Member Resources & Central Support	Title: Annual Budget & Council Tax Setting 2017-18 Decision: to provide Members with all the information required for Council to approve the revenue budget and capital programme for 2017/18 for recommendation to Council	No exempt / confidential information anticipated	Paul Fitzgerald, Assistant Director Resources 01823 358680
FP/17/2/02 02/08/2016	1 February 2017 By Lead Member for Energy Infrastructure	Title: Hinkley Point Decision: to consider key issues relating to Hinkley Point	No exempt / confidential information anticipated	Andrew Goodchild, Assistant Director Energy Infrastructure 01984 635245
FP/17/2/03	1 February 2017	Title: Draft Capital Programme 2017-18	No exempt / confidential information anticipated	Paul Fitzgerald, Assistant Director Resources

Forward Plan Ref / Date proposed decision published in Forward Plan	Date when decision due to be taken and by whom	Details of the proposed decision	Does the decision contain any exempt information requiring a resolution for it to be considered in private and what are the reasons for this?	Contact Officer for any representations to be made ahead of the proposed decision
02/08/2016	By Lead Member Resources & Central Support	Decision: to present the draft Capital Programme 2017/18 for recommendation to Council.		01823 358680
FP/17/3/02 02/08/2016	1 March 2017 By Lead Member for Energy Infrastructure	Title: Hinkley Point Decision: to consider key issues relating to Hinkley Point	No exempt / confidential information anticipated	Andrew Goodchild, Assistant Director Energy Infrastructure 01984 635245
FP/17/3/03 02/08/2016	1 March 2017 By Lead Member Resources & Central Support	Title: Allocation of Hinkley Point C Community Impact Mitigation Funding Decision: to present the recommendations of the HPC Planning Obligations Board for the allocation of monies from the CIM Fund	No exempt / confidential information anticipated	Lisa Redston, CIM Fund Manager 01984 635218
FP/17/3/04 02/08/2016	1 March 2017 By 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	Tim Burton, Assistant Director Planning and Environment 01823 358403
FP/17/3/05 19/10/2016	1 March 2017 By Leader of Council	Title: Corporate Performance Report Quarter 3 Decision: to provide Members with an update on progress in delivering corporate priorities and performance of council services	No exempt / confidential information anticipated	Paul Harding, Corporate Strategy and Performance Manager 01823 356309
FP/17/3/06 19/10/2016	1 March 2017 By Lead Member Resources & Central Support	Title: Financial Monitoring Report Quarter 3 Decision: to provide Members with details of the Council's expected financial outturn position in 2016/17 for both revenue and capital budgets, together with information relating to predicted end of year reserve balances	No exempt / confidential information anticipated	Paul Fitzgerald, Assistant Director Resources 01823 358680

Forward Plan Ref / Date proposed decision published in Forward Plan	Date when decision due to be taken and by whom	Details of the proposed decision	Does the decision contain any exempt information requiring a resolution for it to be considered in private and what are the reasons for this?	Contact Officer for any representations to be made ahead of the proposed decision
FP/17/5/01 02/08/2016	17 May 2017	Title: Cabinet Appointments on Outside Bodies Decision: to appoint representatives to serve on outside bodies for the period to the Annual Meeting in 2018 (except where specific periods are stated)	No exempt / confidential information anticipated	Bruce Lang, Assistant Chief Executive 01984 635200
FP/17/5/02 02/08/2016	17 May 2016 By Lead Member for Energy Infrastructure	Title: Hinkley Point Decision: to consider key issues relating to Hinkley Point	No exempt / confidential information anticipated	Andrew Goodchild, Assistant Director Energy Infrastructure 01984 635245
FP/17/7/01 02/08/2016	July 2017 By Leader of Council	Title: Corporate Performance Report Quarter 4 Decision: to provide Members with an update on progress in delivering corporate priorities and performance of council services	No exempt / confidential information anticipated	Paul Harding, Corporate Strategy and Performance Manager 01823 356309
FP/17/7/02 02/08/2016	July 2017 By Lead Member Resources & Central Support	Title: Financial Monitoring Report Quarter 4 Decision: to provide Members with details of the Council's expected financial outturn position in 2016/17 for both revenue and capital budgets, together with information relating to predicted end of year reserve balances	No exempt / confidential information anticipated	Paul Fitzgerald, Assistant Director Resources 01823 358680
FP/17/7/03 02/08/2016	July 2017 By Lead Member for Energy Infrastructure	Title: Hinkley Point Decision: to consider key issues relating to Hinkley Point	No exempt / confidential information anticipated	Andrew Goodchild, Assistant Director Energy Infrastructure 01984 635245
FP/17/7/04 19/10/2016	July 2017 By Lead Member Resources & Central Support	Title: Allocation of Hinkley Point C Community Impact Mitigation Funding Decision: to present the recommendations of the HPC Planning Obligations Board for the allocation of monies from the CIM Fund	No exempt / confidential information anticipated	Lisa Redston, CIM Fund Manager 01984 635218

Forward Plan Ref / Date proposed decision published in Forward Plan	Date when decision due to be taken and by whom	Details of the proposed decision	Does the decision contain any exempt information requiring a resolution for it to be considered in private and what are the reasons for this?	Contact Officer for any representations to be made ahead of the proposed decision
FP/17/7/05 19/82016	July 2017 By 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	Tim Burton, Assistant Director Planning and Environment 01823 358403
FP/17/9/01 19/102016	September 2017 By 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	Paul Fitzgerald, Assistant Director Resources 01823 358680
FP/17/9/02 19/10/2016	September 2017 By Lead Member for Energy Infrastructure	Title: Hinkley Point Decision: to consider key issues relating to Hinkley Point	No exempt / confidential information anticipated	Andrew Goodchild, Assistant Director Energy Infrastructure 01984 635245
FP/17/9/03 19/10/2016	September 2017 By Leader of Council	Title: Corporate Performance Report 2016-17 Quarter 1 Decision: to provide Members with an update on progress in delivering corporate priorities and performance of council services	No exempt / confidential information anticipated	Paul Harding, Corporate Strategy and Performance Manager 01823 356309
FP/17/9/04 19/10/2015	September 2017 By Lead Member Resources & Central Support	Title: Budget Monitoring Report Quarter 1 Decision: to provide Members with details of the Council's expected financial outturn position in 2016/17 for both revenue and capital budgets, together with information relating to predicted end of year reserve balances	No exempt / confidential information anticipated	Paul Fitzgerald, Assistant Director Resources 01823 358680

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

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

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

The Scrutiny Committee comprises: Councillors P H Murphy, N Thwaites, R Clifford, G S Dowding, B Leaker, B Maitland-Walker, J Parbrook, R Woods and I Aldridge.

West Somerset Council

Scrutiny Committee – 24th November 2016

Cessation of Funding for Public Conveniences – A Scrutiny Review of Progress with Agreed Policy

Report Author: Councillor Peter Murphy, Chairman of the Scrutiny Committee

1 Executive Summary / Purpose of the Report

- 1.1 This report has been prepared by Cllr Peter Murphy as Chair of WSC Scrutiny Committee.
- 1.2 As part of its Budget Setting for 2016/17, the Council agreed a saving of £107k from ceasing to fund the provision of public conveniences and a saving of £6,500 from converting the 20p coin slots to 50p coin slots in chargeable public conveniences. This report seeks to establish the progress to date with achieving these budget savings and the process followed.
- 1.3 Scrutiny Committee wish to assess the likelihood of these budget savings being achieved within the agreed timescales.

2 Recommendations

- 2.1 Scrutiny is asked to consider the responses to the report and make recommendations to Cabinet as to how the process of achieving the budget savings can be managed successfully in the spirit of partnership working.

3 Background and Full details of the Report

- 3.1 As part of its budget setting for 2016 / 2017, Council agreed a saving of £107k from ceasing to fund the provision of public conveniences and a saving of £6,500 from converting the 20p coin slots to 50p coin slots in chargeable public conveniences.
- 3.2 These measures were agreed at Full Council in February 2016 to achieve the savings by March 2017. These measures can only be achieved with the full cooperation of parishes which have public conveniences situated within them. It is considered timely to assess the progress towards achieving these savings.
- 3.3 As a result of feedback from a number of parishes and members, the Scrutiny Committee wish to discuss the following questions and issues:

4 Management of the process

- 4.1 Initially it appeared that the process was being led by Cllr Dewdney, Environment Portfolio Holder. Please clarify the tasks carried out by him in exercise of his function.
- 4.2 Recently, it appears that Cllr Chilcott, Resources Portfolio Holder has been involved. Please clarify her remit in this process.

5 Parish Engagement and Support

- 5.1 Concern has been expressed that cost figures for the running costs of the toilets have been difficult to obtain from the Council. Has the supply of cost figures to parishes been achieved in a timely fashion? Please confirm that all figures requested by parishes have now been supplied and the last date by which that was achieved. Please confirm that the figures for Business rates are now correct and can be relied upon by parishes building up their business cases.
- 5.2 When the new contract for Street Cleaning and Toilets was agreed it was said that parishes could buy in services from the contractor. Some parishes have reported that the historic cleaning cost figures supplied by WSC are considerably adrift from the bespoke quotes supplied by the new contractor. Please confirm that the new contractor will offer a central contract through West Somerset Council and that WSC is prepared to invoice parishes buying into the service so that the economies of scale achieved by WSC can be passed on to parishes. If this cannot be achieved, (and if not, why not?) what can West Somerset Council do to ensure that the quotations to parishes are set at a reasonable level to encourage them to accept asset transfers?
- 5.3 The refurbishment of some toilets may be needed to bring them up to a satisfactory standard for sustainable running by parishes in the future. Please confirm the size and nature of the Sustainability Reserve which is available for this purpose.
- 5.4 Parishes have expressed concern that the timescale for making application to the Sustainability Reserve is very tight given the parallel process deadline for signing the Heads of Terms document that has been sent out. The process and detail required for making bids is unclear as is the internal process for granting approvals. Please clarify in the interests of openness and transparency.
- 5.5 Parishes have varying levels of expertise available to them to work up funding bids, access contractors and draw up specifications. Please explain what support is being offered to parishes to work up funding bids and to obtain quotations for improvement works. What guidance is being offered to parishes as to the standards expected for building works and for ongoing maintenance and cleaning standards?
- 5.6 In respect of some toilets, voluntary groups may step forward to take over running the toilets. These groups may not have the same expertise as parish councils. What support is West Somerset Council prepared to offer such groups so as to ensure that public conveniences that are valued do not close?
- 5.7 Please confirm that there is a proper understanding of parishes' precepting timetables whereby WSC request and require parishes to notify it of precept requirements by January 2017.

6 Community Asset Transfer Policy

- 6.1 A recent Executive Decision was taken by Cllr Chilcott in respect of Wheddon Cross public conveniences. These are situated in the car park alongside the Rest and be Thankful public house. The decision was to change the previously agreed Council decision to make a leasehold transfer to Wheddon Cross parish council to one of a freehold transfer. Several parishes have expressed concern that public conveniences in their car parks are only being offered on a leasehold transfer basis. Please can this be justified? Also, Please explain why only a 35 year lease is being offered?
- 6.2 The benefit of a freehold transfer is more encouragement to parishes to take on responsibilities and budgeting certainty for the parish together with no ongoing responsibility for West Somerset Council. Why, in light of this, is leasehold being offered? Can consideration be given to freehold transfer in all cases where the parish requests it subject to the use of overage clauses where deemed necessary?
- 6.3 Scrutiny Committee understands that parishes have been sent a draft Heads of Terms document during October. Please can the Committee have sight of this document to offer comment?
- 6.4 Several parishes have expressed concern that the deadline to sign and return this Heads of Terms document is before Christmas and fear that they will not have enough time to complete their business plans due to the delays in sending them cost figures and the difficulty of confirming cleaning costs from the WSC Street Cleaning contractor. Please can consideration be given to extending this deadline?
- 6.5 Please confirm that the current programme of asset transfers is consistent with the Community Asset Transfer Policy.

7 Achievement of the budget saving deadline

- 7.1 The achievement of the budget saving from changing the coin slots from 20p to 50p would seem to be achievable only by West Somerset Council carrying out the work before March 2017, otherwise any benefit from the capital work would accrue to the parish after Community Asset Transfer. Please explain what progress has been made with achieving this budget saving or confirm that this may not be achieved and the consequences of this.
- 7.2 The budget saving from ceasing to fund the public conveniences is of a higher order of magnitude. What position will the Council adopt towards toilets in parishes where no agreement to transfer has been reached by the due date? Will the toilets be closed by this Council? Will there be a distinction between parishes actively engaged in negotiations with the Council and those where an indication has been given that the parish is not willing to take on the responsibility?

Democratic Path:

- **Scrutiny – Yes**
- **Cabinet/Executive – No**

- Full Council – No

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

Contact Officers

Name	Cllr Peter Murphy	Name	
Direct Dial	01984 639261	Direct Dial	
Email	pmurphy@westsomerset.gov.uk	Email	

Name		Name	
Direct Dial		Direct Dial	
Email		Email	

West Somerset Council

Scrutiny Committee – 24 November 2016

Minehead Events Group

This matter is the responsibility of Cabinet Member for Economic Regeneration & Tourism Cllr Karen Mills

Report Author : Corinne Matthews - Economic Regeneration & Tourism Manager

1 Executive Summary / Purpose of the Report

- 1.1 There are no specific financial implications for this report. In 2012 £20K was made available for Minehead specific event management activity, and this continues with the same pot of funding. The balance of the funds £11,540.42 are to be maintained within an account which is overseen by a constituted Voluntary Organisation who will be required to present a set of accounts to an AGM. There are no further requests for funding or finance admin support from the Council.

2 Recommendations

- 2.1 To note the report and endorse the constitution / governance arrangements for the Group
- 2.2 To note that the residual funding held by the previously un-constituted Events Group is transferred to the new Group
- 2.3 To recommend that the Minehead Events Group provides regular reports to and where relevant and appropriate works closely with the Minehead Coastal Community Team.

3 Risk Assessment (not appropriate for this report)

Risk Matrix

Description	Likelihood	Impact	Overall
Loss of Council held events budget, leading to lack of influence for service delivery	2	2	4
<i>The mitigations for this are the proposed changes as set out in the report in respect of Governance and accountability of the Group</i>	4	3	7

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%

4 Background and Full details of the Report

4.1 A West Somerset Cabinet Meeting of 3 October 2012 considered a report titled 'Our Town First' – Town Team Partners (Minehead) and agreed funding of £20,000 to establish a sustainable events programme for Minehead. The funding was derived from an allocation of £10,000 from a Government Initiative instigated by the Retail expert Mary Portas, (that provided £10K for every town that had unsuccessfully bid for the larger £100,000 programme). The other £10,000 was allocated from the Minehead Seaside Strategy fund.

4.2 The initial proposal for a dedicated funded events programme had been put forward by the Minehead Vision Group (MVG) (who had also submitted the Portas application) and was aligned to the MVG Action Plan priority of improving the vitality and vibrancy of the Town as well as further promoting the area to visitors. Minehead Town Council was also supportive of instigating high impact events, especially for those run during out of season months where footfall to the Town needed boosting. The aim was to pump-prime new events and support existing events by potentially sharing some back office costs such as insurance and a joined up approach to marketing and promotion.

Initial membership of the Minehead Events Group (MEG) comprised representatives from the following organisations:

- Minehead Town Council

- Minehead Rotary
- Minehead Lions
- Minehead Churches Together (Alcombe Methodist; Millbridge Evangelical; Minehead Baptist; Minehead Methodist; Minehead Parishes; Quaker; United Reform, Catholic and St Michael the Archangel)
- West Somerset Railway
- Butlins
- Regal Theatre
- RNLI
- Acorn Folk Club
- West Somerset Council
- Minehead Chamber of Trade
- Artlife
- West Somerset Sports & Leisure Centre
- Minehead Eye

4.3 The overall aim from the outset was to constitute MEG and allow it to function as an independent body. However, there was some resistance to this as no one specific Group or individual wanted to take responsibility for overall co-ordination and others feared a conflict of interest with their own organisations remit.

Therefore for the first couple of years of operation of MEG, the Group was mostly driven and supported by a smaller group and officers of West Somerset Council. During that time a new Winter Festival Event was held that bought in an Ice Rink to the town proving to be popular, and broke even in terms of cost. In addition to this a brand new Harbour Festival was instigated and other existing events were supported with some added value activity.

4.4 Following the first two seasons of activity West Somerset Council requested that the Events Group set up its own bank account and be responsible for its own income and expenditure. Three West Somerset District Councillors took responsibility for that, and alongside setting up the account, refreshed membership of the Group and established Terms of Reference (see Appendix A)

4.5 West Somerset economic development staff have continued to help the Group where possible, especially with large events such as the Summer Festival. In addition to this they have also had over-sight of the finances and been active participants at meetings. However, budget saving proposals have resulted in less resource and other priorities, therefore, this support has by necessity needed to decrease significantly.

4.6 Due to the scaling back of Council Officer support, and the desire to be seen to be fully accountable and transparent the existing members of MEG have held a public meeting and adopted a constitution (see Appendix B) They have appointed a Chairperson, Secretary, Treasurer and established membership (see Appendix C) The executive posts are held by individuals who are also District Councillors, however, those persons have intimated that each will be declaring this on the Register of Interests and have stipulated that they are volunteers supporting this activity, not sitting on this group as representatives of West Somerset Council.

4.7 While MEG forthwith, will become an independent Voluntary Organisation, its membership has expressed the wish to continue to be aligned with other Minehead activity, in order to add value, and ensure a continued cohesive joined up approach to the provision of event activity. MEG would aim to have formal representation on the Minehead Coastal

Community Team and provide regular updates in respect of activity, as well as working collaboratively on specific and relevant project activity.

4.8 In respect of finances the up-to-date statement of accounts (Appendix C) shows a healthy balance of £11,540.42 which in crude terms represents net expenditure of just over £2,000 per annum. During the past 4 years the events group's highlights have been:

- 4 number of Summer Festivals (Red Arrows) Including week-long event (2014 Summer Festival)
- 2 Harbour Festivals
- 2 Winter Festivals (with Ice Rink)
- 2 Somerset Stages (Car Rally)
- 1 Minehead Observation Wheel
- 2 Sponsorship support for Exmoor Food Festival
- 2 Bands in the Park (Blenheim Gardens weekends throughout summer)

Clearly in taking forward this activity, MEG will need to consider running events that can generate an income to retain a healthy balance to subsidise or pump-prime new events / activity.

5 Links to Corporate Aims / Priorities

5.1 This activity helps to support and promote West Somerset's vital tourism and agricultural sectors.

6 Finance / Resource Implications

6.1 There are no specific financial implications for this report. In 2012 £20K was made available for Minehead specific event management activity, and this continues with the same pot of funding. The balance of the funds £11,540.42 are to be maintained within an account which is overseen by a constituted Voluntary Organisation who will be required to present a set of accounts to an AGM.

7 Legal Implications (if any)

7.1 There are no legal implications

8 Environmental Impact Implications (if any)

8.1 There are no environmental impact implications

9 Safeguarding and/or Community Safety Implications (if any)

9.1 In terms of event planning, MEG will take into account these implications when undertaking risk assessments.

10 Equality and Diversity Implications (if any)

10.1 The Constitution reflects the need of the Group to consider all equality and diversity implications when planning an event.

11 Social Value Implications (if any)

11.1 Not applicable

12 Partnership Implications (if any)

12.1 Not applicable

13 Health and Wellbeing Implications (if any)

13.1 Not applicable

14 Asset Management Implications (if any)

14.1 Not applicable

15 Consultation Implications (if any)

15.1 The Events Group advertised the AGM widely (via the local newspaper)

16 Scrutiny Comments / Recommendation(s) (if any)

16.1 Not applicable

Democratic Path:

- **Scrutiny / Corporate Governance or Audit Committees – Yes / No** (delete as appropriate)
- **Cabinet/Executive – Yes / No** (delete as appropriate)
- **Full Council – Yes / No** (delete as appropriate)

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

List of Appendices (delete if not applicable)

Appendix A	Terms of Reference for MEG
Appendix B	Constitution for MEG
Appendix C	MEG Membership
Appendix D	Statement of accounts for MEG

Contact Officers

Name	Corinne Matthews	Name	
Direct Dial	07825 154 735	Direct Dial	
Email	cmatthews@westsomerset.gov.uk	Email	

Name		Name	
Direct Dial		Direct Dial	
Email		Email	

Terms of Reference

Minehead Events Group

The Role of the Group

The purpose of the Group is to act as a Steering Group and to be actively involved in the delivery of a calendar of events for Minehead with an agreed action plan and a view to delivering the following:

Vision

- Minehead will be recognised as a vibrant and thriving town with a highly successful and self-sustaining annual events programme offering first-class visitor experiences throughout the year and supported by strong and sustainable local businesses.

Mission

- The Minehead Events Programme will seek to bring sustained social, economic and community benefits to the town and its businesses through a partnership led approach that strategically coordinates and manages activity.

Outcomes

- Minehead will be regarded as a vibrant and thriving town by visitors and residents
- The town and area will benefit from an increased number of visitors throughout the year
- Businesses in and around Minehead will see a sustained increase in income
- Events will become self-sustaining, more proactive and plan more effectively to deal with both the economic climate and the vagaries of the weather
- Events will generate a real sense of well-being and spirit among local communities

Membership

Representatives from
 WSC - Cllr representatives
 MTC - Cllr representative
 MCoT – representative
 Revive Minehead
 Channel Training / RNLI Raft Race
 West Somerset Railway Association
 Beach Hotel / YMCA
 Minehead Development Trust

Roles & Responsibilities

- To establish an overall calendar of events for Minehead
- To establish roles and responsibilities for the event management
- To ensure that robust procurement processes are followed (in-line with WSC procurement procedures, as well as the general ethos to provide best value for money)
- To oversee the deployment of any external funds that have been specifically levered in to support Minehead Events Group Activity and to ensure that the activity is delivered in line with regulations / terms & conditions of the funding body
- To manage the various commissioned membership bodies to ensure safety, quality and value for money when procuring and developing events
- To report and communicate event progress / programme management to the Minehead Coastal Community Team
- To ensure that each event has a robust debrief and evaluation process.

Ways of working

- The Group will meet a minimum of once every four months
- The Group will elect a Chair on an annual basis. The Chair may be selected from the membership representing organisations.
- Members of the Group will receive papers one week in advance of each meeting
- Minutes of the meeting will be kept and agreed by all members of the Group who attended the meeting. A short summary report listing finances to be presented to the Minehead Coastal Community Team meetings
- Members may be contacted between meetings for advice should the need arise
- From time to time sub-groups for specific events may be formed to work on specific issues as appropriate
- From time to time individuals may be co-opted to provide specific advice and expertise as required and the group may request members of outside organisations to speak at its meetings as seems appropriate and reasonable
- Minehead Events Group financial accounting – cheques to be signed by two WSC Councillors on the group and one other individual from the group
- Requests to fund anything for a large amount would need to be taken to the Minehead Coastal Community Team for approval

CONSTITUTION OF:

ADOPTED ON: 27th September 2016

1 Name

The name of the Group shall be:

'Minehead Events Group'

2 Aims

The aims of the Group shall be to:

Act as a Steering Group and to be actively involved or facilitate the delivery of a calendar of events for Minehead with an agreed action plan and a view to delivering the following:

Vision

- Minehead will be perceived as a vibrant and thriving town with a highly successful and self-sustaining annual events programme offering first-class visitor experiences throughout the year and supported by strong and sustainable local businesses.

Mission

- The Minehead Events Programme will seek to bring sustained social, economic and community benefits to the town and its businesses through a partnership led approach that strategically coordinates and manages activity.

Outcomes

- Minehead will be regarded as a vibrant and thriving town by visitors and residents
- The town and area will benefit from an increased number of visitors throughout the year
- Businesses in and around Minehead will see a sustained increase in income
- Events will become self-sustaining, more proactive and plan more effectively to deal with both the economic climate and the vagaries of the weather
- Events will generate a real sense of well-being and spirit among local communities

3 Powers

In order to achieve its aims the Group may:

- a. Manage, organise or facilitate events in Minehead
- b. Open bank account
- c. Take out event insurance
- d. Recruit committee members and volunteers to help run events
- e. Raise money for events by sponsorship and event initiatives
- f. Work in collaboration with other groups to achieve events
- g. Aim to achieve a full calendar of events for the year, attracting more footfall for the town with a key objective to make events sustainable
- h. Do anything that is lawful which will help it to fulfil the events group aims

4 Membership

(a) Membership of the Group shall be open to any person over 18 or any organisation living or located in the West Somerset area who is interested in helping the Group to achieve its aims, and willing to abide by the rules of the Group agreed by the Management Committee

(b) Membership shall be available to anyone without regard to gender, race, nationality, disability, sexual preference, religion or belief

(c) Each organisation shall have one vote at General Meetings

(d) An individual not representing a particular organisation may also have one vote at General Meetings

(e) The membership of any member may be terminated for good reason by the Management Committee but the member has a right to be heard by the Management Committee before a final decision is made

(f) Each member organisation shall appoint a representative or nominate a substitute if unable to attend meetings of the Group and notify the Group's Secretary of that person's name

(g) Any organisation or individual member misses three consecutive meetings without notification will be withdrawn from the group. This at the discretion of the Management Group Committee

(h) Each member will make any declarations of interest at the annual meeting, this shall be kept on file as a current standing record, and will be kept up to date throughout the year.

5 Management

(a) The Group shall be administered by a Management Committee of the Officers and not more than 10 other members elected at the Group's Annual General Meeting (AGM)

(b) The Officers of the Management Committee shall be: the Chairperson, the Treasurer and the Secretary

(c) The Management Committee shall meet at least 4 times a year

(d) The Chairperson shall Chair all meetings of the Group

(e) The quorum for Management Committee meetings shall be 7 members

(f) Voting at Management Committee meetings shall be by show of hands. If there is a tied vote then the Chairperson shall have a second vote

(g) The Management Committee may by a two-thirds majority vote and for a good and proper reason remove any Committee member, provided that person has the right to be heard before a final decision is made

(h) The Management Committee may appoint another member of the Group as a Committee member to fill a vacancy provided the maximum number is not exceeded

6 Duties of the Officers

(a) The duties of the Chairperson are to:

- chair meetings of the Committee and the Group*
- represent the Group at events/meetings that the Group has been invited to act as spokesperson for the Group when necessary*

(b) The duties of the Secretary are to:

- take and keep minutes of meetings*
- prepare the agenda for meetings of the Committee and the Group in consultation with the Chairperson*
- maintain the membership list*
- deal with correspondence*
- collect and circulate any relevant information within the Group*

(c) The duties of the Treasurer are to:

- supervise the financial affairs of the Group*
- keep proper accounts that show all monies collected and paid out by the Group*

7 Finance

(a) Any money obtained by the Group shall be used only for the Group.

(b) Any bank accounts opened for the Group shall be in the name of the Group.

(c) Any cheques issued shall be signed by any two of the three nominated signatories.

8 Annual General Meeting

- (a) The Group shall hold an Annual General Meeting (AGM.) in the month of October/November
- (b) All members shall be given at least fourteen days' notice of the AGM and shall be entitled to attend and vote. The quorum for an AGM shall be 7 members
- (c) The business of the AGM shall include:
 - (i) Receiving a report from the Chairperson on the Group's activities over the year
 - (ii) Receiving a report from the Treasurer on the finances of the Group
 - (iii) Electing a new Management Committee and
 - (iv) Considering any other matter as may be decided

9 Special General Meeting

A Special General Meeting may be called by the Management Committee or by any 4 members to discuss an urgent matter. The Secretary shall give all members fourteen days' notice of any Special General Meeting together with notice of the business to be discussed. All members shall be entitled to attend and vote.

10 Alterations to the Constitution

Any changes to this Constitution must be agreed by at least two-thirds of those members present and voting at any General Meeting.

11 Dissolution

The Constituted Group may be wound up at any time if agreed by two-thirds of those members present and voting at any General Meeting. In the event of winding up, any assets remaining after all debts have been paid shall be given to another Group with similar aims.

This constitution was adopted at a general meeting of the Group on

Date:

Signed by:

Chairperson:



ANDREW HADLEY

Secretary:



KAREN MILLS

Treasurer:



RICHARD LILLIS

Other Committee members:

- COLIN HOWARD - WEST SOMERSET RAILWAY
- JIM WHITAKER - CHANNEL TRAINING
- DAVE JACKSON - YMCA
- ALEX MENDOZA - CHAMBER OF COMMERCE
- GRAHAM JIZER - MINEHEAD DEVELOPMENT TRUST
- ROGER THOMAS - INDIVIDUAL

Minehead Events Group Finance Summary of finances

	2016 Actual to date	2015 Actual spend	2014 Actual Spend
EXPENSES			
Big Wheel Cost to MEG	£ 10,000.00	£ 4,400.00	£ 4,517.50
Road closure costs for big wheel	£ 641.74	£ 500.00	£ 500.00
Market costs (WSC)	£ 124.00	£ 200.00	£ -
Council owned land fees		£ 1,290.00	£ -
Active Signs	£ 270.00	£ 650.00	£ 617.74
Summer Festival Marketing		£ 819.60	£ 819.60
Exmoor Food Fest Contribution		£ 774.00	£ -
Blenheim Gardens bands in park contribution		£ -	£ 39.28
Somerset Stages Rally operation	£ 634.84	£ -	£ 5,093.00
Events Insurance for one year	£ 50.00	£ -	£ 539.00
Flowers Somerset Stages		£ 1,443.00	
St John Ambulance		£ 500.00	
20 Permanent signs for events		£ 600.00	
Training		£ 259.00	
Winter Festival Operation & Marketing		£ 412.00	
Old Harbour Festival Operation & Marketing		£ 500.00	
Printing		£ 118.00	
Somerset Stages Rally donation to WSR		£ 431.00	
West Somerset College (catering)		£ 216.00	
Eagle Plant (Signs)		£ 13,112.60	
County Council (Road closure)			
Exmoor publicity (Elke College)			
Man In A Van			
Signs for Festival			
Breeze Radio			
Sub-Total	£ 11,720.58		£ 12,126.12
INCOME			
WSC money carried over from previous year	£ 396.05	£ 396.05	£ 11,353.92
MEG money carried over from previous year	£ 18,261.00	£ 16,325.95	£ 1,072.17
50% costs of wheel from Butlins	£ 5,000.00	£ 1,087.65	£ -
Other income		£ 4,080.00	£ -
Somerset Stages Rally		£ 9,483.95	£ 11,664.00
Minehead Summer Festival		£ -	£ 4,081.98
Winter Festival		£ -	£ 280.00
Old Harbour festival		£ -	£ 280.00
Sub-Total	£ 23,261.00	£ 31,373.60	£ 28,452.07
TOTALS	£ 11,540.42	£ 18,261.00	£ 16,325.95

Member			
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West Somerset Council

Scrutiny Committee – 24 November 2016

Fees and Charges 2017/18

Report of the Finance Manager

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

1. Executive Summary

- 1.1 The Council receives general funding for services from a variety of sources including government grant, council tax, business rates and other grants and contributions such as S106 funding from developers. The Council also provides a number of services where customers / users pay directly as they are provided.
- 1.2 This report sets out the proposed fees and charges for next financial year, effective from April 2017. These are provided to Scrutiny Committee to review and comment on before being considered by Cabinet Members for their recommendations to Full Council in December 2016.
- 1.3 The services that WSC charge for and are covered by this report include:
- Waste Services
 - Land Charges
 - Environmental Health
 - Licensing
 - Planning
 - Harbours and Mooring
 - Building Control
 - Court Fees
 - Car parks

2. Recommendations

- 2.1 Scrutiny Committee is recommended to support the proposed fees and charges for 2017/18, and provide comments on the proposals for consideration by Cabinet Members for their recommendations to Full Council.

3. Risk Assessment

Risk Matrix

Description	Likelihood	Impact	Overall
Fees and Charges are not set at an appropriate level	3	4	12

<i>Fees and Charges are reviewed annually to ensure they are compliant with regulation and the Council's policies.</i>	1	4	4
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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%

4. Proposed Fees and Charges for 2017/18

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

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

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

- 4.3 Included within the appendices in this report are the detailed proposed charges for each of the above services. These include the legislation that allows West Somerset Council to charge for the service in question, confirms if the charges can only be what it costs to provide the service or can be another charge, or if the charge is set by Central Government. This will give Councillors reassurance that the charges being proposed are legally set.
- 4.4 It is proposed to introduce some changes to fees and charges with effect from April 2017 within the following services:
- Garden Waste Collection and Recycling (Appendix A)
 - Land Charges (Appendix B)
 - Environmental Health (Appendix C)
 - Licensing (Appendix D)
 - Planning (Appendix E)
 - Harbours (Appendix F)
- 4.5 No changes to fees and charges are proposed in respect of:
- Building Control (Appendix G)
 - Court Fees (Appendix H)
 - Off-Street Parking (Appendix I)

5. Links to Corporate Aims / Priorities

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

6. Finance / Resource Implications

- 6.1 Fees and charges income contributes to the overall costs of running the organisation. The level of fees and charges impact directly on the Council's budget, and detailed analysis is required to understand the impact of price increases and decreases on service budgets as a whole. It is important that fee levels comply with statutory requirements and where there are no statutory levels in place, that they are reasonable, affordable and proportionate to the service costs.
- 6.2 In order to set appropriate fees, services analyse trends and seek to understand how fee levels influence their customers. An understanding of risks associated with the fee levels is important, including how this may affect customers or the services provided, and how robust are the related financial forecasts that feed into estimates for budget setting purposes. If the estimates are not reliable – particularly where demand can be volatile – this could lead to a shortfall in funding which may impact in service delivery and/or require

prompt mitigation. In addition, proposals are equally important in meeting non-financial priorities and strategies for particular service areas.

- 6.3 The projected impact on budget estimates of the various proposals are summarised below. This shows that the changes to Fees & Charges should only contribute an additional £1,000 in income, whilst and in other areas help cover increased costs.

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

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

Garden Waste Collection and Recycling (see Appendix A)

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

Land Charges (see Appendix B)

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

Environmental Health (see Appendix C)

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

Licensing (see Appendix D)

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

Planning (see Appendix E)

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

Harbours and Mooring (see Appendix F)

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

7. Legal Implications

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

8. Environmental Impact Implications

- 8.1 None for the purpose of this report.

9. Safeguarding and/or Community Safety Implications

- 9.1 None for the purpose of this report.

10. Equality and Diversity Implications

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

11. Social Value Implications

- 11.1 None for the purpose of this report.

12. Partnership Implications

- 12.1 None for the purpose of this report.

13. Health and Wellbeing Implications

- 13.1 None for the purpose of this report.

14. Asset Management Implications

- 14.1 None for the purpose of this report.

15. Consultation Implications

- 15.1 None for the purpose of this report.

16. Scrutiny Comments

16.1 These will be added following this Scrutiny meeting for consideration by Cabinet Members for their recommendation to Full Council in December.

Democratic Path:

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

Reporting Frequency: Annual

List of Appendices

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

Contact Officers

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

Background

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

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

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

Legal Authority

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

Proposed Charges for 2017/18

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

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

Discounts

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

Budget Impacts

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

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

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

Equality Impact Assessment

Please see attached Equality Impact Assessment form.

Contact Officer:

Chris Hall

Assistant Director – Operational Delivery

01823 356499

c.hall@tauntondeane.gov.uk

Appendix A - Impact Assessment form and action table

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

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

West Somerset Council - Fees and Charges 2017/18 Local Land Charges

Background

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

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

Legal Authority

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

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

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

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

These are set out below under charges.

Charges

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

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

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

Estimated number of requests – 879

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

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

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

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

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

Local Land Charge Searches and Enquiries

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

*charged as inclusive within full search fee

Personal search fee	No charge
Environmental Information Regulations	No charge

Discounts

No discounts are available for this service.

Budget impacts

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

Estimated number of requests – 879

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

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

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

Equality Impact Assessment

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

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

Background

The following services in Environmental Health incur charges:

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

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

Private Water Supply Service Charges Review 2017/18

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

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

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

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

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

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

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

Fees and Charges for Private Water Supply Work from 1st April 2017 for West Somerset Council

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

(1) Hourly Officer rate £50

(2) Sampling cost not applied to risk assessment

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

1. Risk Assessment

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

2. Sampling Visit

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

3. Investigation

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

4. Authorisation

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

5. Sample analysis for small/domestic supplies

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

6. Large/Commercial supplies – Check Monitoring Reg 9

This cost is set by SSS.

7. Audit Monitoring

This cost is set by SSS.

8. Advisory Visits or Requests for Advice under Regulation 10

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

9. Requests for Environmental Information

Requests for environmental information under the Environmental Information Regulations 2004 (EIR), including requests from solicitors, searches for

contaminated land will be charged at the officer hourly rate of £50. Where requests take less time or part of that hour, a proportion will be charged. Requests which do not take significant time e.g. requests which confirm that the council hold no information, legal notices or requests for copies of certificates of water quality will not be charged for.

Equality Impact Assessment

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

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

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

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

Section four – Implementation – timescale for implementation

April 2017

Section Five – Sign off

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

Management Team: Scott Weetch
Date:

Section six – Publication and monitoring

Published on

Next review date

Date logged on Covalent

Action Planning

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

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

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

Background

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

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

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

These fees are calculated from a combination of four elements.

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

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

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

Legal Authority

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

Animal Licensing

Animal Boarding Establishments Act 1963

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

Breeding of Dogs Act 1973

s3A

(2)A local authority may charge fees—

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

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

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

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

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

Pet Animals Act 1951

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

Riding Establishment Act 1964

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

Dangerous Wild Animals Act 1976

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

Zoo Licensing Act 1981

"s15

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

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

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

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

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

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

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

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

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

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

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

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

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

Caravan Sites

Power to levy a fee - coming into force April 2014

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

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

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

Charitable Collections

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

Gambling Act 2005

Gambling Act 2005

Various Regulations

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

Licensing Act 2003

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

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

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

Scrap Metal Dealers

Scrap Metal Dealers Act 2013 Schedule 1 s6

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

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

s115E Licensing Fee Construction Overview

Highways Act 1980

s115F

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

Sex Establishments

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

Schedule 3

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

Skin Piercing

Adoption of Part VIII of the LG(MPA) 1982

Acupuncture – LG(MPA) 1982 s14(6)

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

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

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

Street Parties

No Power to levy a fee

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

Street Trading Consents

Adoption of Schedule 4 the LG(MPA)1982

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

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

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

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

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

Taxis

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

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

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

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

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

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

All fees

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

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

All Fees with the exception of Taxis

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

R(Hemming and others) v Westminster Council

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

Charges

Set out in Appendix D1

Discounts

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

Budget Impacts

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

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

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

Equality Impact Assessment

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

Recommendation

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

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

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

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

Fee proposal 2014 - 2015

APPENDIX A

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

Fee proposal 2014 - 2015

APPENDIX A

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

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

Fee proposal 2014 - 2015

APPENDIX A

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

Fee proposal 2014 - 2015

APPENDIX A

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

Fee proposal 2014 - 2015

APPENDIX A

Application Type	Application Type 2017 - 18	Fees set	Current Fees	Proposed Fees
		by statute	2016 - 2017	2017 -2018
Private Hire Operator Licence 1 year			£70.00	£126.00
Private Hire Operator Licence 3years			£150.00	£210.00
	Private Hire Operator Licence - Renewal			£91.00
	Private Hire Operator Licence - Renewal 3 years			£176.00
Application for new drivers licence	* DBS fee separate in 2014 -15 but included within 2015 - 16 fees	80*		£141.00
Application for a new 3 year driver's licence		170*		£225.00
	Driver licence renewal – 1 year			£89.00
	Driver licence renewal – 3 years			£211.00
Replacement Badge			£15.00	£17.00
	Advertising on vehicles			£35.00
	Medical			£18.00

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

1. Background

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

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

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

1.1 How the Scheme Works

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

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

2. Legal Authority

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4. Discounts

This scheme does not include any discounts.

5. Budget Impacts

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

6. Equality Impact Assessment

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

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

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

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

Section six – Examples of best practise

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

Appendix E

PLANNING FEES AND CHARGES WEST SOMERSET DISTRICT COUNCIL 01 APRIL 2017

	FEE
Do I need Planning Permission	£52.80 (£44.00 plus VAT)

PRE APPLICATION ADVICE SCALE OF FEES WEST SOMERSET DC

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

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

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

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

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

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

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

AONB CHARGES

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

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

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

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

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

The table below identifies the current and proposed charging schedule:

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

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

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

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

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

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

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

Background

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

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

Details of the partnership are:-

Somerset Building Control Partnership

Website - WWW.sedgemoor.gov.uk/somersetbcp

Email – somersetbcp@sedgemoor.gov.uk

Appendix H

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

Background

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

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

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

Legal Authority

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

Charges

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

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

Discounts

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

Budget Impacts

There is no increase proposed in the court costs.

Equality Impact Assessment

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

West Somerset Council

Scrutiny Committee – 24 Nov 2016

Budget Update and Savings Options 2017/18

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

Report Author: Jo Nacey, Finance Manager

1 Executive Summary / Purpose of the Report

1.1 The purpose of this report is to provide Scrutiny Committee with an update on budget estimates for 2017/18 and Medium Term Financial Plan (MTFP) forecasts, and to consult with Members on a range of savings options being considered for the Budget.

2 Recommendations

2.1 Scrutiny notes the latest budget estimates, and comments on the savings options and other budget adjustments being considered for the 2017/18 budget.

2.2 Scrutiny supports a recommendation to Cabinet and Council to transfer £75,000 of current year underspend to the Business Rates Smoothing Reserve.

2.3 Scrutiny supports a recommendation for the Lead Member Resources to ring-fence £43,200 from the Capital Receipts Reserve to create a Sustainability Fund Capital Reserve.

3 Risk Assessment

Risk Matrix

Description	Likelihood	Impact	Overall
Risk - West Somerset Council is unable to balance the budget	Likely (4)	Catastrophic (5)	Very High (20)
<i>Members approve options to balance the budget</i>	<i>Rare(1)</i>	<i>Catastrophic (5)</i>	<i>Low (5)</i>

Risk Scoring Matrix

Likelihood	5	Very Likely	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	Feasible	Low (3)	Low (6)	Medium (9)	Medium (12)	High (15)
	2	Slight	Low (2)	Low (4)	Low (6)	Medium (8)	Medium (10)
	1	Very Unlikely	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%

4 Background Information

- 4.1 Members have previously considered a range of important reports that provide background on the Council's financial position and the budget strategy for 2017/18. These include:
- Scrutiny 16 June 2016: Financial Outturn 2015/16
 - Scrutiny 16 June 2016: Initial Draft Medium Term Financial Plan
 - Scrutiny 13 October 2016: Four Year Finance Settlement 2016/17 to 2019/20
- 4.2 Assistant Directors have been progressing ideas to identify savings options for Members to consider as part of the budget process, in order to address the budget gap for next year.
- 4.3 Through this process a number of adjustments have been fed directly into the MTFP to realign the budget requirement to reflect the underlying costs and income in various services.

4.4 Overall, progress to addressing the gap and providing options towards the savings target had been fulfilled. However, there is a new significant concern regarding the national business rates revaluation exercise and its impact on the Council's funding. At this stage the true impact is not confirmed but advice from the Assistant Director Resources and the S151 Officer is that we should budget for retained business rates funding at the safety net. This adds a significant ongoing budget pressure in 2017/18.

5 Budget Gap 2017/18

5.1 The previous estimated Budget Gap for 2017/18, as reported to Scrutiny in June, was £119,000. This estimate has been updated for a number of items which result in an updated Budget Gap of £172,000 (rounded to nearest thousand) for next year. The table below provides a reconciliation of the Gap and is followed by a brief explanation of the changes.

Table 1 – Draft Budget Gap 2017/18 Reconciliation

	£k	£k
Budget Gap as reported to Scrutiny 16 th June 2016		119
Additional cost of Street Cleansing Contract	23	
Apprenticeship Levy	10	
Insurance Premiums	8	
BRR Funding	329	
Transformation Business Case savings	-48	
Supported Accommodation HB Subsidy (P4A)	-31	
Parking usage income trend	-30	
Brunel Way Depot Rental Income	-6	
Lease of Watchet Harbour Studios	-5	
Telephones usage budget requirement reduced	-5	
Software budget requirement reduced	-5	
HR Service costs reduced budget requirement	-11	
Finance service costs reduced budget requirement	-4	
Net interest costs reduced – provisional estimate	-8	
Past service pension costs reduced	-2	
Assume council tax increase 3.44% (£5 on Band D)	-28	
T&C Mileage reductions through use of pool cars	-18	
Street Cleaning contract increase (adjustment)	4	
Building Control contract saving	-46	
Salaries - align to detailed estimates	25	
Harbour costs	4	
Council Tax - Provisional Surplus	-64	
Council Tax - Provisional tax base estimate	-39	
Latest Budget Gap Estimate		172

5.2 A brief explanation of some of these changes:

- The Street Cleansing contract was discussed in the Month 5 Budget Monitoring paper and there was an in-year pressure and the ongoing pressure which is £27k (£23k +£4k).
- The new Apprenticeship Levy is an unavoidable pressure of £10k and is a Central Government levy which is proportionate to the payroll costs.
- The increase in insurance premiums reflects increased claims.
- Business Rates Retention: See Section 6.
- We have further Transformation Business Case savings which crystallise in the forward year, £48k.
- Supported Accommodation HB Subsidy (P4A) – this pressure has been delayed and the impact will now not occur until c2018/19.
- We have new agreements for rental at Brunel Way Depot and Watchet Harbour Studios.
- A staff saving has been identified in the HR Service budget (11k).
- We have bailiff and publications budgets in the Finance Service which are no longer required.
- Staff salary estimates: The finance team have completed the detailed salaries estimates reflecting staff turnover, increments and on costs based on the current establishment. This added £25k to the gap.
- There is a pressure of £4k in the Harbour budget. There is a proposal in the Fees and Charges Report to offset this with an increase in fees.
- Collection Fund surplus: The provisional forecast of the 2016/17 Collection Fund Surplus/Deficit has been completed, and the WSC share has been estimated as £63,780 providing one-off income in 2017/18.
- Council Tax base: Work has been undertaken on the provisional figure which has highlighted a potential gain of £38k from previous estimates. This reflects the growth in the base.

5.3 Taking into account the above changes within the forecast Medium Term Financial Plan, the Budget Gap of £172,000 in 2017/18 is projected to grow to £998,000 by 2021/22.

Table 2 – Budget Gap Estimates

	2017/18 £k	2018/19 £k	2019/20 £k	2020/21 £k	2021/22 £k
Annual Budget Gap Increase	172	421	127	157	120
Annual Budget Gap Total	172	594	721	878	998

6 Initial Savings Options for 2017/18

- 6.1 As referred to above, a number of savings identified have been taken straight into the MTFP. This brings a number of underlying costs and income estimates up to date and improves the accuracy of the current budget requirement.

ADs have been working to a savings target total of £150,000, and initially exceeded this target. The options were reviewed by Informal Cabinet on 11 October, and excluding those items now added to the MTFP, further detail for each saving option is provided in Appendix A.

- 6.2 The savings options currently identified total £60,900. Prior to the emerging business rates funding risk, this would have provided options to close the gap. However, it is clear this is no longer the case. Cabinet are continuing to work with management to develop plans for addressing the residual gap.
- 6.3 Fees and Charges: These are currently being reviewed and draft proposals are included in the separate report to Scrutiny. Initial updates suggest there will be few changes which will impact on the MTFP.

7 Budget Estimates Work in Progress

- 7.1 There are some areas to be completed within budget estimates, which could change the estimated Gap further. These include:
- a) Asset Management: Work is in progress within Property to clarify the ongoing asset management budget requirement.
 - b) Business Rates Retention: Detailed forecasts are still to be confirmed. The deadline for completing the formal return to Government setting out the business rates budget is end of January 2017.
 - c) New Homes Bonus: Although the Government Consultation for possible changes to the New Homes Bonus Scheme was concluded in March 2016, we await confirmation of the proposals for 2017/18. Analysis of the housing growth data in the last year indicates the NHB Grant **might** be more than we are currently forecasting in the MTFP. However, it is prudent not to assume this funding will increase until we have the settlement details from Government.
 - d) The Autumn Statement is due to be announced by Government on 23 November, and this should be followed by the Provisional Funding Settlement in early December. It is anticipated this will confirm details of 4-year funding settlement, business rates retention funding, New Homes Bonus proposals, council tax referendum principles, and any new

information regarding Government policies that may influence our costs and/or funding.

8 Council Tax

- 8.1 The 2017/18 Local Government Finance Settlement Technical Consultation indicates that we have the option to increase Council Tax by up to £5 (on a Band D), which for West Somerset equates to **3.44%**. Cabinet have indicated they are minded to recommend the maximum increase in council tax for 2017/18 given the significant and ongoing financial pressures faced by the Council. The MTFP has been updated to capture this initial intention. This has added an additional £29k to the estimated funding available, as shown in Table 1 above.

Table 5 – Council Tax Increase Scenarios for 2017/18
Assumes Tax Base of 13,860.4 per Indicative MTFP Estimate

Council Tax Increase	Band D Tax Per Year £	Band D Increase Per Year £	Basic Council Tax Income £	Additional Income £
0.00%	145.56	0.00	2,017,520	0
1.00%	147.02	1.46	2,037,760	20,240
1.99%	148.46	2.90	2,057,720	40,200
3.44% (MTFP assumption)	150.56	5.00	2,086,820	69,300

- 8.2 The provisional Tax Base for 2017/18 has recently been calculated, and this is provisionally – subject to S151 Officer approval – estimated to be 13,860.4 Band D Equivalents, an increase of 378.4 (2.8%) compared to previous year. As shown in Table 1, the increase in tax base is greater than the previous MTFP assumption and increases council tax income estimates by £39k.

9 Business Rates Retention and the 2017 Revaluation

- 9.1 A major factor in the latest budget gap is our assumptions around the impact of the 2017 Revaluation (based on 2015 values) of Rateable Values within West Somerset. This is explained in more detail in a separate briefing note issued to all Councillors by the Assistant Director Resources on 9 November. In order for us to remain in a “safe” position we strongly recommend taking a very prudent approach in setting an appeals provision as the level of risk and uncertainty is significant. We have therefore updated the MTFP forecasting assuming our Business Rates Retention Funding will reduce to the Safety Net.
- 9.2 We believe the increase in rateable value will result in a large increase of £2.7m in our Tariff, however as we will need to allow for potential appeals, our local share of business rates will not increase to cover this extra cost.

- 9.3 The Council's net funding estimates will reduce by £0.33m as a result of the implementation of the 2017 Revaluation. This equates to approximately 8% of our net service costs. We have reflected this in the budget gap table in 2.1.
- 9.4 This is a significant new issue for us, and has a **serious impact on the Council's business rates and overall funding position**. However, Cabinet is working with management in seeking a mitigation plan for 2017/18 that limits impact on services to the community.

10 Further Considerations

- a) The funding position and budget gap as currently forecast significantly strengthens the need to make budget savings.
- b) There is an option to mitigate the reduction in BRR funding in 2017/18 through use of BRR smoothing reserve, to avoid a significant impact on services to tax payers. However, advice to Cabinet is that we should aim to retain as much as possible within this reserve therefore other savings options should be considered in this context.
- c) Consider updating the MTFP to extend the funding of MRP from capital receipts reserves for another year in 2018/19.

11 General Reserves

- 11.1 The current reserves position is slightly below the recommended minimum, at £597k. The mid-year forecast for the 2016/17 budget is a projected underspend of £117k, which would increase the balance at the year end to £714k.

Table 2 – General Reserves Balance 31 March 2017

	£
Balance Brought Forward 1 April 2016	1,073,242
2016/17 Budget: Transfer to JMASS Reserve	-166,456
2016/17 Budget: Transfer to Planning Service Reserve	-50,000
Supplementary Budget – North Hill Maintenance	-150,000
Supplementary Budget – Transformation Business Case	-106,000
Supplementary Budget – Street Cleaning Contract	-3,900
Current Budgeted Balance	596,886
2016/17 Projected Outturn Variance – Mid-Year Forecast	117,280
Projected Balance 31 March 2017	714,166
Recommended Minimum Balance	600,000
Projected Balance above recommended minimum	114,166

- 11.2 In view of the BRR funding issue, we propose that a recommendation is made to Cabinet that £75,000 is transferred to the Smoothing Reserve in the current year to help mitigate the budget pressure in 2017/18 (see recommendation 2.2).

12 Earmarked Reserves

- 12.1 A comprehensive review of Earmarked Reserves was undertaken in 2015/16 and £156k was returned to General Reserves. The review undertaken this year has found no further sums which could be returned to General Reserves.

13 Capital Programme for 2017/18 and Capital Resources

- 13.1 This is also currently being reviewed and the draft Capital Programme will be brought to the next meeting in January.
- 13.2 Currently the Capital Receipts Reserve balance is £1.190m, as summarised in the table below.

Table 3 – Useable Capital Receipts Reserve Balance 31 March 2017

	Actual £
Balance Brought Forward 1 April 2016	2,229,637
Actual Capital Receipts to date	0
Current Balance of Capital Receipts Available	2,229,637
2016/17 Original Budget (Council 24 February 2016)	-17,500
2015/16 Carry Forwards (Council 20 July 2016)	-626,128
Fund Transformation Implementation Cost	-110,000
Current Capital Receipts Funding Required for Approved Schemes	1,476,009
Ring-fence to fund capital debt repayment (in lieu of MRP) in 2016/17 & 2017/18	-286,200
Uncommitted Capital Receipts Balance	1,189,809

- 13.3 This has been increased recently through the sale of the ex-public conveniences premises in Church Street, Dunster (not included in figures above). Cabinet is minded to propose the net proceeds of £43,200 are ring-fenced to support capital initiatives that fit the same purpose as the Sustainability Fund revenue earmarked reserve i.e. to help support invest to save schemes and other measures to help smooth the transition as the Council implements change such as transfer of services to towns / parishes / community groups. It is therefore recommended a Sustainability Fund Capital Reserve is created for this purpose (see recommendation 2.3). The Assistant Director Operations is supporting the Lead Member Resources in developing a grant based scheme for the distribution of the funds.

14 Next Steps

- 14.1 Further updates will be provided in future reports as the budget setting process progresses.

15 Links to Corporate Aims / Priorities

- 15.1 It is important that Councillors recognise the financial position, challenges and risks faced by the Council and fully engage in the corporate and financial planning processes in order to determine an affordable and sustainable set of corporate aims and priorities. This should lead to the Council approving a sustainable final budget and MTFP in February 2017.

16 Finance / Resource Implications

- 16.1 The Council's financial position is set out above within the body of this report.
- 16.2 It is important that Councillors have a good understanding of the financial position and forecasts over the medium term.
- 16.3 The MTFP reflects the projected savings from transformation of council services. It does not include the potential further savings projected through the creation of a new single council to replace Taunton Deane and West Somerset Councils.

17 Legal Implications

- 17.1 The Council is required by law to set a balanced budget and failure to do so would result in serious financial and service implications and lead to Government intervention.

18 Environmental Impact Implications

- 18.1 None for the purposes of this report.

19 Safeguarding and/or Community Safety Implications

- 19.1 None for the purposes of this report.

20 Equality and Diversity Implications

- 20.1 None for the purposes of this report. The specific proposals that develop through the budgeting and service planning processes will require equalities impact assessments to be completed and, where relevant, action plans to understand impacts and mitigations for the protected characteristic groups.

21 Social Value Implications

- 21.1 None for the purposes of this report.

22 Partnership Implications

- 22.1 None for the purposes of this report. The Council budget incorporates costs and income related to the various partnership arrangements, and any changes in relevant forecasts and proposals will be reported for consideration as these

emerge.

23 Health and Wellbeing Implications

23.1 None for the purposes of this report. Any relevant information and decisions with regard to health and wellbeing will be reported as these emerge through the financial planning process.

24 Asset Management Implications

24.1 None directly for the purposes of this report. The financial implications associated with asset management will be reflected in due course.

25 Consultation Implications

25.1 None for the purposes of this report.

26 Scrutiny Comments / Recommendation(s)

26.1 Scrutiny comments are invited at this meeting, for consideration by Cabinet and in forming recommendations to Members to address the ongoing financial sustainability of the Council.

Democratic Path:

- **Scrutiny Committee – Yes**
- **Cabinet – Yes**
- **Full Council – Yes**

Reporting Frequency: Regular

Contact Officers

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WEST SOMERSET COUNCIL - BUDGET OPTIONS 2017/18

Asst Director	Lead Member	Service Option Heading	Description of the Service Option	2017/18 £	Business Case: Service Impact Explained	Risk Management	Public Impact	Operational Impact	Confidence	Links to Corporate Business Plan	Environmental Implications	Community Safety Implications	Equalities Impact	Partnership Implications	Legal Considerations and References	Health and Wellbeing Implications
CH	Cllr Dewdney	Internal Health and Safety	Reduce the budget from £3k to £2k based on previous spend	1,000	Reduce the budget for this internal function based upon previous spend	Should demand increase then the budget will not sustain the service and will overspend	Low	low	high	None	None	None	None	None	None	None
CH	Cllr Dewdney	Dog collection and kennelling	Reduce the budget from 10k to 6k based on previous demand	4,000	Reduce the budget for this demand led statutory service based upon previous spend	Should demand increase then the budget will not sustain the service and will overspend	Low	low	high	None	None	None	None	None	None	None
CH	Cllr Dewdney	Seafront lights Minehead	Reduction of the Minehead lights maintenance budget from £3700 to £2000	1,700	Reduce this budget based on previous years spend	The risk is that more maintenance is needed in a single year and the pressures may exceed the budget	Low	low	high	None	None	None - assuming that any required safety maintenance can be funded. Cost pressures would need other budgets to be reprioritised.	None	None	None - assuming that any required safety maintenance can be funded. Cost pressures would need other budgets to be reprioritised.	None
PF	Cllr Chilcott	Finance	Revenue Contribution to Capital	39,000	Propose to reduce RCCO budget to nil in 2017/18 as a one-year saving for the MTFP, on basis that any capital programme requirements are affordable from existing capital reserves	Unplanned and unavoidable capital spending requirements that exceed uncommitted capital reserves would require an increase in capital borrowing.	None	Low	High	Relates to financial planning and management of capital financing costs	None	None	None	None	None	None
BL	Cllr Chilcott	Legal Services	10% reduction in West Somerset contribution to the Partnership in 2016/17	11,800	No intention to reduce the level of legal service available to the council (so no implications to the council as a customer of the service).	No intention to reduce the level of legal service available to the council (so no implications to the council as a customer of the service).	Low	Low	Medium	None directly although important for Council to receive timely and quality legal support	None	None	None	Arrangement is part of a joint partnership initiative whereby SHAPE hosted by Mendip provide legal services for WSC and TDBC.	No proposed reduction in service so the level and quality of legal advice should not be impacted on.	None
SL	Cllr Westcott	Grants	A 10% cut in grants budget	3,400	Propose to reduce WSAB budget by 10% (from £34,000 to £30,600). WSAB is currently merging with Sedgemoor CAB and may therefore have greater resilience and be able to manage these reductions. Consultation will be needed with WSAB to fully understand feasibility and impact of this proposal.	There is a risk that the debt advice support will reduce causing further indebtedness and increasing demand on WSC Revenues and Benefits Service	Med	Med	Med	This will have a negative impact on our aspirations around supporting Our Communities	n/a	n/a	An EIA will be needed to fully assess any impacts	This may have implications for sustainability of WSAB	We are legally obliged to undertake consultation and give notice prior to cuts. This has not yet happened and I will await a Cabinet steer.	The WSAB indirectly supported H&W through supporting people to retain adequate levels of income.

Scrutiny Committee – Work Programme 2016/17

November 24th	December 15th	February	April	June	TBC
Notes of any Key Cabinet Decisions / Action Points.	Notes of any Key Cabinet Decisions / Action Points.				
Budget Update + MTFP – Jo Nacey	Education Update Report – Ec. Development/Scrutiny				
Draft Proposals for Fees + Charges 2017/18 – Jo Nacey	Transfer of Public Conveniences – Tim Child				
Recycle more / New Service Model – Chris Hall	Council Lottery – Angela Summers				
Minehead Events Group – Corinne Matthews	Williton Hospital Stroke Unit Business Case Consultation				
Appointments to SRA Joint Scrutiny Panel					

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Somerset Rivers Authority

Purpose of Report

As per the attached Memorandum of Understanding and Draft Constitution, the Somerset Rivers Authority have agreed to establish and Joint Scrutiny Panel. West Somerset Council has been asked to nominate two Scrutiny Committee members to be part of this Joint Panel.

Recommendation

That two members of West Somerset Council's Scrutiny Committee are nominated to sit on the Somerset Rivers Authority.

Background

The attached document sets out the remit of the proposed Joint Scrutiny Panel – there is currently no legal provision for a formal Joint Scrutiny Committee so it is intended that the Joint Scrutiny Panel will fulfill the same function as the Somerset Waste Partnership Joint Scrutiny Panel.

Local Memorandum of Understanding & Constitution

1. Background and Context

1.1 The Parties

Somerset County Council (SCC), the Axe / Brue and the Parrett Internal Drainage Boards (IDBs), Mendip, Sedgemoor, South Somerset, West Somerset District Councils and Taunton Deane Borough Council. These Parties, to whom this Local Memorandum of Understanding (MoU) applies will comprise the membership of the Somerset Rivers Authority (SRA) Joint Scrutiny Panel and will agree how to involve other stakeholders, such as the Environment Agency, Natural England, and the Wessex Regional Flood and Coastal Committee.

1.2 Background

The establishment of an informal joint Scrutiny Panel, agreed by the SRA Board on 23rd March 2016, reflects the need for the Somerset Rivers Authority to be accountable to the constituent councils and partners. The Panel will enable the scrutiny of activities of the SRA and provide necessary assurance to the constituent councils and partners that the SRA is operating effectively.

As this will be an informal panel rather than a formally constituted joint Committee, there is not a requirement for each individual council to formally give the Panel delegated powers. It will operate as a cost effective mechanism whereby through a maximum of 2 to 3 meetings per year, members of each council and the IDB can come together collectively scrutinize the effectiveness of the SRA. This approach is consistent with the current status of the SRA as an unincorporated association and based upon the current Joint Waste Scrutiny model in operation in Somerset.

The onus will be on the representatives of each Council / organization who attend the Panel to feedback any issues or concerns into their Councils' formal scrutiny process.

1.3 Workings of the Panel

The SRA Joint Scrutiny Panel will:

- Consist of 2 elected members from each of the 6 councils and 1 from each Internal Drainage Board;
- Appoint a Chairman on an annual basis;
- Appoint a Vice Chairman on an annual basis;
- Receive administrative support from Somerset County Council
- Be the usual body to which called-in decisions of the Somerset Rivers Authority Board are referred to.

The Panel will meet on a 6 monthly basis(unless an issue arises which requires more frequent meetings) and acting to in an informal capacity will seek to add value to the work of the SRA Board by:

- Improve pre-decision scrutiny of the work of the SRA Board, using the SRA Board's forward work programme as a source document;
- Improve communication amongst the wider membership of all partner authorities, including those not on the Joint Scrutiny Panel;
- Minimise the impact of effective scrutiny on the time of the SRA Board – by providing dedicated opportunities to engage with the Scrutiny functions of all Board member Councils / organisations.
- Consider policy development opportunities as and when they arise to support the SRA Board.

1.4 This Local Memorandum of Understanding (Local MoU)

This Local MoU document is not intended to be legally binding on the Parties, but the Parties agree to the Local MoU, intending to honour their obligations set out in it. It will cover the period up to 1st January 2018 and will be supported by an SRA Joint Scrutiny Panel Terms of Reference/Constitution.

1.5 Term & Amendment

This local MOU shall come into effect on 1st January 2017, and shall continue in force unless terminated in accordance with the this Local MoU. It will be reviewed annually or when relevant legislation is in place, defining accountability and scrutiny, whichever comes soonest.

Proposals for amendments should be communicated to the SRA Senior Manager, no less than 30 days ahead of any Board meeting at which they would need to be considered. Proposals would then be circulated for comment and a recommendations made to the SRA Board, and in accordance with its decision-making arrangements decided by a simple majority.

1.6 Previous Arrangements

Prior to this Local MoU, the existing arrangements have provided for individual scrutiny by each of the constituent councils through their existing scrutiny processes. Those arrangements will be superseded by the arrangements put in place under this Local MoU.

Signed by **John Osman** for and
on behalf of **Somerset County
Council**

Date

Signed by **John Williams** for and
on behalf of **Taunton Deane
Borough Council**

Date

Signed by **Ric Pallister** for and on
behalf of **South Somerset
District Council**

Date

Signed by **Harvey Siggs** for and
on behalf of **Mendip District
Council**

Date

Signed by **Duncan McGinty** for
and on behalf of **Sedgemoor
District Council**

Date

Signed by **Anthony Trollope-
Bellew** for and on behalf of **West
Somerset Council**

Date

Signed by **Peter Maltby** for and
on behalf of the **Parrett Internal
Drainage Board**

Date

Signed by **Jeff Fear** for and on
behalf of the **Axe & Brue Internal
Drainage Board**