

To:

Members of Scrutiny Committee

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

Members of Cabinet

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

Our Ref SC/DS

Contact Marcus Prouse mprouse@westsomerset.gov.uk

Date 15 November 2017

**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 23 November 2017

Time: 3.30 pm

Venue: Council Chamber, Council Offices, Williton

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

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

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

Yours sincerely



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 23 November 2017 at 3.30 pm

Council Chamber, Williton

AGENDA

1. Apologies for Absence

2. Minutes

Minutes of the Scrutiny Committee held on 26 October 2017, 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 1 November 2017 – **SEE ATTACHED.**

6. Cabinet Forward Plan

To review the latest Cabinet Forward Plan for the months of November onwards, published on 19 October 2017 – **SEE ATTACHED.**

7. Chairman's Announcements

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

8. Somerset Waste Partnership Draft Business Plan 2018-2023

To consider Report No. WSC 124/17 to be presented by Councillor Dewdney – [SEE ATTACHED](#).

The purpose of the report is to approve to Cabinet the Somerset Waste Partnership's Draft Business plan for 2018-2023.

9. Budget Setting Progress 2018-2019

To consider Report No. WSC 123/17 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 2018-2019 and Medium Term Financial Plan forecasts.

10. Earmarked Reserves Review

To consider Report No. WSC 122/17 to be presented by Councillor Trollope-Bellew – [SEE ATTACHED](#).

The purpose of the report is to provide information on the Earmarked Reserves Review for 2017-2018.

11. Fees and Charges 2018-2019

To consider Report No. WSC 121/17 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, 2018-2019.

12. Scrutiny Committee Work Plan

To receive items and review the Scrutiny Committee Work plan for 2017/18. - [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 26 October 2017 at 3.30 pm****Present:**

Councillor P H MurphyChairman
Councillor R LillisVice-Chairman

Councillor I Aldridge
Councillor G S Dowding
Councillor J Parbrook

Councillor P Pilkington
Councillor R Woods

Members in Attendance:

Councillor M Chilcott
Councillor A Hadley

Councillor M Dewdney
Councillor A Trollope-Bellew

Officers in Attendance:

Assistant Director for Planning and Environment (T Burton)
Area Planning Manager (B Kitching)
Revenues and Benefits Service Manager (H Tiso)
Democratic Services Officer - Scrutiny (M Prouse)
Democratic Services Officer (C Rendell)

Others:

Head of Operations, East Division, South Western Ambulance Service NHS Foundation Trust (J Dyer)

SC 23 Apologies for Absence

Apologies were received from Councillors R Clifford, B Maitland-Walker and N Thwaites.
Councillor R Lillis substituted for Councillor B Maitland-Walker.

SC 24 Minutes

(Minutes of the Meeting of the Scrutiny Committee held on 3 August 2017 – circulated with the Agenda.)

RESOLVED that the Minutes of the Scrutiny Committee held on 3 August 2017, 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:-

WEST SOMERSET COUNCIL
Scrutiny Committee 26.10.17

Name	Minute No.	Description of Interest	Personal or Prejudicial or Disclosable Pecuniary	Action Taken
Cllr I Aldridge	All items	Williton	Personal	Spoke and voted
Cllr P Murphy	All items	Watchet	Personal	Spoke and voted
Cllr J Parbrook	All items	Minehead	Personal	Spoke and voted
Cllr P Pilkington	All items	Timberscombe	Personal	Spoke and voted
Cllr A Trollope-Bellew	All items	Crowcombe	Personal	Spoke
Cllr M Chilcott	All items	SCC	Personal	Spoke

Councillor Aldridge further declared a personal interest as an Elected Governor on the Health Trust Board.

SC 26 Public Participation

Dr T Bridgeman, spoke on Agenda Item 9. She had requested that the item was raised at Scrutiny and was very pleased to see it on the agenda. It was a subject she had raised at a previous Planning Committee, but it was a subject that went beyond the remit of the Planning Department. She had requested that it came to Scrutiny because Members had a responsibility to oversee all departments of the Council. Two concerns that she had was how could Members of Planning make their conditions effective and how could Building Control pay due attention to the planning conditions. Members of the Planning Committee were aware that her request came about from a blatant disregard to planning permission, which exposed the weakness in a strong planning condition and exposed the silo operation between Planning and Building Control, which in this outcome had led to a dangerous breach to building regulations because the inspectors had not checked the correct usage of the building that had been granted by Planning. There was no oversight mechanism in place to prevent this from happening. This was a very useful report and it was helpful to investigate a better fit between intentions and outcomes, also the relationship between Planning and Building Control. She requested officers sought to improve the process and that Members had a responsibility to regulate and monitor the enforcement service.

Mr. P Gannon, spoke on Agenda Item 9. Adherence to planning policy and discretionary enforcement procedures alone did not ensure a sound or wholly built environment. Planning applications and conditions did not enforce what was ultimately built or the future use of the building. Whilst conditions were important in some cases, too many conditions meant that it was a poorly designed concept or processed application. Previously this had meant that there were conditions that contradicted each other and led to non-compliance. In other Authorities, the Planning, Building Control, Environmental Health and the Fire departments worked closely together to ensure compliance and shared knowledge. Recently the divide between Planning and Building Control had widened. Whilst there was a duty for all to comply, this was not always the case. There was no duty for Building Control to carry out enforcement work. This function laid solely with the local Planning Authority and any breaches should be referred to them. A simple mechanism should be put in place to ensure that the Council discharged its duty in a coordinated manner and avoided necessary enforcement and costs.

SC 27 Cabinet Key Decisions and Actions

(Copy of the Cabinet Key Decisions from the meeting held on 6 September 2017, circulated at the meeting)

RESOLVED that the Cabinet Key Decisions from the meeting held on 6 September 2017, be noted.

SC 28 Cabinet Forward Plan

(Copy of the Cabinet Forward Plan published 28 September 2017, circulated at the meeting)

RESOLVED that the Cabinet Forward Plan published on 28 September 2017, be noted.

SC 29 Chairman's Announcements

The Chairman raised three items. These were:-

- Tabled at the meeting was an email response from Gill Downy, the Patient, Public and Care Involvement Manager from the Somerset Clinical Commissioning Group (SCCG), which was a response to an invitation to attend the Committee meeting with regards to the closure of some health forums. This was commended to the Health Task and Finish Group.
- The reports from the Scrutiny for Policies, Adults and Health Committee held at Somerset County Council (SCC) on 11 October 2017 were highlighted to Members. This report was also commended to the Health Task and Finish Group, especially the sections on the NHS 111 calls and doctors out of hours service, which were mentioned in the results of the inspection carried out by the Care Quality Commission (CQC).
- An update was given on the Somerset Rivers Authority (SRA) Scrutiny meeting held on 8 August 2017. This was the second time the Committee had met and they discussed options for their constitution, how often their officers stayed in post and whether it needed an independent Chair. The SRA End of Year report for 2016-2017 was also discussed at the Committee.

SC 30 Health and Wellbeing in West Somerset

The Head of Operations, East Division, South Western Ambulance Service NHS Foundation Trust, John Dyer, attended the meeting and gave a presentation to the Committee on the current position of the Ambulance Service.

The Ambulance Service was carrying out a clinically led fundamental review of the way the Ambulance Service responded to 999 calls, this was the Ambulance Response Programme (ARP). This aimed to:-

- Improve the quality of care (effectiveness, safety, experience) for patients, their relatives and carers;
- Focus on the clinical need to maintain a very rapid response to the most seriously ill patients;
- Reduce operational inefficiencies; and

- Reduce overall clinical risk in the ambulance system.
- The rationale was 'getting the right resource to the patient, first time, every time and within time'.

The drivers for change were:-

- Growth in demand for Ambulance Services;
- Calls for the modernization of the service
- Existing targets recognised it was not fit for purpose and was not driving the appropriate operational behaviours;
- Recognition that 60 seconds to triage a call was not enough;
- To improve patient outcomes;
- To improve patient experience; and
- Reduce mortality by prioritizing those patients with the greatest need.

A change in focus and style involved reporting against the mean. This meant that every incident would count towards the performance as opposed to previous national measures. There would also be a renewed focus on 'tail breaches' by reporting on the 90th centile. This was viewed by the Ambulance Commissioners as a potential enabler to support new models of care.

The phases of ARP were as follows:-

Phase one – Dispatch on Disposition (DoD) was introduced in February 2015. This provided Ambulance Services with additional time to triage calls (up to 180 seconds) which would enable the dispatch of the right clinical resource, first time to the patient.

Phase two – ARP Call Category Review was a new set of response codes piloted and were based on the principle of the patient receiving the right response, first time, according to their clinical condition. It focused on the clinical prioritisation of the reasons for the 999 calls and introduced a new clinically derived set of categories and associated response standards.

Phase three – ARP Performance Indicator Review. Ambulance operations were largely driven by performance indicators. ARP moved away from 'time measures' and towards 'clinical outcome measures', which directly affected the patient outcome.

The benefits to patients were as follows:-

- The time to send the right resource, first time;
- The most time critical life threatening incidents would get the fastest response whilst other 999 incidents got the right response first time;
- Enabled prioritisation and earlier recognition of life threatening conditions which included cardiac arrests;
- New standards freed up more vehicles and staff to respond to emergencies;
- Stroke patients would get to hospital or a specialist stroke unit quicker because the most appropriate vehicle could be sent first time;
- All incidents would count, under the old standards 25% of patients fell outside the 8 minutes response time target;
- Reduction in multiple vehicle dispatches;
- Reduction in the diversion of resources;
- Increased ability to support patients through 'hear and treat' and 'see and treat'; and

- Transport resource which was available for patients who required conveyance to a definitive place of care.

Factors that supported the ARP implementation were:-

- Enabled to review the operational model of the Trust;
- Implemented new rotas across the whole Trust;
- Amended fleet mix with more double crewed ambulances (DCA) and less rapid response vehicles (RRV);
- 60 RRVs had been converted to DCAs; and
- Significant capital investment in fleet.

The implementation was as follows:-

- New ambulance quality indicators to be phased in as each Ambulance Service adopted the new system on a trajectory agreed with NHS England ARP team and local commissioners;
- The aim was to have all services reporting by end of November 2017;
- There would be a three month dual collection period for the old and new standards;
- New clinical quality indicators would move to quarterly reporting with full publication in April 2018;
- The timeline was linked to the new stroke indicator; and
- By January 2018 the national variation was expected to make in-year changes to the 2017-2019 contracts with compliance from April 2018.

During discussion, the following points were raised:-

- Members requested clarification on who monitored the Ambulance Service.
The CQC monitored the Ambulance Service along with the Trust.
- Members requested clarification on the statistics presented in the agenda.
Clarification on the times included in the statistics was given, the response times began when the phone rang and ended when a resource (this could be any resource) was face to face with the patient. It used to be when any level of response was issued.
- Members had visited the Exeter call centre two years ago where they had operated a 'traffic light' triage system and obtaining details was problematic. How had the new system been improved?
DoD was used and the operator asked about the patient first rather than contact details on the old triage system. There was also an increased number of staff in the call centres to allow for the increased time for triage.
- Members queried the Strategic Transformation Plan (STP) and what input the Ambulance Service had.
The Ambulance Service was involved in three of the seven STPs covered, so had significant input.
- Concern was raised that there appeared to be private vehicles that operated in the area, were they used for transport only?
Yes the private vehicles were for transport only. The contract would have been sent out to tender for companies to apply for.
- Members queried how many paramedics were recruited from outside the United Kingdom (UK).

Figures were not available on how many were recruited from outside the UK, however, the trust had recruited staff from the European Union.

- Members queried how the Somerset and Dorset Air Ambulance interfaced with the Ambulance Service.
The Air Ambulances were charities and were funded by donations. The Trust provided the paramedics, who were trained at degree level and had a vast amount of experience.
- Members queried the map that was issued in the agenda which appeared to miss off Minehead. Did the figures reflect this too?
The Head of Operations apologised and would send updated figures to the Committee Members.
- Members queried at which point was an ambulance dispatched?
An ambulance was dispatched once the destination and the patient's need was known.
- Members queried the future plans for the Ambulance and Fire Services to work together in shared premises.
The Head of Operations could not update the Committee on any future plans. Currently the Ambulance Service had a good relationship with the community fire responders in rural communities. He was aware that in the future there would be requirement to work with other Blue Light Services. However, the Police and Fire Services worked within the Home Office parameters, so were politically led.
- Concern was raised on the response times and whether there were enough resources to make it achievable with an aging population within West Somerset. Members believed the figures were misleading.
The Head of Operations shared the concern and believed the service was still understaffed within West Somerset.
- Members pleaded with the Head of Operations to ensure that the residents of West Somerset were represented when services were planned.
- The Chairman thanked the Head of Operations for his attendance.

SC 31 Role of Planning Enforcement in West Somerset

The report WSC 115/17 was presented by Councillor M Dewdney.

The purpose of the report was to set out the legislative background for Planning Enforcement and how it was applied across the West Somerset Planning Area.

A breach of planning control was defined in section 171a of the Town and Country Planning Act 1990 as:-

- Carrying out a development without the required planning permission; or
- Failure to comply with any condition or limitation subject to which planning permission had been granted.

Local Planning Authorities had a responsibility to ensure that enforcement action be taken that might be necessary and in the public interest.

There was a range of ways that alleged breaches of planning control could be tackled and national guidance required Local Planning Authorities to act in a proportionate way.

Councils had the discretion to take enforcement action when they regarded it expedient to do and whilst they had regard to the development plan and any other material considerations. It was important to stress that enforcement action was discretionary and should only be taken when demonstrable harm was caused by the breach.

Enforcement action should not be taken simply because planning permission was required and an application had not been submitted.

Enforcement action could be taken through the following:-

- Breach of condition notice.
- Enforcement notice.
- Stop notice.
- Injunction.

The notices required the provision of information or required works to be carried out or an activity to be ceased in order to remedy a breach of planning control.

Once a notice was served the requirements must be complied with or when appropriate an appeal made against the notice.

There were then instances which constituted an offence triable in the Courts:-

- Non-compliance with a formal notice.
- Unauthorized works to a listed building.
- Display of an unauthorised sign.
- Unauthorised works to a protected tree.
- Unauthorised works to a tree in a Conservation Area.

The purpose of the Planning Enforcement service was to protect and enhance the environment in which we lived and worked and the aim was to resolve breaches of planning control without the need for formal enforcement proceedings. However, the Council had an equal duty to both a complainant and the alleged offender and sought to address any issues fairly and without bias.

When a decision was made whether to take enforcement action, the Council should have regard to the potential impact on health, housing needs and welfare of those affected by the proposed action and those affected by the breach of planning control.

Developments became immune from enforcement if no action was taken:-

- Within four years of substantial completion for a breach of planning control that consisted of operational development;
- Within four years for an unauthorised change of use to a single dwelling house; or
- Within ten years for any breach of planning control (essentially this was other changes of use).

Normal practice was to request the submission of a retrospective application in the first instance. If the application was approved, no further action would be taken.

The Council dealt with planning enforcement on a complaint based process rather than by development or condition monitoring. This was normal practice for most Local Planning Authorities due to limited budgets for the work.

The level of dedicated Planning Enforcement resource provided by the One Team across the Taunton Deane and West Somerset Planning areas was two full time equivalent posts. The split was 80% Taunton Deane and 20% West Somerset.

During discussion, the following points were raised:-

- Members requested clarification on the four year rule and if a property was built without permission and enforcement action was not taken within a four year period, then the property became legal.
Yes that was correct. If it was a change of use, then the time allowed was ten years.
- Concern was raised that the Council imposed planning permission as a result of legislation but that it was not always enforced.
- Concern was raised that the difficulties faced by Planning Enforcement were due to lack of resources, outsourced Building Control inspectors and lack of regulation.
Planning enforcement was discretionary and action should not be taken just because a person had not complied with a condition. It was not a punishment. It was an expedient and proportionate decision to take action. Resources were an issue and this was an issue countrywide. Staff could not check every single condition granted. West Somerset operated a complaint based system which took up all the time allocated for enforcement and the majority of cases were reported in this way. Planning was a different function to Building Control. The Council was due to go through the transformation process and this would break down the silos between departments. It was not an offence to carry out action without permission but it was an offence not to comply with an enforcement notice.
- Members requested that officers were mindful of the needs of West Somerset when the transformation project looked at the new Planning Framework.
- Members reminded officers that Parish and Town Councillors offered good resources and were knowledgeable on their own areas and reported when they knew of any unpermitted work that was being carried out in their areas.
- Members requested that planning enforcement cases should be included on the Planning agenda.
Officers were trying to implement this and would include it as a confidential item on the agenda.
- Members queried the link between Planning and Building Control. At previous meetings of the Planning Committee there had been concerns raised about structural aspects of the planning conditions. Were Building Control notified when planning permission had been granted on structures that could cause concern?
When there was a concern, the Planners should discuss this with Building Control, but there was no formal process. The Planning

Committee could add a request to contact Building Control on the Planning application if there was a concern.

- Clarification was requested on the legal and illegal terms used for enforcement.

An example was given to clarify the terms, non-compliance with planning conditions was not illegal. However, non-compliance with a planning enforcement notice was illegal.

RESOLVED that the Scrutiny Committee noted the report.

SC 32 Review of the Council Tax Rebate Scheme for 2018-2019

The report WSC 116/17 was presented by Councillor M Chilcott.

The purpose of the report was to provide information on the Council Tax Rebate (CTR) scheme and to set the background and context for the review of our CTR scheme for Working Age applicants from 2018-2019.

The Council was legally required to give annual consideration on whether to revise its local CTR scheme and to consult with interested parties if it wished to change the scheme.

Approaches to the design of local CTR schemes by individual Councils had varied greatly. In designing their local schemes, a few Authorities had absorbed the funding reduction passed by Government without passing on the cut to residents eligible for CTR. Other Councils had asked households to make a contribution to their annual Council Tax bill for the first time and in some cases as much as 45% of their total bill. In 2017-2018, 264 Local Authorities (81%) required everyone to pay at least some Council Tax regardless of income, 35 more than in 2013-2014. From April 2017, just 37 Councils (11%) continued to provide support at the level paid under the former Council Tax Benefit (CTB) scheme.

The Department of Work and Pensions (DWP) subsidized the cost of the administration of Housing Benefit (HB), whilst the Department for Communities and Local Government (DCLG) provided an annual grant towards the cost for CTR administration. However, the funds had steadily decreased and was likely to be removed entirely with the move to 100% Business Rate retention in 2020.

Until recently, the administration of our localized CTR scheme had been both cost effective and efficient, due to the information already supplied by claimants for a HB claim or directly from the DWP. However, CTR administration had become increasingly difficult since the roll out of the 'full service for Universal Credit (UC) in October 2016, with the number of working age customers claiming UC significantly increasing.

The Council received information from the DWP on any variations to the customer's income and for many customers such changes occurred every month. Because the CTR scheme did not contain any 'de-minimus' for income variances, we needed to reassess the amount of CTR entitlement. In changing the CTR award, an amended Council Tax bill would need to be issued and any direct debit arrangements be adjusted to reflect the revised instalments. Changing payment arrangements could result in the cancellation of the next

direct debit, with instalments effectively delayed by one month. When such changes took place every month, it was possible for direct debits to be continually set back so the customer then needed to pay one lump sum at the end of the financial year.

For the reasons outlined above, administration of the CTR scheme could become progressively financially burdensome as well as increasingly complex for customers. In addition, because working age customers needed to submit claims for UC online, we needed to be mindful that in simplifying the CTR scheme we supported people in adapting to the digital agenda.

In designing the CTR scheme the customer's ability to pay and the collectability of the resultant Council Tax liability was considered. For people of working age, the scheme included the following key elements:-

- Maximum support was 85% of Council Tax;
- Increased non-dependant deductions;
- No second adult rebate;
- Earned income disregards were at increased levels than those offered under CTB; and
- Hardship fund of £22,500 for short-term help.

CTR was unchanged until 2016-2017 when, due to a consequence of significant cuts to funding, the Council decided to amend the CTR scheme for working age applicants in 2016-2017 by:-

- The removal of entitlement to applicants with capital over £6000;
- The applied minimum income for self-employed applicants;
- Entitlement to CTR awarded at a level that would be no more than for a Band C property; and
- Disregarded maintenance received for children.

When the scheme was agreed for 2017-2018, the Council decided to align the CTR scheme with some changes made by the Government to other welfare benefits. The CTR for working age applicants from April 2017 was amended as follows:-

- Maximum CTR reduced from 85% to 80%;
- Maximum backdated CTR reduced from six months to one month;
- Family premium not included in the applicable amount for new applicants, or existing recipients who would otherwise had a new entitlement to the premium;
- Work Related Activity component not included in the applicable amount for new claimants of Employment and Support Allowance;
- Removal of child allowance in applicable amount for third and any subsequent children born after 1 April 2017 with protection for some customers; and
- Reduction in the allowable period of temporary absence outside GB from thirteen weeks to four weeks.

Before the new scheme was made for 2018-2019, the Local Government Finance Act 2012 stated that the Council must consult with any such persons who were likely to have an interest in the operation of such a scheme. There were three options given to the customers in the consultation:-

- Option One – Change CTR so entitlement was based on bands of income;
- Option Two – Reduce maximum CTR offered to working age recipients from 80%; and
- Option Three – Introduce entitlement limits.

Option One was the preferred scheme in the results of the consultation. This option involved setting bands of awards based on an applicant's net income. Whilst this was the least complex option, it would be simpler to administer. This could be an important factor when a fall in the central government administration grant was anticipated.

Maximum support available to all working age applicants could be increased from 80% to 85% for those applicants that were on a particularly low income. The bands were likely to give more help to those in low paid work or limited income from benefits.

As an alternative to the various deductions the Council currently applied to CTR based on a non-dependant's income, the Council could apply a 'flat-rate' deduction of £5.00 for each non-dependant from the weekly CTR entitlement for working age recipients.

Income from earnings would be after the deduction of tax, national insurance and 50% of any contribution to a pension scheme. To incentivize employment or self-employment, the Council would continue to ignore (disregard) some income.

In common with UC rules, no blanket protection would be provided to households that received disability benefits, but income from Disability Living Allowance and Personal Independence Payments would not count as household income. Similarly the Council would continue to ignore (disregard) child benefit and maintenance received for children. If the Council were to include disregarded income for children or customers with disabilities in any future CTR scheme, it could be seen as having a negative effect on provisions contained within the Child Poverty Act and the Equality Act 2010.

An income banded assessment scheme for working age applicants would reduce the volume of changes in circumstances and thereby reduce the potential for further increased administration costs. The information held on a person's UC claim would be used to decide the income band they fell into and the amount of CTR they would be entitled to. The DWP provided the Council with the information so a UC recipient would not need to make a separate claim for CTR. In the future it was expected that data for UC recipients would be automatically populated into the CTR processing software and so reduce the administrative burden.

During discussion, the following points were raised:-

- The Chairman reminded the Committee that pensioners were protected from CTR, so were still eligible for full CTB. This meant that the help available for working age residents was restricted.
- Concern was raised that the Council had inadvertently discriminated against the under 25 year olds who were not care leavers.

The under 25 age group would be the biggest group to benefit from the banded income CTR scheme.

- Members queried whether permitted work was included in the income figures used for the calculation of banded income.
The figures used for banded income were net figures, so this meant it was after earned income disregards, income tax and national insurance contributions were deducted.
- Members requested clarification on the disregarded figure used for pensions.
Clarification was given that 50% of any pension contribution would be disregarded when the claimant's income band was calculated.
- Members queried was the same CTR scheme approved by Taunton Deane Borough Council for 2018-2019.
Yes, the same scheme had been approved for both Councils.
- Members thanked the Revenues and Benefits Service Manager and her team for their hard work and praised the proposed scheme for 2018-2019. The Chairman stated that it was refreshing to see a scheme that was simpler to administer.

RESOLVED that the Scrutiny Committee recommended the Council:-

- a) Amended the current CTR scheme to that illustrated in the report. This would award entitlement to working age recipients based on bands of income and would:-
 - Increase the maximum support available to working age recipients to 85% of their Council Tax liability;
 - Apply a flat rate deduction of £5.00 a week for each non-dependant; and
 - Disregard carers' allowance from the income used to work out CTR.
- b) Provided extra assistance for young people who had left local authority care, by increasing maximum support to 100% of the Council Tax liability for single applicants up to the age of 25 where their weekly income was less than £75.00.
- c) Mitigated the effects in moving to a Banded Income CTR scheme for working age applicants by inviting applicants with protected characteristics who would receive reduced CTR from 1 April 2018 to submit a claim for discretionary reduction.

SC 33 Scrutiny Committee Work Plan

The Committee Members requested that the following items be added to the Forward Plan:-

- An update on the Heath Task and Finish Group.
- An update on the new data protection legislation. This was due to go to Audit Committee in December.

RESOLVED that the content of the Work Plan was noted.

The meeting closed at 6.15pm.

MEETING: CABINET

DATE: 1 November 2017

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 2018 be approved.	Assistant Chief Executive
HPC POB Allocation of CIM Funding (Agenda Item 6)	<p>Agreed that the following recommendations of the Hinkley Point C Planning Obligations Board be endorsed:</p> <p>a) To award Somerset County Council £393,849 from the 1st Annual CIM fund payment for the Somerset Education Business Partnership project.</p> <p>b) To not award £300,000 of CIM funding to North Petherton Rugby Club for the New Changing Rooms project on the basis that the project did not sufficiently meet the criteria to mitigate community impacts of the HPC development.</p> <p>c) To award Holford and District Village Hall £125,000 from the CIM Fund ring-fenced for West Somerset for the Holford Village Hall - Fit for Future project with the following conditions: That no funding will be released until</p> <ul style="list-style-type: none"> • Planning permission has been granted for the proposed project. • Match funding has been secured to cover the total project costs as set out in the application. • Following the tender process and selection of a preferred contractor the CIM Fund Manager is satisfied that the project remains affordable. <p>d) To not award £35,000 of CIM funding to Fiddington Village Hall for the Kitchen and Toilet Renovation project and to advise the applicants to return with a revised application.</p> <p>e) To note that the HPC Planning Obligations Board have deferred a decision on the application from Citizens Advice Sedgemoor for £165,837 towards the Supporting Hinkley Advice Needs project pending the submission of additional information by the applicant to support their application.</p>	Community and Housing Impact Lead Energy Infrastructure
HPC Planning Obligations Allocation of Ecology Contribution (Agenda Item 7)	Agreed that it be recommended to Council to allocate £250,000 to the East Quantoxhead Estate for the purpose of providing landscaping and other works	Assistant Director Place and Energy Infrastructure
HPC Non Material Change Response (Agenda Item 8)	<p>Agreed that Cabinet authorise the Assistant Director for Place and Energy Infrastructure to raise objections with the Planning Inspectorate on behalf of West Somerset Council as to the</p> <ul style="list-style-type: none"> • View that this change is being considered as a non-material change; • Lack of information regarding the environmental impacts of the change in Spent Fuel storage method; and • Visual impacts of the increased size and prominence of the waste store close to the West Somerset Coastal Path and within the wider landscape in the long term. 	Assistant Director Place and Energy Infrastructure

Planning Obligations Allocation (Agenda Item 9)	Agreed that the allocation of £13,488 to Dunster Parish Council for a Multi-Use Games Area (MUGA) at Dunster Marsh Junior Playing Field be approved.	Assistant Director Planning and Environment
---	---	---

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:

<https://www.westsomersetonline.gov.uk/Council---Democracy/Council-Meetings/Cabinet-Meetings/Cabinet---1-November-2017.aspx>

Date: 2 November 2017

Weekly version of Cabinet Forward Plan published on 19 October 2017

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/17/11/02 19/01/2017	1 November 2017 By Lead Member Resources & Central Support	Title: Allocation of Section 106 funds held Purpose: 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/17/11/03 19/01/2017	1 November 2017 By Lead Member Resources & Central Support	Title: Allocation of Hinkley Point C Community Impact Mitigation Funding Purpose: 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/17/11/04 19/01/2017	1 November 2017 By Lead Member for Energy Infrastructure	Title: Hinkley Point Purpose: to consider any key issues that arise relating to Hinkley Point	No exempt / confidential information anticipated	Andrew Goodchild, Assistant Director Energy Infrastructure 01984 635245
FP/17/11/05 04/06/2015	1 November 2017 By Lead Member Resources & Central Support	Title: Review of Financial Regulations [FR2] Purpose: to recommend to Council to approve updated Financial Regulations	No exempt / confidential information anticipated	Paul Fitzgerald, Assistant Director Resources 01823 358680
FP/17/11/06 26/04/2017	1 November 2017 By Lead Member for Community and Customer	Title: Review of the Council Tax Rebate Scheme for 2018/19 Purpose: to review the Council Tax Rebate Scheme 2018/19 for recommendation to Council	No exempt / confidential information anticipated	Heather Tiso, Revenues and Benefits Manager 01823 356541
FP/17/11/06 19/04/2017	30 November 2017 By Lead Member Resources & Central Support	Title: Medium Term Financial Plan Update and Initial Budget Options Purpose: to present the updated Medium Term Financial Plan position and consider initial budget options for 2018/19 budget setting	No exempt / confidential information anticipated	Jo Nacey, Financial Services Manager / Deputy S151 01823 356537

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/17/11/07 19/04/2017	30 November 2017 By Lead Member Resources & Central Support	Title: Fees and charges 2018/19 Purpose: To recommend proposed fees and charges to Full Council for approval	No exempt / confidential information anticipated	Jo Nacey, Financial Services Manager / Deputy S151 01823 356537
FP/17/11/08 19/04/2017	30 November 2017 By Lead Member Resources & Central Support	Title: Review of Earmarked Reserves Purpose: to consider review undertaken to ensure earmarked reserves continue to be required for their intended purpose and to return any surplus reserves to general balances	No exempt / confidential information anticipated	Jo Nacey, Financial Services Manager / Deputy S151 01823 356537
FP/17/11/09 05/09/2017	30 November 2017 By Lead Member Environment	Title: Somerset Waste Partnership Business Plan Purpose: to present the Somerset Waste Partnership's Business Plan	No exempt / confidential information anticipated	Chris Hall, Assistant Director Operational Delivery 01823 356499
FP/17/11/10 28/09/2017	30 November 2017 By Lead Member Regeneration and Economic Growth	Title: HTAP (Hinkley Tourism Action Partnership) Strategic Tourism Action Plan 2018-20 Purpose: to present the HTAP Strategic Tourism Action Plan 2018-20	No exempt / confidential information anticipated	Robert Downes, Tourism Officer 01984 635249
FP/18/1/01 19/01/2017	3 January 2018 By Leader of Council	Title: Corporate Performance Report 2017-18 Quarters 1 and 2 Purpose: to provide Members with an update on progress in delivering corporate priorities and performance of council services	No exempt / confidential information anticipated	Richard Doyle, Corporate Strategy and Performance Officer 01823 356309
FP/18/1/02 19/01/2017	3 January 2018 By Lead Member Resources & Central Support	Title: Budget Monitoring Report Quarters 1 and 2 Purpose: to provide Members with details of the Council's expected financial outturn position in 2017/18 for both revenue and capital budgets, together with information relating to predicted end of year reserve balances	No exempt / confidential information anticipated	Jo Nacey, Financial Services Manager / Deputy S151 01823 356537

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/18/1/03 19/01/2017	3 January 2018 By Lead Member Resources & Central Support	Title: Allocation of Section 106 funds held Purpose: 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/18/1/05 19/01/2017	3 January 2018 By Lead Member for Energy Infrastructure	Title: Hinkley Point Purpose: to consider any key issues that arise relating to Hinkley Point	No exempt / confidential information anticipated	Andrew Goodchild, Assistant Director Energy Infrastructure 01984 635245
FP/18/2/01 19/04/2017	7 February 2018 By Lead Member Resources & Central Support	Title: Draft Annual Budget and Council Tax Setting 2018/19 Purpose: to provide Members with all the information required for Council to approve the revenue budget and council tax requirement for 2018/19 for recommendation to Council	No exempt / confidential information anticipated	Jo Nacey, Financial Services Manager / Deputy S151 01823 356537
FP/18/2/02 19/04/2017	7 February 2018 By Lead Member Resources & Central Support	Title: Draft Capital Programme 2018/19 Purpose: to present the draft Capital Programme 2018/19 for recommendation to Council	No exempt / confidential information anticipated	Jo Nacey, Financial Services Manager / Deputy S151 01823 356537
FP/18/2/03 19/04/2017	7 February 2018 By Lead Member Resources & Central Support	Title: Treasury Management Strategy 2018/19 Purpose: to present the draft Treasury Management Strategy 2018/19, including the Annual Investment Strategy, Minimum Revenue Provision Policy and Prudential Indicators, for recommendation to Council	No exempt / confidential information anticipated	Jo Nacey, Financial Services Manager / Deputy S151 01823 356537
FP/18/2/04 19/04/2017	7 February 2018 By Lead Member for Energy Infrastructure	Title: Hinkley Point Purpose: to consider any key issues that arise relating to Hinkley Point	No exempt / confidential information anticipated	Andrew Goodchild, Assistant Director Energy Infrastructure 01984 635245

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/18/3/01 19/04/2017	7 March 2018 By Lead Member Resources & Central Support	Title: Allocation of Section 106 funds held Purpose: 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/18/3/02 19/04/2017	7 March 2018 By Lead Member for Energy Infrastructure	Title: Hinkley Point Purpose: to consider any key issues that arise relating to Hinkley Point	No exempt / confidential information anticipated	Andrew Goodchild, Assistant Director Energy Infrastructure 01984 635245
FP/18/3/03 19/04/2017	7 March 2018 By Lead Member Resources & Central Support	Title: Allocation of Hinkley Point C Community Impact Mitigation Funding Purpose: 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/18/5/01 19/10/2017	23 May 2018	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/18/5/02 19/10/2017	23 May 2018 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/18/7/01 19/10/2017	July 2018 By Leader of Council	Title: Corporate Performance Report Quarters 3 and 4 Decision: to provide Members with an update on progress in delivering corporate priorities and performance of council services	No exempt / confidential information anticipated	Richard Doyle, Corporate Strategy and Performance Officer 01823 356309

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/18/7/02 19/10/2017	July 2018 By Lead Member Resources & Central Support	Title: Financial Monitoring Report Quarters 3 and 4 Decision: to provide Members with details of the Council's financial outturn position in 2017/18 for both revenue and capital budgets, together with information relating to end of year reserve balances	No exempt / confidential information anticipated	Jo Nacey, Financial Services Manager / Deputy S151 01823 356537
FP/18/7/03 19/10/2017	July 2018 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/18/7/04 19/10/2017	July 2018 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/18/7/05 19/10/2017	July 2018 By Lead Member Resources & Central Support	Title: Allocation of Section 106 funds held 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/18/9/01 19/10/2017	September 2018 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

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, A Hadley, 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 Maitland-Walker, J Parbrook, R Woods, I Aldridge and P Pilkington.

Report Number: WSC 124/17

West Somerset Council

Scrutiny Committee – 23 November 2017

Somerset Waste Partnership Draft Business Plan 2018-2023

Report of the Assistant Director Operational Delivery – Chris Hall and Somerset Waste Partnership's (SWP) Managing Director – Mickey Green

(This matter is the responsibility of Cabinet Councillor M Dewdney)

1. Executive Summary

This report seeks scrutiny of the Somerset Waste Partnership's Draft Business Plan 2018-2023.

The actions in the draft business plan sets out the most significant set of changes to Somerset's waste services since SWPs inception in 2007. Co-ordinated for maximum impact and value the changes span all three major contracts for waste collection, treatment, disposal and infrastructure (including vehicles). It also develops SWPs capability, in some instances working in partnership with others, to support Somerset residents in wasting less and recycling more, with residual waste becoming a fuel stock to generate energy.

Following all partners' approval to implement Recycle More, the original delivery plan was to negotiate this with our current collection contractor (Kier). As it was not possible to reach agreement with Kier in a way which delivered the benefits that partners required, SWB have, by mutual consent with Kier, agreed to bring forward the expiry date of our current collection contract from September 2021 to 27 March 2020. SWB has undertaken a major review of the commissioning options and proposes to undertake a competitive dialogue procurement to secure a new collection contractor following the expiry of the contract with Kier.

Despite early expiry there are no changes to the charging process for 2018/19 and as such the budget is to be set in accordance with the usual contractual criteria. The cost increase for 2018 /19 when compared with 2017/18 is £70,000. The budget for 2018/19 had a contract increase in mind, however the increase actual increase is greater than this creating a small additional impact of £15k on the MTFP.

2. Recommendations

This committee is recommended to:

- i) Approve to Cabinet the Somerset Waste Partnership's Draft Business Plan 2018-23, in particular the proposed approach to the procurement of a new collection contract.

- ii) Note that, in line with their delegated authority and in order to implement Recycle More as requested by partners, Somerset Waste Board have agreed with Kier to bring forward the expiry date of the current collection contract from September 2021 to 27 March 2020.
- iii) Support onward approval through Cabinet of the projected budget for 2018/19 subject to the finalisation of the figures.

3. Risk Assessment

Project risks are set out in more detail in appendix 3.

Risk Matrix

Description	Likelihood	Impact	Overall
Household growth increases the cost of the contract	Possible (3)	Major (4)	Medium (12)
<i>Household numbers are increasing and impacting the contract costs, Recycle More will limit cost increases.</i>	Unlikely (2)	Major (4)	Medium (8)
Inflation and operating costs continue to rise making the service unaffordable	Possible (3)	Moderate (3)	Medium (9)
<i>Costs are increasing and the new service model will assist in making savings and limiting cost increases in the short to medium term</i>	Possible (3)	Minor (2)	Low (6)

4. Purpose of the Business Plan

- 4.1 The Somerset Waste Partnership (SWP) is responsible for providing waste and recycling services on behalf of all six local authorities in Somerset. The partnership is governed through a Joint Committee known as the Somerset Waste Board. The SWB Constitution requires the preparation of a Business Plan on an annual basis. The plan has a five year horizon with particular focus on the next 12 months, and it provides a framework within which the board can make decisions and steer the delivery of waste partnership services. The Board has delegated authority for decision making across all services and therefore must make proposals to the partners on how savings can be made, taking into account any requirements to make savings and proposals on how this can be achieved.
- 4.2 The Board's business planning cycle usually requires a draft report to be approved by the Board in December and circulated to partners for comment prior to the adoption of the Board's Annual Budget the following February. Further to decisions taken by the Board in September 2017 the timetable for approving this plan will change for one year only, with the Draft Business plan presented for Board Approval in November 2017, scrutinised by partner authorities in November and early December and presented for final approval at the December Board meeting.

Once approved or noted by all partners, the plan will be formally adopted by the Board to provide a framework within which the Board can make decisions and steer the delivery of Waste Partnership services.

- 4.3 The Draft Business Plan and associated Action Plan, attached as appendix 1, are the means by which the partnership describes its business, evaluates changes to the operating environment, identifies strategic risks and sets out its priorities. The plan has a five year horizon with particular focus on the next 12 months. It is the primary means to seek approval for and to secure the necessary resources to implement its proposals from the partner authorities.
- 4.4 The plan also sets out the draft Annual Budget for the Waste Partnership for 2018/19, which for WSC represents an increase of £70,000.

5. Responsibility for the Business Plan

- 5.1 The Board has delegated authority for decision making across all services and therefore must make proposals to the partners on how savings can be made, taking into account any requirements to make savings and proposals on how this can be achieved. Under the terms of the Inter Authority Agreement, the Board cannot make a decision that has an adverse financial implication on any partner without the consent of that partner. The Board cannot refuse to accept savings targets handed down – but it does have discretion on how those savings can be implemented, provided all partners sign up through approval of the draft plan.

6. Draft Business Plan 2018-2023

- 6.1 WSC Members, along with other partners in the Somerset Waste Partnership, are being consulted on the draft plan prior to the final decision on the being taken by the Somerset Waste Board at their December meeting. The timetable for this consultation has been brought forward, for one year only, to ensure that Members are provided with a timely update on the implementation of Recycle More, and to seek their approval to the approach proposed to be taken to securing a new collection contractor.
- 6.2 All partner authorities have previously endorsed the implementation of Recycle More and delegated their waste collection functions to Somerset Waste Board. Whilst the original delivery plan was to implement Recycle More with Kier, despite considerable efforts it was not possible to reach acceptable terms with them. Recycle More depends upon having a new fleet of vehicles in place with the correct containment for the new material. Due to the importance of aligning the procurement of a new fleet with the implementation of Recycle More and due to the need to have sufficient time to undertake a robust procurement process SWB have, by mutual consent with Kier, agreed to bring forward the expiry date of our current collection contract from September 2021 to 27 March 2020.
- 6.3 The actions in the draft business plan sets out the most significant set of changes to Somerset's waste services since SWPs inception in 2007. Co-ordinated for maximum impact and value the changes span all three major contracts for waste collection, treatment, disposal and infrastructure (including vehicles). It also develops SWPs capability, in some instances working in partnership with others, to

support Somerset residents in wasting less and recycling more, with residual waste becoming a fuel stock to generate energy. The business plan sets out three related areas of activity which together will enable us to realise SWP's vision:

6.3.1 Building capability

Actions in this area aim to ensure that SWP works intelligently to enable it to realise the Board's vision, including through improving how the partnership uses data, developing and implementing a technology roadmap and doing more to understand people's behaviour. SWP is working closely with all partners to implement a new website, a new customer service system and a mobile app in order to improve the way we support customers.

6.3.2 Action on waste prevention, reuse, recycling and recovery

These actions aim to improve Somerset's recycling rate from 52% towards 60% and potentially beyond, lead to a reduction in residual waste generated per household, and generate energy from materials that cannot be recycled ending the county's long reliance on landfill. Whilst the single most significant driver for these changes will be the implementation of Recycle More, an expanded focus on waste prevention and behavioural change is also a key driver. A pilot reintroduction of working with schools to promote the 'reduce, reuse, recycle' message to children and their parents (funded by Viridor) is a key element of this work in 2018/19. Close working with all partners will be necessary to maximise the impact of or work to change people's behaviours, focussing on reducing the 50% of recyclable waste that is still in our residual waste.

6.3.3 Maintaining services and operational effectiveness

These activities ensure the day to day functions of the SWP are delivered effectively and safely. SWP must give focus to maintaining the quality of services, predicting risks and preventing issues arising. It includes a review of SWP's core services contract with Viridor ahead of its expiry in 2022, focussing on whether there is value for money in extending this agreement.

7. **Key Actions for 2018 - 23**

7.1 SWP's key aims and priorities are identified within the Draft Business Plan under three key headings:

- Building Capacity
- Action on waste prevention, reuse, recycling and recovery
- Maintaining services and operational effectiveness

7.2 The Draft Plan has been brought together against the background of the continuing difficult economic situation but with a continuing desire from partners to deliver the following key priority areas:

- Waste minimisation, high diversion and high capture
- Improved services for customers;
- Contract monitoring and review;
- Alternatives to landfill and optimising material processing;

- Investigating Recycling Centre options;
- Investigating collection service options;
- Organisational efficiency.

8. Routemap to Recycle More

- 8.1 Recycle More was approved by SWB in February 2017 following consultation with all partner authorities. Recycle More involves:
- An enhanced recycling collections including; food and beverage cartons, plastic tubs and trays (including black plastic), small items of waste electric and electronic equipment (SWEEE) and domestic batteries.
 - 3 weekly refuse collections
 - Additional capacity for properties with children in nappies or for adult absorbent hygiene products (AAHP).
- 8.2 The Board can, by a majority vote, amend the Business Plan in order to accommodate any unforeseen circumstances and to assist the Board to achieve the Aims and Objectives. Any partner council can request such an amendment at any time.

9. Consultation

- 9.1 Individual partners were previously asked to give an indication of any savings targets so that options to achieve these and associated risks could be assessed by the SWP in consultation with the Strategic Management Group. All partners have a need to control costs in this area and a number of initiatives have been underway to evaluate the opportunities and impacts of future cost management choices.
- 9.2 Specifically trials were undertaken in Taunton Deane which have, and will continue, to inform the nature of the service going forward for the entire partnership. These trials made temporary alterations to the material types that were collect at the kerbside and the frequency of collections.
- 9.3 Recycle More was approved by WSC on 14th November 2016 the budget presented in the appended business case for 2018/19 contains no savings or costs associated with this new operating model during the roll out phase.

10. Early expiry of the current contract

- 10.1 The most significant element of the business plan relates to Recycle More. The significant work undertaken to review future service models has demonstrated that Recycle More is lower cost than our current collection operations, as well as delivering environmental benefits. The scale of these savings will inevitably be subject to the tendering process and what the market will offer in terms of contract price, on the efficiencies which a new contractor will bring (the potential for which SWP believe to be significant) and on the actual tonnages of new material that can be diverted. SWP's aim is to continue to meet with the Partner authority's approval in terms of cost reduction.

- 10.2 A robust procurement process will be essential to drive the former, and strong communications with residents will be essential for the latter. The savings delivered will also depend to some extent on the agreement reached with the incoming contractor on dry recycle and materials volumes. It is proposed that the project will be managed with existing resources from SWP and the administering authority (SCC – in particular procurement and legal support) with external support on key commercial and technical matters. It is proposed that the costs associated with the project will be funded from the accrued income generated from the hire of refuse collection vehicles to Kier since 2015. This fund (£421k) was previously identified as providing support for overall roll-out costs for Recycle More.
- 10.3 A lengthy period of negotiations was undertaken with Kier in order to implement Recycle More through a variation to the existing contract. Despite considerable efforts, it was not possible to secure an agreement which either delivered the financial benefits required by partners or that offered the full range of materials that we wanted to see collected each week (in particular black plastic and food and beverage cartons – e.g. Tetrapaks).
- 10.4 Were we to carry on with our current collection contract with Kier to its planned expiry date of September 2021 then we would need to procure a new fleet of recycling and refuse vehicles ahead of that. However, to procure those vehicles without having procured a new contractor to deliver our collection services would be a major risk – we may end up with a fleet of vehicles which did not match how a contractor delivered services. Given that a new fleet of vehicles will cost in excess of £15m this would have been a major risk to all partners. It would also have meant that the implementation of Recycle More would be delayed to at least September 2021.
- 10.5 Updates to the Somerset Waste Board in June and September 2017 identified a significant change in the risk profile of the planned implementation and recommended negotiating with Kier to agree early expiry on mutually acceptable terms. This opened up an opportunity to align major or improvements in collection services, disposal processes and waste infrastructure to create a fresh, new start for Somerset's waste services from 2020. This opportunity will bring together enhanced recycling collections; the end of landfill and start of energy-from-waste for rubbish, and a new fleet of collections vehicles operating out of refreshed depots.
- 10.6 To enable this SWP have agreed to bring forward the expiry date of our current collection contract with Kier to 27 March 2020. The decision was reached by mutual consent with Kier. Whilst most of our contract with Kier will remain unchanged (in particular the service standards to which they must deliver) to enable this to happen a number of changes to our contract have been agreed through a Deed of Variation, the key elements of which are:
- The contractual obligation for Kier to only use vehicles less than seven years old has been removed and it enables them to utilise non-branded vehicles (for example those from North Somerset and Bridgend i.e. vehicles appropriate to our service model) but does not relax in any way their service or safety requirements.

- Leases for depots will be transferred at no cost and SWP will purchase the plant and equipment at the depots.

11. Options following expiry of the current contract

11.1 Following a major review of the commissioning options open to SWP, the SWB has agreed to undertake a competitive dialogue procurement to secure a new collection contractor following the expiry of the contract with Kier. The other options considered in detail were:

- a) providing the services “in house” (DLO)
- b) forming a Local Authority Company (LAC)
- c) out-sourcing the services through a procurement process (and which procurement process was most suitable).
- d) continuing with the current contract until its expiry in September 2021

11.2 The outcome of this research was presented to SWB at an informal workshop on 15 September and at the Board meeting on 29 September 2017. A summary of the reasons for rejecting alternative options is provided below:

- In-house/DLO: This option was discounted at an early stage because of the additional pension costs of the transferred staff being eligible to join the LGPS. It is estimated that this would add around £1.8M pa to the cost of the services. This makes the DLO option unattractive when compared to a LAC which could exclude membership of LGPS.
- Local Authority Company: Whilst cost modelling indicated that the LAC and out-sourced options were very similar, the risk profile of the LAC was significantly higher. For example District Council partners would be exposed to 100% budgetary risk on the fluctuation of materials values, fuel price rises, costs of severe weather, materials values, and workforce issues. These and other risks (e.g. expertise acquisition, focus on strategic priorities, and likelihood in securing the efficiencies which will be crucial to a cost-effective service) meant that the board did not consider an LAC its preferred option. It did recognise that an LAC may be an appropriate contingency plan, and that this should be considered at key milestones during the project.
- Other procurement options were discounted because a competitive dialogue procurement procedure would give bidders the opportunity to develop and refine their proposals, drive efficiencies and mitigate risks. It was recognised that this is time consuming but it was preferred for complex procurements where innovation and flexibility were required.
- Procuring an outsourced service to coincide with the expiry of the existing contract has the disadvantages that any service improvements and savings

related to Recycle More would be delayed and the procurement of a new fleet and the procurement of a new contractor would be misaligned, leading to:

- Complex buy-back arrangements (depending on who purchased the vehicles) with the out-going contractor
- Limiting the choice of the incoming contractor to use their preferred manufacturer and specification of vehicles. This is likely to be reflected in their pricing.

12. Approach to procurement

- 12.1 A robust procurement process will be necessary to optimise the likelihood of optimising the level of financial savings to partners and to improve our environmental performance by reducing residual waste and increase our recycling rate. The critical success factors for this project are:
- Achieving best value for SWP member authorities (including any partners that borrow to purchase vehicles/assets) through the procurement and cost sharing;
 - Securing a provider who shares SWP's values and vision;
 - Attracting and sustaining the interest of credible bidders before and during the procurement process;
 - Managing the procurement to ensure compliance with procurement legislation and governance procedures, and to ensure that we progress through the phases of the procurement in a timely and effective way;
 - Managing the interdependencies with other key elements of SWP's business plan, in particular:
 - SWP's wider communications and engagement strategy (in particular how we will engage with partners and the public to improve recycling capture ahead of the move to recycle more);
 - ICT strategy (including how we improve the way we manage customer and performance data in order to enable us to improve our customer service, help target and drive behaviour change, and more effectively predict and manage service issues);
 - Day to day collection contract service/performance management (especially given we are entering the final years of our current contract with Kier).
- 12.2 The overall timetable and phasing have been informed by discussion with the commercial and procurement team at SCC and with Eunomia. Whilst it is manageable the pace at which we will be required to work in order to make this timetable work should not be underestimated.

Phase	Time	Comments
Soft market engagement	Nov 2017 – Feb 2018	To ensure SWP maximises market interest, to help shape our approach

Pre-qualification	Mar 2018 – May 2018	Mandatory phase
<i>Outline Solutions</i>	-	<i>Phase removed as not considered sufficiently beneficial</i>
Dialogue on proposed solutions	May 2018 – Dec 2018	Focussed conversations on key issues (e.g. assets, risk, efficiency and consideration of possible variants)
Final tenders	Jan 2019 – April 2019	Includes, evaluation, governance (ahead of pre-election period for DC elections in 2019) and standstill period.
Mobilisation	May 2019 – end March 2020	New provider gearing up to commence service. Note that a phased transition to Recycle More will be required from April 2020 onwards.

12.3 It is proposed that the project will be managed with existing resources from SWP and the administering authority (SCC – in particular procurement and legal support) with external support on key commercial and technical matters. It is proposed that the costs associated with the project will be funded from the accrued income generated from the hire of refuse collection vehicles to Kier since 2015. This fund (£421k) was previously identified as providing support for overall roll-out costs for Recycle More. Actual and forecast expenditure is shown below:

Item	£
Recycle More ear-marked reserve funding	421,824
Commissioning options appraisal	14,942
Develop Procurement Strategy (forecast)	7,700
Support for depot optimisation and service modelling	20,000
Commercial and technical support during procurement (forecast based on initial advice and benchmarking similar processes)	250,000
Purchase of baling plant and equipment (committed subject to early expiry)	110,000
Residual Balance	19,182

12.4 In addition to these costs there will be further costs associated with the rollout of Recycle More (in particular from additional recycling containers, communications, operational support during a phased transition). These will be more fully explored throughout the procurement process as the scale and timing of these costs will depend upon the precise scope of the services we procure (i.e. what the contractor does and what SWP has to do), how the contractor proposes to phase and manage the transition, and how these costs are spread over the life of the contract. The SWB has previously agreed that savings will not be realised until the costs of implementation are covered.

12.5 The project will be managed in line with the administering authorities (SCC) project management procedure and Contract Standing Orders. Key roles and responsibilities in the project structure are shown in Table 3.

Key roles and responsibilities

Role	Who	Responsibility
New Service Task & Finish Group	Members from each partner authority	Political steer ahead of key decision points and holding the project true to the SWB's vision.
Senior Responsible Owner	Mickey Green (SWP)	Ownership of the project. Responsible for direction and ensuring that member task and finish group are consulted appropriately
Project Manager	Bruce Carpenter (SWP)	To plan, budget, oversee and document all aspects of the project to ensure that the project delivers its aims on time and on budget
Project Board	SMG (senior officers from each partner)	To support the SRO in providing overall direction and management for the project by bringing together a range of expertise

13. Finance / Resource implications

- 13.1 The Board is almost exclusively funded from contributions from partners and, apart from one-off funding bids, has no automatic block grant from Central Government. It is therefore dependent on agreement between partners on the level of funding provided by each of them in line with the cost sharing formula. Business planning and budget setting are therefore usually part of the same process but, due to the revised timetable, this year the Business Plan will be approved in December 2017 and the Budget finalised in February 2018 as is normal practice. The budget presented in this report will remain draft until February and is for one year only.
- 13.2 Section 7 of the Business Plan shows the projected year budget for Somerset Waste Partnership. A draft Annual Budget for the forthcoming year will be brought to the December meeting of the Somerset Waste Board. While the figures shown are subject to refinement, historically projections at the stage have been very close to the final budget due in February 2018, with only minor variations for final customer numbers. It is therefore considered a very low risk to approve the Business Plan ahead of the final Annual Budget for 2018/2019.
- 13.3 The current estimate for collection partners is between a 4.1% and 5.3% budget uplift from the 2017/18 budget. Each collection partner's contribution varies, primarily according to household growth and garden waste customer growth. All recycle more one-off costs are excluded from these figures (these are set out later in the report). The key drivers for the variance are:
- Collection inflation – estimate 2.66% (mostly fixed). The key drivers for this are CPI and fuel increases.
 - Household growth estimated average 0.95% (final figures will be available on 1st December).
 - Garden customers growth estimated at 3% (although this provides a corresponding income to each partner).
 - Recycling credits – whilst no growth is assumed, a 3% price increase is reflected current assumptions.

- 13.4 Cabinet will have the option not to approve the Business Plan as they do in any other year, this course of action would be unheard of in the history of the Waste Partnership and would lead to significant risks in terms of service delivery to our communities. If the Somerset Waste Partnership are unable to agree the Business Plan and possibly the budget, it would lead to considerable negative financial and reputational implications for all partners.
- 13.5 The Annual Budget, once finally approved, will become the new measure for the financial performance of the Waste Partnership for 2018/19. SWP will continue to share the costs among partners in the approved format
- 13.6 The cost increase for 2018 /19 when compared with 2017/18 is £70,000. The budget for 2018/19 was set with a contract increase in mind, however the increase actual increase is greater than this creating a small additional impact of £15k on the MTFP.

14.1 Legal Comments

- 14.1 The waste collection contract is one of the Authority's largest contracts. The Waste Partnership fulfils the Authority's statutory responsibilities in regard to waste collection.

15. Links to corporate Aims / Priorities

- 15.1 SWP is one of the Authority's key partnerships and takes client and operational responsibilities for the delivery of our recycling and waste priorities.

16. Environmental Implications

- 16.1 The role of SWP has a direct impact on the environment and all actions within the plan are considered against their environmental benefits.

17. Asset Management Implications

- 17.1 There are no implications as a result of the report

18. Equalities Impact

- 18.1 Equalities Impact Assessments will be carried out as appropriate with the development of each Business Plan activity prior to proceeding with that activity. In most cases the decision to proceed based on the outcome of the impact assessment will be delegated to the Managing Director and Senior Management Team of SWP. Where significant issues are identified through the assessment process that would have implications for major projects or programmes the decision to proceed will return to the Board prior to commencing development

19. Risk Management

- 19.1 The SWP risk register is reviewed annually and taken to the Somerset Waste Board for approval. The Project risk register is attached at Appendix 3.

20. Partnership Implications

20.1 The Somerset Waste Partnership is one of the Council's key partnerships. The Partnership undertakes the client and operational responsibilities for the delivery of our waste collection obligations and our recycling and waste reduction priorities.

Appendices:

- 1 – SWP Business Plan 2018/23
- 2 – Project Risk Register

Democratic Path:

- **Scrutiny - Yes**
- **Executive – Yes**
- **Full Council – No**

Reporting Frequency: Annually

Contact Officer

Name	Chris Hall
Direct Dial	01823 356499
Email	c.hall@tauntondeane.gov.uk

Name	Mickey Green
Direct Dial	01823 625707
Email	mickey.green@somersetwaste.gov.uk

Background papers

Somerset Waste Board Constitution and Inter-Authority Agreement
<http://www1.somerset.gov.uk/council/boards.asp?boardnum=32>



SWP Business Plan 2018 – 2023

Draft for Approval for Partner Authority Consultation

Table of Contents	
Page 3	About Somerset Waste Partnership; Key Stakeholders; SWP Vision
Page 4	Key Issues and Challenges
Page 6	Key Aims and Priorities
Page 7	Action Table
Page 10	Draft Budget Table 2018/19

Change History	
25/10/2017	Draft for Approval for Partner Consultation

1. About Somerset Waste Partnership

1.1 10th Anniversary

October 2017 saw the 10th anniversary of the formalisation of the Somerset Waste Partnership (SWP) and the signing of the inter-authority agreement between the six partner authorities. The authorities had been working together for ten years prior to that, but the formalisation cemented the relationship, enabling service developments that have saved millions of pounds in avoided costs for Somerset.

Somerset still has the first and only county-wide waste partnership, including all collection and disposal authorities, in the country. Since working together Somerset has increased its recycling rate three-fold, putting the county at or near the top of the national rankings for several years running.

1.2 Background to SWP

Somerset Waste Partnership (SWP) was established in 2007 to manage waste services on behalf of Mendip, Sedgemoor, South Somerset and West Somerset District Councils, Taunton Deane Borough Council and Somerset County Council. This made it the first county-wide waste partnership in the country.

SWP has delegated authority to deliver household waste and recycling services throughout Somerset, including management of kerbside collections, recycling sites and disposal sites. These duties are in turn contracted to Kier (collection services) and Viridor Plc (recycling sites, landfill sites and recycling or disposal of food waste, garden waste and residual waste).

SWP is accountable to the Somerset Waste Board (SWB), which consists of two members from each of the partner authorities.

For further information about Somerset Waste Partnership and the Somerset Waste Board please visit www.somersetwaste.gov.uk

2. Key Stakeholders

- Residents of Somerset
- Members and officers of partner authorities
- Kier MG CIC
- Viridor Plc

3. The SWP Vision

We will:

- Drive material up the waste hierarchy and, where sustainable markets exist, into the circular economy*.
- Avoid landfill and encourage high participation in waste avoidance, reuse, recycling and food waste collection schemes.

Business Plan

- Engage with local people, support economic wellbeing and use efficient, sustainable and affordable solutions at every stage of the process.
- Encourage and facilitate innovation, joined up strategy, policy and operations across the county

*A circular economy is one where resources once used are not disposed of, but become feedstock materials or energy for making new products, thus reducing reliance on raw materials and waste disposal. A “closed loop process” is a variation of this where recovered materials are recycled into the same product. The benefits of a circular economy include reduced energy consumption, resource security and lower environmental impacts. A circular economy works most effectively where there are clear incentives for all persons on the loop (manufacturers, retailers, consumers, local authorities, reprocessors) to move the material around the loop.

4. Key Issues and Challenges

Issue	Impact	Proposed Response
Legislative impact of withdrawal from the EU	The Great Repeal Bill will see all EU legislation not already enshrined in domestic law transferred to UK statute. This is likely to include the Circular Economy Roadmap, which will be passed into EU law before Britain exits.	No early changes to legislative framework identified. SWP will continue to monitor.
DCLG and non-household waste charging	The Department of Communities and Local Government continue to indicate they intend to stop Local Authorities charging for DiY waste, currently classified as “Industrial”. This intent has been reinforced in the 2017 Anti Littering Strategy, which included the statement “Stopping councils from charging householders for disposal of DIY household waste at civic amenity sites (rubbish dumps) – legally, household waste is supposed to be free to dispose of at such sites.”	SWB may decide to put the case to the DCLG for retaining current arrangements, or accept the financial gap (estimated at up to £600k p/a) with subsequent decisions to be made on how that will be managed. This risk will be addressed as part of the scheduled review of the Core Services contract scheduled in this Business Plan. SWP and the SWB will continue to monitor communications from the DCLG on the matter and engage where appropriate.
Community Recycling Site Charges	In 2015 DCLG brought in an order to prevent local authorities from designating some sites (known in	SWB must consider the impact of this change and how it will affect the network of recycling sites.

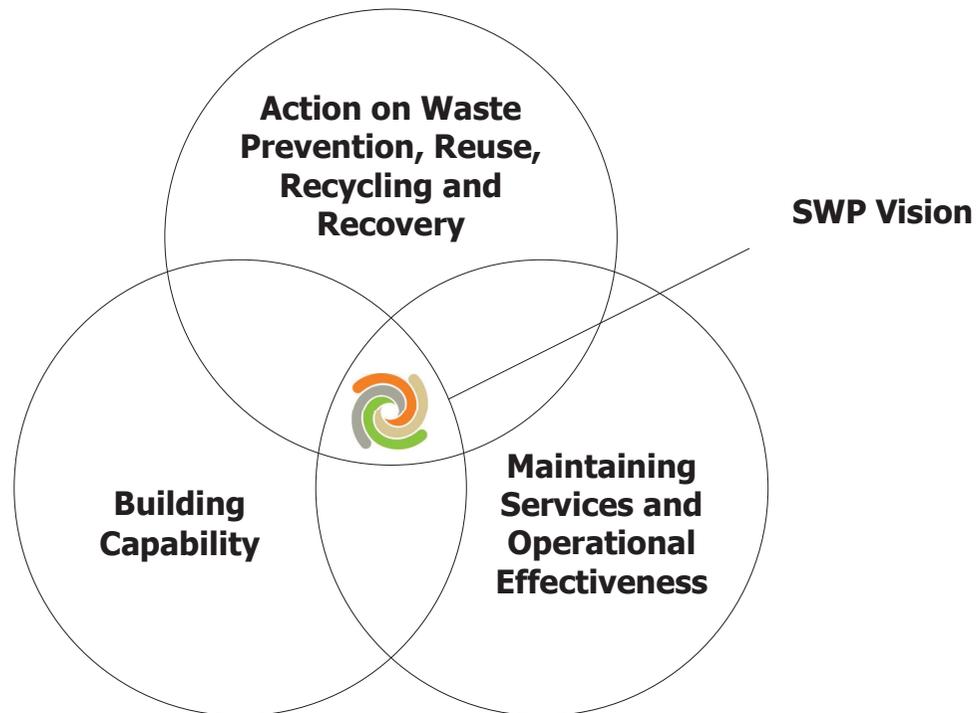
Business Plan

	Somerset as “Community Recycling Sites (CRSs)” as provided under discretionary “wellbeing” powers within the Local Government Act 2003. This removed the option to introduce charges for entry to sites (even where this option was promoted by the community as an alternative to closure). The effect of this is that the charging at Dulverton and Crewkerne CRSs will not be permitted after April 1 st 2020	This will be done as part of a wider review of the Core Services contract.
WRAP Consistency Framework	The framework, which strives to increase consistency in collection services across the country, continues to be a topic for discussion at governmental level.	SWP to monitor and adopt appropriate recommendations with implementation of service changes.
Deposit/Return Schemes	“Deposit/Return” schemes for items such as glass and plastic bottles are being considered for England by the government following announcement of a scheme to be adopted in Scotland. This initiative could affect the requirements for kerbside services with, if implemented, a potential drop in material volumes.	While supportive of the need to explore these options SWP’s considerations will be highlighted in a response to the “call for evidence” issued by Defra. SWP to monitor developments and consider impact on service design as part of any future procurement strategy for future collection service arrangements.
Financial Pressure	Ongoing financial constraints continue to impact all partner authorities.	SWP will continue to consider cost as a priority issue in all decisions.
Somerset Demographic changes	Somerset’s population is growing and, combined with longer life expectancies and an increased emphasis on community based care, there will be pressure on waste services. Some of the pressures will be on specific services, such as clinical waste (including an increase in adult hygiene	SWP will consider strategic impacts of demographic changes on waste services as part of the procurement process for future service arrangements.

	waste) and assisted collections.	
--	----------------------------------	--

5. Key Aims and Priorities for 2018/19

The action table sets out the most significant set of changes to Somerset's waste services since SWPs inception in 2007. Co-ordinated for maximum impact and value the changes span all three major contracts for waste collection, treatment, disposal and infrastructure (including vehicles). It also develops SWPs capability, in some instances working in partnership with others, to support Somerset residents in wasting less and recycling more, with residual waste becoming a fuel stock to generate energy.



5.1 Building Capability	Outcome	Timing, Resources
<ul style="list-style-type: none"> • Improving Intelligence <ul style="list-style-type: none"> ○ Review performance data procedures ○ Improve integrity of service data • Developing systems: - <ul style="list-style-type: none"> ○ Develop ICT strategy ○ New Customer Service systems (ITouch) ○ Website Upgrades (e.g. self service) ○ Develop and Launch Mobile App ○ Round Management and performance software • Understanding behaviour <ul style="list-style-type: none"> ○ Waste Composition Analysis (rolling three year cycle to commence with Waste Transfer Stations) • Internal Review <ul style="list-style-type: none"> ○ Review SWP staffing structures ○ Manage SWP Office move 	<p>SWP is an organisation that is able to work intelligently to improve delivery of the financial, social and environmental benefits of an effective resource management service.</p>	<p>These activities will run through the financial year. In the main costs will come from existing budgets.</p> <p>Items that fall outside of existing budgets are: -</p> <ul style="list-style-type: none"> - New Customer Service System. This will result in a circa £24,000 annual increase in overall budget but should deliver significant efficiencies in terms of customer request handling, and will provide a means which we can build a mobile App to support delivery of future service changes. - Round management and Performance Software. Because of the potentially significant and direct contribution to the delivery of the new service arrangements, the costs will initially be drawn from the Recycle More Earmarked Reserve (as described in previous Board papers) and estimated at £20,000.

5.2 Action on Waste Prevention, Reuse, Recycling and Recovery		
<ul style="list-style-type: none"> • Implementing future collection arrangements (Recycle More model) <ul style="list-style-type: none"> ○ Should the Board decide to tender the opportunity, procure provider for collection services (including appropriate risk management and mitigation arrangements) ○ Explore early introduction of household battery collections and trialling ways to increase capture of small waste electricals ○ Initiate vehicle procurement • Reducing cost and impact of waste <ul style="list-style-type: none"> ○ Targeted waste prevention and minimisation activities (including tested approach of Food waste stickers on bins) ○ Pilot SWP Education Service ○ Continue to explore effective media for communicating messages (including insert in Council Tax mailings) ○ Refresh SWP Waste Prevention Strategy, to focus on systemic implementation of activities with a significant measurable benefit over the full five year period of this plan ○ Develop SWP Communications Strategy • Infrastructure 	<p>Somerset’s recycling rate improves from 52% towards 60% and potentially beyond; residual waste per household reduces, and energy is recovered from materials that cannot be recycled ending the county’s long reliance on landfill.</p>	<p>These activities will be funded either from existing budgets or from the Recycle More Earmarked Reserve, with the exception of the trial reintroduction of education services, which will be funded via the Community Sector Integration Plan fund provided through the Viridor contract.</p>

<ul style="list-style-type: none"> ○ Oversee development of infrastructure required to deliver new residual waste treatment. 		
5.3 Maintaining Services and Operational Effectiveness		
<ul style="list-style-type: none"> • Viridor Core Services Contract Review <ul style="list-style-type: none"> ○ This contract, which includes management of the Recycling Centre network, ends in 2022 and SWP has the opportunity to extend it to 2031, should we choose to do so. • Active management of collection service contract (monitoring performance to ensure no degradation in tail end of contract) • Review waste service Fees and Charges structures and implications of varying charges (including inclusion of administration costs) • Recycling Site Maintenance • Assess impact of changes to legislative framework, including removal of powers to designate Community Recycling Sites and to charge for non-household waste at Recycling Sites. • Plan for Broadpath Landfill Site closure 	<p>These activities ensure the day to day functions of the SWP are delivered effectively and safely. SWP must give focus to maintaining the quality of services, predicting risks and preventing issues arising.</p>	<p>These items are funded through existing budgets.</p>

<ul style="list-style-type: none">• Plan for Dimmer transition (from landfill to Waste Transfer Station – scheduled Feb 2019)		
---	--	--

7. SWP Budget 2018 - 19

The following table shows the projected year budget for Somerset Waste Partnership. A draft Annual Budget for the forthcoming year will be brought to the December meeting of the Somerset Waste Board. While the figures shown here are subject to refinement, historically projections at the stage have been very close to the final budget due in February 2018, particularly for collection partners, with only minor variations for final customer numbers. It is therefore considered a very low risk to approve the Business Plan ahead of the final Annual Budget for 2018/2019.

7.1 Revenue Not Included

Control of income from residents for waste related services is retained by the collection authorities and is therefore not shown in this paper. The most significant portion of this is annual Garden Waste subscriptions, which will generate income for the district council of around £55.40 for each wheeled bin subscription in 2018/23. This is a significant offset of the cost of providing the service. Other income streams are Bulky Waste collection fees and sale of Garden Waste sacks.

Business Plan 2018-23

7.2 Full Draft Budget Summary 2018/19

Summary Annual Budgets 2018/2019								
Rounded £000s		Total	SCC	MDC	SDC	SDDC	TDBC	WSC
Expenditure			£000	£000	£000	£000	£000	£000
Salaries & On-Costs	972		481	110	111	155	108	7
Other Head Office Costs	275		126	30	32	45	31	11
Support Services	125		54	14	15	22	15	5
Disposal - Landfill								
Disposal - Landfill	11541		11541					
Disposal - HWRCs	9484		9484					
Disposal - Food waste	1481		1481					
Disposal - Hazardous waste	225		225					
Composting	1811		1811					
Kerbside Recycling								
Kerbside Recycling	9162			187	189	2812	1848	731
Green Waste Collections	2579			8	3	691	640	129
Household Refuse	6155			500	619	1880	1265	477
Clinical Waste	119			126	126	36	25	8
Bulky Waste Collection	84			4	9	24	18	7
Container Maintenance & Delivery	228			24	26	72	51	12
Container Supply	447			19	16	144	96	19
Pension Costs								
Pension Costs	69			2	2	62	2	1
Depot Costs								
Depot Costs	186			38	40	56	39	13
Village Halls								
Village Halls	6				6			
Transfer Station Avoided Costs								
Transfer Station Avoided Costs	321		321					
Recycling Credits								
Recycling Credits	2460		2460					
Capital Financing Costs								
Capital Financing Costs	231			52	41	78	39	21
Total Direct Expenditure	47961		27984	408	420	6077	4177	144
Income								
Sort It Plus Discounts	-80			0	0	-24	-17	-6
Transfer Station Avoided Costs	-321			-16	-17	-97	-67	-23
May Gurney Secondment Saving	-44		-20	-5	-5	-7	-5	-2
Recycling Credits	-2432			-520	-487	-757	-494	-174
Total Income	-2877		-20	-606	-578	-885	-583	-205
			£000	£000	£000	£000	£000	£000

Business Plan 2018-23

Total Net Expenditure	45084		27964	347 4	362 4	5192	3594	123 6
------------------------------	-------	--	-------	----------	----------	------	------	----------

Project Risk register

<i>Risk</i>	<i>Mitigation</i>
Kier continue to change their stance on matters that were considered agreed – this places the deed of variation at significant risk and prevents SWP progressing the approval with partners to procure a new provider, and prevents early market engagement taking place eating further into the timeline.	Kier and SWP have agreed that 13 th November will be the day that the deed is sealed. This is an operational decision to achieving Recycle More which was approved by each partner. Having the final deed signed preventing further changes on their part and allowing SWP to gain the partner approval required to procure a new service model.
We fail to have a competitive procurement process and achieve our objectives due to a lack of interest from one or more of the limited set of contractors who have significant experience in delivering comparable kerbside sort recycling collections (and in particular three weekly refuse collections).	We need to attract and maintain interest from the market in order to maximise competition, and this is being reflected in the procurement strategy, in particular in the way we will approach soft market engagement stage and the competitive dialogue stage, and how we reflect the procurement pipeline for similar services from other local authorities. An LAC remains our contingency plan.
We fail to achieve the project objectives (economic, efficiency and environmental/social) through the procurement	The competitive dialogue approach is designed to maximise the likelihood of us securing our aims by ensuring that we can explore key elements of the contract (including around efficiency, materials and yield) to ensure that we maximise our chances of securing our objectives. An LAC remains our contingency plan.
Due to the time it takes to procure Recycle More member authorities decide to no longer support recycle more.	Member task and finish group close involvement in the process helps ensure that our approach reflects the collective desires of partners.
Depot configuration and optimisation required for most efficient delivery of RM doesn't align with current sites and we are unable to secure suitable alternatives within time and/or budget	Depot optimisation strategy being developed as part of initial phase of procurement, and to be reflected in dialogue stage of procurement.
Administering authority contract standing orders are not appropriate to the specific circumstances of this procurement (in particular a 70:30 price : quality split)	Close working with SCC's commercial and procurement team as we develop the detailed procurement strategy, informed by expert commercial advice and soft market testing.
The costs of procurement exceed those currently forecast.	Careful ongoing management of expenditure and close review through project board and member task and finish group.

Report Number: WSC 123/17

West Somerset Council

Scrutiny Committee – 23 November 2017

Budget Setting Progress 2018/19

This matter is the responsibility of Cabinet Member Councillor Chilcott

Report Author: Paul Fitzgerald, Assistant Director Strategic Finance and S151 Officer

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 2018/19 and Medium Term Financial Plan (MTFP) forecasts.

2 Recommendations

- 2.1 Scrutiny notes the latest budget estimates, and comments on the budget adjustments being considered for the 2018/19 budget.

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	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 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 2018/19. These include:
- Scrutiny 15 June 2017: Financial Outturn 2016/17
 - Scrutiny 15 June 2017: Initial Draft Medium Term Financial Plan
- 4.2 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.
- 4.3 Overall, progress to addressing the gap and providing options via fees and charges and a Council Tax increase have been positive. However, there is still a likelihood that Transformation savings will be delayed and we await the provisional Settlement from Central Government which may bring further pressures, particularly if the allocation of New Homes Bonus is revised.

5 Budget Gap 2018/19

- 5.1 The previous estimated Budget Gap for 2018/19, as reported to Scrutiny in June, was £130,602. This estimate has been updated for a number of items which result in an updated Budget Gap of £15,000 (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 larger changes.

5.2 **Table 1 – Draft Budget Gap 2018/19 Reconciliation**

	£k	£k
Budget Gap as reported to Scrutiny 15 th June 2017		131
Revised calculation of BRR Tariff Adjustments based on final 16/17 NNDR3	48	
Council Tax Collection - Additional Court Fees	-30	
Building control contract saving	-23	
Waste Partnership budget pressure	18	
Additional income from Roughmoor Enterprise Centre	-3	
HR budgets unused under joint mgt arrangements	-6	
PSAA audit fees reduction	-21	
Telephones - reduction re WSC - Old Minehead Office link	-10	
Parking - additional income	-20	
Reduction in SHAPE contract fee	-41	
Council Tax £5 increase	-28	
BRR baseline adjustment for Sept RPI at 3.9%	-79	
Transfer to Business Rates Smoothing Res re initial Estimate (CPI)	79	
Council tax base		
Finalising detailed service cost estimates		
<i>Fees and charges</i>	?	
<i>Delay in Transformation Savings?</i>	?	
<i>Business Rates Volatility?</i>	?	
<i>Asset Management – cost pressure?</i>	?	
<i>Provisional Settlement Impact?</i>	?	
Latest Budget Gap Estimate		15

5.3 A brief explanation of some of these changes:

- **BRR Tariff adjustments** based on the final figures for 2016/17 added a pressure of £48k.
- Although it is proposed in the Fees and Charges Report for 2018/19 to reduce the base **Court Fee**, the volume of cases warrants an increase in the base budget following our review of the 2016/17 Outturn figures.
- **The SHAPE legal services** contract contribution has remained unchanged since its start in 2015/16. Following the reassessment of the volume of work put through SHAPE over the last year we now expect that a decrease in the charge is due. The re-assessed charge is still subject to agreement by officers and will not be applied until 2018/19.

5.4 Taking into account the above changes within the forecast Medium Term Financial Plan, the Budget Gap of £15,000 in 2018/19 is projected to grow to £189,000 by 2022/23.

Table 2 – Budget Gap Estimates

	2018/19 £k	2019/20 £k	2020/21 £k	2021/22 £k	2022/23 £k
Annual Budget Gap Increase	15	-111	176	40	69
Annual Budget Gap Total	15	-96	80	120	189

6 Fees and Charges

- 6.1 A separate report is included on the agenda for this Committee. This contains proposals in respect of Fees and Charges for 2018/19 that, if approved, would add approximately £1k to General Fund income budget estimates for 2018/19.

7 Council Tax

- 7.1 Information provided with the four year funding settlement indicates that, as a shire district, West Somerset will have the option to increase the Band D by a maximum of £5 each year in 2018/19 and 2019/20, if Members are minded. This will be confirmed each year by the Secretary of State.
- 7.2 If confirmed by the Secretary of State, an increase of £5 on a Band D property would raise a further £27,970 compared to the 1.99% increase assumed in the MTFP, based on the current Taxbase estimate. The Tax Base is currently being calculated.

Table 5 – Council Tax Increase Scenarios for 2018/19

Assumes Tax Base of 13,985.11 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%	150.56	0.00	2,105,600	0
1.00%	152.07	1.51	2,126,720	21,120
1.99%	153.56	3.00	2,147,550	41,950
3.32% (MTFP assumption)	155.56	5.00	2,175,520	69,920

8 Areas Still to be Completed

- 8.1 The **Business Rates Retention** provisional estimates will be completed in the coming days. This is a complex calculation and subject to change following the Provisional Local Government Finance Settlement.
- 8.2 The **Council Tax base** provisional estimates will be completed shortly and these will be added to the forecast as soon as they can be verified.
- 8.3 Budgetholders have been asked to put forward their **Capital Bids** for 2018/19. These will be presented to Scrutiny at the next meeting. We are mindful that

although Capital in nature many schemes have revenue implications which may add to the Budget Gap.

9 Other Factors

- 9.1 **Business Rates 100% Retention Pilot** – The Somerset county area has presented a business case to DCLG to create a new Somerset Pool for business rates comprising the County and all five districts, and apply for Pilot status with the potential rewards that firstly pooling and then growth retention may produce. We believe we have a robust business case and believe that by pooling with our district partners and the County Council we can achieve significant increases in retained business rates. We are one of a number of bids and we expect to hear whether we have been successful when we receive the Provisional Settlement in December. We will revisit our forecasts at this time.

10 Risk, Opportunities and Uncertainty

- 10.1 Ongoing risks and uncertainty for the budget at this stage include:

- **Local Government Finance Settlement (LGFS)** – following the Autumn Statement on 22 November, we await the Provisional Settlement in December. Whilst the multi-year settlement has been confirmed there may be other details released with the Provisional LGFS that we will need to reflect in our forecasts.
- **New Homes Bonus (NHB)** – The calculation of NHB was changed in the 2017/18 Finance Settlement and a “top-slice” of 0.4% of growth was introduced alongside the reduction from 6 years to 5 years. We anticipate a further reduction to 4 years for 2018/19 but there may be further nuances which will impact our NHB funding.
- **Fees & Charges** – Currently going through the committee process and therefore not yet been approved. The Report is included alongside this budget report.
- **Capital Programme** – options for a Draft Capital Programme are being compiled – any spending proposals could contain further revenue budget implications e.g. RCCO or borrowing costs.
- **Transformation Savings** – We are unclear at this stage of the timing of the delivery of savings which are included in the MTFP estimates for 2018/19, as the detailed planning is underway and not yet concluded. If there is a delay, then this will affect the budget gap and other funding sources will need to be found (ie other savings/reserves etc.) until the savings crystallise.

11 Environmental Impact Implications

- 11.1 None for the purposes of this report.

12 Safeguarding and/or Community Safety Implications

- 12.1 None for the purposes of this report.

13 Equality and Diversity Implications

13.1 None for the purposes of this report.

14 Social Value Implications

14.1 None for the purposes of this report.

15 Partnership Implications

15.1 The Council's budget includes significant expenditure on services provided under shared services with Taunton Deane Borough Council as well as by other key partners such as Somerset Waste Partnership, SHAPE and Somerset Building Control Partnership.

16 Health and Wellbeing Implications

16.1 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.

17 Asset Management Implications

17.1 None directly for the purposes of this report. The financial implications associated with asset management will be reflected within the Council's corporate and financial planning arrangements.

18 Consultation Implications

18.1 None for the purposes of this report.

Democratic Path:

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

Reporting Frequency: Adhoc through the budget process

Contact Officers

Name	Paul Fitzgerald, Assistant Director Strategic Finance and S151 Officer	Name	Jo Nacey, Financial Services Manager
Direct Dial	07774 335746	Direct Dial	01823 356537
Email	p.fitzgerald@tauntondeane.gov.uk	Email	j.nacey@tauntondeane.gov.uk

Report Number: WSC 122/17

West Somerset Council

Scrutiny Committee – 23 November 2017

Earmarked Reserves Review

Report of the Financial Services Manager

(This matter is the responsibility of Cabinet Councillor Trollope-Bellew, Leader of the Council)

1 Executive Summary

- 1.1 This report provides information on our Earmarked Reserves Review for 2017/18.
- 1.2 During the Review, £79,086 of earmarked reserves were deemed to be no longer required to be held and it is recommended that these are transferred to the General Fund Reserve.

2. Recommendations

- 2.1 The Scrutiny Committee note the report and provide comments where appropriate.

3. Earmarked Reserves Review 2017/18

- 3.1 As at 31st March 2017, the total General Fund Earmarked Revenue Reserves was £2.883m. This is equivalent to 93.8% of the Council's Net Revenue Budget of £3.075m (2016/17).
- 3.2 A fundamental review has been undertaken of all General Fund Revenue Earmarked Reserves, with a view to all balances being returned to the General Fund unless:
 - A clear commitment/obligation exists to spend the money within a defined time period
- 3.3 To identify which General Fund Earmarked Reserves balances could be returned to the General Fund Reserve, each Reserve holder was contacted and asked to provide evidence of how the Reserve balance was planned to be used.
- 3.4 These discussions identified that, of the balance held currently (£2.883m), all but £79k of the General Fund Earmarked Reserves is committed or has conditions upon it.

3.5 The £2.804m committed balance includes the following large balances and a full list of balances is included in Appendix A to this report:

- £756k – Transformation and creating a new council;
- £576k – Affordable Housing funding from DCLG;
- £305k– BR Smoothing Reserve; to address volatility in Business Rates income and appeals.
- £247k – Service Carryforwards.
- £214k – Asset Management and Compliance;
- £195k – Planning Policy Reserve to support costs associated with the Local Plan;

3.6 It has been agreed with Reserve holders that £79k will be returned to General Reserves immediately following Council’s approval. This figure includes the following reserves:

- £38k – Revs and Bens originally for software upgrade etc. Surplus to requirements.
- £12k – Dulverton Mill Leat, not committed at this time.
- £7k – Watchet Harbour dredging, not committed at this time.
- £6k – Morrison’s footpath now adopted by County.
- £6k – Minehead Harbour Dredging, not required at this time.
- £5k – Community Right to Challenge, no longer committed.
- £5k – Assets of Community value. Only half of this reserve required.

4. Finance Comments

4.1 Earmarked reserves should only be held where there is a clear purpose and commitment to use the funds within a planned timeframe. The Council is facing potentially significant transformation costs, and it is therefore prudent to release surplus earmarked balances to general balances, and provide greater funding flexibility in the short term. A full review is completed annually and hence the balances available to be returned to General Reserves are again quite low.

5. Legal Comments

5.1 The legal implications have been considered and there are not expected to be any specific implications relating to this report.

6. Links to Corporate Aims

6.1 Achieving financial sustainability: Looking at new ways of balancing the budget to address our financial challenges.

7. Environmental and Community Safety Implications

7.1 The environmental and community safety implications have been considered and there are not expected to be any specific implications relating to this report.

8. Equalities Impact

- 8.1 Equalities impact have been considered in respect of this report and no specific impacts have been identified.

9. Risk Management

- 9.1 Risk management implications have been considered and there are not expected to be any specific implications relating to this report.

10. Partnership Implications

- 10.1 The partnership implications have been considered and there are not expected to be any specific implications relating to this report.

Contact: Jo Nacey
Financial Services Manager
Taunton Deane Borough Council and West Somerset Council
Tel: 01823 219490
Email: j.nacey@tauntondeane.gov.uk

SUMMARY OF PROPOSED EARMARKED RESERVES AS AT 31 MARCH 2017

Budget Holder	Earmarked Reserve Heading	Balance at 1 April 2016	Transfers In 2016/17	Transfers Out 2016/17	Balance at 31 March 2017	Committed Expenditure	Available to be Returned	Purpose of Reserve
		£	£	£	£	£	£	
Kim Batchelor	Transformation and Creating a New Council	0	762,000	-5,287	756,713	756,713	0	Funding required primarily to implement the approved Transformation Business Case and also to create a new council replacing West Somerset and Taunton Deane councils.
Kim Batchelor	JMASS Reserve	302,324	270,406	-533,260	39,470	39,470	0	Funding to support transformation costs under JMASS.
Jo Humble	Strategic Housing Market Area Assessment	1,000	574,760		575,760	575,760	0	DCLG funding for community land fund to support bringing forward affordable housing within West Somerset. The bulk of the funds anticipated to be spent in 2017/18 and 2018/19 as projects progress.
Jo Nacey	Business Rates Retention Smoothing Account	3,388,863	139,882	-3,223,601	305,144	305,144	0	This is a volatile area and we are committed to mitigating the risk of Business Rates retention by setting aside an appropriate level of funds in this reserve
Tim Child	Asset Management and Compliance	148,436	85,780	-20,700	213,516	213,516	0	Asset maintenance compliance works to be completed.
Nick Bryant	Planning Policy Reserve	20,925	223,222	-48,940	195,207	195,207	0	Monies set aside and to be drawn down to cover additional costs arising and relating to the West Somerset Local Plan preparation through to examination and beyond to adoption.
Paul Fitzgerald	Sustainability Fund	67,698		-26,998	40,700	40,700	0	Earmarked for initiatives such as "invest to save" plans that have a positive impact upon the underlying financial sustainability of the Council's budget.
Jo Nacey	Budget Carry Forwards For Specific Services	41,690	247,189	-41,690	247,189	247,189	0	Budgets carried forward to reflect timing of planned spend across financial years and support ongoing service delivery requirements.
Paul Fitzgerald	Contingency to underwrite delivery of 2017/18 savings	0	48,000		48,000	48,000	0	Funding to underwrite the 2017/18 savings and mitigate any adverse impact on the General Reserve balance
Scott Weetch	Community Safety	15,260	10,000	-11,727	13,533	13,533	0	External funding specifically earmarked for community safety initiatives.
Elisa Day	District Election	0	8,550	0	8,550	8,550	0	Funds to meet the costs of Elections
Elisa Day	Other Election Reserve	19,436		-5,900	13,536	13,536	0	Funds to meet the additional costs of Individual Electoral Registration.
Heather Tiso	Revenues and Benefits Reserve	89,565	12,749	-29,565	72,749	35,024	37,725	Monies set aside to provide service resilience and to fund planned software upgrade needed for CTS Scheme developments.
Jo Nacey	Finance Reserve	24,000	20,840		44,840	44,840	0	These monies fund additional staff to deal with BAU during transformation.
Chris Hall	SWP Vehicles	0	33,617		33,617	33,617	0	To help fund our contribution to the new operating model.
Brendan Cleere	WS Employment Hub	0	21,293		21,293	21,293	0	Transferred to Community Outreach Fund
Shirlene Adam	Agile Working	0	20,000		20,000	20,000	0	Investment in technology to implement transformation changes and better enabling of agile working
Shirlene Adam	Members' Technology	0	20,000		20,000	20,000	0	Funding to invest in updating members technology that complements the implementation of transformation of ways of working

Budget Holder	Earmarked Reserve Heading	Balance at 1 April 2016	Transfers In 2016/17	Transfers Out 2016/17	Balance at 31 March 2017	Committed Expenditure	Available to be Returned	Purpose of Reserve
		£	£	£	£	£	£	
Nick Bryant	Planning Reserve	20,000			20,000	20,000	0	Monies set aside to fund specialist technical advice for major planning applications. E.g. Landscape visual impact assessments, retail studies etc.
Angela Summers	Cuckoo Meadow Reserve	10,010	16,820	-10,010	16,820	16,820	0	Lottery monies earmarked to be used in future years. Used for play equipment
Ian Timms	Steam Coast Trail Reserve	23,218	8,505		31,723	31,723	0	WSC is working in continued partnership with Friends of the Steam Coast Trail and Sustrans. These monies will support the delivery of Phase 2 of the Steam Coast Trail - the creation of a traffic free route between Old Cleeve and Washford by the end of 2018. A key part of the Steam Coast Trail vision for safe cycling between Minehead and Williton.
Heather Stewart	Housing Options	46,660		-3,040	43,620	43,620	0	Balance of Homeless Prevention funding plus remainder of Mortgage Rescue Grant.
Fiona Wills	Training Reserve	14,560		-4,560	10,000	10,000	0	Monies set aside to meet future training needs across the organisation.
Chris Hall	Morrison's Footpath	6,000			6,000	0	6,000	Earmarked to part-fund the footpath upgrade but path now adopted by County Council.
Simon Lewis	Community Right to Challenge	5,000			5,000	0	5,000	No longer committed
Angela Summers	Assets of Community Value	10,000			10,000	5,000	5,000	Government Grant set aside to support the administration of applications under regulations. Reduction appropriate.
Richard Wiseman	Minehead Harbour Dredging Reserve	5,500			5,500	0	5,500	Monies set aside to fund works in future years.
Heather Tiso	Online DHP Reserve	5,375			5,375	5,375	0	Online Software Requirement for Revenues and Benefits.
Richard Wiseman	Dulverton Mill Leat	0	12,195		12,195	0	12,195	Not required.
Scott Weetch	Licensing Staff Reserve	8,091	4,700		12,791	12,791	0	Monies set aside to fund extra resource within West Somerset Council.
Tracey-Ann Biss	Car Parking Reserve	10,000			10,000	10,000	0	Monies set aside in respect of maintenance and signage.
Chris Hall	Watchet Harbour Dredging	7,000			7,000	0	7,000	Used to fund additional dredging. Not yet committed but is needed.
Scott Weetch	Environmental Health Reserve	4,081			4,081	4,081	0	Destitute Burial Reserve.
Ian Timms	Business Development Reserve	14,287		-8,610	5,677	5,677	0	Funding for initiatives to support small businesses.
Mark Hill	Inspire	3,391			3,391	3,391	0	Earmarked for costs under the Inspire Directive. Supports the relevant databases.
Scott Weetch	CCTV	1,565			1,565	1,565	0	Monies set aside to fund the repair of CCTV cameras.
Chris Hall	Water Bathing Signs	1,266			1,266	1,266	0	Environmental grant specifically earmarked.
Angela Hill	Customer Service Equipment Reserve	666			666	0	666	Specialised Chair Required (Health and Safety). This was funded from other resources.

Budget Holder	Earmarked Reserve Heading	Balance at 1 April 2016	Transfers In 2016/17	Transfers Out 2016/17	Balance at 31 March 2017	Committed Expenditure	Available to be Returned	Purpose of Reserve
		£	£	£	£	£	£	
Ian Timms	Minehead Events	396			396	396	0	Mary Portas grant – specifically earmarked. To be transferred to the fund for the Minehead Strategic Economic Plan.
Nikki Maclean	Minehead Town Centre Signage	115			115	115	0	Contribution from Minehead Chamber of Trade and Morrison s106 to fund the signs.
	Totals	4,316,378	2,540,508	-3,973,888	2,882,998	2,803,912	79,086	

Report Number: WSC 121/17

West Somerset Council

Scrutiny Committee – 23 November 2017

Fees and Charges 2018/19

Report of the Financial Services Manager

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

1. Executive Summary

- 1.1 This report sets out the proposed fees and charges for next financial year, 2018/19.

2. Recommendations

- 2.1 Scrutiny Committee is recommended to support the proposed fees and charges for 2018/19, 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

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 2018/19

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
- 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.

5. Proposed Increases for 2018/19

5.1 Those services proposing an increase to charges for 2018/19 include:

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

- 5.2 Due to a rebasing of the associated costs, Court Fees are proposed to be reduced for 2018/19 (Appendix E).
- 5.3 Parking Permit Fees have also been reviewed and these are proposed to be reduced in some areas. (Appendix H)

6 Proposed New Charges for 2018/19

- 6.1 The Environmental Health Manager proposes to introduce a cost recovery fee for the provision of food hygiene advice to food businesses in Taunton Deane and West Somerset from 1st January 2018. This includes a charge for food safety advisory visits, a printed copy of a guidance booklet and a Food Hygiene Rating Scheme request for a re-inspection visit. See Appendix B2.
- 6.2 The Environmental Health Team do not currently charge for food safety advisory visits and this would allow for specialist advice to be provided to the business owner at a calculated fee of £130 based on a 1 hour visit. The Food Standards Agency (FSA) has reviewed its guidance on charging a fee for requested re-inspection visits to re-assess a business's Food Hygiene Rating Scheme (FHRS) score, in consideration of the general power under the Localism Act (2011). The Agency considers that providing a re-inspection upon request by a food business operator, in circumstances where there is no statutory requirement to provide that re-inspection, falls within the general power that allows for the recovery of costs. It is proposed that a fee of £122.50 is introduced for a FHRS re-inspection visit and a charge of £30 for a printed guidance pack from 1st January 2018.
- 6.3 Based on figures for 2016/17 this will bring in additional income of £612 for West Somerset Council. This is likely to increase if the mandatory display of food hygiene stickers is introduced.

7. Detailed Proposals

- 7.1 Appended to this report are the detailed proposed charges for each service as outlined below:

Waste Services	Appendix A
Environmental Health	Appendix B1
Environmental Health (New Charge)	Appendix B2
Licensing	Appendix C
Land Charges	Appendix D
Court Fees	Appendix E
Harbours	Appendix F
Freedom of Information	Appendix G
Parking	Appendix H
Planning	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	Appendix	Additional Income £
Garden Waste Collection and Recycling	A	0
Environmental Health	B1	0
Environmental Health (New Charge)	B2	612
Licensing	C	0
Land Charges	D	0
Court Fees	E	0
Harbours	F	3,000
Parking	H	(2,560)
TOTAL		1,052

- 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

- 6.5 The increases proposed are based on the inflationary rate set within the collection contract with Kier, for 2018/19 this is expected to be 3.5%. As such, the increase will be cost neutral.(Appendix A)

Harbours and Mooring

- 6.6 The proposed increases in fees are made in order to provide additional resources needed to assist the Council in meeting essential operating costs. (Appendix F)

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 – Yes
- Cabinet – Yes
- Full Council – Yes

Reporting Frequency: Annual

List of Appendices

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

Contact Officers

Name	Jo Nacey, Financial Services Manager
Direct Dial	01823 219490
Email	J.nacey@tauntondeane.gov.uk

West Somerset Council - Fees and Charges 2018/19 Waste Services – Somerset Waste Partnership

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

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

The increases proposed are based on the inflationary rate set within the collection contract with Kier, for 2018/19 this is expected to be 3.5%.

Extra consideration was given to those customers who cannot store a green bin, they are already paying more by volume for the waste due to the price and capacity of the bags. 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.

Charges

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

	Current £ (2017/18)	Proposed £
Green Waste Bins	53.50	55.40
Green Waste Sacks x10	26.50	27.40
3 x bulky items	41.50	43.00

Subsequent items	11.50	11.90
Bin replacements	25.00	25.90

Discounts

There are no discounts provided through this service but there remains a subsidy to the public for the elements of administration and provision of bins (for green waste only).

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. Increased customer numbers coupled with a cost neutral pricing strategy have meant that the subsidy provided by the council is relatively small.

It is not considered good practice to charge of the green waste bin as this may detract from the use of the service with customers placing this waste in the residual bin increasing the overall costs of the collection contract.

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.

The proposed increase will not alter the net position on green waste services as the increased charges are matched by the increasing costs of provision.

Equality Impact Assessment

Please see attached Equality Impact Assessment form.

Recommendation

Corporate Scrutiny is invited to make comments upon the proposed fees and charges for inclusion in the report to Executive.

END

Chris Hall

Assistant Director – Operational Delivery

West Somerset Council

Fees and Charges Report 2018/19 Environmental Health

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 2016, at the time we took the opportunity to review charges for TDBC and WSC to ensure they reflect the costs of providing the service including officer time, mileage and laboratory charges.

3. Pest Control Service – a report providing a review of pest control charges is attached below. In summary the small increase in charges, based on inflation of 2.5%, aims to ensure that the service remains sustainable and that these charges reflect the true cost of providing the service.

Private Water Supply Service Charges Review 2018/19

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

Taunton Deane Borough Council and 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 around the Quantocks and occasionally elsewhere. 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.

Taunton Deane and West Somerset Council have a total of 962 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 2017/18 is £45.00 including recharges.

The following table details the charges to be introduced from 1st April 2018. 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 2018 for
Taunton Deane Borough Council and West Somerset Council**

	Service	Maximum fee under the Regulations	TDBC & WSC Fee	Notes
1.	Risk Assessment	£500	Charges at hourly rate £50, typical risk assessment at 2 hr will total £100. Plus analysis costs	Time taken to inspect a supply inc.background research, travel time + admin. Average time 2 hours (£100)
2.	Sampling visit	£100	£50 (half an hour for each, sampling visit and report) 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	Check monitoring is carried out to ensure that water complies with the standards. Where possible it should be carried out at the same time as any requirement for audit monitoring, to keep cost down.
7.	Audit Monitoring		£29.75	Fee set by SSS
8.	Advisory Visits		Charged at £50 per hour	
9.	Requests for Environmental Information		Charged at £65 per request	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 and the 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. Analyses are charged in addition to officer time

9. Requests for Environmental Information

Requests for environmental information, including requests from solicitors, searches for contaminated land to be charged at a flat rate of £65 in line with the current charge at TDBC. Requests which do not take significant time e.g. requests which confirm that the council hold no information or requests for copies of certificates of water quality are not charged for.

Pest Control Service Charges Review 2018/19

The Pest Control Service provides treatment of rats, mice and wasps along with domestic and commercial pest control contracts in the Taunton Deane and West Somerset areas.

In 2016/17 the Pest Control Service cost £80,061.00 to deliver and brought in an income of £38,567.00 giving an overall cost of £41,494.00 to the council. The overall cost of the service is higher than previous year's mainly due to increased internal recharges.

When considering the pest control charges it is important to first establish the true cost of delivering the service. We can then consider areas of potential growth and areas which are subsidised.

The Pest Control Officer's hourly rate for 2017/18 is £83.14 including all recharges for senior staff, salaries, stationary, transport etc. If you exclude recharges the hourly rate reduces to £33.05. These charges are important to consider as they will be incurred by the cost centre whether or not any additional paid work is undertaken and should be considered in this context.

Rat & Mice Treatments

It takes 60 minutes for a 1st call rats/mice visit and 45 minutes for a revisit. The average service request take a 1st visit and 2 subsequent visits, this includes officer's travelling time. A rat/mouse treatment takes 2 ½ hours at a true cost of £207.85 (or £82.63 at the lower hourly rate). The proposed charges for 2018/19 are £67 for rats and mice and £33.50 at the subsidised rate.

If charges were increased to £207.85 to cover the full cost of the service for rats and mice, this would have a detrimental impact on the service.

Wasp Nest Treatments

A wasp's nest treatment takes 45 minutes and only requires 1 visit. The true cost of this service is £62.36 (or £24.77 at the lower hourly rate). The current charges for 2017/18 are £55 for wasps.

At the proposed rate of £56 for 18/19 this part of the service would make a small income of £17.13 per treatment.

Advice/Call Out Visits

The average advice/call out takes 40 minutes and is currently charged at £32.50. If the call out charge was increased to £33.50 this would reflect the proposed increases in the treatments and generate a further increase in income.

Commercial Treatments

Commercial treatments including contracts are charged at an hourly rate plus, materials and VAT. These charges presently make a small profit above the hourly officer rate (excluding recharges) so a 2.5% increase in charges should be considered. Material costs are charged at cost price. The service currently has 11 commercial contracts in place.

Domestic Pest Control Contracts

The current charge for Domestic Pest Control Contracts is £110 per year, the contracts are for 3 visits plus 2 additional call out visits. The call out visits are rarely used by customers. The average visit takes 1 hour, so the cost of providing the contract is £249.42 (or £99.09 at the lower hourly rate). We currently have 26 Domestic Pest Control contracts.

I propose an increase to the cost of the Domestic Pest Control Contracts to £112.75 per year.

West Somerset

The service was extended into West Somerset in 2016/17. This service has the potential to grow and service requests for 2017/18 have increased from last year. During 2017/18 the number of treatments provided is 25 for rats, 8 for Mice and 25 for wasps. Service requests from the WSC area will continue to be monitored throughout 2018/19.

Appendix A is the proposed charging sheet.

Pest Control Charges from 1st April 2018 for TDBC and WSC

Domestic Properties

Visits for Rats and Mice **£67.00 full charge**
£33.50 subsidised charge*

Visits for Wasps **£56.00 full charge**

Where two or more nests are found an additional nest charge of 20% per nest (£11.00) is payable for **each** additional nest before treatment can commence.

Visits to give Advice only **£33.50**

This will not include any treatment, if this is requested at the time of the advice visit the difference must be paid before treatment can commence. If treatment is requested and a new appointment is needed, this must be paid in full.

We only provide treatment for fleas in void council properties, or DH

Drainage Camera Survey **£77 + VAT**

***Subsidised charges will only apply if the main householder or their partner is in receipt of, and can provide proof of:-**

- Income Support
- Income Based Jobseekers Allowance
- Employment and Support Allowance Income Based (ESA)
- Working Tax Credit
- Child Tax Credit
- Housing Benefit
- Council Tax Reduction Scheme.
- Pension Credit Guarantee Credit
- Pension Credit Savings Credit

Commercial Properties

Rats and Mice **£77.00 per hour + materials + VAT**

Wasps **£60.00 + VAT**

Advice visits **£36.00 + VAT for wasps**

Contracts

Domestic Contracts are for rats and mice only and are priced at £112.75 a year.

Commercial Contracts shall be priced on an individual basis using an hourly rate of £55.70 plus materials cost. Payable annually in advance.

FHRs and advisory package charging calculations

Environmental Health

Food Hygiene Rescore calculation

	Process - FHRs Rescore Inspection	Estimated time (mins) used in Wales	Officer responsible from calculations used in Wales	Indicate TIME estimates in minutes used for your local authority	Indicate OFFICER responsible for each process in your local authority	Cost estimated for you local authority
a	Initial Enquiry and supply of forms/advice	15	Business Support Officer	15	Business Support	£7.50
b	Receipt of fee and checking of applications.	10	Business Support Officer	10	Business Support	£5.00
c	Enter onto LA database	5	Business Support Officer	10	Business Support	£5.00
d	Pre-inspection file checks	20	Environmental Health Officer	10	Officer	£7.50
e	Travel to and from business (average)	45	Environmental Health Officer	45	Officer	£33.75
f	Rescore visit (full inspection)	150	Environmental Health Officer	60	Officer	£45.00
g	Completion of inspection report and sticker	60	Environmental Health Officer	15	Officer	£11.25
h	Input onto LA database	5	Business Support Officer	15	Business Support	£7.50
	TOTAL (a - h)	310		180		£122.50
Additional costs (insert any additional processes/costs identified not included in a - i above)						
	Process			Indicate TIME estimates in minutes used for your local authority	Indicate OFFICER responsible for each process in your local authority	Cost estimated for you local authority
j						
k						
l						
m						
n						
o						
	TOTAL (j - o) - do not enter details as this will automatically calculate			0		£0.00
p	GRAND TOTAL (a - o) - do not enter details as this will automatically calculate			180		£122.50
Costs used						
q	Environmental Health Officer (hourly rate)	£45.00		TD/WSC Hourly Rates		
r	Business Support Officer (hourly rate)	£30.00		Business Support		£30 (£29.99)
s				Food Safety Officer		£40 (£39.42)
t				Env Health Officer		£50 (49.87) (ave £45)
u						

Time/cost calculation for Food Safety Advisory Visits

	Process - Advisory Visits	Officer responsible	Indicate TIME estimates in minutes used for your local authority	Cost estimated for you local authority
a	Initial Enquiry	Business Support Officer	5	£2.50
b	Receipt of fee	Business Support Officer	10	£5.00
c	Enter onto LA database	Business Support Officer	10	£5.00
d	Pre-visit file checks & research	Environmental Health Officer	30	£22.50
e	Travel to and from business (average)	Environmental Health Officer	45	£33.75
f	Advisory visit 1 hr	Environmental Health Officer	60	£45.00
g	Completion of advisory forms on site or advisory letter	Environmental Health Officer	15	£11.25
h	Input onto LA database	Business Support Officer	10	£5.00
	TOTAL (a - h)		185	£130.00
Additional costs (insert any additional processes/costs identified not included in a - i above)				
	Process		Indicate TIME estimates in minutes used for your local authority	Cost estimated for you local authority
j	Additional hour of advice of part thereof		60	£45.00
k				
l				
m				
n				
o				
	TOTAL (j - o) - do not enter details as this will automatically calculate		60	£45.00
p	GRAND TOTAL (a - o) - do not enter details as this will automatically calculate		245	£175.00
TD/WSC Hourly Rates				
	Business Support		£30 (£29.99)	
	Food Safety Officer		£40 (£39.42)	
	Env Health Officer		£50 (49.87) (ave £45)	

Food Safety Guidance Pack Printing Calculations

	Process - SFBB pack	Officer responsible	estimates in minutes used for	for you local authority						
a	Initial enquiry & receipt of Fee	Business Support Officer	5	£2.50						
b	Printing	Printing Services		£25.96						
c	Postage and envelope	Business Support Officer		£1.10						
d	Input onto LA database	Business Support Officer								
	TOTAL (a - d)		5	£29.56						
	Details of costs from other printers									
	Safe Methods (87 pages) Colour, double-sided, bound with cover			Diary Sheets/4-weekly review for 1 year (66 pages) Colour, double-sided, bound with cover			Diary Sheets/4-weekly review for 1 year (66 pages) B&W, double-sided, bound with cover			
Number ordered	1	50	100	1	50	100	1	50	100	
Zeralynx	19.05	5.8	4.64	15.7	4.72	3.68	5.25	2.98	2.39	
Colourtone	30.15	8.05	7.75	25.15	6.35	6.1	20.15	3.05	2.55	
Rockwell Printers	19.1	17.66	14.14							
TDBC	7.22	5.25	4.61	5.88	4.46	3.87	5.87	3.36	2.99	
TDBC Printers: cost for SFBB and Diary Sheets £25.96 plus business support time to process enquiry and fee										
Proposal to introduce a charge of £20 for the Safe Methods only, £17.50 for the Diary and £30 if both are ordered at the same time (saving £7.50)										
Childminders Pack is half the pages £15										

West Somerset District Council Fees and Charges 2018/19

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 A

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.

Equality Impact Assessment

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

Recommendation

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

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

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

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

Application Type	Application Type 2017 - 18	Fees set by statute	Current Fees 2017 -2018	Proposed Fees 2018 -2019
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	£191.00
Dog Breeding	Dog Breeding - Further Licence		£113.50	£191.00
Home Boarding Licence	Home Boarding - Further Licence		£113.50	£191.00
Pet Shop Licence	Pet Shop - Further Licence		£113.50	£206.00
Riding Establishments	Riding Establishments			£201.00
Up to 10 horses			£106.00	
10 - 25 horses			£132.00	
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	£105.00
Caravan Sites (ability to charge came into force 01 April 2014)				
	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

Application Type	Application Type 2017 - 18	Fees set	Current Fees	Proposed Fees
		by statute	2017 -2018	2018 -2019
New Small Casino				
New Application		£8,000.00		£6,800.00
New Application – with Provisional Statement		£3,000.00		£2,550.00
Provisional Statement		£8,000.00		£6,800.00
Transfer		£1,800.00		£1,530.00
Re-instatement		£1,800.00		£1,530.00
Variation		£4,000.00		£3,400.00
Annual Fees		£5,000.00		£4,250.00
Bingo				
New Application		£3,500.00	£3,049.00	£2,975.00
New Application – with Provisional Statement		£1,200.00	£523.00	£510.00
Provisional Statement		£3,500.00	£3,049.00	£2,975.00
Transfer		£1,200.00	£1,045.50	£1,020.00
Re-instatement		£1,200.00	£1,045.50	£1,020.00
Variation		£1,750.00	£1,537.50	£1,500.00
Minor Variation				
Annual Fees		£1,000.00	£871.50	£850.00
Betting – not on course				
New Application		£3,000.00	£2,614.00	£2,550.00
New Application – with Provisional Statement		£1,200.00	£523.00	£510.00
Provisional Statement		£3,000.00	£2,614.00	£2,550.00
Transfer		£1,200.00	£1,045.50	£1,020.00
Re-instatement		£1,200.00	£1,045.50	£1,020.00
Variation		£1,500.00	£1,307.00	£1,275.00
Annual Fees		£600.00	£523.00	£510.00
Track Betting (on course)				
New Application		£2,500.00	£2,178.00	£2,125.00
New Application – with Provisional Statement		£950.00	£410.00	£400.00
Provisional Statement		£2,500.00	£2,178.00	£2,125.00
Transfer		£950.00	£820.00	£800.00
Re-instatement		£950.00	£820.00	£800.00
Variation		£1,250.00	£1,127.50	£1,100.00
Annual Fees		£1,000.00	£871.00	£850.00
Adult Gaming Centre				
New Application		£2,000.00	£1,742.50	£1,700.00
New Application – with Provisional Statement		£1,200.00	£523.00	£510.00
Provisional Statement		£2,000.00	£1,742.50	£1,700.00
Transfer		£1,200.00	£1,045.50	£1,020.00
Re-instatement		£1,200.00	£1,045.50	£1,020.00
Variation		£1,000.00	£871.00	£850.00
Annual Fees		£1,000.00	£871.00	£850.00

Application Type	Application Type 2017 - 18	Fees set	Current Fees	Proposed Fees
		by statute	2017 -2018	2018 -2019
Family Entertainment Centre				
New Application		£2,000.00	£1,742.50	£1,700.00
New Application – with Provisional Statement		£950.00	£410.00	£400.00
Provisional Statement		£2,000.00	£1,742.50	£1,700.00
Transfer		£950.00	£820.00	£800.00
Re-instatement		£950.00	£820.00	£800.00
Variation		£1,000.00	£871.00	£850.00
Annual Fees		£750.00	£666.50	£650.00
Family Entertainment Centre Gaming Machine Permits				
New application		£300.00	£300.00	£300.00
Renewal		£300.00	£300.00	£300.00
Change of name		£25.00	£25.00	£25.00
Copy of permit		£15.00	£15.00	£15.00
Licensed Premises Gaming Machine Permit				
New Application		£150.00	£150.00	£150.00
Variation		£100.00	£100.00	£100.00
Transfer		£25.00	£25.00	£25.00
Change of Name		£25.00	£25.00	£25.00
Copy of permit		£15.00	£15.00	£15.00
Annual Fee		£50.00	£50.00	£50.00
Notification of 2 or less Gaming Machines				
Notification		£50.00	£50.00	£50.00
Prize Gaming Permit				
New Application		£300.00	£300.00	£300.00
Renewal		£300.00	£300.00	£300.00
Change of name		£25.00	£25.00	£25.00
Copy of permit		£15.00	£15.00	£15.00
Club Gaming & Club Machine Permit				
New Application		£200.00	£200.00	£200.00
Variation		£100.00	£100.00	£100.00
Copy Permit		£15.00	£15.00	£15.00
Renewal		£200.00	£200.00	£200.00
Annual Fee		£50.00	£50.00	£50.00
Lotteries				
New		£40.00	£40.00	£40.00
Renewal		£20.00	£20.00	£20.00
Temporary Use Notice				
New		£500.00	£45.00	£40.00
Replacement		£25.00	£25.00	£20.00

Application Type	Application Type 2017 - 18	Fees set	Current Fees	Proposed Fees
		by statute	2017 -2018	2018 -2019
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
Dissapplication of DPS			£23.00	£23.00
Transfer of Premises Licence		£23.00	£23.00	£23.00
Interim Authority Notice		£23.00	£23.00	£23.00
Change of Club name or rules		£10.50	£10.50	£10.50
Change of Club address		£10.50	£10.50	£10.50
Replacement TEN		£10.50	£10.50	£10.50
Replacement Personal Licence		£10.50	£10.50	£10.50
Name/address change (Pers. Lic)		£10.50	£10.50	£10.50
Right of freeholder to be notified of licensing matters		£21.00	£21.00	£21.00
Minor Variation		£89.00	£89.00	£89.00

Application Type	Application Type 2017 - 18	Fees set by statute	Current Fees 2017 -2018	Proposed Fees 2018 -2019
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

Application Type	Application Type 2017 - 18	Fees set by statute	Current Fees	Proposed Fees
			2017 -2018	2018 -2019
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 2018/19

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: eg 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 (eg 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 reduce the full search fee by £6 to £76. This will have the effect of a decrease of £46 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 - £69,960 (base budget 2016/17)

Estimated number of requests – 948

- Based on average number of searches received across three years
- 2014/15 – 832
- 2015/16 – 954
- 2016/17 - 1059

Therefore estimate is $832+954+1059 = 2845$ divided by 3 = 948

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 £69,680 giving a small under recovery of £280. Due to the Council's financial position, it is appropriate to aim for full cost recovery in the coming financial year. 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	£76
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 - £69,960 (base budget 2016/17)

Estimated number of requests – 948

- Based on average number of searches received across three years
- 2014/15 – 832
- 2015/16 – 954
- 2016/17 - 1059

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

Estimated total income is £69,680 giving a small under recovery of £280.

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 2018/19

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 a High Court Case (Nicolson v Tottenham & London Borough of Haringey) there is a requirement to evidence a detailed breakdown of how the costs are calculated. Whilst a charge for Summons and Liability is allowed it has been our decision to agree a single cost added upon the issue of a summons. As soon as the proposed costs are agreed by members this will take effect from the next court hearing.

	Current £ (2017/18)	Proposed £ (from next hearing)
Court Costs	62.00	61.00

Discounts

Discounts are not provided as we charge what it costs to issue a summons from Final Notice Stage up to the point of the court hearing. We do however withdraw costs in some cases on customer's willingness to pay the arrears in full.

Budget Impacts

Council Tax Court Costs Recovered in 2018/2019 using the current fee structure of £62.00 per case the forecast would increase to £93,000 owing to additional court cases for the year. However with reference to the following case (Nicolson v Tottenham & London Borough of Haringey) the proposed fee structure of £61.00 should be applied which would yield income of £91,500, showing a reduction of £1,500.

The impact on NNDR Court Cost Recovered would be nominal showing a reduction of £85.

Equality Impact Assessment

There has been no material change to the policy of charging for summons and or liability orders and the charge has decreased, therefore no Equality Impact Assessment is required.

West Somerset Council - Fees and Charges 2018/19 Watchet and Minehead Harbours

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

In recent years WSC have invested further financial support in to the Harbours at an increase cost to the tax payer, or by drawing in resources from other services. 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 approve for 2017/18 £	Proposed 18/19 £
Annual	85.00	150.00
Weekly	31.00	40.00
Daily	14.50	12.00
Daily Kayak launch		£4.50
Sea Scouts group permit (Watchet only)		£100.00
Leisure mooring fees per metre or part metre		
Annual (permanent mooring only)	42.00	45.00
Weekly	10.00	15.00
Daily	3.00	Remove
Flat fee half day		£10
Flat full day		£15
Commercial mooring fees per metre or part metre		
Annual (permanent mooring only)	65.00	70.00
Flat administration fee for transfer between moorings		
	46.00	60.00
Harbour dues per metre or part metre for vessels under 400 gross registered tonnes		
Annual	225.00	250.00
Six monthly		175.00
Weekly	50.00	65.00
Daily	15.00	20.00
Vessels over 400 gross registered tonnes (excluding hobbling duties) per visit		
	400.00	400.00
Vessels over 400 gross registered tonnes (excluding hobbling duties) per cancelled visit		
	200.00	200.00
Non-standard shared use of the harbour		
Annual	0.00	500.00

Weekly	0.00	150.00
Daily	0.00	50.00
Minehead and Watchet advertising board annual fee		125.00
Fishing permits Minehead and Watchet in advance		
Weekly		10.00
Monthly		20.00
Annual		50.00
Fishing permits Minehead and Watchet on the spot		
Weekly		15.00
Monthly		25.00
Annual		50.00

All fees include VAT.

A number of new fees have been created to close gaps in the fees structure or to make a charge for functions that required a greater level of control.

The annual slipway charges represent a considerable discount over the daily or weekly charges, it is felt that the level of discount applied here is disproportionate, and the proposed charges make a move towards closing this gap.

An annual charge is being proposed to give unlimited access to the Sea Scouts, this charge will contribute to the administration process that is required to manage their use. The permit will include parking for up to 2 trailers when they are in use for loading and unloading, it is not offered to be used as a storage facility.

The daily slipway fee is currently the only mechanism in place for charging Kayak users, as a result they tend to find other places to launch. Our proposal is to put in place a new more reasonable charge for their use of the slipway, this provides a safer entry and exit for the users and encourages greater use of the Harbour area in general.

The leisure mooring fee is considered to be quite high for daily visitors, an area where we want to increase user numbers, previously we have charged based on the size of the vessel, with a limited number of day visitor spaces any vessel takes up the available space and therefore the size has less of an impact here than in the rest of the harbour. It is therefore proposed to set a flat rate for a half day until 13:30 and full day until 09:00 the following day.

A new charge for non-standard use of the Harbour is also proposed, this covers activities that may be undertaken within the harbour that would interrupt with the normal operation in some way, no matter how limited.

Last year we introduced a charge for large vessels over 400 gross registered tonnes, we have made the decision not to increase this charge in a bid to retain the visits from the Balmorel and the associated benefits for the wider community.

Advertising board space, this is a new offering for the Harbours in Minehead and Watchet, it should prevent some of the fly posting that goes on currently as well as providing an opportunity for commercial operators within the harbour to advertise their trips and contact details. The charge is for the space only, the cost of the signs are not included. WSC will maintain control over the size and design of the signs to provide some consistence. This item is subject to discussion with MTC and WTC to ensure the correct approach to marketing for these areas.

A new permit is being proposed for the provision of a safe position to fish from the harbour wall in Minehead and Watchet, by purchasing a permit users will agree to the rules which will limit the negative impact and unsafe practice that can occasionally be identified.

Anecdotal evidence suggests that WSC fees are lower than other ports, each port's method of charging is different so being able to identify a meaning full comparison is complex. 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 bring new income for the authority, whilst this income should be ring-fenced for the operation of the Harbour it does reduce the general fund contribution made and therefore an improvement in the councils MTFP should be the result.

Whilst there are new fees proposed and increases in some existing fees the user numbers in the harbour are not significant, therefore the overall benefit to the MTFP is considered to be £3,000.

END

Chris Hall
Assistant Director – Operational Delivery

West Somerset Council Fees and Charges 2018/19

Data Protection Act – Freedom of Information Act

Background

This report seeks to formalise the charges the Council can make in relation to Freedom of Information Requests and Data Protection Act Subject Access Requests.

Legal Authority

The method of calculating charges within this report is in accordance with the Freedom of Information and Data Protection (appropriate limits and fees) Regulations 2004.

Disbursements are set locally and should be reasonable and not designed to generate a surplus.

The £10 for DPA subject access requests is a maximum and is discretionary but is helpful in limiting frivolous requests.

Charges

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

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

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

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

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

Where the cost to process a request is below £450

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

Disbursements costs applied by the Council are shown later.

Where the cost to process a FOI request exceeds £450

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

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

Staff costs will be calculated as follows:

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

Campaign requests

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

Priced publications

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

Disbursements

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

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

Any other sizes or finishes by agreement in advance.

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

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

Other Charges

CD Rom/DVD £1.00 per Disc

Data Protection Act 1998

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

Discounts

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

Budget Impacts

There will be no impact on the 2018/19 Budget.

Equality Impact Assessment

In order not to disadvantage customers with disabilities the Council will not charge for providing information in an alternative format, if the Disability Discrimination Act (DDA) covers the person requesting it, unless the original document was a priced publication. In this case, the charge for the alternative format will not exceed the cost of the original publication. The Council's current policies in relation to translation of documents into languages other than English will apply.

West Somerset Council – Fees and Charges 2018/19 Parking Charges

This report sets out the changes to the charging process that supports traffic management of tourist industry by seeking to influence driver behaviour with the following outcomes:

- Incentive for commuters to use car parks away from the main tourist sites, freeing up space for tourist and visitors to the area.
- Continue investment in parking assets.
- Provide support to residents and businesses by encouraging the use of the permits that offer a considerable discount over pay by the meter pricing.

It seeks approval for reductions to a number of the permits offered by WSC, but no changes to pay and display or pay by phone.

The table below identifies the current and proposed charging schedule:

Shopper Permits	2017/18 £	Proposed 18/19 £
Annual	40.00	40.00
Named Car Park Permits		
Six monthly*	160.00	150.00
Annual*	210.00	195.00
Business Permits		
Six monthly	220.00	210.00
Annual	400.00	385.00
District Permits		
Before 10:00am (12 months)	25.00	25.00
Weekly	25.00	25.00
Six monthly	180.00	170.00
Annual	310.00	300.00
Parson Street		
Annual	150.00	150.00

*Dulverton permits have a different timeline for permit changes based on the Full Council approval on 20th September 2017.

Named permits for Dulverton car parks will be £150 from 1st October 2017 moving to the new district wide cost on 1st May 2018.

These reductions will impact the budget by £2,560 if user numbers stay the same.

There are **no** proposed changes to the pay and display or pay by phone tariffs, the current pricing is shown in the table below.

Summer Tariff	Current Winter Tariff				Current Summer Tariff			
	Up to 1hr	Up to 2hrs	Up to 4hrs	All day	Up to 1hr	Up to 2hrs	Up to 4hrs	All day
MINEHEAD								
Quay West	£1.50	£2.60	£4.20	£5.70	£1.50	£3.00	£4.50	£6.00
Warren Rd Upper	£1.50	£2.60	£4.20	£5.70	£1.50	£3.00	£4.50	£6.00
Clanville		£1.60		£4.20		£2.50		£5.00
Alexandra Road	80p	£1.50	£2.50	£4.70	£1.00	£2.50	£3.00	£5.00
Summerland		£1.00				£1.00		
North Road	£1.40	£2.00	£2.80	£4.70	£1.00	£2.50	£3.00	£5.00
PORLOCK								
Porlock Central	80p	£1.50	£2.50	£4.70	£1.00	£2.00	£3.00	£5.00
Doverhay	80p	£1.50			£1.00	£2.00		
DUNSTER								
Dunster Steep		£1.50	£2.50	£4.70		£2.00	£3.00	£5.00
Park Street	80p	£1.50	£2.50	£4.70	£1.00	£2.00	£3.00	£5.00
WILLITON								
Central	80p	£1.50	£2.50	£4.70	£1.00	£2.00	£3.00	£5.00
WATCHET								
Anchor Street	80p	£1.50	£2.50	£4.70	£1.00	£2.00	£3.00	£5.00
Market Street	80p	£1.50	£2.50	£4.70	£1.00	£2.00	£3.00	£5.00
Swain Street	80p	£1.50	£2.50	£4.70	£1.00	£2.00	£3.00	£5.00
Harbour Road	80p	£1.50	£2.50	£4.70	£1.00	£2.00	£3.00	£5.00
West Pier	80p	£1.50	£2.50	£4.70	£1.00	£2.00	£3.00	£5.00
DULVERTON								
Lion Stables	£0.70	£1.50	£2.00	£4.50	£0.70	£1.50	£2.00	£4.50
Guildhall	£0.70	£1.50	£2.00	£4.50	£0.70	£1.50	£2.00	£4.50
Exmoor House	£0.70	£1.50	£2.00	£4.50	£0.70	£1.50	£2.00	£4.50

END

Chris Hall
Assistant Director – Operational Delivery

West Somerset District Council Charges 2018/19 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) Application Form available from the websites;
- b) a description and summary of your proposals, and preferably sketch plans;
- c) if possible, photographs of the site;
- d) a site location plan.

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.

Taunton Deane charges have traditionally been and will continue to be set at a figure that will not generally discourage developers from contacting the Council, taking into account the undoubted benefit gained from obtaining greater certainty of the likely

outcome. The charges continue to represent a tiny fraction of the cost of carrying out any form of development.

In 2016 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 2018 (to remain unchanged)

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 Taunton Deane BC from April 2018 and West Somerset DC from April 18.

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).

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).

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

An additional charge has been added this year for general enquiries from Solicitors for additional information and documents which are beyond those which are normally provided via the websites.

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 2018/19.

6. Equality Impact Assessment

What are you completing this impact assessment for? E.g. policy, service area	PLANNING ADVICE CHARGES 2018/19
Section One – Aims and objectives of the policy /service	
<p>PLANNING AND ENVIRONMENT</p> <p>To provide a proactive planning service from pre-application to delivery and monitoring</p> <ul style="list-style-type: none"> • Responsible for overseeing building development in Taunton Deane • 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	
<p>All Groups have the potential to be affected; however the perspective is that the only significant increases in charges are for major developments whereby the pre application charge is an insignificant part of total development costs.</p>	
Section three – Groups that the policy or service is delivered by	
<p>The Development Management staff and Business support staff will administer and provided the pre applications advice – as per current procedures.</p>	
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

7. Recommendation

That fees remain unchanged for 2018/2019



PLANNING FEES AND CHARGES WEST SOMERSET DISTRICT COUNCIL 01 APRIL 2018

	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	Written Response with site visit/meeting	£116.16 (£96.80 + VAT) Further Advice following response £30 plus VAT per hour Planning Management Team Involvement £50 plus VAT per hour
Level 2a - Minor developments (e.g. less than 5 dwellings, 500 sq m industrial):	Written Response with Site Visit/Meeting	£290.40 (£242.00 + VAT) Further Advice following response £40 plus VAT per hour Planning Management Team Involvement £80 plus VAT per hour
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	£435.60 (£363.00 + VAT) Further Advice following response £40 plus VAT per hour Planning Management Team Involvement £80 plus VAT per hour

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

dwelling, 5,000 sq m industrial):		Planning Management Team Involvement £100 plus VAT per hour
-----------------------------------	--	---

*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).

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, 1,000 sq. m industrial):	Written Advice	410.00 (10hrs + £10 travel)
	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.

LISTED BUILDING ADVICE

Listed Building Pre Application Advice	Meeting with Note.	£290.40 (£242 = VAT) Further Advice Following response £40 plus VAT per Hour Planning Management Team Involvement £80 plus VAT per hour
--	--------------------	--

ENQUIRIES

Pre 74 Planning History Search	£40.00 + vat @ 20% = £48.00	Work undertaken beyond first hour, £30 plus VAT per hour
Solicitor Enquiries and Supply of Extra Information and Documents	£40.00 + vat @ 20% = £48.00	Work undertaken beyond first hour, £30 plus VAT per hour

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																				
<p>To increase the costs, reducing the subsidy of additional waste streams as set out in the table.</p> <p>Each year it is necessary to consider an increase in the waste various waste streams as currently this remains a subsidised service.</p> <table border="1"> <thead> <tr> <th></th> <th>Current £ (2017/18)</th> <th>Proposed £ (2018/19)</th> </tr> </thead> <tbody> <tr> <td>Green Waste Bins</td> <td>53.50</td> <td>55.40</td> </tr> <tr> <td>Green Waste Sacks x10</td> <td>26.50</td> <td>27.40</td> </tr> <tr> <td>3 x bulky items</td> <td>41.50</td> <td>43.00</td> </tr> <tr> <td>Subsequent items</td> <td>11.50</td> <td>11.90</td> </tr> <tr> <td>Bin replacements</td> <td>25.00</td> <td>25.90</td> </tr> </tbody> </table> <p>The aim of the proposed increase is maintain the current cost neutral service. An increase in charges of less than the contractual inflation rise of 3.5% would see the council having to subsidise the collection service.</p>				Current £ (2017/18)	Proposed £ (2018/19)	Green Waste Bins	53.50	55.40	Green Waste Sacks x10	26.50	27.40	3 x bulky items	41.50	43.00	Subsequent items	11.50	11.90	Bin replacements	25.00	25.90
	Current £ (2017/18)	Proposed £ (2018/19)																		
Green Waste Bins	53.50	55.40																		
Green Waste Sacks x10	26.50	27.40																		
3 x bulky items	41.50	43.00																		
Subsequent items	11.50	11.90																		
Bin replacements	25.00	25.90																		
Section two – Groups that the policy or service is targeted at																				
<p>This will impact on all of the current users of the scheme and any new customers. Consideration was given to those who use green bags rather than green bins.</p>																				
Section three – Groups that the policy or service is delivered by																				
<p>This service is delivered on behalf of Taunton Deane Borough Council through the Somerset Waste Partnership. Traditionally each partner tries to set its fees consistently but there is an opportunity for TDBC to set their differently to the other partners.</p>																				
Section four – Evidence and Data used for assessment																				
<p>A discussion of the SWP Strategic Management Group jointly agreed the proposals, this is attended by Assistant Director for Operational Delivery on behalf of TDBC & WSC.</p>																				
Section Five - Conclusions drawn about the impact of service/policy/function on different group highlighting negative impact or unequal outcomes.																				
<p>There are not thought to be any unequal outcomes from this proposal and in fact it reduces the subsidy divide for those using bags (lower subsidy) compared with those using bins.</p>																				

There remains no requirement for users to buy this service from SWP and there are no contractual tie-ins enforcing the new increased prices.
--

Section six – Examples of best practise
--

Best practice is not identified in this report as there are a number of schemes used by different authorities around the country. It is not considered to be beneficial to charge the customer for the initial green waste bin as this reduces the likely uptake for customers and may see this waste placed into the residual waste stream.
--

Signed: Person/Manager completed by		Signed: Group Manager/Director	
---	--	--------------------------------------	--

Impact Assessment Issues and Actions table						
Service area					Date	
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
Knowing our Communities, engagement and satisfaction						
Potential negative impact from price increase	All customer equally	Review numbers of new customers throughout the year to assess any negative impact	Chris Hall	As part of the budget setting process for 19/20	Budget monitoring is in place.	Unknown
Responsive services and customer care						
Place shaping, leadership and partnerships						
A modern and diverse workforce						

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 and Pest Control Fees and Charges	
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 2018 for the pest control service as detailed in the attached reports. Fees and charges for private water supply service to remain the same as 17/18.</p> <p>The proposed increase to fees and charges will ensure sufficient financial resources are in place to deliver the services.</p>	
Which protected groups are targeted by the policy?	All protected groups are affected equally by the changes.	
What evidence has been used in the assessment - data, engagement undertaken – please list each source that has been used The information can be found on....	Historic evidence has been gathered regarding people that access these services including property and land owners and tenants. Information is available on those people who are entitled to the subsidies applied to the pest control fees. This information is available via the business support team and officers within Environmental Health team.	
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 2018	
Section Five – Sign off	
Responsible officer: Erica Lake Date: 10 th October 2017	Management Team: Scott Weetch Date: 10 th October 2017
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	10 th October 2017		
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						

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 and Pest Control Fees and Charges	
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 2018 for the pest control service as detailed in the attached reports. Fees and charges for private water supply service to remain the same as 17/18.</p> <p>The proposed increase to fees and charges will ensure sufficient financial resources are in place to deliver the services.</p>	
Which protected groups are targeted by the policy?	All protected groups are affected equally by the changes.	
What evidence has been used in the assessment - data, engagement undertaken – please list each source that has been used The information can be found on....	Historic evidence has been gathered regarding people that access these services including property and land owners and tenants. Information is available on those people who are entitled to the subsidies applied to the pest control fees. This information is available via the business support team and officers within Environmental Health team.	
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 2018

Section Five – Sign off

Responsible officer: Erica Lake
Date: 10th October 2017

Management Team: Scott Weetch
Date: 10th October 2017

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	10th October 2017		
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						

Impact Assessment form and action table - Harbour Operations

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	
<p>To increase the costs, reducing the subsidy of the harbour operation.</p> <p>Each year it is necessary to consider an increase in chargeable services of the harbour in order to reduce the subsidy from the general fund.</p> <p>This report also introduces new charges for services not previously offered and give businesses operating from the harbour enhanced opportunities to market their offering to customers.</p>	
Section two – Groups that the policy or service is targeted at	
<p>This will impact on all of the current users of the scheme and any new customers who wish to make use of the facilities at Minehead or Watchet. Consideration was given to the Sea Scouts and although a new fee has been introduced this is to support the administration of their use only.</p>	
Section three – Groups that the policy or service is delivered by	
<p>This is an in house service for the harbour at Minehead and the outer harbour at Watchet. The Marina is a private entity and the council have no influence over their charges.</p>	
Section four – Evidence and Data used for assessment	
<p>These charges have been considered in association with the Lead Member, they will also be discussed at Harbour Board and Watchet Harbour Advisory Committee.</p>	
Section Five - Conclusions drawn about the impact of service/policy/function on different group highlighting negative impact or unequal outcomes.	
<p>There are not thought to be any unequal outcomes from this proposal</p> <p>There remains no requirement for users to use this service, but as the Harbour Authority West Somerset Council cannot refuse access to the harbour upon payment of the appropriate dues.</p>	
Section six – Examples of best practise	
<p>Best practice is not identified in this report as there are a number of charging models used by different authorities around the country.</p>	

Signed: Person/Manager completed by		Signed: Group Manager/Director	
---	--	--------------------------------------	--

Impact Assessment Issues and Actions table						
Service area				Date		
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
Knowing our Communities, engagement and satisfaction						
Potential negative impact from price increase	All customer equally	Review numbers of users and waiting list throughout the year to assess any negative impact	Chris Hall	As part of the budget setting process for 19/20	Budget monitoring is in place.	Unknown
Responsive services and customer care						
Place shaping, leadership and partnerships						
A modern and diverse workforce						

Scrutiny Committee – Work Programme 2017/18

November (special) 23rd	December 7th	January (Budget)	February	April	TBC
Notes of any Key Cabinet Decisions / Action Points.	Notes of any Key Cabinet Decisions / Action Points.	Notes of any Key Cabinet Decisions / Action Points.	Notes of any Key Cabinet Decisions / Action Points.	Notes of any Key Cabinet Decisions / Action Points.	
2018/19 Draft Fees and Charges – J. Nacey	Parking Strategy Overview – C. Hall	Draft Revenue Budget – P. Fitzgerald			
2018/19 Budget and MTFP Update – J. Nacey	West Somerset Opportunity Area Draft Plan – C. Matthews	Draft Capital Budget – P. Fitzgerald			
Review of Earmarked Reserves – J. Nacey	Q2 Performance Report – R. Doyle	Draft Treasury and Investment Strategy – P. Fitzgerald			
Somerset Waste Partnership Business Plan – C. Hall	Call-In of Executive Decision				