



AGENDA

COUNCIL MEETING

Date: Wednesday, 26 November 2014

Time: 7.00 pm

Venue: Swale House, East Street, Sittingbourne, Kent, ME10 3HT

RECORDING NOTICE

Please note: this meeting may be recorded.

At the start of the meeting the Chairman will confirm if all or part of the meeting is being audio recorded. The whole of the meeting will be recorded, except where there are confidential or exempt items.

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Therefore by entering the Chamber and speaking at Committee you are consenting to being recorded and to the possible use of those sound records for training purposes.

If you have any queries regarding this please contact Democratic Services.

Quorum = 16

	Pages
1. Prayers	
2. Apologies for Absence	
3. Minutes	
To approve the Minutes of the Meeting held on 22 October 2014 (Minute Nos. 294 - 305) as a correct record.	
4. Declarations of Interest	
Councillors should not act or take decisions in order to gain financial or other material benefits for themselves or their spouse, civil partner or person with whom they are living with as a spouse or civil partner. They must declare and resolve any interests and relationships.	
The Chairman will ask Members if they have any interests to declare in respect of items on this agenda, under the following headings:	
(a) Disclosable Pecuniary Interests (DPI) under the Localism Act	

2011. The nature as well as the existence of any such interest must be declared. After declaring a DPI, the Member must leave the meeting and not take part in the discussion or vote. This applies even if there is provision for public speaking.

(b) Disclosable Non Pecuniary (DNPI) under the Code of Conduct adopted by the Council in May 2012. The nature as well as the existence of any such interest must be declared. After declaring a DNPI interest, the Member may stay, speak and vote on the matter.

Advice to Members: If any Councillor has any doubt about the existence or nature of any DPI or DNPI which he/she may have in any item on this agenda, he/she should seek advice from the Director of Corporate Services as Monitoring Officer, the Head of Legal or from other Solicitors in Legal Services as early as possible, and in advance of the Meeting.

5. Mayor's Announcements

6. Questions submitted by the Public

To consider any questions submitted by the public. (The deadline for questions is 4.30 pm the Friday before the meeting – please contact Democratic Services by e-mailing democraticservices@swale.gov.uk or call 01795 417330).

7. Questions submitted by Members

To consider any questions submitted by Members. (The deadline for questions is 4.30 pm the Wednesday before the meeting – please contact Democratic Services by e-mailing democraticservices@swale.gov.uk or call 01795 417330).

8. Leader's Statement

Members may ask questions on the Leader's Statement. (To follow).

9. Review of Fees and Charges

1 - 28

Council is asked to approve the Fees and Charges for 2015/16.

10. Council Tax Support Scheme 2015/16

29 - 58

Council are asked to approve the Council Tax Support Scheme for 2015/16.

11. Bearing Fruits 2031: Swale Borough Local Plan Part 1 - Publication version: 1.1

59 - 64

Council are asked to consider the Swale Borough Local Plan Part 1. Supporting documents can be viewed online at:

<http://services.swale.gov.uk/meetings/ieListDocuments.aspx?CId=149&MId=1364&Ver=4>

Copies are available for Councillors to view in the Members' Room and can be made available to the public on request.

12. Recommendations for Approval

65 - 66

Council is asked to note the recommendations from the following meeting:

- (i) Cabinet – 5 November 2014
- (ii) Standards Committee – 11 November 2014

The recommendations will be considered as part of the reports on Fees and Charges and Council Tax Support Scheme 2015/16.

Issued on Monday 17 November 2014

The reports included in Part I of this agenda can be made available in **alternative formats**. For further information about this service, or to arrange for special facilities to be provided at the meeting, **please contact DEMOCRATIC SERVICES on 01795 417330**. To find out more about the work of Council, please visit www.swale.gov.uk

**Democratic Services, 01795 417330, Swale Borough Council,
Swale House, East Street, Sittingbourne, Kent, ME10 3HT**

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Council	Agenda Item:
Meeting Date	26 November 2014
Report Title	Review of Fees and Charges
Cabinet Member	Cllr Duncan Dewar-Whalley, Cabinet Member for Finance
SMT Lead	Nick Vickers, Head of Finance
Head of Service	Nick Vickers, Head of Finance
Lead Officer	Caroline Frampton, Principal Accountant
Recommendations	To approve the proposed fees and charges for 2015/16 as set out in this report for submission to Council.

1. Purpose of Report and Executive Summary

- 1.1 The report invites Cabinet to consider the proposals for the level of fees and charges to be levied for the next financial year 2015/16 for submission to Council. Charges will take effect from 1 April 2015.
- 1.2 Appendix I details proposals for the level of fees to be charged in 2015/16 on a service by service basis. Appendix II details the income from fees and charges for services in 2013/14 and the budget for 2014/15.
- 1.3 As a principle for 2015/16 we are seeking as far as possible to freeze the level of charges to avoid putting additional financial burdens on residents. The Council continues to generate savings and benefit from other revenue streams.

2. Background

- 2.1 In 2013/14 the fees and charges covered by this report where the Council sets the level of fees or charges were £2.5m, of which £1.7m relate to car parking. Whilst the income from non-car parking fees and charges are important to our budget they are relatively small – we estimate the change in charges will generate an additional £4,500.
- 2.2 Managers were asked to review the current schedule of fees and charges for the forthcoming financial year.
- 2.3 Authorities have a statutory duty to ensure fees are set in accordance with the Local Government Act 2003. This allows local authorities to charge for discretionary services. Discretionary services are those services that a Council has the power to, but is not obliged to, provide. A pre-condition to charging is the person has to agree to the provision of the service and they are prepared to pay for it.
- 2.4 By far the most important charges are those for car parking where once again to support our local businesses these charges will be frozen.

3. Proposals

- 3.1 Appendix I details the proposed fees and charges for 2015/16 to be set by the Council along with those that are set by Government or another external body.
- 3.2 Table 1 lists those charges set by the Council where an increase is not recommended at this time and any increases shown here are due to volume not price increase. Table 2 lists those charges set by the Council where an increase is recommended.

Table 1: Fees & Charges where an increase is not being recommended for 2015/16	
Fee or Charge	Comments
Car Parks & Season Tickets	Charges will be frozen. Car parking charges are already lower than neighbouring councils.
Residents' Parking Permits (on street)	No increase is proposed. There has been an increase in take up of permits, therefore an increase in income. Charges vary but broadly similar across neighbouring authorities.
Street Naming & Numbering	No increase is proposed. Charges very variable across neighbouring authorities with the existing charges being generally mid-range.
Taxi Licensing	No increase is proposed. Now charging £20 for the Knowledge Test but this is refunded against the first year's badge. Charges are variable across authorities and Swale is generally mid-range.
Street Trading Licensing	No increase is proposed. Generally Swale is lower than other councils. However, our fees have been considered by the Licensing Committee and approved.
Sex Establishment Licensing	No increase is proposed. Generally the same level of fees as other districts following discussions through the Licensing Steering Group. Fees must reflect the cost of delivering the service and has been the subject of national discussion following the successful legal challenge of the fees charged by Westminster Council.

Table 1: Fees & Charges where an increase is not being recommended for 2015/16

Fee or Charge	Comments
Scrap Metal Dealers Licensing	<p>New to this report but not a new charge. No increase is proposed.</p> <p>Generally the same level as fees at other districts following discussions through the Licensing Steering Group. Fees are set by the Licensing Committee and must reflect the cost of delivering the service which has been the subject of national discussion.</p>
Chartered Institute of Environmental Health Level 2 Award Training in Food Safety in Catering	No increase is proposed.
Hire of Halls	<p>King George's Pavilion – no increase proposed. Hourly rate is in line with the hourly rate being charged in neighbouring boroughs.</p> <p>Guildhall – no increase is proposed. The Guildhall is in good condition, offering lots of history. Similar sized room in surrounding boroughs charge on average £15 per hour.</p> <p>Quinton Hall – no increase is proposed. Hall quality is significantly lower than halls in the surrounding areas and the hourly rate reflects this (subject to decision on transfer).</p>
Annual Animal Licensing	No increase is proposed. The performing animal registration is a new charge, but we are only anticipating a very small uptake. It was a service that was not previously offered to the public.
Stray Dog Collection	No increase is proposed. Neighbouring councils have very similar charges.
Pest Control	No increase is proposed. Joint tendered contract with Maidstone and Ashford councils.
Fixed Penalty Notices – Environmental	No increase is proposed. Charges for neighbouring councils very similar (guidelines were set nationally).
Garden Waste Collections (brown bins – domestic)	No increase is proposed.
Radar Key for Disabled Toilets	No increase is proposed.

Table 1: Fees & Charges where an increase is not being recommended for 2015/16

Fee or Charge	Comments
Seafront Memorial Bench	No increase is proposed.
Travelling Fairs and Fetes	No increase is proposed.
Access over Open Space Licence	No increase is proposed.
Room Hire of Swale House	No increase is proposed. Prices vary across authorities depending on facilities offered in the meeting rooms.
Purchase of Electoral Register	No increase is proposed.
Staying Put Handyperson Rates	New to this report but not a new charge. No increase is proposed. The rates of charges are set as part of Staying Put's Home Improvement Agency existing contract with Kent County Council and are comparable with other areas of Kent whose fees range from £5.00 to £16.20 depending on the rate of subsidy offered by the local authority.
Pre Application Planning Advice	No increase is proposed. Significant increase in fee charge could lead to less take up of the service with the consequence of reducing the quality of planning applications, increasing the likelihood of refusal and consequential increase in planning appeals.
Sale of Ordnance Survey Plans	No increase is proposed. Demand for this service has significantly reduced with other options available to customers on the internet.
Complaints Made under the High Hedges Legislation	No increase is proposed. Fee is set in the medium to high bracket in comparison to other councils.

Table 1: Fees & Charges where an increase is not being recommended for 2015/16	
Fee or Charge	Comments
Planning Photocopying Charges	No increase is proposed. Demand for this service has significantly reduced with other options available to customers on the internet.
Local Land Charges	No increase is proposed. Charges are set locally based on regulations where recovery of costs should equate to cost of providing the service.

3.3 The following is a list of charges where an increase is recommended.

Table 2 : Fees & Charges where an increase is being recommended for 2015/16	
Fee or Charge	Comments
Requests for Environmental Information (e.g. planning, contaminated land)	Increase of 3% is proposed (rounded to nearest pound). The hourly charge to be increased from £75.00 to £77.00. This is a service request fee and income will reflect the number of enquiries we received from solicitors and developers' agents. Maidstone charge £66 per search. Tunbridge Wells charge £158 per search (additional hours £30).
Food Export Certificate	Increase of 3% is proposed. The charge for a certificate for premises in Swale and a certificate for goods in transit to increase from £70.00 to £72.00. No income was received in 2013/14. This is a responsive service dependent on food being exported by companies within the district.
Registration Fee under the Local Government (Miscellaneous Provisions) Act 1982	The one-off fee for registration of establishments offering cosmetic piercing, electrolysis, tattooing and semi-permanent skin colour and acupuncture is proposed to be increased by 3% from £270.00 to £278.00.
Alleygate Key Sale	The charge for 2014/15 was £13.00. The cost is proposed to be increased to £14.80 which is the cost per key as supplied to the Council.

Table 2 : Fees & Charges where an increase is being recommended for 2015/16	
Fee or Charge	Comments
Bulky Waste Collection	Increase of 1.9% (CPI June 2014) is proposed. The charge for a collection will increase from £18.25 to £18.60. Neighbouring authorities charges vary as do number of collections per visit.
Wheeled Bins	Increase of 1.9% (CPI June 2014) is proposed. It is proposed that the charges be increased as follows: 240L from £38.74 to £39.50, 360L from £60.54 to £61.70, and 1,100L from £427.25 to £435.40.
Sports Facilities	Increase of 1.9% (CPI June 2014) is proposed.
Allotments	Increase of 1.9% (CPI June 2014) is proposed.
Cemeteries Burial Fees	Increase of 1.9% (CPI June 2014) is proposed. Each authority charges in different ways and as such it is difficult to compare charges.
Harbour Facilities	Increase of 1.9% (CPI June 2014) is proposed (subject to asset transfer decision).
Legal Charges for Third Parties	Increase of 3% proposed. The charges are comparable to neighbouring/similar local authorities.
Houses in Multiple Occupation (HMOs)	Increase of 1.9% (CPI June 2014) is proposed. Statutory guidance exists as to what councils can include in calculating licence charges. Swale charges are comparable with other councils who have similar size HMOs.
Home Inspection for Immigration Application Fee	Increase of 1.9% (CPI June 2014) is proposed.

3.4 Below is a list of fees and charges governed by national policy. Charges have been amended to reflect the current policy/advice:

- Planning fees
- Penalty charge notices for car parking/environmental response
- Statutory collection charge for stray dogs
- Liquor and gambling licences

- Environmental Protection Act fees
- Electoral Services (including the purchase of the electoral register or edited register).

4. Alternative Options

- 4.1 The alternative would be to propose a general flat rate increase or no increases in fees or charges. These alternatives would not be recommended as they may fail to take into account individual circumstance or the increased cost of delivering services.

5. Consultation Undertaken or Proposed

- 5.1 Any necessary consultation will be undertaken by the managers of the relevant service area.

6. Implications

Issue	Implications
Corporate Plan	Embracing Localism Open for Business Healthy Environment
Financial, Resource and Property	It is projected that the Council would generate an additional £4,500 per annum from these proposals
Legal and Statutory	None identified at this stage
Crime and Disorder	None identified at this stage
Sustainability	None identified at this stage
Health and Wellbeing	None identified at this stage
Risk Management and Health and Safety	None identified at this stage
Equality and Diversity	None identified at this stage

7. Appendices

- 7.1 The following documents are to be published with this report and form part of the report:
- Appendix I: Proposed fees and charges for 2015/16; and
 - Appendix II: Summary of fee income for 2013/14 and budget for 2014/15.

8. Background Papers

- 8.1 None.

Proposed fees and charges for 2015/16

	2014/15			2015/16		
	Charge	VAT 20%	Total Charge	Charge	VAT 20%	Total Charge
	£	£	£	£	£	£
Car Parks and Season Tickets No Change						
Short Stay Covering:						
Faversham: Central car park (season tickets for business only), Institute Road car park (no season tickets)						
Sittingbourne: Albany Road, Central Avenue, Crown Quay Lane, The Forum, The Swallows, Swale House (weekends only), The Forum (business only), Station Street (up to 2 hours only)						
Sheerness (no season tickets): Rose Street (inc land adjacent to Wood Street), Trinity Place, Beachfields						
Up to 30 minutes	0.25	0.05	0.30	0.25	0.05	0.30
Up to 1 hour	0.67	0.13	0.80	0.67	0.13	0.80
Up to 2 hours	1.25	0.25	1.50	1.25	0.25	1.50
Up to 4 hours	2.50	0.50	3.00	2.50	0.50	3.00
Season per quarter (short/long stay car park)	170.83	34.17	205.00	170.83	34.17	205.00
Long Stay Covering:						
Faversham: Partridge Lane, Queens Hall						
Sittingbourne: Spring Street, St Michael's Road, Bell Road						
Sheerness: Albion Place, Beach Street, Bridge Road, Cross Street						
Up to 30 minutes	0.25	0.05	0.30	0.25	0.05	0.30
Up to 1 hour	0.67	0.13	0.80	0.67	0.13	0.80
Up to 2 hours	1.25	0.25	1.50	1.25	0.25	1.50
Up to 4 hours	2.50	0.50	3.00	2.50	0.50	3.00
Over 4 hours	3.33	0.67	4.00	3.33	0.67	4.00
Season per month (long stay car park)	63.33	12.67	76.00	63.33	12.67	76.00
Season per quarter (short/long stay car park)	170.83	34.17	205.00	170.83	34.17	205.00
Long Stay Covering:						
Sittingbourne: Cockleshell Walk						
Sheerness: Trinity Road						
Up to 30 minutes	0.25	0.05	0.30	0.25	0.05	0.30
Up to 1 hour	0.67	0.13	0.80	0.67	0.13	0.80
Up to 2 hours	1.25	0.25	1.50	1.25	0.25	1.50
Up to 4 hours	2.50	0.50	3.00	2.50	0.50	3.00

Proposed fees and charges for 2015/16

	2014/15			2015/16		
	Charge	VAT 20%	Total Charge	Charge	VAT 20%	Total Charge
	£	£	£	£	£	£
Over 4 hours	3.00	0.60	3.60	3.00	0.60	3.60
Season per month (long stay car park)	63.33	12.67	76.00	63.33	12.67	76.00
Season per quarter (short/long stay car park)	170.83	34.17	205.00	170.83	34.17	205.00
Residents Only (5pm-9am evenings, weekends and bank holidays)						
Faversham: Central car park (residents of Cross Lane and Bank Street), Queens Hall (residents of Victoria Place and Dorset Place)						
Sheerness: Albion Place (residents of Harris Road, Portland Terrace and Albion Place), Cross Street (Sheerness town centre residents), Trinity Road (residents of Trinity Road only)						
Per quarter	16.67	3.33	20.00	16.67	3.33	20.00
Sheerness: Delamark Road car park (residents only)						
All day	8.75	1.75	10.50	8.75	1.75	10.50
Leysdown: Promenade (seasonal) (all day between 1 March and 31 October)						
Up to 4 hours	1.75	0.35	2.10	1.75	0.35	2.10
All day	2.83	0.57	3.40	2.83	0.57	3.40
Motorcycles	0.00	0.00	0.00	0.00	0.00	0.00
Leysdown: Shellness Road (grassed area) (between 1 March and 31 October)						
All day	1.83	0.37	2.20	1.83	0.37	2.20
Minster Shingle Bank						
All day	2.83	0.57	3.40	2.83	0.57	3.40
Motorcycles	0.00	0.00	0.00	0.00	0.00	0.00
Season tickets to be used at any long stay car park throughout the Borough						
Season per quarter	188.33	37.67	226.00	188.33	37.67	226.00
Residents' Parking Permits (on street)			No Change			
Per annum	40.00	0.00	40.00	40.00	0.00	40.00
Visitors permit book (10 days)	10.00	0.00	10.00	10.00	0.00	10.00
Visitors parking permits (per day)	1.00	0.00	1.00	1.00	0.00	1.00
Hourly scratchcards (per hour)	0.80	0.00	0.80	0.80	0.00	0.80
Hourly scratchcards (per book of 10 hours)	8.00	0.00	8.00	8.00	0.00	8.00

Proposed fees and charges for 2015/16

	2014/15			2015/16		
	Charge	VAT 20%	Total Charge	Charge	VAT 20%	Total Charge
	£	£	£	£	£	£
Car Parks Fixed Penalty Notices (rate depends on offence)				No Change		
Lower Penalty System						
Up to 14 Days	25.00	0.00	25.00	25.00	0.00	25.00
14 days to 56 days	50.00	0.00	50.00	50.00	0.00	50.00
57 days to 70 days	75.00	0.00	75.00	75.00	0.00	75.00
After 70 days	82.00	0.00	82.00	82.00	0.00	82.00
Higher Penalty System						
Up to 14 days	35.00	0.00	35.00	35.00	0.00	35.00
14 days to 56 days	70.00	0.00	70.00	70.00	0.00	70.00
57 days to 70 days	105.00	0.00	105.00	105.00	0.00	105.00
After 70 days	112.00	0.00	112.00	112.00	0.00	112.00
Street Naming & Numbering				No Change		
Changing or requesting new property	60.00	0.00	60.00	60.00	0.00	60.00
New street name	100.00	0.00	100.00	100.00	0.00	100.00
New street developments (4 or more properties/units) per property/unit with minimum charge of £180	30.00	0.00	30.00	30.00	0.00	30.00
Provision of historical information relating to street naming & numbering	160.00	0.00	160.00	160.00	0.00	160.00
Changing street name	500.00	0.00	500.00	500.00	0.00	500.00
Taxi Licensing						
Plate deposit (refundable)	100.00	0.00	100.00	100.00	0.00	100.00
Vehicle licence and plate	160.00	0.00	160.00	160.00	0.00	160.00
Replacement plate	15.00	0.00	15.00	15.00	0.00	15.00
Operator's licence (5 years)	100.00	0.00	100.00	100.00	0.00	100.00
Intermediate (6 monthly licence)	60.00	0.00	60.00	60.00	0.00	60.00
Licence and plate for temporary hire vehicle	40.00	0.00	40.00	40.00	0.00	40.00
Knowledge test	0.00	0.00	0.00	20.00	0.00	20.00*
Badge (1 year)	50.00	0.00	50.00	50.00	0.00	50.00
Badge (3 years)	120.00	0.00	120.00	120.00	0.00	120.00
*Refunded against first year's badge cost						

Proposed fees and charges for 2015/16

	2014/15			2015/16		
	Charge	VAT 20%	Total Charge	Charge	VAT 20%	Total Charge
	£	£	£	£	£	£
Street Trading Licensing			No Change			
Annual consents (not events)	100.00	0.00	100.00	100.00	0.00	100.00
6 month consents (not events)	50.00	0.00	50.00	50.00	0.00	50.00
One off consent	30.00	0.00	30.00	30.00	0.00	30.00
Event Consents						
1-19 stalls	65.00	0.00	65.00	65.00	0.00	65.00
20-49 stalls	130.00	0.00	130.00	130.00	0.00	130.00
50+ stalls	200.00	0.00	200.00	200.00	0.00	200.00
Liquor Licensing			No Change			
Main Application Fees for Premises and Personal Liquor Licensing						
Rateable Value B and A	100.00	0.00	100.00	100.00	0.00	100.00
Rateable Value B and B	190.00	0.00	190.00	190.00	0.00	190.00
Rateable Value B and C	315.00	0.00	315.00	315.00	0.00	315.00
Rateable Value B and D	450.00	0.00	450.00	450.00	0.00	450.00
Rateable Value B and E	635.00	0.00	635.00	635.00	0.00	635.00
Main Annual Charge for Premises and Personal Liquor Licensing						
Rateable Value B and A	70.00	0.00	70.00	70.00	0.00	70.00
Rateable Value B and B	180.00	0.00	180.00	180.00	0.00	180.00
Rateable Value B and C	295.00	0.00	295.00	295.00	0.00	295.00
Rateable Value B and D	320.00	0.00	320.00	320.00	0.00	320.00
Rateable Value B and E	350.00	0.00	350.00	350.00	0.00	350.00
Personal licence for alcohol	37.00	0.00	37.00	37.00	0.00	37.00
Personal licence change	10.50	0.00	10.50	10.50	0.00	10.50
Premises licence change	23.00	0.00	23.00	23.00	0.00	23.00
Transfers	23.00	0.00	23.00	23.00	0.00	23.00
Temporary events	21.00	0.00	21.00	21.00	0.00	21.00
Register of interests	21.00	0.00	21.00	21.00	0.00	21.00
Gambling Licensing			No Change			
New Applications/Applications for Provisional Statement						
Bingo club	2,268.00	0.00	2,268.00	2,268.00	0.00	2,268.00
Betting premises	2,268.00	0.00	2,268.00	2,268.00	0.00	2,268.00

Proposed fees and charges for 2015/16

	2014/15			2015/16		
	Charge	VAT 20%	Total Charge	Charge	VAT 20%	Total Charge
	£	£	£	£	£	£
Tracks	1,775.00	0.00	1,775.00	1,775.00	0.00	1,775.00
Family entertainment centres	1,775.00	0.00	1,775.00	1,775.00	0.00	1,775.00
Adult gaming centre	1,775.00	0.00	1,775.00	1,775.00	0.00	1,775.00
<i>Licence Applications (Provisional Statement Holders)</i>						
Bingo club	935.00	0.00	935.00	935.00	0.00	935.00
Betting premises	935.00	0.00	935.00	935.00	0.00	935.00
Tracks	935.00	0.00	935.00	935.00	0.00	935.00
Family entertainment centre	772.00	0.00	772.00	772.00	0.00	772.00
Adult gaming centre	935.00	0.00	935.00	935.00	0.00	935.00
<i>Annual Fee</i>						
Bingo club	703.00	0.00	703.00	703.00	0.00	703.00
Betting premises	450.00	0.00	450.00	450.00	0.00	450.00
Tracks	703.00	0.00	703.00	703.00	0.00	703.00
Family entertainment centres	610.00	0.00	610.00	610.00	0.00	610.00
Adult gaming centre	703.00	0.00	703.00	703.00	0.00	703.00
<i>Application to Vary</i>						
Bingo club	1,550.00	0.00	1,550.00	1,550.00	0.00	1,550.00
Betting premises	1,308.00	0.00	1,308.00	1,308.00	0.00	1,308.00
Tracks	1,186.00	0.00	1,186.00	1,186.00	0.00	1,186.00
Family entertainment centres	800.00	0.00	800.00	800.00	0.00	800.00
Adult gaming centre	800.00	0.00	800.00	800.00	0.00	800.00
Application to transfer	860.00	0.00	860.00	860.00	0.00	860.00
Application for re-instatement	860.00	0.00	860.00	860.00	0.00	860.00
Copy licence	26.50	0.00	26.50	26.50	0.00	26.50
Notification of change	26.50	0.00	26.50	26.50	0.00	26.50
<i>Permit Fees (FEC gaming machine and prize gaming)</i>						
Application fee	300.00	0.00	300.00	300.00	0.00	300.00
Renewal fee	300.00	0.00	300.00	300.00	0.00	300.00
Transitional application fee	100.00	0.00	100.00	100.00	0.00	100.00
Change of name	25.00	0.00	25.00	25.00	0.00	25.00

Proposed fees and charges for 2015/16

	2014/15			2015/16		
	Charge	VAT 20%	Total Charge	Charge	VAT 20%	Total Charge
	£	£	£	£	£	£
Copy of permit	15.00	0.00	15.00	15.00	0.00	15.00
Sex Establishment Licensing (sex shop, sex cinema and sex encounter venue)						No Change
Application fee and 1 st licence	4,200.00	0.00	4,200.00	4,200.00	0.00	4,200.00
Annual licence renewal	650.00	0.00	650.00	650.00	0.00	650.00
Application to vary	750.00	0.00	750.00	750.00	0.00	750.00
Transfer of licence	25.00	0.00	25.00	25.00	0.00	25.00
Duplicate licence	15.00	0.00	15.00	15.00	0.00	15.00
Scrap Metal Dealers Licensing						No Change
Site licence	450.00	0.00	450.00	450.00	0.00	450.00
Site licence renewal	425.00	0.00	425.00	425.00	0.00	425.00
Collections licence, grant or renewal	210.00	0.00	210.00	210.00	0.00	210.00
Variation – collector to site	70.00	0.00	70.00	70.00	0.00	70.00
Variation – site to collector	50.00	0.00	50.00	50.00	0.00	50.00
Variation (minor administration, such as change of address)	30.00	0.00	30.00	30.00	0.00	30.00
Change of site manager	100.00	0.00	100.00	100.00	0.00	100.00
Requests for Environmental Information (eg. planning, contaminated land)						
Charge per hour	75.00	0.00	75.00	77.00	0.00	77.00
Charges for photocopying apply at 10p per page plus postage.						
Food Export Certificate						
For premises in Swale	70.00	0.00	70.00	72.00	0.00	72.00
Food in Transit	70.00	0.00	70.00	72.00	0.00	72.00
CIEH Level 2 Award Training in Food Safety in Catering						No Change
Fee charged to food handlers for training in food hygiene	45.00	0.00	45.00	45.00	0.00	45.00
Registration Fee under the Local Government (Miscellaneous Provision) Act						
(Relates to establishments offering cosmetic piercing, electrolysis, tattooing or acupuncture)						
Standard Fee	270.00	0.00	270.00	278.00	0.00	278.00

Proposed fees and charges for 2015/16

	2014/15			2015/16		
	Charge	VAT 20%	Total Charge	Charge	VAT 20%	Total Charge
	£	£	£	£	£	£
King George's Pavilion (minimum 2 hours hire)			No Change			
Main hall/tea room (hourly rates) (minimum hire 2 hours)						
Main hall/tea room (hourly rates)						
Mon-Fri (9am-5pm)	12.00	0.00	12.00	12.00	0.00	12.00
Mon-Fri (5pm-12am)	14.00	0.00	14.00	14.00	0.00	14.00
Sat (9am-5pm) minimum 4 hours	14.00	0.00	14.00	14.00	0.00	14.00
Sat (5pm-12am) minimum 4 hours	16.00	0.00	16.00	16.00	0.00	16.00
Playgroups (per morning)						
	27.00	0.00	27.00	27.00	0.00	27.00
Tea room – for children's parties only (per hour) minimum 3 hours hire						
	10.00	0.00	10.00	10.00	0.00	10.00
Caretaking services – set up and clear away: standard tables and/or chairs						
	6.00	0.00	6.00	6.00	0.00	6.00
Refundable deposits						
	150.00	0.00	150.00	150.00	0.00	150.00
Bank Holidays, New Year's Eve						
	2 times the Saturday rate		2 times the Saturday rate			
Guildhall (minimum 1 session hire)			No Change			
Main hall (minimum 1 session)						
Session (am/pm)	40.00	0.00	40.00	40.00	0.00	40.00
Refundable deposits						
	50.00	0.00	50.00	50.00	0.00	50.00
Bank Holidays, New Year's Eve						
	40.00 per session	0.00	40.00 per session	40.00 per session	0.00	40.00 per session
Quinton Hall (minimum 2 hours hire)			No Change			
Main hall/tea room (hourly rates)(minimum hire 2 hours)						
Main hall/tea room (hourly rates)						
Mon-Fri (9am-5pm)	6.60	0.00	6.60	6.60	0.00	6.60
Mon-Fri (5pm-12am)	6.60	0.00	6.60	6.60	0.00	6.60
Sat (9am-5pm)	6.60	0.00	6.60	6.60	0.00	6.60
Sat (5pm-12am)	6.60	0.00	6.60	6.60	0.00	6.60
Refundable deposits						
	50.00	0.00	50.00	50.00	0.00	50.00
Bank Holidays, New Year's Eve						
	6.60	0.00	6.60	6.60	0.00	6.60

Proposed fees and charges for 2015/16

	2014/15			2015/16		
	Charge	VAT 20%	Total Charge	Charge	VAT 20%	Total Charge
	£	£	£	£	£	£
Advertising Fees for Inside Swale (residents magazine)			No Change			
Outside back cover	650.00	130.00	780.00	650.00	130.00	780.00
Internal full page	495.00	99.00	594.00	495.00	99.00	594.00
Half internal page (portrait or landscape)	275.00	55.00	330.00	275.00	55.00	330.00
Quarter internal page	150.00	30.00	180.00	150.00	30.00	180.00
Double internal page	895.00	179.00	1,074.00	895.00	179.00	1,074.00
Annual Animal Licensing (plus cost of vet inspection)						
All animal boarding establishment licences and pet shop licences shall relate to the calendar year in which it is granted (or to the following year). These licences will expire at the end of the calendar year for which they were issued. Vet fees will also be applicable for licences.						
Dangerous wild animals	250.00	0.00	250.00	250.00	0.00	250.00
Breeding of dogs	250.00	0.00	250.00	250.00	0.00	250.00
Animal boarding establishments	250.00	0.00	250.00	250.00	0.00	250.00
Riding establishments	250.00	0.00	250.00	250.00	0.00	250.00
Pet shops	250.00	0.00	250.00	250.00	0.00	250.00
Zoo licence	950.00	0.00	950.00	950.00	0.00	950.00
Performing animal registration	Service not available			135.00 (one-off cost)	0.00	135.00 (one-off cost)
Stray Dog Collection			No Change			
Statutory collection charge	25.00	0.00	25.00	25.00	0.00	25.00
Administration fee for collection/ returned stray dogs	15.00	0.00	15.00	15.00	0.00	15.00
Out of hours administration fee or collection/returned stray dogs	30.00	0.00	30.00	30.00	0.00	30.00
Pest Control			No Change			
Rats (per visit) with a minimum of 2 visits required	18.75	3.75	22.50	18.75	3.75	22.50
Rats (per visit) with a minimum of 2 visits required – clients on benefits	18.75	3.75	22.50	18.75	3.75	22.50
Mice (per visit) with a minimum of 2 visits required	18.75	3.75	22.50	18.75	3.75	22.50
Mice (per visit) with a minimum of 2 visits required – clients on benefits	18.75	3.75	22.50	18.75	3.75	22.50

Proposed fees and charges for 2015/16

	2014/15			2015/16		
	Charge	VAT 20%	Total Charge	Charge	VAT 20%	Total Charge
	£	£	£	£	£	£
Wasps per nest	37.92	7.58	45.50	37.92	7.58	45.50
Wasps per additional nest	6.67	1.33	8.00	6.67	1.33	8.00
Fleas, bedbugs and other household pests (up to 6 rooms)*	45.83	9.17	55.00	45.83	9.17	55.00
Each additional room (up to 4)	8.33	1.67	10.00	8.33	1.67	10.00
Cockroaches in domestic premises (up to 6 rooms)*	45.83	9.17	55.00	45.83	9.17	55.00
Each additional room (up to 4)	8.33	1.67	10.00	8.33	1.67	10.00
Ants, insects etc	19.58	3.92	23.50	19.58	3.92	23.50
Ants, insects etc – clients on benefits	19.58	3.92	23.50	19.58	3.92	23.50
Silverfish, flies, mites, lice (up to 6 rooms)*	45.83	9.17	55.00	45.83	9.17	55.00
Each additional room (up to 4)	8.33	1.67	10.00	8.33	1.67	10.00
Hourly charge for treatments carried out on industrial and commercial properties (hourly rate)	To be quoted by Mitie Pest Control Ltd on a job by job basis so as to remain competitive			To be quoted by Mitie Pest Control Ltd on a job by job basis so as to remain competitive		
For treatments outside of normal office hours (hourly rate)	As above			As above		
Woodworm, birds, deathwatch beetle, foxes, moles & squirrels	Price on application (surveys required)			Price on application (surveys required)		
*Subsequent minimum charge will apply for further treatments after a period of 14 days has elapsed						
Environmental - Fixed Penalty Notices				No Change		
Littering and graffiti	80.00	0.00	80.00	80.00	0.00	80.00
Dog fouling	80.00	0.00	80.00	80.00	0.00	80.00
Waste carrier offences	300.00	0.00	300.00	300.00	0.00	300.00
<i>If paid within 7 days</i>						
Littering and graffiti	60.00	0.00	60.00	60.00	0.00	60.00
Dog fouling	60.00	0.00	60.00	60.00	0.00	60.00
Waste carrier offences	225.00	0.00	225.00	225.00	0.00	225.00
Alleygate Key						
Fee	13.00	0.00	13.00	14.80	0.00	14.80

Proposed fees and charges for 2015/16

	2014/15			2015/16		
	Charge	VAT 20%	Total Charge	Charge	VAT 20%	Total Charge
	£	£	£	£	£	£
Garden Waste Collections (brown bins – domestic) No Change						
Per annum – 26 collections	35.00	0.00	35.00	35.00	0.00	35.00
Bulky Waste Collections						
Up to 4 bulky items or a fridge freezer	18.25	0.00	18.25	18.60	0.00	18.60
Collections for those on benefits	2 free collections		Free collections have ceased			
Wheeled Bins						
Wheeled bins 240 litre	38.74	0.00	38.74	39.50	0.00	39.50
Wheeled bins 360 litre	60.54	0.00	60.54	61.70	0.00	61.70
Wheeled bins 1,100 litre	427.25	0.00	427.25	435.40	0.00	435.40
Radar Key for Disabled Toilets No Change						
Fee	3.00	0.00	3.00	3.00	0.00	3.00
Sports Facilities						
<i>With changing facilities and showers</i>						
- Senior	54.17	10.83	65.00	55.00	11.00	66.00
- Under 18s	15.83	3.17	19.00	16.25	3.25	19.50
- Under 16s & mini soccer	11.25	2.25	13.50	11.67	2.33	14.00
<i>With changing facilities only</i>						
- Senior	43.75	8.75	52.50	44.58	8.92	53.50
- Under 18s	13.33	2.67	16.00	13.75	2.75	16.50
- Under 16s & mini soccer	10.42	2.08	12.50	10.83	2.17	13.00
<i>With no facilities</i>						
- Senior	27.50	5.50	33.00	27.92	5.58	33.50
- Under 18s	11.67	2.33	14.00	12.08	2.42	14.50
- Under 16s & mini soccer	7.08	1.42	8.50	7.50	1.50	9.00
Block bookings of 10 or more series of lets is VAT exempt						
Allotments						
Plots of 10 rods & pro rata	33.00	0.00	33.00	33.50	0.00	33.50
Plots of 10 rods & pro rata (OAPs/Disabled)	15.70	0.00	15.70	16.00	0.00	16.00

Proposed fees and charges for 2015/16

	2014/15			2015/16		
	Charge	VAT 20%	Total Charge	Charge	VAT 20%	Total Charge
	£	£	£	£	£	£
Cemeteries Burial Fees						
<i>Exclusive Right of Burial, Interment, Memorial & Re-inscription Permits</i>						
1 st Burial Sittingbourne, Faversham & Murston	1,305.00	0.00	1,305.00	1,330.00	0.00	1,330.00
1 st Burial Sheppey	1,180.00	0.00	1,180.00	1,203.00	0.00	1,203.00
1 st Burial if no use of previously purchased grave Sittingbourne, Faversham & Murston	703.00	0.00	703.00	717.00	0.00	717.00
1 st Burial if no use of previously purchased grave Sheppey	576.00	0.00	576.00	588.00	0.00	588.00
2 nd Burial Sittingbourne, Faversham & Murston	621.00	0.00	621.00	633.00	0.00	633.00
2 nd Burial Sheppey	480.00	0.00	480.00	490.00	0.00	490.00
3 rd Burial Sittingbourne, Faversham & Murston	480.00	0.00	480.00	490.00	0.00	490.00
<i>Unpurchased Grave/Common Burial</i> <i>(excludes Exclusive Right to Burial, Issue of Deed or Memorial Permit Rights)</i>						
Sittingbourne, Faversham & Murston	703.00	0.00	703.00	Service not available		
Sheppey	576.00	0.00	576.00	Service not available		
<i>Cremated Remains</i> <i>(includes Exclusive Rights to Burial, Interment, Memorial & Re-inscription Permit)</i>						
1 st Burial	439.00	0.00	439.00	448.00	0.00	448.00
1 st Burial (where no use has been made of previously purchased grave)	200.00	0.00	200.00	204.00	0.00	204.00
2 nd Burial	200.00	0.00	200.00	204.00	0.00	204.00
3 rd Burial	200.00	0.00	200.00	204.00	0.00	204.00
4 th Burial	200.00	0.00	200.00	204.00	0.00	204.00
<i>Child Coffin Burial</i>						
Under 12 years of age in child's plot (resident of Swale)	0.00	0.00	0.00	0.00	0.00	0.00
Under 12 years of age in adult's plot (resident of Swale)	200.00	0.00	200.00	204.00	0.00	204.00

Proposed fees and charges for 2015/16

	2014/15			2015/16		
	Charge	VAT 20%	Total Charge	Charge	VAT 20%	Total Charge
	£	£	£	£	£	£
Under 12 years of age in child's plot (non resident of Swale)	136.00	0.00	136.00	139.00	0.00	139.00
Under 12 years of age in adult's plot (non resident of Swale)	329.00	0.00	329.00	336.00	0.00	336.00
Ancillary Services						
Issue of letter of confirmation where deed is lost	49.00	0.00	49.00	50.00	0.00	50.00
Use of chapel in Sittingbourne	75.00	0.00	75.00	76.00	0.00	76.00
Use of chapel in Faversham	106.00	0.00	106.00	108.00	0.00	108.00
Planted grave (per annum)	107.00	0.00	107.00	109.00	0.00	109.00
Turfed grave	At cost			At cost		
Memorial tree (vatable)	260.00	52.00	312.00	265.00	53.00	318.00
Memorial bench (vatable)	At full cost of purchase & installation + £130 admin fee			At full cost of purchase & installation + £130 admin fee		
Transfer of deed ownership	49.00	0.00	49.00	50.00	0.00	50.00
Record search & certificate (each grave)	25.00	0.00	25.00	25.00	0.00	25.00
Scattering of ashes	70.00	0.00	70.00	71.00	0.00	71.00
Extra cost of large coffin or casket (measuring 30 inches or more)	141.00	0.00	141.00	144.00	0.00	144.00
Exhumation of coffin	1,186.00	0.00	1,186.00	1,210.00	0.00	1,210.00
Exhumation of cremated remains	118.00	0.00	118.00	120.00	0.00	120.00
Other services (vatable)	At cost			At cost		
Non-residents of Swale (not living in Swale at time of death or have not been a resident of Swale for at least 15 consecutive years) required to pay double the costs set out above (except child burials)						
Seafront Memorial Bench			No Change			
Memorial bench and installation	420.83	84.17	505.00	420.83	84.17	505.00
Harbour Facilities						
Queenborough Town Quay Berths - registered fishing vessels (per annum)	327.50	65.50	393.00	333.33	66.67	400.00
Licence of pleasure boats	112.50	22.50	135.00	115.00	23.00	138.00
Travelling Fairs and Fetes			No Change			
Pitch premium for open days (per day)	749.00	0.00	749.00	749.00	0.00	749.00

Proposed fees and charges for 2015/16

	2014/15			2015/16		
	Charge	VAT 20%	Total Charge	Charge	VAT 20%	Total Charge
	£	£	£	£	£	£
On site fee (including arrival and departure days)	54.00	0.00	54.00	54.00	0.00	54.00
Refundable deposit	600.00	0.00	600.00	600.00	0.00	600.00
Fetes	50.00	0.00	50.00	50.00	0.00	50.00
Refundable deposit	62.00	0.00	62.00	62.00	0.00	62.00
Beach Hut Charges						
Ground rent/licence fee for members of MBHA	50.00	0.00	50.00	300.00	0.00	300.00
Licence fee for 1 st phase Swale Borough Council huts (3 huts)	541.67	108.33	650.00	666.68	133.32	800.00
Licence fee for 2 nd phase Swale Borough Council huts (7 huts)	541.67	108.33	650.00	666.68	133.32	800.00
Access Over Open Space Licence				No Change		
Standard fee	63.00	0.00	63.00	63.00	0.00	63.00
Room Hire of Swale House				No Change		
Non-Commercial						
Council chamber (half day)	80.34	0.00	80.34	80.34	0.00	80.34
Council chamber (full day)	118.45	0.00	118.45	118.45	0.00	118.45
Committee room (half day)	41.20	0.00	41.20	41.20	0.00	41.20
Committee room (full day)	77.25	0.00	77.25	77.25	0.00	77.25
Assembly room (half day)	41.20	0.00	41.20	41.20	0.00	41.20
Assembly room (full day)	77.25	0.00	77.25	77.25	0.00	77.25
Commercial						
Council chamber (half day)	179.22	0.00	179.22	179.22	0.00	179.22
Council chamber (full day)	298.70	0.00	298.70	298.70	0.00	298.70
Committee room (half day)	88.58	0.00	88.58	88.58	0.00	88.58
Committee room (full day)	149.35	0.00	149.35	149.35	0.00	149.35
Assembly room (half day)	88.58	0.00	88.58	88.58	0.00	88.58
Assembly room (full day)	149.35	0.00	149.35	149.35	0.00	149.35
Charity groups or meetings where Swale residents will benefit	No cost			No cost		

Proposed fees and charges for 2015/16

	2014/15			2015/16		
	Charge	VAT 20%	Total Charge	Charge	VAT 20%	Total Charge
	£	£	£	£	£	£
Purchase of Electoral Register						
						No Change
<i>Full Register and the Notices of Alteration</i>						
Hard copies (standard charge) plus charge (a) below	10.00	0.00	10.00	10.00	0.00	10.00
(a) charge for each 1,000 entries	5.00	0.00	5.00	5.00	0.00	5.00
Data format (standard charge) plus charge (b) below	20.00	0.00	20.00	20.00	0.00	20.00
(b) charge for each 1,000 entries	1.50	0.00	1.50	1.50	0.00	1.50
<i>List of Overseas Electors</i>						
Hard copies (standard charge) plus charge (c) below	10.00	0.00	10.00	10.00	0.00	10.00
(c) charge per 100 entries	5.00	0.00	5.00	5.00	0.00	5.00
Data format (standard charge) plus charge (d) below	20.00	0.00	20.00	20.00	0.00	20.00
(d) charge per 100 entries	1.50	0.00	1.50	1.50	0.00	1.50
<i>Edited Register</i>						
<i>(Available for purchase by anyone)</i>						
Hard copies (standard charge) plus charge (e) below	10.00	0.00	10.00	10.00	0.00	10.00
(e) charge per 1,000 entries	5.00	0.00	5.00	5.00	0.00	5.00
Data format (standard charge) plus charge (f) below	20.00	0.00	20.00	20.00	0.00	20.00
(f) charge per 1,000 entries	1.50	0.00	1.50	1.50	0.00	1.50
Legal Charges for Third Parties						
<i>Business Tenancies and Leases</i>						
Licences (minimum charges)	205.00	0.00	205.00	210.00	0.00	210.00
Initial lease/tenancy (minimum charges)	310.00	0.00	310.00	315.00	0.00	315.00
Renewal (minimum charges)	155.00	0.00	155.00	160.00	0.00	160.00
Licences to assign/sublet/change use/alter premises (minimum charges)	155.00	0.00	155.00	160.00	0.00	160.00
Hourly rate	200.00	0.00	200.00	205.00	0.00	205.00

Proposed fees and charges for 2015/16

	2014/15			2015/16		
	Charge	VAT 20%	Total Charge	Charge	VAT 20%	Total Charge
	£	£	£	£	£	£
New Road licences	Contribution negotiated with asset management team			Contribution negotiated with asset management team		
Council Land						
Routine transactions* (subject to minimum charge)	515.00	0.00	515.00	525.00	0.00	525.00
Hourly rate	200.00	0.00	200.00	205.00	0.00	205.00
Complex transactions (hourly rate shown – subject to a minimum charge of £1,000)	200.00	0.00	200.00	205.00	0.00	205.00
Sale as mortgagee in possession (minimum charge)	360.00	0.00	360.00	365.00	0.00	365.00
Easement						
Residential (minimum charge)	215.00	0.00	215.00	220.00	0.00	220.00
Commercial (minimum charge)	325.00	0.00	325.00	330.00	0.00	330.00
Completion of Section 106 Planning Agreements						
Routine (minimum charge)	565.00	0.00	565.00	575.00	0.00	575.00
Routine (per hour)	200.00	0.00	200.00	205.00	0.00	205.00
Complex (minimum charge)	1,030.00	0.00	1,030.00	1,050.00	0.00	1,050.00
Complex (per hour)	200.00	0.00	200.00	205.00	0.00	205.00
Variation (minimum charge)	565.00	0.00	565.00	575.00	0.00	575.00
Variation (per hour)	200.00	0.00	200.00	205.00	0.00	205.00
*Includes sale of council land and disposal of public open spaces (advertising is a separate fee)						
All charges above are to be negotiated dependent on the complexity, prioritisation to be given to the transaction and value and to be discussed in advance with the relevant lawyer. May vary when work relates to relevant charities or to voluntary organisations. Legal charges do not include disbursements						
Houses in Multiple Occupation Licensing						
New Application						
Non-accredited landlord	610.00	0.00	610.00	620.00	0.00	620.00
Accredited landlord	500.00	0.00	500.00	508.00	0.00	508.00
Renewal of Application						
Non-accredited landlord	460.00	0.00	460.00	467.00	0.00	467.00
Accredited landlord	350.00	0.00	350.00	355.00	0.00	355.00

Proposed fees and charges for 2015/16

	2014/15			2015/16		
	Charge	VAT 20%	Total Charge	Charge	VAT 20%	Total Charge
	£	£	£	£	£	£
Home Inspection for Immigration Application Fee						
Requests received to inspect and provide report on suitability of proposed home in connection with immigration applications	90.00	0.00	90.00	92.00	0.00	92.00
Staying Put Handyperson Rates No Change						
Hourly rate for a handyperson	13.50	2.70	16.20	13.50	2.70	16.20
Subsidised hourly rate for a handyperson – client in receipt of benefits	5.00	1.00	6.00	5.00	1.00	6.00
Pre-Application Planning Advice No Change						
Meetings						
Very large major	833.33	166.67	1,000.00	833.33	166.67	1,000.00
Major	416.67	83.33	500.00	416.67	83.33	500.00
Minor	208.33	41.67	250.00	208.33	41.67	250.00
Other (excluding householders and listed buildings)	83.33	16.67	100.00	83.33	16.67	100.00
Householder	41.67	8.33	50.00	41.67	8.33	50.00
Charities, voluntary groups and parish councils	0.00	0.00	0.00	0.00	0.00	0.00
Works/repairs to listed buildings	0.00	0.00	0.00	0.00	0.00	0.00
Letters						
Very large major	416.67	83.33	500.00	416.67	83.33	500.00
Major	208.33	41.67	250.00	208.33	41.67	250.00
Minor	104.17	20.83	125.00	104.17	20.83	125.00
Other (excluding householders and listed buildings)	41.67	8.33	50.00	41.67	8.33	50.00
Householder	20.83	4.17	25.00	20.83	4.17	25.00
Charities, voluntary groups and parish councils	0.00	0.00	0.00	0.00	0.00	0.00
Works/repairs to listed buildings	0.00	0.00	0.00	0.00	0.00	0.00
Very large major: over 200 dwellings or 4 hectares. Commercial over 10,000m ² or 2 hectares						
Major: 10-199 dwellings or less than 4 hectares. Commercial 1,000m ² - 9,999m ² or less than 2 hectares						
Minor: 1-9 dwellings or less than 0.5 hectares. Commercial less than 1,000m ² or 1 hectare						

Proposed fees and charges for 2015/16

	2014/15			2015/16		
	Charge	VAT 20%	Total Charge	Charge	VAT 20%	Total Charge
	£	£	£	£	£	£
Sale of Ordnance Survey Plans			No Change			
Per set: A4	20.00	0.00	20.00	20.00	0.00	20.00
Per set: A3	50.00	0.00	50.00	50.00	0.00	50.00
Complaints made under the High Hedges Legislation			No Change			
Standard fee	450.00	0.00	450.00	450.00	0.00	450.00
Planning Photocopying Charges			No Change			
Planning decision notices	4.17	0.83	5.00	4.17	0.83	5.00
Tree preservation order notices	4.17	0.83	5.00	4.17	0.83	5.00
Appeal decision notices	4.17	0.83	5.00	4.17	0.83	5.00
Architects plans/maps – A4	1.67	0.33	2.00	1.67	0.33	2.00
Architects plans/maps – A3	2.50	0.50	3.00	2.50	0.50	3.00
Architects plans/maps – A2	3.33	0.67	4.00	3.33	0.67	4.00
Architects plans/maps – A1	4.17	0.83	5.00	4.17	0.83	5.00
Architects plans/maps – A0	5.00	1.00	6.00	5.00	1.00	6.00
Weekly list annual charge	83.34	16.66	100.00	83.33	16.67	100.00
Weekly list of applications – per copy	2.50	0.50	3.00	2.50	0.50	3.00
A4 documents – single sided	0.42	0.08	0.50	0.42	0.08	0.50
A4 documents – double sided	0.83	0.17	1.00	0.83	0.17	1.00
Colour A4 documents – single sided	0.83	0.17	1.00	0.83	0.17	1.00
OS extracts	16.67	3.33	20.00	16.67	3.33	20.00
S106/52 agreements	4.17 to 33.33	0.83 to 6.67	5.00 to 40.00	4.17 to 33.33	0.83 to 6.67	5.00 to 40.00
Planning application copying – 4 sets – householder applications	20.83	4.17	25.00	20.83	4.17	25.00
Planning application copying – 4 sets – minor applications	41.67	8.33	50.00	41.67	8.33	50.00
Local Land Charges			No Change			
Residential Property						
Official certificate of search in land charges register (LLC1) on one parcel of land or property	36.30	0.00	36.30	36.30	0.00	36.30

Proposed fees and charges for 2015/16

	2014/15			2015/16		
	Charge	VAT 20%	Total Charge	Charge	VAT 20%	Total Charge
	£	£	£	£	£	£
Requisition of search on one parcel of land or property (Con29)	79.20	0.00	79.20	79.20	0.00	79.20
Standard residential full search fee	115.50	0.00	115.50	115.50	0.00	115.50
Commercial/Non-Domestic Property						
Official certificate of search in land charges register (LLC1) on one parcel of land or property	36.30	0.00	36.30	36.30	0.00	36.30
Requisition of search on one commercial parcel of land or property	94.70	0.00	94.70	94.70	0.00	94.70
Standard commercial full search fee	131.00	0.00	131.00	131.00	0.00	131.00
Residential & Commercial Properties						
Each additional parcel of land or property on (LLC1) certificate	3.00	0.00	3.00	3.00	0.00	3.00
Each additional parcel of land or property on requisition (Con 29)	9.00	0.00	9.00	9.00	0.00	9.00
Total for each additional parcel of land or property on one full search	12.00	0.00	12.00	12.00	0.00	12.00
Each printed Part II enquiry	16.00	0.00	16.00	16.00	0.00	16.00
Each additional enquiry of your own	21.00	0.00	21.00	21.00	0.00	21.00

List of income received from fees and charges for 2013/14 outturn and 2014/15 budgets

Service	Charge	2013/14 Outturn	2014/15 Budget
Fees and charges to be agreed as part of this report			
Commissioning & Customer Contact	Garden waste collections (brown bins)	304,095	248,570
Commissioning & Customer Contact	Cemeteries burial fees	123,235	111,770
Commissioning & Customer Contact	Bulky waste collections	40,038	32,000
Commissioning & Customer Contact	Sports facilities	7,892	11,500
Commissioning & Customer Contact	Residential wheeled bins	18,296	15,500
Commissioning & Customer Contact	Travelling fetes & fairs and access over open space licence	12,065	10,700
Commissioning & Customer Contact	Seafront memorial bench	5,022	1,000
Commissioning & Customer Contact	Allotments	1,095	1,000
Commissioning & Customer Contact	Harbour facilities and town quays	1,010	5,500
Commissioning & Customer Contact	Radar keys for disabled toilets	426	210
Commissioning & Customer Contact	Beach hut charges	4,315	5,000
Corporate Services	Legal services charges, including S106 application fees	22,123	10,000
Corporate Services	Hire of meeting rooms at Swale House	160	100
Economy & Communities	Advertising fees for Inside Swale	15,542	5,000
Economy & Communities	Guildhall	70	600
Economy & Communities	Quinton Hall	47	0
Economy & Communities	King George's Pavilion	16,224	14,000
Economy & Communities	Alleygate key	11	50
Housing	Houses in multiple occupation	0	500
Housing	Home inspection for immigration application fee	0	100
Housing	Stayput handyperson charges	2,804	2,200
Planning	Local land charges	217,876	200,000
Planning	Pre-application planning advice fees	49,137	40,000
Planning	Photocopying charges	3,401	2,000
Planning	Sale of ordnance survey plans	777	1,050
Service Delivery	Car parks and season tickets	1,535,161	1,572,900
Service Delivery	Residents parking permits (including voucher parking for visitors parking in residential bays)	120,063	97,000
Service Delivery	Street naming and numbering	12,048	15,000

List of income received from fees and charges for 2013/14 outturn and 2014/15 budgets

Service	Charge	2013/14 Outturn	2014/15 Budget
Service Delivery	Annual animal licenses	10,763	9,000
Service Delivery	Stray dog collection	6,600	9,000
Service Delivery	CIEH Level 2 Award Training in Food Safety in Catering	1,355	500
Service Delivery	Registration fee under the Local Government (Misc Provisions) Act	5,015	1,000
Service Delivery	Request for environmental information	1,538	1,000
Service Delivery	Food export certificate	195	100
Service Delivery	Pest control treatments	1,881	2,000
Total fees and charges agreed as part of this report		2,540,280	2,425,850

Charges set nationally or by an external body			
Service Delivery	Fixed penalty notices – parking	499,719	499,890
Service Delivery	Licences (premises and liquor, street trading, sex establishments and scrap metal)	101,461	99,500
Service Delivery	Taxi (Hackney Carriage) licensing	72,714	65,000
Service Delivery	Gambling licence fees	37,304	41,280
Corporate Services	Purchase of electoral register	1,844	1,500
Service Delivery	Fixed penalty notices – environmental response	2,335	3,000
Planning	Planning fees – www.swale.gov.uk/types-of-application-and-fees/	719,084	652,930
Total fees and charges set nationally and by external bodies		1,434,461	1,363,100

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Full Council Meeting	Agenda Item: 10
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Meeting Date	26 November 2014
Report Title	Council Tax Support Scheme 2015/16
Cabinet Member	Cllr Duncan Dewar-Whalley, Cabinet Member for Finance
SMT Lead	Brian Planner
Head of Service	Brian Planner
Lead Officer	Zoe Kent
Recommendations	<ol style="list-style-type: none"> 1. That the Council Tax Support scheme for 2015/16 is kept the same as 2014/15 and CTS continues to be reduced by 15% 2. That the short term empty discount is reduced from 3 months to 1 month. 3. That a 50% premium is charged on properties that have been empty for more than 2 years

1 Purpose of Report and Executive Summary

- 1.1 The purpose of this report is to analysis the current scheme's effects on collection and benefit claimants, and to consider the percentage reduction from CTS that should be set for 2015/16. It will also consider changes to the Council Tax empty property discounts.

2 Background

- 2.1 The localisation of Council Tax Support (CTS) has now been in place since 1 April 2013. Prior to the start of the scheme, a Kent-wide scheme was agreed for a period of three years whereby all districts agreed to reduce CTS by 18.5%. This amount could be reduced to a lower percentage if the district took measures to reduce its empty property discounts. By reducing the short term empty property discount from six down to three months, and removing the long term empty property and second home discounts, the Borough was able to reduce CTS by 15% rather than 18.5%.
- 2.2 In the first year of the scheme the CTS reduction was set at 8.5%. The Council was able to reduce CTS by such a low amount due to the transitional grant that was awarded by DCLG. However, in 2014/15 the grant was not received, so the reduction from CTS was increased to 15%.

- 2.3 Analysis shows that all Kent districts have reduced the amount of CTS awarded based on the amendments they have made to their Council Tax discounts and any subsidy they have decided to make towards their scheme.

Table 1: *Kent authorities + Medway CTS reduction percentages*

Council	2013/14 Reduction %	2014/15 Reduction %
Tonbridge & Malling	8.5	18.5
Tunbridge Wells	8.5	18.5
Maidstone	8.5	13.0
Sevenoaks	8.5	18.5
Dartford	8.5	18.5
Gravesham	8.5	18.5
Swale	8.5	15.0
Ashford	8.5	10.0
Shepway	8.5	18.5
Canterbury	5.0	5.0
Dover	6.0	6.0
Thanet	5.5	5.5
Medway	25.0	25.0

- 2.4 The tables below show the current caseload for CTS claimants. There was a fall in the number of claimants when the reduction from CTS was increased from 8.5% to 15%. This took some claimants who received a small amount of help out of entitlement. The number of pensioners claiming has also decreased as the pension age has increased. The CTS expenditure is a predicted figure during the year as awards are amended throughout the year. The total net expenditure figure as at 1 October 2014 was £9,985,740.

Table 2. *CTS Caseload as at 1 October 2014*

Working Age	5,316
Pension Age	7,345

Table 3. *CTS expenditure as at 1 October 2014*

Working Age	£4,574,538 (46%)
Pension Age	£5,411,202 (54%)

- 2.5 The amount of CTS awarded has continued to fall throughout the year. It is difficult to predict the final expenditure; however, unless there was a sudden rise in claims it is likely that the expenditure at the end of the year will be less than at

the beginning. When CTS is awarded on 1 April for the financial year it is presumed that claimants will receive the amount due on 1 April for the whole of the year. As claimants move and have changes to their circumstances their CTS is either increased or reduced. As Council Tax is a relatively low cost per week (on average £20 per week) when claimants start work they are often taken out of entitlement to CTS or entitled to very little. If a large employer was to move out of the area the amount of expenditure may increase. As the grant towards CTS has now been set by DCLG and we do not receive a grant based on our actual expenditure and like most other authorities we no longer carry out promotions to encourage the take up of CTS.

Table 4 2013/14 Expenditure

Table 4 shows the cost of the CTS scheme to the Borough and the major preceptors in 2013/14 and the predicted expenditure for 2014/15.

2013/14 Expenditure		2014/15 Predicted Expenditure	
Full Cost (without reduction)	£11,270,223	Full cost (without reduction)	£11,086,851
Cost with 8.5% reduction	£10,712,895	Cost with £15% reduction	£9,985,740
Current funding	£10,300,000	Current funding	£10,300,000

Table 5. Analysis of CTS payments received

Prior to April 2013 it was very difficult to predict how much council tax would be collected from benefit claimants of whom many would have been paying council tax for the first time. The Borough along with most other billing authorities took a cautious view and predicted a collection rate of 50%. It is likely that the collection rate reached 77.2% because CTS was only reduced by 8.5% so claimants had a more manageable amount to pay during the first year of the scheme.

	C Tax to be paid by CTS claimants	Outstanding amount	Paid	Percentage paid
2013/14	£1,042,847	£238,182	£804,665	77.2%
2014/15 as at 01.10.2014	£1,754,445	£982,370	£772,075	44%

3 Proposal

- 3.1 It is proposed that the Council Tax Support scheme should be maintained as the current scheme reducing Council Tax Support by 15%. Claimants are now used to paying 15% towards their Council Tax, although we took a lot of calls from

claimants querying the increase in April and some had said they would struggle to pay the increase from 2013/14. The collection rate as at 1 October 2014 (44%) shows that we should be on track to collect a similar percentage to 2013/14.

Table 8. *Costings*

Grant	£10,300,000	
Pensioner	£5,411,202	
Working age	£4,574,538	
Total CTS Award	£9,985,740	
Total cost if Council Tax increases by 2% including preceptors	£10,185,454	
Balance to SBC and the major preceptors	(£114,546)	
Impact on CTS claimants	Annual	Weekly
Band A	£177.87	£3.43
Band B	£207.51	£3.99
Band C	£237.16	£4.56
Band D	£266.80	£5.13
Impact on CTS claimants if C Tax increases by 2%	Annual	Weekly
Band A	£181.43	£3.48
Band B	£211.66	£4.07
£241.90	£241.90	£4.65
Band D	£272.14	£5.23

- 3.2 Although we are still using the grant figure of £10,300,000 as the Revenue Support Grant figure this amount was only guaranteed as the proportion covering Council Tax Support expenditure for 2013/14 and 2014/15. Therefore as it is likely that the Borough's Revenue Support Grant will be reduced for 2015/16 and extra income will need to be found to cover any shortfall towards the Council Tax Support scheme. An assumption has also been made that the major preceptors will increase their Council Tax by 2%. As the Borough's proportion of the Council Tax only equates to 11%, for illustrative purposes only an overall increase of 2% has been used. The Borough is not aiming to make any money out of this scheme, as the collection rate is unlikely to reach more than 80% there is not likely to be any gain. If there was, this would be put towards bad debt provision. To cover the anticipated reduction in grant it is recommended that the Council Tax empty property discounts are also amended as set out below.
- 3.3 The short term empty property discount is currently awarded at 100% for 3 months. Revenue could be increased by reducing the 100% award to 1 month. This still gives a period of time for properties to be empty when changing tenancies, etc with a 100% discount awarded. The reduction in this discount could raise an estimated £100,000.
- 3.4 A further option is to charge a premium of 50% to the Council Tax for properties that have been unoccupied for at least two years and are unfurnished. This surcharge is applied by many other authorities and will help the Borough to encourage owners of long term empty properties to work with both KCC and the

Borough to bring these properties back into use. Applying this premium could raise in the region of £200,000.

4 Alternative Options

- 4.1 The amount that CTS claimants are charged could be reduced so that the benefit claimants do not have to pay so much towards their Council Tax. The advantages to this would be lower charges to benefit claimants which should lead to lower recovery costs. The disadvantage would be less revenue for the Borough and the major preceptors, confusion for claimants if we had to increase the amount payable again from 2016/17 when the Kent wide agreement ends.
- 4.2 The amount that CTS claimants are charged could be increased so that benefit claimants would have to pay more towards their Council Tax. The advantage to this would be that the Council Tax empty discounts would not have to be changed. The disadvantage would be that the CTS claimants may struggle to pay which would be likely to lead to higher recovery costs increasing expenditure for the borough.

5 Consultation Undertaken or Proposed

- 5.1 An on-line consultation is currently being carried out on the Borough website. The consultation will close at the end of October and results will be given at Cabinet.

6 Implications

Issue	Implications
Corporate Plan	<p>BV9 Percentage of Council Tax collected in year. If the reduction from CTS is kept the same as 2014/15 it is estimated that there will not be a drop in the collection rate because claimants are already aware of the amount they must pay. It is again inevitable that not all residents who are living on state benefits will pay the full amount of Council Tax due.</p> <p>The changes introduced through the Welfare Reform agenda and Local Council Tax Support Scheme are aimed at providing greater work incentives, which have the potential to positively impact on the economic prosperity of those returning to employment as well as the wider community. The amount of working age claimants has reduced which may be showing a movement into work.</p>
Financial, Resource and Property	<p>The financial implication of not putting in place a Council Tax Support scheme which gives a balance of help to the CTS claimants against the loss of income to the Borough could lead to an overspend on Council Tax Support . Both the needs of the CTS</p>

	<p>claimants and the Borough need to be considered.</p> <p>The Revenues and Benefits section has been fully resourced to ensure that claimants receive help and guidance towards paying their Council Tax and claiming any Benefits they may be entitled to. The bad debt provision will be reviewed for 2015-16 to take into account the final collection rate for 2014/15. The Borough will work with other agencies and partners to support those residents with money and debt advice services.</p> <p>The level of future grant received from the Department for Communities and Local Government to meet the cost of the Council Tax Support scheme is expected to reduce in future years. This could mean the Borough having to identify alternative funding or savings to maintain the proposed scheme in the longer term or consider further reductions in the support made available. For this reason we are recommending the changes to the empty property discounts.</p>
Legal and Statutory	Local Government Finance Act 2012
Crime and Disorder	It is unlikely that there has been any increase in crime or disorder from the 2014/15 scheme, therefore we would not consider there to be any increase in risk for 2015/16.
Sustainability	The proposed scheme has been designed to run over a 3 year period 2015/16 being year 3 of the scheme. Kent County Council and our other major preceptors have agreed to help with funding (see appendix I) to help with any financial implications from 2013-14 to 2015-16.
Health and Wellbeing	Residents who struggle to pay their Council Tax are advised that they can put in a claim for a Section 13A discretionary award. Those whose health appears to be affected will be signposted to appropriate advice.
Risk Management and Health and Safety	<p>The main risk to the Borough is a drop in the collection rate due to the large number of residents on a low income who will be paying an increased amount towards their Council Tax.</p> <p>The immediate implication of the change will be a reduction in the level of support and increased financial burden for individuals and families on low incomes. This could lead to a risk to the health and living standards of Council Tax Support claimants.</p>
Equality and Diversity	Equality and diversity data will be collected from the responses to the consultation, any concerns will be built in to the community impact assessment.

7 Appendices

The following documents are to be published with this report and form part of the report

- Appendix I: *CTS Kent proposal November 2012*
- Appendix II: *CIA CTS Scheme Assessment 2015-16*
- Appendix III: *CIA CTS Scheme Assessment 2013-14*

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REVISED AND RECOMMENDED

The intention of this agreement is to set out how major precepting and billing authorities will work together to mitigate the reduction in funding for Council Tax support so as to minimise the risk of reduced Council Tax yield and recognise the additional responsibilities for billing authorities.

This agreement reflects the transitional arrangements available in 2013/14 and would need to be updated should further changes in Government grants be introduced in future years.

PROPOSED AGREEMENT BETWEEN DISTRICTS AND MAJOR PRECEPTING AUTHORITIES ON LOCAL SCHEMES OF SUPPORT FOR COUNCIL TAX

If a District

In 2013/14

1. Accepts a standard deduction of **8.5%** on all non- pensioner claimants (and meets the other conditions for the Government Grant), or already has an alternative scheme under (A) below which meets the criteria for grant

and **agrees to :**

2. Confirm that they will apply for the Government's Transitional Grant for 2013/14 (and any grants on offer in subsequent years) and

3. Reduce the exemption on **Class C empty properties from 6 months to 3 months**

and for 2014/15 and 2015/16

4. Districts agree to revert to their original proposed scheme as per (A) below or agree to put other actions in place to reduce the cost of Council Tax support/other specific measures increase the Council Tax yield that achieves a similar financial result

or

- A. Accepts a standard deduction of 18.5% on all non- pensioner claimants, or produces an alternative local scheme that achieves the equivalent of a 10% saving in expenditure on discounts to claimants,
- and
- B. Agrees to reduce the exemption on Class C empty properties from 6 months to 3 months,

THEN

Major Precepting Authorities will agree:

1. If a district incurs a cost on new council tax discounts (other than as a result of local decisions to increase Council Tax) from the local scheme that is higher than their share of the grant from government, then major precepting authorities (jointly) will reimburse the district the difference.
2. Major Precepting Authorities (jointly) will pay £125,000 to each district each year as a contribution to the increased administrative, collection and recovery costs of the new scheme.
3. Major Precepting Authorities (jointly) will reimburse each district reasonable increased administrative costs necessarily incurred if the case load on the local scheme (during the period of this agreement) exceeds the case load of the council tax benefit scheme (as at 31 March 2013) by more than 15%.

Additional clauses subject to negotiation

Districts to agree monitoring arrangements with major precepting authorities to enable them to take account of possible costs under the underwriting clause 1 above

District councils to agree accounting arrangements through collection funds with major precepting authorities

Major Precepting Authorities (jointly) will also contribute towards the cost of fraud services undertaken by Districts in connection with Council Tax Discounts.

Major precepting authorities will not specifically compensate districts for any impact on parish precepts arising from Council Tax support schemes and districts will be expected to manage the consequences on the Collection Fund as far as is practically possible within the grants available from government and the impact of reduced benefits/other changes to Council Tax yield on the parish precept

Individual precepting authorities will agree with individual districts arrangements to pay a proportion of the precepting authority's Government grant(s) for Council tax support in exceptional cases

FURTHER

1. This agreement to operate for three years (subject to variation in light of changes to Government funding)
2. A review is undertaken between April and June 2015.

This agreement will limit the cost to districts of discounts granted under a local scheme to the value of the grant received from government. Districts will also receive a contribution from major preceptors to offset estimated additional administrative and recovery costs.

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Community Impact Assessment

A Community Impact Assessment (CIA) is a document that summarises how the council has had due regard to the public sector equality duty (Equality Act 2010) in decision-making.

When to assess

A CIA should be carried out when you are changing, removing or introducing a new service, policy or function. The assessment should be proportionate; a major financial decision will need to be assessed more closely than a minor policy change.

Public sector equality duty

The Equality Act 2010 places a duty on the council, when exercising public functions, to have due regard to the need to:

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

These are known as the three aims of the general equality duty.

Protected characteristics

The Equality Act 2010 sets out nine protected characteristics that apply to the equality duty:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership*
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

*For marriage and civil partnership, only the first aim of the duty applies in relation to employment.

We also ask you to consider other socially excluded groups, which could include people who are geographically isolated from services, with low literacy skills or living in poverty or low incomes; this may impact on aspirations, health or other areas of their life which are not protected by the Equality Act, but should be considered when delivering services.

Due regard

To 'have due regard' means that in making decisions and in its other day-to-day activities the council must consciously consider the need to do the things set out in the general equality duty: eliminate discrimination, advance equality of opportunity and foster good relations.

How much regard is 'due' will depend on the circumstances and in particular on the relevance of the aims in the general equality duty to the decision or function in question. The greater the relevance and potential impact, the higher the regard required by the duty. The three aims of the duty may be more relevant to some functions than others; or they may be more relevant to some protected characteristics than others.

Collecting and using equality information

The Equalities and Human Rights Commissions (EHRC) states that 'Having due regard to the aims of the general equality duty requires public authorities to have an adequate evidence base for their decision making'. We need to make sure that we understand the potential impact of decisions on people with different protected characteristics. This will help us to reduce or remove unhelpful impacts. We need to consider this information before and as decisions are being made.

There are a number of publications and websites that may be useful in understanding the profile of users of a service, or those who may be affected.

- The Office for National Statistics Neighbourhoods website <http://www.neighbourhood.statistics.gov.uk>
- Swale in 2011 http://issuu.com/swale-council/docs/key_data_for_swale
- Kent County Council Research and Intelligence Unit http://www.kent.gov.uk/your_council/kent_facts_and_figures.aspx
- Health and Social Care maps <http://www.kmpho.nhs.uk/health-and-social-care-maps/swale/>

At this stage you may find that you need further information and will need to undertake engagement or consultation. Identify the gaps in your knowledge and take steps to fill these.

Case law principles

A number of principles have been established by the courts in relation to the equality duty and due regard:

- Decision-makers in public authorities must be aware of their duty to have 'due regard' to the equality duty
- Due regard is fulfilled before and at the time a particular policy is under consideration as well as at the time a decision is taken. Due regard involves a conscious approach and state of mind.
- A public authority cannot satisfy the duty by justifying a decision after it has been taken.
- The duty must be exercised in substance, with rigour and with an open mind in such a way that it influences the final decision.
- The duty is a non-delegable one. The duty will always remain the responsibility of the public authority.
- The duty is a continuing one.
- It is good practice for those exercising public functions to keep an accurate record showing that they have actually considered the general duty and pondered relevant questions. Proper record keeping encourages transparency and will discipline those carrying out the relevant function to undertake the duty conscientiously.
- The general equality duty is not a duty to achieve a result, it is a duty to have due regard to the need to achieve the aims of the duty.
- A public authority will need to consider whether it has sufficient information to assess the effects of the policy, or the way a function is being carried out, on the aims set out in the general equality duty.
- A public authority cannot avoid complying with the duty by claiming that it does not have enough resources to do so.

Examples of case law can be found here [EHRC relevant case law](#). They include examples of why assessing the impact **before** the decision is made is so important and case law around the need to have due regard to the duty

Lead officer:	<i>Zoe Kent</i>
Decision maker:	<i>Council</i>
People involved:	<i>Zoe Kent, Brian Planner</i>
Decision: <ul style="list-style-type: none"> • Policy, project, service, contract • Review, change, new, stop 	<ul style="list-style-type: none"> • <i>This is a localised scheme that the Borough is required to put in place to give financial help towards Council Tax to those residents on a low income.</i> • <i>We are required to review this scheme before 31 January of the financial year.</i>
Date of decision: The date when the final decision is made. The CIA must be complete before this point and inform the final decision.	<i>SMT – 14 October 2014</i> <i>Cabinet – 5 November 2014</i> <i>Council – 26 November 2014</i>
Summary of the decision: <ul style="list-style-type: none"> • Aims and objectives • Key actions • Expected outcomes • Who will be affected and how? • How many people will be affected? 	<p><i>What are the aims and objectives?</i></p> <ol style="list-style-type: none"> 1. <i>To provide help towards Council Tax as a localised Council Tax Support scheme to those on a low income in the Borough</i> 2. <i>To provide pensioners with the support as per The Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012 as amended by The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2013</i> 3. <i>To provide working age claimants support taking into consideration the reduction in financial support provided within the Revenue Support Grant towards the Council Support Scheme.</i> 4. <i>Support vulnerable people</i> 5. <i>Support claimants back into work</i> <p><i>What are the key actions?</i></p> <ul style="list-style-type: none"> • <i>Providing a scheme that supports those claimants on a low income</i> • <i>Putting into place a scheme that does not mean a financial burden to the authority which could lead to putting other services provided by the Borough at risk.</i> • <i>Continuing to design and deliver services to meet the needs of vulnerable customers</i> • <i>Consider user feedback, engagement and consultation when designing the scheme</i> <p><i>What are the expected outcomes?</i></p> <p><i>To put in place a scheme that balances the needs of vulnerable claimants against the budget requirements of the Borough.</i></p> <p><i>Who will be affected?</i></p> <p><i>Those working-age residents who are on a low income who claim help towards their Council Tax. This covers all areas of the Borough but particularly those who live in deprived areas.</i></p> <p><i>How many people will be affected?</i></p> <p><i>7,346 working age claimants will be affected by the changes to the scheme (12% of all Council Tax account holders).</i></p>
Information and research: <ul style="list-style-type: none"> • Outline the information and research that has informed the decision. • Include sources and key findings. • Include information on how the decision will affect people with different protected characteristics. 	<p>When the scheme started in April 2013 our client base was made up as follows:</p> <ul style="list-style-type: none"> • Severe disability – 5% • Disability – 13% • Disabled child - 4% • Lone parent child under 5 – 15% • Child under 5 – 9% • 4 children or more – 1% • 3 children – 3% • 2 children – 7%

	<ul style="list-style-type: none"> • 1 child – 11% • All children over 16 – 3% • Working no children – 4% • Other (does not fall into any of the above categories) – 25% <p>A more comprehensive research and consultation exercise was undertaken to inform the CIA for the 2013/14 scheme, which was the first year that council tax support was localised. The results of this exercise remain valid this year, and the previous CIA is available.</p> <p>A new online consultation has taken place for the 2015/16 proposed year's scheme.</p> <p>Whilst designing the Council Tax Support scheme we have tried to ensure that all groups of the community who will be claiming Council Tax Support are treated fairly. The scheme needs to balance between the groups that may have higher expenditure because of their needs who however may receive higher benefits because of those needs and those who are seen to not have any extra needs i.e. disability or children who may not have extra expenditure but will be living on a lower income. Those with more children have a much higher income overall to use towards their Council Tax payments (now capped to £500 per week) compared with single claimants who are under 25 who may be living on £56.80 per week.</p>
<p>Consultation:</p> <ul style="list-style-type: none"> • Has there been specific consultation on this decision? • What were the results of the consultation? • Did the consultation analysis reveal any difference in views across the protected characteristics? • Can any conclusions be drawn from the analysis on how the decision will affect people with different protected characteristics? 	<p><i>Following the comprehensive consultation prior to the initial 2012/13 scheme, a consultation was carried out in 2013/14 and a further consultation was carried out in September/October 2014. The latest consultation proposed amendments to the Council Tax empty property discounts to enable the current scheme to stay the same from 1 April 2015. The following questions were asked in the previous year's consultation.</i></p> <ol style="list-style-type: none"> 1. <i>Which option do you support? Option 1 - reduce benefit awards by 18.5% or option 2 - reduce benefit awards by 15.0% or Option 3 – none</i> 15.38% of responders chose option 1, 61.54% chose option 2 and 23.08% chose option 3. 2. <i>Do you think the Council should make wider changes to the Council Tax Support Scheme?</i> 38.46% chose yes, 23.08 % no, 38.46% unsure 3. <i>Reduce the level of savings allowed?</i> 53.85% chose yes, 30.77% chose no, 15.38% unsure 4. <i>Cap benefit to the level of Council Tax band D?</i> 76.92% chose yes, 15.38% chose no, 7.69% chose unsure 5. <i>Remove the rebate available for other occupiers?</i> 38.46% chose yes, 53.85% chose no, 7.69% chose unsure <p><i>Responses were received from most age groups who receive Council Tax Support, 54% of responders receive Council Tax Support and 46% do not. Those who receive Council Tax Support all fall into the working age group so currently receive a reduction in their Council Tax Support. 31% of all responders have health problems, their responses did not produce different views to other responders..</i></p> <p><i>There appeared to be no difference in response from those in protected group to other responses. As with the scheme that was put into place last year claimants who are disabled may have higher living expenses due to their disability, for example higher heating and travelling costs. They normally receive extra income to pay towards</i></p>

these expenses such as Disability Living Allowance care and/or mobility paid at the rate to meet the level of their disability. If they are in receipt of Housing Benefit and do not receive full (passported) benefit they will receive extra premiums to cover their disability which means they should receive a higher amount of Housing Benefit. The Council Tax Support scheme for 2014/15 will include a premium to allow for their disability.

The consequences of not awarding a special exemption to disabled claimants may include:

- Disabled claimants may be unable to work to increase income to pay towards the cost of Council Tax.
- Disabled claimants may have to use income that is normally used towards activities outside of the home. This could lead to disabled customers becoming isolated
- Income may be used towards Council Tax in preference to electricity/gas costs which may lead to heating not be used which could lead to health problems.
- Income may be used towards Council Tax instead of buying healthier food which may lead to further health complications.

Claimants who are under 25 receive lower amounts of benefits if single or couples with no children. This means they have lower amounts of income to live on.

The consequences are, claimants who are under 25 may find they have not got enough income to pay towards their other general living expenses. This may lead to them not having enough money towards heating and food costs. The Borough may find this leads to an increase in crime in the area.

The latest consultation closed on 31 October 2014, the following questions are were asked:

1. Should the short term empty and unfurnished discount be reduced from 3 months to?
 - One month – 29%
 - Six weeks – 17%
 - Keep the discount at 3 months – 54%

Of the 54% of responders who felt we should keep the empty property discount at 3 months more than half felt we should keep the reduction from Council Tax Support for working age benefit claimants at 15% or reduce it further. It was explained in the consultation that we were looking to change the empty property discount so that we could keep the reduction from Council Tax Support at 15%. If the short-term empty property discount is reduced from 3 months to either 1 month or 6 weeks it is not felt that any one group with a protected characteristic would be affected more than another.

If the empty property discount is reduced to 6 weeks or 1 month information will be supplied to residents so that they are fully aware of the date they will be charged Council Tax from. Other exemptions are available to help those residents who may have a property empty for a specific reason. For example a former home of a deceased person, absent giving or receiving care, in a residential home. We are also not proposing to reduce the Class D discount for properties that require substantial structural repairs that can be awarded for up to a year.

Currently properties that are empty for longer than 3 months are charged the full Council Tax rate. To encourage properties that have been empty for more than two years back into use, we are considering adding a premium of 50% to the full Council Tax rate.

2. Do you agree?

- Yes – 74%
- No – 26%

Charging a premium on a property that has been empty for more than two years is not likely to affect one group with a protected characteristic more than another. Property owners who could be charged the premium will be able to obtain advice from the Borough's Housing section and Kent County Council on how to bring their property back in to use.

Under the current support scheme, claimants have to pay 15% of their total council tax liability. To reduce this amount further we would need either to raise council tax for everybody or cut services.

3 Do you think this amount should be:

- Kept at 15 percent – 46%
- Reduced so that claimants pay less council tax – 23%
- Increased so that claimants pay more council tax – 31%

The consequences of changing the amount of Council Tax Support for those groups with protected characteristics have not changed from the consultation which took place in 2013/14. Please refer to the 2013/14 consultation results for details of how these groups could be affected.

Is the decision relevant to the aims of the equality duty?

Guidance on the aims can be found in the EHRC's [PSED Technical Guidance](#).

Aim	Yes/No
1) Eliminate discrimination, harassment and victimisation	Yes
2) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it	Yes
3) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it	No

Assess the relevance of the decision to people with different protected characteristics and assess the impact of the decision on people with different protected characteristics.

When assessing relevance and impact, make it clear who the assessment applies to within the protected characteristic category. For example, a decision may have high relevance for young people but low relevance for older people; it may have a positive impact on women but a neutral impact on men.

Characteristic	Relevance to decision High/Medium/Low/None	Impact of decision Positive/Negative/Neutral
Age	Low	Negative
Disability	Low	Neutral
Gender reassignment	None	Neutral
Marriage and civil partnership	None	Neutral

Pregnancy and maternity	Low	Negative
Race	None	Neutral
Religion or belief	None	Neutral
Sex	None	Neutral
Sexual orientation	None	Neutral
Other socially excluded groups ¹	Low	Negative

<p>Conclusion:</p> <ul style="list-style-type: none"> Consider how due regard has been had to the equality duty, from start to finish. There should be no unlawful discrimination arising from the decision (see PSED Technical Guidance). <p>Advise on the overall equality implications that should be taken into account in the final decision, considering relevance and impact.</p>	<p>Summarise this conclusion in the body of your report</p>
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Timing

- Having 'due regard' is a state of mind. It should be considered at the inception of any decision.
- Due regard should be considered throughout the development of the decision. Notes should be taken on how due regard to the equality duty has been considered through research, meetings, project teams, committees and consultations.
- The completion of the CIA is a way of effectively summarising the due regard shown to the equality duty throughout the development of the decision. The completed CIA must inform the final decision-making process. The decision-maker must be aware of the duty and the completed CIA.

Full technical guidance on the public sector equality duty can be found at:

http://www.equalityhumanrights.com/uploaded_files/PSD/technical_guidance_on_the_public_sector_equality_duty_england.pdf

This Community Impact Assessment should be attached to any committee or SMT report relating to the decision. This CIA should be sent to the Website Officer (Lindsay Oldfield) once completed, so that it can be published on the website.

¹ Other socially excluded groups could include those with literacy issues, people living in poverty or on low incomes or people who are geographically isolated from services

Action Plan

Issue	Action	Due date	Lead Officer	Manager	Cabinet Member
<i>Financial hardship for CTRS working age claimants</i>	<i>Further consultation work to be carried out in Quarter 2 2015/16</i>	<i>09/2015</i>	<i>Zoe Kent</i>	<i>Brian Planner</i>	<i>Cllr Duncan Dewar-Whalley</i>
<i>Drop in collection rate for Council Tax</i>	<i>The collection of Council Tax to be monitored throughout the financial year 2015/16</i>	<i>09/2015</i>	<i>Zoe Kent</i>	<i>Brian Planner</i>	<i>Cllr Duncan Dewar-Whalley</i>
<i>Financial hardship for residents with an empty property</i>	<i>Advice on alternative help to be sent out with Council Tax bills and adjustment notices</i>	<i>03/2015</i>	<i>Zoe Kent</i>	<i>Brian Planner</i>	<i>Cllr Duncan Dewar-Whalley</i>

Actions in this action plan will be reported to the CIA group once a quarter, so updates will be required quarterly.

Community Impact Assessment

Full Assessment Form v3 Nov 2010

Service	Revenues and Benefits
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Title of Policy, Function Or Service	Council Tax Support scheme - Consultation
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Lead Officer	Zoe Kent
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People Involved With the CIA	David Clifford
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Type of Policy, Function Or Service	Existing	
	New/proposed	x
	Changed	

Step 1 – Identify Aims

What are the aims of your policy, service or function?

From 1st April 2013 every Council has to introduce its own localised Council Tax Support scheme to replace the nationally designed Council Tax Benefit scheme. Between 11-14% of current funding is being removed by the Government. Councils have the discretion to design their own local scheme and decide who to financially support. There are some nationally prescribed elements to the scheme including the full protection of pensioners (i.e. we cannot reduce the benefit currently paid to pensioners as a direct result of developing our own scheme) Our approach has been to develop a scheme that is fair to all which also takes into account the reality of the funding cut. Wherever possible we are looking to protect the vulnerable and those who are least able to afford to pay more Council Tax.

Who is going to benefit from this policy, service or function and how?

All current and future recipients of Council Tax Benefit / Council Tax support are affected by the changes. In addition, as we are considering changes to the Council Tax discounts/exemptions relating to second homes and empty properties then all current and future recipients of these discounts/exemptions will also be affected.

What outcomes do you want to achieve?

To ensure that all groups of the community who will be claiming Council Tax Support are treated fairly. Many claimants will be paying towards Council Tax for the first time. The scheme needs to balance between the groups that may have higher expenditure because of their needs who however may receive higher benefits because of those needs and those who are seen to not have any extra needs i.e. disability or children who may not have extra expenditure but will be living on a lower income.

What could prevent people from getting the most out of the policy, service or function?**How will you tell people about it?**

A consultation was carried out from 30th July 2012 – 7th October 2012. When the scheme has been agreed by Members an advertising campaign will be launched and all current Council Tax Benefit customers will be contacted.

Step 2 – Collect and Use Evidence**What Existing Data Do You Have?**

Data from the Academy software system including the modelling tool which can be used to analysis the amount of claimants and the groups they fall into and how they will be affected by the scheme.
Data from the recent Council Tax Support Scheme consultation.

Using your existing data what does it tell you?

Results can be found in the analysis of the consultation exercise and the analysis of current working age claimants using the Academy modelling tool.

Breakdown of working age claimants:

Group	No of passported claims	No of Non-Passported claims	Total
Severe disability	340	71	411
Disability	616	326	942

Disabled child premium	280	135	415
Lone parent child under 5	887	236	1,123
Child under 5	405	303	708
Family Premium 5 or more children	19	1	20
Family Premium 4 children	28	21	49
Family Premium 3 children	118	93	211
Family Premium 2 children	305	250	555
Family Premium 1 child	486	404	890
Family Premium	112	91	203
Working	5	313	318
Other	1,674	248	1,922
Total	5,275	2,492	7,767

Do You Need To Plug Any Gaps?

We will need to ensure that all customers who will be entitled to claim Council Tax Support are aware of how they are affected by the scheme.

How Can You Do This?

An advertising campaign will take place to ensure all current claimants are aware of the scheme. The Revenues and Benefits section will also work with the voluntary sector to ensure claimants receive appropriate advice and help where necessary.

Are You Using Your Partners, Stakeholders and Councillors effectively?

We set up a Council Tax Support group consisting of Lead officers, senior managers and Members to look into setting up the scheme. We have worked together with stakeholders and we have worked closely with all Kent authorities including the major preceptors.

Step 3 – Assess the Impact
Who are the users of the policy, function or service?
Residents of Swale who are currently claiming Council Tax Benefit who will move on to Council Tax Support in April 2013 and new claimants from April 2013.
Is the take up representative of the community?
Yes
Who else could or should be users?
Anyone on a low income who may be entitled to help towards their Council Tax.
How does the service impact on different groups?
Race or Ethnicity
The scheme should not have an effect on residents due to their race or ethnicity.
Sex
The scheme should not have an effect on residents due to their sex.
Disability
<p>311 respondents out of 668 responses (47%) to the CTS consultation stated that they have a disability or a long term health condition which affects their day-to-day life. In response to the consultation questions. In response to the questions asked, the amount of respondents who had answered yes, no or don't know/no opinion/ left the question blank was almost the same percentage as the respondents as a whole. Although claimant's who are disabled may have higher living expenses due to their disability, for example higher heating and travelling costs. They normally receive extra income to pay towards these expenses such as Disability Living Allowance care and/or mobility paid at the rate to meet the level of their disability. If they are in receipt of Housing Benefit and do not receive full (passported) benefit they will receive extra premiums to cover their disability which means they should receive a higher amount of Housing Benefit.</p> <p>The Council Tax Support scheme will be likely to give the same premiums to disabled claimants which will mean that the applicable amount setting the level of income that they need to live on will include a premium to allow for their disability.</p>

The consequences of not awarding a special exemption to disabled claimants may include:

- Disabled claimants may be unable to work to increase income to pay towards the cost of Council Tax.
- Disabled claimants may have to use income that is normally used towards activities outside of the home. This could lead to disabled customers becoming isolated
- Income may be used towards Council Tax in preference to electricity/gas costs which may lead to heating not be used which could lead to health problems.
- Income may be used towards Council Tax instead of buying healthier food which may lead to further health complications.

Sexual Orientation

The scheme should not have an effect on residents due to their sexual orientation.

Age

Claimants who are under 25 receive lower amounts of benefits if single or couples with no children. This means they have lower amounts of income to live on. The consequences are, claimants who are under 25 may find they have not got enough income to pay towards their other general living expenses. This may lead to them not having enough money towards heating and food costs. The Borough may find this leads to an increase in crime in the area.

Religion or belief

The scheme should not have an effect on residents due to their religion or belief

Gender Reassignment

The scheme should not have an effect on residents due to gender reassignment

Marriage and Civil Partnerships

The scheme should not have an effect on residents who are married or in a civil partnership

Pregnancy and Maternity

Claimants who are pregnant need a healthier diet, the money for this could be used

towards Council Tax. Pregnancy may also make it harder for claimants to find employment.

Other Socially Excluded Groups or Communities

Carers – The consequences of this scheme could mean that carers may feel that they either need to give up caring to earn extra income. They may also have to use income that would normally be used for other expenses towards their Council Tax.

Are some people benefitting more than others? If so, why?

No, by designing a scheme which reduces Council Tax Support by the same percentage for all claimants (except pensioners who are protected) it means that no person should benefit more than another. The same percentage will be deducted at the end of the Council Tax Support calculation on every claim.

Who have you consulted with?

The consultation was carried out on the website to give all interested parties a chance to respond. We have consulted with current Council Tax Benefit claimants, voluntary groups, external and internal partners, landlords, major preceptors parish councils. The consultation was advertised in local papers, road shows were held in Faversham, Sheerness and Sittingbourne. Meetings were held with local voluntary groups, partners and landlords.

Do you need to consult further?

Yes		No	x
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If you need to consult further or have not consulted yet please list who and how are you are going to consult with specific groups or communities

Who

--

How

--

Step 4 – Ensure Fairness

Are any groups affected in a different way to others as a result of the policy, function or service?

One of the intended effects of the Council Tax Support scheme is to support the improved work incentives to be delivered through Universal Credit as part of the Government's programme of welfare reform. Some disabled claimants may find they do not have the same opportunities to move in to work as other claimants. Claimant's with young or disabled children may also find this a problem.

If this benefits a particular group is it clear why that needs to be the case?

Does your policy, function or service either directly or indirectly discriminate?

Yes		No	x
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Does your policy, function or service either discriminate by association or perception?

Yes		No	x
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Is there a possible impact on community relations?

No this should not have an impact on community relations

If yes, how are you going to change this?

Step 5 – Finalise Your Decision

What changes or benefits have been made as a result of your consultation?

Many consultation respondents said that they understood that they would have to pay something towards their Council Tax. They requested that the lower the Borough could keep the amount they would have to pay the more likely it would be that they would be able to meet the payments.

The Borough is recommending that the extra grant payment from DCLG is taken and the scheme is set at 8.5%. This would mean that claimants receiving full Council Tax Benefit will (based on 2012/13 Council Tax Charges) lose the following amounts from their Benefit:

Band	A	B	C	D	E	F	G	H
No	£80.14	£93.50	£106.86	£120.22	£146.93	£173.65	£200.36	£240.44

SPD	£1.54 pw	£1.80 pw	£2.06 pw	£2.31 pw	£2.83 pw	£3.34 pw	£3.85 pw	£4.62 pw
SPD (1 adult)	£60.11 £1.16 pw	£70.13 £1.35 pw	£80.15 £1.54 pw	£90.16 £1.73 pw	£110.20 £2.12 pw	£130.24 £2.50 pw	£150.27 £2.89 pw	£180.33 £3.47 pw

What outcome have you reached?

Can you explain how the decision was reached?

If you are in a position to introduce the policy, project or service but still have information to collect or actions to complete to ensure all equality groups have been covered please list with timescales.

How is your decision making process is recorded?

Have you involved your councillors and senior officers if needed?

Yes

x

No

If yes please give further details

A Council Tax Support group was set up which comprised of councillors and senior officers. Senior officer across Kent also met to design the scheme which was taken to the Kent Chief's group and Kent Forum (Kent leaders).

Have you involved stakeholders if needed?

Yes

x

No

If yes please give further details

Meetings were held with stakeholders during the consultation period.

Example - Contact Centre CIA

Step 6 – Communicate What Has Happened

Do the users know?

Yes		No	
Have you told partners?			
Yes		No	
Have you addressed any consultation responses in a positive way?			
Yes		No	
If yes please give further details			
To mitigate the effects of the scheme extra staff have been taken on to help claimants with payment arrangements and general advice.			

Step 7 – Monitor and Review Your Decision			
How are you going to monitor this policy, function or service? Provide details of how often and who will be responsible?			
Does the service policy or function do what you intended?			
Yes		No	
Has anything changed?			
Yes		No	
If yes please give further details			
If yes, how have you revised the policy, function or service?			

Step 8 – CIA Group Approval			
Please send a copy of your completed CIA to the Community Impact Assessment Group for approval. We will contact you any comments or queries			

about your full CIA.			
CIA Approval			
The Community Impact Assessment Group has approved this CIA			
The Community Impact Assessment Group as approved this CIA in principle subject to further evidence being provided			
Name of Lead Officer			
Signature			
Date		Contact number	

Step 9 – Publish Your Approved CIA	
Please confirm an electronic copy of the approved CIA has been sent to the Website Officer to be published on the Council’s website	

Full Council Meeting		Agenda Item: X
Meeting Date	26 November 2014	
Report Title	Bearing Fruits 2031: The Swale Borough Local Plan Part 1 - Publication Version	
Cabinet Member	Cllr Gerry Lewin, Cabinet Member for Planning	
SMT Lead	Pete Raine	
Head of Service	James Freeman	
Lead Officer	Gill Harris	
Key Decision	Yes	
Classification	Open	
Recommendations	1. That Council agree the Swale Borough Local Plan; and supporting Sustainability Appraisal and Habitats Regulation Assessment be recommended for approval for publication and subsequently submission to the Planning Inspectorate	

1 Purpose of Report and Executive Summary

- 1.1 This report introduces the publication version of the Swale Borough Local Plan which, if agreed, will be subject to a final six week round of public consultation, before being submitted to the Planning Inspectorate. The Plan has now been updated in accordance with the most up-to-date research, Members' preferred response to earlier consultation findings, and current national planning policy. A Sustainability Appraisal and Habitat Regulation Assessment have been carried out.

2 Background

- 2.1 The Local Plan has been through a lengthy preparation period and several rounds of public consultation, necessitated in no small part by changes to national planning policy over the last three years.
- 2.2 The Local Plan pursues Members' preferred housing development target of 540 dwellings per annum (10,800 over the plan period 2011-2031). As previous officer reports to LDF Panel have highlighted, this is below the 'objectively assessed need' required by the National Planning Policy Framework, which in Swale's case would imply a housing target of the order of 740 dwellings per annum (14,800 over the plan period 2011-2031).
- 2.3 There are serious concerns about the ability of the local market to deliver at this rate for the entire plan period and the viability of the development to deliver essential supporting infrastructure. Consequently, the target was set at a level

which has proved deliverable over time and which will be deliverable at least for the first five years or so post-adoption without the need for major infrastructure items (most notably improvements to M2/J5 with the A249). However, the plan does note that should there be any significant progress with this, or sustained upturn in market delivery rates, there will be need to be an early review of the plan and development targets. Despite the concerns over deliverability of a higher housing target, the preferred development target does not align with national planning policy and, given the experience of other local authorities with similar strategies having plans halted at local plan examination, this is a high risk approach.

- 2.4 As far as the Local Plan document itself is concerned, all the outstanding pieces of research to support the preferred plan are now complete and have previously been reported to Members. The most recent round of public consultation took place on Bearing Fruits 2031: The Consultation draft Swale Borough Local Plan Part 1 (August – September 2013). Comments received during this consultation were reported to the LDF Panel on 5 December 2013 where Members resolved to take these into account in finalising policy, alongside relevant evidence and the national planning policy context.
- 2.5 The whole plan has been brought together in its final form for submission and was received by the Local Development Framework Panel of 28 October 2014. The Panel recommended it for publication and submission (Minute 308) and this was ratified by Cabinet at their meeting of 5 November (Minute 333).
- 2.6 The draft Plan is available to view as part of the LDF Panel Agenda at <http://services.swale.gov.uk/meetings/documents/s1198/Appendix%201%20-%20Draft%20Local%20Plan.pdf> and a hard copy has been placed in the Members' Room. Minor updating will be undertaken in accordance with the LDF Panel Minutes, prior to publication.

3 Proposal

- 3.1 The Local Plan is now at the stage where the Council considers it complete as the development strategy which it would wish to see adopted. However, under the Statutory Regulations, any outstanding issues consultees may have in regard to the plan's soundness may still be raised. Soundness issues are those relating to procedural compliance; and that the plan is positively prepared; justified; effective; and consistent with national policy. In order to test this, the plan must now to be published for six weeks public comment prior to submission to the Planning Inspectorate. The Inspector appointed will then use these comments to organise the Examination in Public around key topics.
- 3.2 It is therefore recommended that the plan as now drafted be recommended for approval for the formal publication stage, and subsequently submission to the Planning Inspectorate.

Next Steps

3.3 The process to submission of the plan is as follows:

- the recommendation to proceed to the publication stage of the plan process will need to be agreed Full Council . ;
- the plan documents will be finalised and the statutory six week publication period for comment will run from 19 December – 30 January 2015 . An advance notice letter was sent week of 10 November to all the parish and town councils, statutory consultees and correspondents on our Local Plan database;
- the Council will summarise the main issues received in comments during the publication period (these are left for the Inspector to address as part of the Examination, although he may request the Council's help in drafting responses);
- submission of the Local Plan, all supporting evidence and documents, and required statements to the Planning Inspectorate is targeted for late March 2015; and
- the Planning Inspectorate will then advise on the Inspector assigned to Swale and organisation of the subsequent programme. It is anticipated that the Examination could at least be commenced in the summer 2015.
- If the plan is accepted as sound at Examination (and subject to any Inspector's modifications), adoption would be expected late 2015.

3.4 It should also be noted that should the submission Local Plan be agreed, it also gains weight to be used in Development Management decisions from the date of publication.

4 Alternative Options

4.1 Members could opt not to pursue this Local Plan to the submission and Examination in public stage, given that there are significant risks associated with defending the chosen development target and meeting the national planning policy tests of soundness. However, the risks associated with withdrawing the plan at this stage are basically the same as proceeding and it being found unsound.

4.2 The costs and delay in restarting the plan process would leave the Council with no up-to-date local planning framework for the foreseeable future. This would leave it unable to address the proper planning of the area in a consistent and strategic way, and so leave it vulnerable and potentially unable to defend its decisions at Appeal against refusal of planning permission. The latter could potentially result in significant costs against the Council.

4.3 Should an Inspector have very serious doubts about soundness of the Plan, (s)he would be likely to express these to the Council prior to commencing the Examination in Public and the position could be further reviewed then. If there is a chance that any perceived problems could be resolved through further work and

Inspector-proposed modifications within a reasonable timescale, then the plan could be pursued, albeit with a delay in the Examination to see if a satisfactory solution could be reached.

- 4.4 This report sets out the risks associated with Members' chosen strategy, which have also been highlighted by officers at LDF Panel meetings. However, complete withdrawal of the plan at this stage will leave a policy vacuum and the concerns in respect of the consequences of that could not be addressed in the short term. It is therefore not recommended at this stage.

5 Consultation Undertaken or Proposed

- 5.1 The submission plan will be supported by a Statement of Consultation which has been undertaken throughout the preparation process. There is also one final opportunity to comment during the six week 'publication period' prior to submission. At this stage comments should be focussed on issues to do with the plan's soundness rather than basic disagreements with content.
- 5.2 The normal process at this stage is that the Council will receive and summarise all representations and send them off to the Planning Inspectorate. The latter will use them to determine the matters which the Examination in Public will focus upon and structure the hearing process itself.

6 Implications

Issue	Implications
Corporate Plan	Progression and adoption of the Local Plan is a major corporate project and a priority, helping to deliver all Council priorities
Financial, Resource and Property	Existing programmed resources should be sufficient to progress the local plan as proposed to adoption. Should Members prefer to make fundamental changes to the strategy, or the plan is found unsound at post-submission stage, a completely revised budget and programme would need to be devised.
Legal and Statutory	The Local Plan has been prepared in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 SI No 767
Crime and Disorder	None identified at this stage.
Sustainability	An updated Sustainability Appraisal/ Strategic Environmental Assessment and Habitat Regulations Assessment have been carried out on the Local Plan.
Health and Wellbeing	The Local Plan has policies on health and wellbeing embedded in the strategy, and health-related infrastructure arising from new development proposals has been identified through joint working with public health care providers.

Risk Management and Health and Safety	None anticipated at this stage
Equality and Diversity	A Community Impact Assessment has been undertaken of the publication draft of the Plan which has been placed in the Members' Room.

7 Appendices

None

8 Background Papers

Bearing Fruits 2031: The Swale Borough Local Plan Part 1: Publication Version
December 2014

<http://services.swale.gov.uk/meetings/documents/s1198/Appendix%20I%20-%20Draft%20Local%20Plan.pdf>

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RECOMMENDATIONS FOR APPROVAL

Council is asked to note the following recommendations:

(i) Cabinet – 5 November 2014

Minute No. 325 - Review of Fees and Charges

- (1) That the proposed fees and charges for 2015/16 as set out in the report be approved for submission to Council.
- (2) That the recommendations from the Scrutiny Committee be noted and that the proposed increases relating to car park FPNs, environmental FPNs and waste carrier offences are not approved, for the reasons set out in the tabled paper. The recommendation relating to scrap metal dealers to be approved for consideration by Council.
- (3) That delegation be given to the Head of Finance and the Cabinet Member for Environmental and Rural Affairs to ascertain whether the Council can change the timescales for penalties within legislation but not increase the charges and if so, to include this in the recommendations to Council.
- (4) That delegation be given to the Head of Finance and the Cabinet Member for Planning to review the Scrutiny Committee's proposal relating to householder planning advice charges and include a response in the report to Council.

Minute No. 326 – Council Tax Support Scheme 2015/16

- (1) That the Council Tax Support (CTS) Scheme for 2015/16 be kept the same as 2014/15 and CTS continues to be reduced by 15%.
- (2) That the short term empty discount is reduced from 3 months to 1 month.
- (3) That a 50% premium is charged on properties that have been empty for more than two years.

(ii) Standards Committee – 11 November 2014

Minute No. 338 – Annual Monitoring Officer's Report

- (1) That the report be noted.
- (2) That no further action be taken to review the regime at the present time.
- (3) That the ongoing preparatory work on the induction programme for Members, post the election in May 2015, continues.

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