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Tel.	01621 875791
Council Chamber	01621 859677

HEAD OF PAID SERVICE'S OFFICE
HEAD OF PAID SERVICE
Richard Holmes

04 March 2019

Dear Councillor

You are summoned to attend the meeting of the;

FINANCE AND CORPORATE SERVICES COMMITTEE

on **TUESDAY 12 MARCH 2019** at 7.30 pm.

in the Council Chamber. Maldon District Council Offices, Princes Road, Maldon**.**

A copy of the agenda is attached.

Yours faithfully

R.A. Holmes

Head of Paid Service

COMMITTEE MEMBERSHIP	CHAIRMAN	Councillor D M Sismey
	VICE-CHAIRMAN	Councillor I E Dobson
	COUNCILLORS	Mrs B F Acevedo J P F Archer P G L Elliott A S Fluker B E Harker M S Heard Rev. A E J Shrimpton
	Ex-officio non-voting Members:	Councillors B S Beale MBE Mrs M E Thompson

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AGENDA
FINANCE AND CORPORATE SERVICES COMMITTEE
TUESDAY 12 MARCH 2019

1. **Chairman's notices (please see overleaf)**

2. **Apologies for Absence**

3. **Minutes of the last meeting** (Pages 7 - 72)

   To confirm the Minutes of the meeting of the Finance and Corporate Services Committee held on 29 January 2019 (copy enclosed).

4. **Disclosure of Interest**

   To disclose the existence and nature of any Disclosable Pecuniary Interests, other Pecuniary Interests or Non-Pecuniary Interests relating to items of business on the agenda having regard to paragraphs 6-8 inclusive of the Code of Conduct for Members.

   (Members are reminded that they are also required to disclose any such interests as soon as they become aware should the need arise throughout the meeting).

5. **Public Participation**

   To receive the views of members of the public on items of business to be considered by the Committee (please see below):

   1. A period of ten minutes will be set aside.
   2. An individual may speak for no more than two minutes and will not be allowed to distribute or display papers, plans, photographs or other materials.
   3. Anyone wishing to speak must notify the Committee Clerk between 7.00pm and 7.20pm prior to the start of the meeting.

6. **Human Resources Statistics - Quarter Three 2018/19** (Pages 73 - 90)

   To receive the report of the Director of Resources (copy enclosed).

7. **Updated Rate Relief Policy** (Pages 91 - 148)

   To consider the report of the Director of Service Delivery (copy enclosed).

8. **Houses in Multiple Occupation Licensing Fees** (Pages 149 - 154)

   To consider the report of the Director of Resources (copy enclosed).

For further information please call 01621 876232 or 875791
or see the Council's website – www.maldon.gov.uk.

9. **Supplementary Estimates, Virements and Use of Reserves: 1 January to 14 February 2019** (Pages 155 - 158)

To consider the report of the Director of Resources (copy enclosed).

10. **Annual Review of Financial Regulations** (Pages 159 - 218)

To consider the report of the Director of Resources (copy enclosed).

11. **Pay Policy Statement** (Pages 219 - 226)

To consider the report of the Director of Resources (copy enclosed).

12. **Any other items of business that the Chairman of the Committee decides are urgent**

13. **Exclusion of the Public and Press**

To resolve that under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Act, and that this satisfies the public interest test.

14. **Disposal of Land at Springfield Road, Burnham-on-Crouch** (Pages 227 - 230)

To consider the report of the Director of Resources (copy enclosed).

15. **Budget Growth Item - Green Waste Contract** (Pages 231 - 236)

To consider the report of the Director of Resources (copy enclosed).

NOTICES

Sound Recording of Meeting
Please note that the Council will be recording any part of this meeting held in open session for subsequent publication on the Council's website. At the start of the meeting an announcement will be made about the sound recording. Members of the public attending the meeting with a view to speaking are deemed to be giving permission to be included in the recording.

Fire
In event of a fire, a siren will sound. Please use the fire exits marked with the green running man. The fire assembly point is outside the main entrance to the Council Offices. Please gather there and await further instruction.

Health and Safety
Please be advised of the different levels of flooring within the Council Chamber. There are steps behind the main horseshoe as well as to the side of the room.

Closed-Circuit Television (CCTV)
This meeting is being monitored and recorded by CCTV.

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MINUTES of
FINANCE AND CORPORATE SERVICES COMMITTEE
29 JANUARY 2019

PRESENT

Vice-Chairman (in the chair)	Councillor I E Dobson
Councillors	Mrs B F Acevedo, A S Fluker, B E Harker, M S Heard and Rev. A E J Shrimpton
Ex-Officio Non-Voting Member	Councillor(s) B S Beale MBE and Mrs M E Thompson
Substitute Councillor(s)	Councillor R G Boyce MBE

781. CHAIRMAN'S NOTICES

The Chairman drew attention to the list of notices published on the back of the agenda.

782. APOLOGIES FOR ABSENCE AND SUBSTITUTION NOTICE

An apology for absence was received from Councillor D M Sismey. In accordance with notice duly given Councillor R G Boyce was attending as a substitute for Councillor Sismey.

783. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 27 November 2018 be approved and confirmed.

784. DISCLOSURE OF INTEREST

There were none.

785. PUBLIC PARTICIPATION

No requests had been received.

786. CORPORATE HEALTH AND SAFETY

The Committee received the report of the Director of Resources detailing Corporate Health and Safety activity for Quarter Three (1 October to 31 December 2018). A summary by Directorate and a description of the reported incidents and near misses were set out in the report.

Appendix 1 to the report provided details of progress with the Health and Safety Action Plan for 2018 / 19.

It was noted that there had been seven reported accidents, five incidents of unacceptable behaviour and follow up action was detailed in the report. The report detailed a number of roles with Health and Safety responsibilities where there were vacancies following staff leaving the organisation and Members were advised that nominated replacements for these roles would be sought and training provided as appropriate.

In response to a question, the Director of Resources agreed to check if there was an alarm bell or other form of alert used by the Council's Customer Service Advisors on the reception desk to attract colleague's attention, if required and ensure the system was tested.

RESOLVED

(i) That the accident and incident statistics for the quarter be noted;

(ii) That progress with the Health and Safety Action Plan be noted

(iii) That that action required to replace staff with health and safety representatives as they the organisation be noted.

787. SUPPLEMENTARY ESTIMATES, VIREMENTS AND USE OF RESERVES: 31 OCTOBER - 31 DECEMBER 2018

The Committee considered the report of the Director of Resources reporting:

- virements and supplementary estimates agreed under delegated powers;
- procurement exemptions that had been granted in the period;
- on the use of the Repairs and Maintenance reserve during the year.

It was reported that there were no Virements or Supplementary Estimates to be reported for this period.

Members noted that there had been one procurement exemption granted to continue with the current banking arrangements and the report provided further detail in respect of this exemption.

A number of requests for funding from the Repairs and Renewals reserve had been approved and the details of these were set out in the report.

Councillor Mrs M E Thompson joined the meeting during this item of business.

In response to a question regarding the use of reserves being looked at collectively or as individual amounts, the Director of Resources reminded Members of the policy regarding supplementary estimates and explained that this did not apply to the use of reserves. It was noted that the Council had very clear procurement guidance which did not allow the segregation of things to bypass rules and regulations. In respect of the use of reserves and the five items reported these were separate incidents which required repairs, had happened at different points in the year and would not be combined together.

RESOLVED that the contents of the report be noted.

788. CAPITAL AND INVESTMENT STRATEGIES FOR 2019 / 20

The Committee considered the report of the Director of Resources seeking Members' approval of an annual Capital Strategy (attached as Appendix 1 to the report) and Investment Strategy (attached as Appendix 2 to the report) for 2019 / 20.

It was reported that the Capital Strategy had been prepared considering the future plans of the Council, ensuring that they were affordable and prudent. The Annual Investment Strategy had been updated in line with statutory requirements and good practice, having regard to the Council's financial position, links to wider strategies, plans and aims and the advice of the Council's external treasury advisor. There were no changes to the Council's treasury management practices or processes, as previously reported to the Committee.

In response to questions, the Director of Resources provided the following clarifications:

- Loan repayments referred to loans where the Council had borrowed monies;
- The Council had no housing stock, but as part of the transfer of housing stock there was a small amount of money the Council received from the Housing Association dealing with the property.

It was noted that in Appendix 1 under 'Investment for Services Purposes' there was a minor typographical error which would be corrected.

RECOMMENDED

(i) that the Capital Strategy for 2019 / 20 attached as **APPENDIX 1** to these Minutes be approved;

(ii) that the Investment Strategy for 2109 / 20 attached as **APPENDIX 2** to these Minutes be approved.

789. MEMBERS' ALLOWANCES - INDEPENDENT MEMBERS REMUNERATION PANEL UPDATE

The Committee considered the report of the Independent Members Remuneration Panel (IMRP) seeking Members' consideration of its recommendations following meetings held in November 2018.

It was reported that the IMRP had met three times in November 2018 to consider the introduction of a Members' Mileage and Expenses Policy along with the level of allowance currently paid as a Special Responsibility Allowance to Area Planning Committee Chairman. The recommendations of the IMRP to introduce a Members' Mileage and Expenses Policy and a reduction to the allowance current paid to Area Planning Committee Chairman were set out in Appendix A to the report and the Minutes of its first meeting at Appendix B.

Councillor A S Fluker declared in the interest of openness and transparency an interest in this item of business.

Councillor Fluker proposed that an additional recommendation be added to recommend that Members could not spend more than the allowance currently offered to Offers as a form of subsistence. This proposal was duly seconded.

In response to a number of questions the following information was provided by the Director of Resources:

- guidance was issued to all new Members of the Council and the rules in respect of mileage claiming were clearly set out on the mileage claim forms.
- Mileage was not allowed to be claimed for attendance at Party Conferences;
- Reference within Appendix A to a single Area Planning Committee was observations of the IMRP and not the Council. No amendment could therefore be made to this document, it was however noted that the Council had previously considered the introduction of a single Area Planning Committee and agreed not to revisit this matter for a number of years.
- Officers would look into alternative means of Members signing in and out when attending the Council Offices.
- A new app was currently being tested which sat on stop of the Sage finance system and would allow a user to make mileage and expenses claims via a mobile phone, including attaching a photograph of a receipt.

Councillor Fluker clarified his earlier proposition that the new Members' Mileage and Expenses Policy should reflect the policy currently applicable to Officers. This was duly agreed.

RECOMMENDED

(i) That a Members' Mileage and Expenses Policy be introduced reflecting the policy currently applicable to Officers;

(ii) That the allowance currently paid to Area Planning Committee Chairmen be reduced to 50% of the existing rate.

790. 2018 / 19 - 2021 / 22 CAPITAL PROGRAMME

The Committee considered the report of the Director of Resources presenting year to date spend information on the 2018 / 19 Capital Programme (Appendix A to the report) and the proposed Capital Programme for 2019 / 20.

It was noted that two projects from 2018 / 19 were being carried forward into 2019 / 20 and the remainder of the 2018 / 19 Capital Programme was envisaged to be completed by 31 March 2019.

The Finance Manager reported that there had not been any change to the proposed 2019 / 20 Capital Projects considered by this Committee at its last meeting and approved by the Council on 20 December 2018 for taking forward in the budget process.

In response to questions the Director of Resources provided the following information:

- The purchase of bins related to bins for new housing development which were now built into Section 106 Agreements and recharged for all significant developments.
- Expenditure detailed related to the end of Quarter Three.
- Officers would confirm if there had been any further spend in respect of the Maldon Cemetery Chapel.
- Current Polling booths had been reviewed and where possible repaired. However some did require replacement.

Councillor B E Harker declared an interest in this item of business as he was the Chairman and Treasurer of the Friends of Heybridge Cemetery.

RESOLVED that the contents of the Quarter Three 2018 / 19 Capital Outturn Table be noted.

791. DISCRETIONARY FEES AND CHARGES 2019 / 20

The Committee considered the report of the Director of Resources, seeking Members' consideration of the proposed Fees and Charges for 2019 / 20 (set out in Appendix A to the report).

It was noted that the proposed fees and charges for 2019 / 20 had been based on the policy decisions recently updated and agreed by this Committee at its last meeting. The report detailed the budgets for income generated from fees and charges and highlighted two main changes:

- **Building Control fees** – These fees are the subject of a separate review which will be reported to the Committee once completed.
- **Clinical Waste** – As of 31 January 2019 the NHS was withdrawing its service for the collection of clinical waste. The free collection has been re-introduced into the budget but officers were carrying out further work in respect of other options available. It was noted that additional measures were being put in place to ensure use of the free service had been agreed with a GP.

In response to a question regarding animal licensing, the Director of Resources reported that new licensing legislation required the Council to licence all dog sitters and kennels. It was not known at this stage what the costs would be but indicative costs were being sought.

RECOMMENDED

(i) That the detailed Fees and Charges for 2019 / 20 as set out in **APPENDIX 3** to these Minutes, be agreed;

(ii) That the revision to the fees and charges policies shown in **APPENDIX 4** to these Minutes, be agreed.

792. REVISED 2018 / 19 ESTIMATES, ORIGINAL 2019 / 20 BUDGET ESTIMATES AND COUNCIL TAX 2019 / 20

The Committee considered the report of the Director of Resources presenting:

- for noting, the Provisional Local Government Finance Settlement announced by the Government on 13 December 2018;
- the revised 2018 / 19 and original 2019 / 20 General Fund Revenue Budget estimate;
- the proposed council tax increase for 2019 / 20
- the policy for the use of Reserves.

The report and associated appendices to the report outlined the following:

- the latest information on the provisional Local Government finance settlement 2019 / 20;
- revised General Fund revenue budget estimates 2018 / 19;
- General Fund revenue budget estimates 2019 / 20;
- budget growth, savings and income generation in 2019 / 20;
- Essex Region business rates pool to which no changes to the Pool membership had been notified;
- an update on interest on investments;
- the Council Tax requirement for 2019 / 20;
- General Fund balance and revenue reserves;
- risks to the Council's financial position.

Provisional Local Government Finance Settlement 2019 / 20
The Director of Resources reported that she had received written communication which confirmed that the Local Government Finance Settlement for 2019 / 20 had been finalised and settlement funding was £1.508.

It was noted that this was the last year of the current spending review settlement and therefore 2020 would see a new way of funding. There were currently consultations out regarding this and the Director of Resources would be arranging a Member briefing and workshop around this.

Council Tax
The Director of Resources highlighted the significant precept rises from Essex Police and Essex County Council. At the request of Members Officers had modelled the budget to try and stay within the line of the Consumer Price Index (CPI) which up to the end of December 2018 was 2.4%. The budget presented included a proposed Council Tax increase of 2.3%.

Councillor A S Fluker thanked the Section 151 Officer and her team for the enormous amount of work that had gone into the budget and engaging with him with regards to the Council Tax. He referred to the need to protect tax.

Councillor Fluker proposed that the recommendations as set out in the report, including an increase council tax by £4.43 (2.3%). This proposal was duly seconded. It was noted that recommendation (ii)d should read "*to* retain…".

In response to a question regarding paying off the pension gap, the Director of Resources advised that this had to be paid every four years and monies were being put aside this year for this.

RESOLVED

(i) That the main details of the Provisional Local Government Finance Settlement 2019 / 20 as set out below and in section 3.4 of the report:

	2015 / 16 Adjusted	**2016 / 17**	**2017 / 18**	**2018 / 19**	**2019 / 20**
	£m	**£m**	**£m**	**£m**	**£m**
Settlement Funding Assessment – Maldon	2.447	1.964	1.601	1.474	1.508
Annual % Change		-19.7%	-18.5%	-7.9%	-2.3%
Cumulative % Change		*-19.79%*	*-34.6%*	*-39.8%*	*-38.4%*

RECOMMENDED

(ii) that the following be approved:

(a) the Summary Revised 2018 / 19 and Original 2019 / 20 General Fund Revenue Budget Estimates (**APPENDICES 5, 6 and 7** to these Minutes)

(b) an average Band D council tax of £197.40 (excluding parish precepts) (2.3% increase) for 2019 / 20 (**APPENDIX 5** to these Minutes);

(c) policies on the designated use of financial reserves (**APPENDIX 8** to these Minutes)**;**

(d) to retain the minimum general fund working balance at £2,600,000 for 2019 / 20.

(iii) that the Council gives due regard to the Director of Resources statement on the robustness of budgets and adequacy of reserves in **APPENDIX 7**.

793. REGULATION OF INVESTIGATORY POWERS ACT (RIPA) POLICY AND GUIDANCE ON THE USE OF COVERT SURVEILLANCE

The Committee considered the report of the Director of Resources seeing Members' approval of a revised Regulation of Investigatory Powers Act (RIPA) Policy and Guidance on the use of covert surveillance (attached as Appendix 1 to the report).

The report set out the Council's requirement under RIPA and it was noted that the Council's current Code of Practice on Covert Surveillance had been updated to reflect the new corporate structure and requirements of the Regulation of Investigatory Powers Act 2000 as amended by the Protection of Freedoms Act 2012 and guidance.

Members noted that a change was required to the Appendix to amend reference to the Director of Planning and Regulatory Services to Director of Strategy, Performance and Governance. This would need further amendment when the area of Planning moved across to the Director of Service Delivery.

In response to a question, Members were informed that the Council had not undertaken surveillance to assist in the detection of crime and the prevention of fraud and all staff received regular training on RIPA.

RECOMMENDED that subject to amendment, the revised Code of Practice on Covert Surveillance, attached as **APPENDIX 9** to these Minutes be approved.

There being no further items of business the Chairman closed the meeting at 8.10 pm.

I E DOBSON
CHAIRMAN

APPENDIX 1

Capital Strategy Report 2019 / 20

Introduction

This capital strategy is a new report for 2019 / 20, giving a high-level overview of how capital expenditure, capital financing and treasury management activity contribute to the provision of local public services along with an overview of how associated risk is managed and the implications for future financial sustainability. It has been written in an accessible style to enhance members' understanding of these sometimes technical areas.

Capital Expenditure and Financing

Capital expenditure is where the Council spends money on assets, such as property or vehicles, that will be used for more than one year. In local government this includes spending on assets owned by other bodies, and loans and grants to other bodies enabling them to buy assets. The Council has some limited discretion on what counts as capital expenditure, for example assets costing below £10,000 are not capitalised and are charged to revenue in year.

In 2019 / 20, the Council is planning capital expenditure of £618,000, with a potential additional £6.2m for commercial projects as summarised below:

Table 1: Prudential Indicator: Estimates of Capital Expenditure in £ 000s

	2017/18 actual £000	2018/19 forecast £000	2019 / 20 budget £000	2020/21 budget £000	2021/22 budget £000
General Fund services	1,021	1,771	618	487	477
Proposed Commercial Projects	-	-	6,283	-	-
TOTAL	1,021	1,789	6,901	487	477

The main General Fund capital projects include the replacement of equipment and vehicles in the Parks Team, which totals £118,200.

Governance: Service managers bid annually in September to include projects in the Council's capital programme. Bids are collated by the finance team who calculate the financing cost (which can be nil if the project is fully externally financed). The Corporate Leadership Team (CLT) and the relevant service committees appraise all bids based on a comparison of service priorities against financing costs and makes recommendations to Finance and Corporate Services. The final capital programme is then presented to Council in February each year.

- For full details of the Council's proposed capital programme for 2019 / 20, including the project appraisals undertaken, see the Finance and Corporate Services Minutes for 24 November 2018.

Projects that generate savings or income may be progressed in year subject to a valid Business Case and Committee Approval.

All capital expenditure must be financed, either from external sources (government grants and other contributions), the Council's own resources (revenue, reserves and capital receipts) or debt (borrowing, leasing and Private Finance Initiative). The planned financing of the above expenditure is as follows:

Table 2: Capital financing in £ 000's

	2017 / 18 actual £000s	2018 / 19 forecast £000s	2019 / 20 budget £000s	2020 / 21 budget £000s	2021 / 22 budget £000s
External sources	449	420	420	420	420
Own resources	572	1,369	198	67	57
Debt	-	-	6,283	-	-
TOTAL	**1,021**	**1,789**	**6,901**	**487**	**477**

Debt is only a temporary source of finance, since loans and leases must be repaid, and this is therefore replaced over time by other financing, usually from revenue which is known as Minimum Revenue Provision (MRP). Alternatively, proceeds from selling capital assets (known as capital receipts) may be used to replace debt finance. Planned MRP and use of capital receipts are as follows:

Table 3: Replacement of debt finance in £ 000's

	2017 / 18 actual £000's	2018 / 19 forecast £000's	2019 / 20 budget £000's	2020 / 21 budget £000's	2021 / 22 budget £000's	2022 / 23 Budget £000's
Own resources	-	-	-	126	126	126

- The Council's full minimum revenue provision statement is available here in the reports for Finance and Corporate Service Committee in January 2019.
- The figures above will not be included into the Medium Term Financial Statement until the projects have been fully approved.

The Council's cumulative outstanding amount of debt finance is measured by the Capital Financing Requirement (CFR). This increases with new debt-financed capital expenditure and reduces with MRP and capital receipts used to replace debt. The CFR is expected to increase by £6.3m during 2019 / 20. Based on the above figures for expenditure and financing, the Council's estimated CFR is as follows:

Table 4: Prudential Indicator: Estimates of Capital Financing Requirement in £000's

	31.3.2018 actual £000's	31.3.2019 forecast £000's	31.3.2020 budget £000's	31.3.2021 budget £000's	31.3.2022 budget £000's
General Fund services	1,109	850	6,874	6,489	6,104
TOTAL CFR	**1,109**	**850**	**6,874**	**6,489**	**6,104**

- The in year movement above does not total Table 2 less Table 3 due to MRP relating to embedded finance leases that are not true capital debt repayments.

Asset management: To ensure that capital assets continue to be of long-term use, the Council is developing the 2019 / 20 asset management strategy.

Asset disposals: When a capital asset is no longer needed, it may be sold so that the proceeds, known as capital receipts, can be spent on new assets or to repay debt. The Council is currently also permitted to spend capital receipts on service transformation projects until 2021 / 22. Repayments of capital grants, loans and investments also generate capital receipts. The Council could potentially receive £4m of capital receipts in the coming financial year as follows:

Table 5: Capital receipts in £ 000's

	2017 / 18 actual £000's	2018 / 19 forecast £000's	2019 / 20 budget £000's	2020 / 21 budget £000's	2021 / 22 budget £000's
Asset sales	-	-	-	4,000	-
Loans repaid	-	-	-	-	-
TOTAL	**-**	**-**	**-**	**4,000**	**-**

- The Assets sales relate to potential income from the sale of the Council offices if this project is taken forwards, however this is still at planning stage.
- The Council may also receive Capital receipts from Right to Buys of Council Houses, however it is not possible to estimate how much may be received in any one year.

Treasury Management

Treasury management is concerned with keeping sufficient but not excessive cash available to meet the Council's spending needs, while managing the risks involved. Surplus cash is invested until required, while a shortage of cash will be met by borrowing, to avoid excessive credit balances or overdrafts in the bank current account. The Council is typically cash rich in the short-term as revenue income is received before it is spent, but cash poor in the long-term as capital expenditure is incurred before being financed. The revenue cash surpluses are offset against capital cash shortfalls to reduce overall borrowing.

Due to decisions taken in the past, the Council currently has £0m borrowing and £22m treasury investments at an average rate of 1.6%.

Borrowing strategy: The Council is currently debt free, however as there is a future intention to borrow to fund projects, then the main objectives when borrowing will be to achieve a low but certain cost of finance while retaining flexibility should plans change in future. These objectives are often conflicting, and the Council therefore seeks to strike a balance between cheap short-term loans (currently available at around 0.75%) and long-term fixed rate loans where the future cost is known but higher (currently 2.0 to 3.0%).

Projected levels of the Council's total outstanding debt (which comprises borrowing, PFI liabilities and leases) are shown below, compared with the capital financing requirement (see above).

Table 6: Prudential Indicator: Gross Debt and the Capital Financing Requirement in £000's

	31.3.2018 actual £000's	31.3.2019 forecast £000's	31.3.2020 budget £000's	31.3.2021 budget £000's	31.3.2022 budget £000's
Debt	-	-	6,283	6,157	6,031
Capital Financing Requirement	1,109	850	6,874	6,489	6,104

Statutory guidance is that debt should remain below the capital financing requirement, except in the short-term. As can be seen from table 6, the Council expects to comply with this in the medium term.

Liability benchmark: To compare the Council's actual borrowing against an alternative strategy, a liability benchmark has been calculated showing the lowest risk level of borrowing. This assumes that cash and investment balances are kept to a minimum level of £10m at each year-end. This benchmark is currently -£2.8 and is forecast to rise to £8.6m over the next three years.

Table 7: Borrowing and the Liability Benchmark in £000's

	31.3.2018 actual £000's	31.3.2019 forecast £000's	31.3.2020 budget £000's	31.3.2021 budget £000's	31.3.2022 budget £000's
Outstanding borrowing	-	-	6,300	6,174	6,048
Liability benchmark	(2,800)	800	7,200	8,500	8,600

The table shows that the Council expects to remain borrowed below its liability benchmark.

Affordable borrowing limit: The Council is legally obliged to set an affordable borrowing limit (also termed the authorised limit for external debt) each year and to keep it under review. In line with statutory guidance, a lower "operational boundary" is also set as a warning level should debt approach the limit.

Table 7: Prudential Indicators: Authorised limit and operational boundary for external debt in £m

	2018 / 19 limit	2019 / 20 limit	2020 / 21 limit	2021 / 22 limit
Authorised limit – borrowing	10	16.5	16.5	16.5
Operational boundary – borrowing	7	7	7	7

- Further details on borrowing are on page 4 of the treasury management strategy

Investment strategy: Treasury investments arise from receiving cash before it is paid out again. Investments made for service reasons or for pure financial gain are not generally considered to be part of treasury management.

The Council's policy on treasury investments is to maximise investment return where satisfactory results of due diligence are found and risk mitigated, although security and liquidity are still considerations. Cash that is likely to be spent in the near term is invested securely, for example with the government, other local authorities or selected high-quality banks, to minimise the risk of loss. Money that will be held for longer terms is invested more widely, including in bonds, shares and property, to balance the risk of loss against the risk of receiving returns below inflation. Both near-term and longer-term investments may be held in pooled funds, where an external fund manager makes decisions on which particular investments to buy and the Council may request its money back at short notice.

Table 8: Treasury management investments in £000's

	31.3.2018 actual £000's	31.3.2019 forecast £000's	31.3.2020 budget £000's	31.3.2021 budget £000's	31.3.2022 budget £000's
Near-term investments	6,500	5,000	5,000	5,000	5,000
Longer-term investments	4,888	5,000	5,000	5,000	5,000
TOTAL	**11,388**	**10,000**	**10,000**	**10,000**	**10,000**

- Further details on treasury investments can be found on page 5 of the treasury management strategy

Governance: Decisions on treasury management investment and borrowing are made daily and are therefore delegated to the Director of Resources and staff, who must act in line with the treasury management strategy approved by Council. Half yearly reports on treasury management activity are presented to Overview & Scrutiny Committee. The audit committee is responsible for scrutinising treasury management decisions.

Investments for Service Purposes

The Council does not makes investments to assist local public services.

Commercial Activities

The Council currently do not have any commercial activities, however with the continuing pressures on external funding, and the implementation of the future model, consideration is being given to potential projects, which, when evaluated, will follow the governance for approval outlined on page 1 of this strategy. The potential requirement for borrowing has been considered in the relevant indicators within this strategy, and the investment and treasury strategies.

Liabilities

The Council is committed to making future payments to cover its pension fund deficit (valued at £26.5 m). It has also set aside £0.75 m to cover risks of Business Rates and Planning appeals.

Governance: Decisions on incurring new discretional liabilities are taken by managers in consultation with the Director of Resources. The risk of liabilities crystallising and requiring payment is monitored by departments in conjunction with the finance team and are reported to committee/management as appropriate.

Revenue Budget Implications

Although capital expenditure is not charged directly to the revenue budget, interest payable on loans and MRP are charged to revenue, offset by any investment income receivable. The net annual charge is known as financing costs; this is compared to the net revenue stream i.e. the amount funded from Council Tax, business rates and general government grants.

Table 9: Prudential Indicator: Proportion of financing costs to net revenue stream

	2017 / 18 actual	2018 / 19 forecast	2019 / 20 budget	2020 / 21 budget	2021 / 22 budget
Financing costs (£m)	-	-	-	-	-
Proportion of net revenue stream	%	%	%	%	%

- The borrowing referred to in this strategy relates to proposals that are still in planning stages, therefore these haven't been included in the table above due to wider implications of potential new revenue streams that would impact on the revenue stream. This table will be updated once there is more detail on the proposed projects.

Sustainability: Due to the very long-term nature of capital expenditure and financing, the revenue budget implications of expenditure incurred in the next few years will extend for the duration of any borrowing arrangements. The Director of Resources is satisfied that the proposed capital programme is prudent, affordable and sustainable because for the main General Fund programme, there are existing reserves to fund the expenditure. For new Commercial projects, borrowing costs have been included within the financial models to then assess overall project viability. Projects will only be progressed where they prove to generate savings or an income stream to the Authority, and the Business Case will assess the risks and mitigations of the projects.

Knowledge and Skills

The Council employs professionally qualified and experienced staff in senior positions with responsibility for making capital expenditure, borrowing and investment decisions. For example, the Director of Resources is a qualified accountant with over 10 years' experience. The Council pays for junior staff to study towards relevant professional qualifications including Association of Chartered Certified Accountants (ACCA).

Where Council staff do not have the knowledge and skills required, use is made of external advisers and consultants that are specialists in their field. The Council currently employs Arlingclose Limited as treasury management advisors and the Valuation Office as property advisors. This approach is more cost effective than employing such staff directly, and ensures that the Council has access to knowledge and skills commensurate with its risk appetite.

- The Council's Treasury Management policy on the use of external advisers is available on request from the Council Offices.

Investment Strategy Report 2019 / 20

Introduction

The Council invests its money for two main reasons:-

- because it has surplus cash as a result of its day-to-day activities, for example when income is received in advance of expenditure (known as **treasury management investments**).
- to earn investment income (known as **commercial investments** where this is the main purpose).

This investment strategy is a new report for 2019 / 20, meeting the requirements of statutory guidance issued by the government in January 2018.

Treasury Management Investments

The Council typically receives its income in cash (e.g. from taxes and grants) before it pays for its expenditure in cash (e.g. through payroll and invoices). It also holds reserves for future expenditure and collects local taxes on behalf of other local authorities and central government. These activities, plus the timing of borrowing decisions, lead to a cash surplus which is invested in accordance with guidance from the Chartered Institute of Public Finance and Accountancy. The balance of treasury management investments is expected to fluctuate between £12m and £20m during the 2019 / 20 financial year.

Contribution: The contribution that these investments make to the objectives of the Council is to support effective treasury management activities.

Further details: Full details of the Council's policies and its plan for 2019 / 20 for treasury management investments are covered in a separate document, the treasury management strategy.

Capacity, Skills and Culture

Elected members and statutory officers: The team involved in investment decision making have a number of years experience in treasury management. They attend sessions run by our treasury management advisors in relation to investments and treatment. The Treasury Management advisors are consulted on potential changes to portfolio. Members are also provided with treasury management training, the frequency is dependent on requirements and changes.

Commercial deals: The Finance Manager and Section 151 offers are involved in projects with a financial impact and therefore communicate with those negotiating commercial deals the principles of the prudential framework and regulatory regime.

Corporate governance: The annual strategies are reviewed by the Overview and Scrutiny Committees before presented to the Finance and Corporate Services Committee and the Council for approval.

Investment Indicators

The Authority has set the following quantitative indicators to allow elected members and the public to assess the Authority's total risk exposure as a result of its investment decisions.

Total risk exposure: The first indicator shows the Authority's total exposure to potential investment losses. This includes amounts the Authority is contractually committed to lend but have yet to be drawn down and guarantees the Authority has issued over third party loans.

Table 5: Total investment exposure in £millions

Total investment exposure	31.03.2018 Actual	31.03.2019 Forecast	31.03.2020 Forecast
Treasury management investments	11,436	12,805	10,351
TOTAL INVESTMENTS	11,436	12,805	10,351
TOTAL EXPOSURE	**11,436**	**12,805**	**10,351**

How investments are funded: The Council's investments are funded by usable reserves and income received in advance of expenditure.

Rate of return received: This indicator shows the investment income received less the associated costs, including the cost of borrowing where appropriate, as a proportion of the sum initially invested. Note that due to the complex local government accounting framework, not all recorded gains and losses affect the revenue account in the year they are incurred.

Table 7: Investment rate of return (net of all costs)

Investments net rate of return	2017/18 Actual	2018/19 Forecast	2019 / 20 Forecast
Treasury management investments	1.4%	1.6%	1.6%
ALL INVESTMENTS	1.4%	1.6%	1.6%

There are not currently any other investment indicators, however as the Authority moves towards more commercial service provision, then suitable indicators will be adopted. The Capital Strategy details £6.28m of expenditure intended for Commercial projects in 2019 / 20.

PLANNING AND ENVIRONMENTAL SERVICES	VAT	Charge	VAT	2019/20	2018/19
		£	£	£	£
ENVIRONMENTAL HEALTH					
ENVIRONMENTAL PROTECTION					
Anti Social Behaviour Act 2003					
Fixed Penalty for Graffiti and Fly Posting S43	No	80.00	-	80.00	80.00
Clean Neighbourhoods and Environment Act 2005					
Fixed Penalty for failure to nominate key holder (within an alarm notification area) or failure to notify local authority in writing of nominated key holders details	No	80.00	-	80.00	80.00
Fixed Penalty for offences under dog control orders S59(2)	No	80.00	-	80.00	80.00
Environmental Protection Act 1990					
Copy of contaminated land register entry per A4 sheet	Yes	0.08	0.02	0.10	0.10
Copy of the contaminated land strategy: bound paper copy	No	43.00	-	43.00	43.00
emailed copy			Free		
Copy of radioactive substances notification per A4 sheet	Yes	0.08	0.02	0.10	0.10
Copy of radioactive substances register : bound paper copy	No	43.00	-	43.00	43.00
emailed copy			Free		
per A4 sheet	Yes	0.08	0.02	0.10	0.10
Copy of other EPA statutory register entries (per A4 sheet)	Yes	0.08	0.02	0.10	0.10
downloaded from website			Free		
Environmental searches / professional reports (per enquiry)	Yes	95.00	19.00	114.00	114.00
Charge for Housing Act Enforcement (per hour)	No	48.00	-	48.00	48.00
Licensing of houses in multiple occupation: standard fee for 5 room house	No	696.00	-	696.00	696.00
charge per each additional room	No	36.00	-	36.00	36.00
Request for housing inspection for immigration purposes	No	168.00	-	168.00	168.00
Fixed Penalty for Litter S88 (1)	No	82.00	-	82.00	82.00
Fixed Penalty for offences in relation to waste receptacles S47ZA(2)	No	62.00	-	62.00	62.00
Fixed Penalty for breach of street litter control notices and clearing notices S94A(2)	No	113.00	-	113.00	113.00
Fixed Penalty for unauthorised distribution of literature on designated land S3A para.7(2)	No	82.00	-	82.00	82.00
Noise Act 1996					
Fixed Penalty for noise from dwellings S8	No	103.00	-	103.00	103.00
FOOD SAFETY, & HYGIENE					
Export certificate: one off	No	47.00	-	47.00	47.00
Food Safety revisit	no	166.00	-	166.00	166.00
Replacement FHRS sticker	no	8.00	-	8.00	8.00
Sale of SFBB packs	no	22.00	-	22.00	22.00
Private Water Supplies					
Risk assessment (per hour of officer time maximum £500)	No	47.00	-	47.00	47.00
Private water supply sampling			Recovery of costs		
Skin Piercing Activities					
Ear piercing, electrolysis, tattooing, acupuncture: per practitioner	No	58.00	-	58.00	58.00
per premises	No	271.00	-	271.00	271.00
GAMBLING ACT 2005					
Annual Fee					
Adult Gaming Centre	No	867.00	-	867.00	867.00
Betting premises (other)	No	520.00	-	520.00	520.00
Betting Premises (track)	No	867.00	-	867.00	867.00
Bingo premises	No	867.00	-	867.00	867.00
Casino premises (converted)	No	2,600.00	-	2,600.00	2,600.00
Casino premises (large)	No	8,667.00	-	8,667.00	8,667.00
Casino premises (regional)	No	13,000.00	-	13,000.00	13,000.00
Casino premises (small)	No	4,333.00	-	4,333.00	4,333.00
Family entertainment centre	No	653.00	-	653.00	653.00
Application Fees for Premises and Application for Provisional Statements					
Adult gaming centre	No	1,733.00	-	1,733.00	1,733.00
Betting premises (other)	No	2,600.00	-	2,600.00	2,600.00
Betting premises (track)	No	2,167.00	-	2,167.00	2,167.00
Bingo premises	No	3,033.00	-	3,033.00	3,033.00
Casino premises (large)	No	8,667.00	-	8,667.00	8,667.00
Casino premises (regional)	No	13,000.00	-	13,000.00	13,000.00
Casino premises (small)	No	6,933.00	-	6,933.00	6,933.00
Family entertainment centre	No	1,733.00	-	1,733.00	1,733.00

PLANNING AND ENVIRONMENTAL SERVICES	VAT	Charge	VAT	2019/20	2018/19
		£	£	£	£
Application Fee for Premises with Provisional Statement					
Adult gaming centre	No	1,040.00	-	1,040.00	1,040.00
Betting premises (other)	No	1,040.00	-	1,040.00	1,040.00
Betting premises (track)	No	827.00	-	827.00	827.00
Bingo premises	No	1,040.00	-	1,040.00	1,040.00
Casino premises (large)	No	4,333.00	-	4,333.00	4,333.00
Casino premises (regional)	No	6,933.00	-	6,933.00	6,933.00
Casino premises (small)	No	2,600.00	-	2,600.00	2,600.00
Family entertainment centre	No	827.00	-	827.00	827.00
Transfer / Reinstatement of Licence					
Adult gaming centre	No	1,040.00	-	1,040.00	1,040.00
Betting premises (other)	No	1,040.00	-	1,040.00	1,040.00
Betting premises (track)	No	827.00	-	827.00	827.00
Bingo premises	No	1,040.00	-	1,040.00	1,040.00
Casino premises (converted)	No	1,171.00	-	1,171.00	1,171.00
Casino premises (large)	No	1,867.00	-	1,867.00	1,867.00
Casino premises (regional)	No	5,633.00	-	5,633.00	5,633.00
Casino premises (small)	No	1,560.00	-	1,560.00	1,560.00
Family entertainment centre	No	827.00	-	827.00	827.00
Variation Fee					
Adult gaming centre	No	867.00	-	867.00	867.00
Betting premises (other)	No	1,300.00	-	1,300.00	1,300.00
Betting premises (track)	No	1,087.00	-	1,087.00	1,087.00
Bingo premises	No	1,517.00	-	1,517.00	1,517.00
Casino premises (converted)	No	1,733.00	-	1,733.00	1,733.00
Casino premises (large)	No	6,500.00	-	6,500.00	6,500.00
Casino premises (regional)	No	6,500.00	-	6,500.00	6,500.00
Casino premises (small)	No	3,467.00	-	3,467.00	3,467.00
Family entertainment centre	No	867.00	-	867.00	867.00
Other Gambling Act Licence Fees					
Change of circumstance	No	42.00	-	42.00	42.00
Copy of licence	No	21.00	-	21.00	21.00
LICENSING					
Animal Licensing					
Animal boarding establishments	No	271.00	-	271.00	271.00
Animal home boarding - new application	No	271.00	-	271.00	271.00
renewal	No	271.00	-	271.00	271.00
Dangerous wild animal	No	369.00	-	369.00	369.00
Dog breeding establishments	No	271.00	-	271.00	271.00
Pet shop	No	271.00	-	271.00	271.00
Riding establishments	No	369.00	-	369.00	369.00
Zoo licence (individually determined fees)	No	Recovery of costs			
Any costs incurred by the Council in licensing premises, e.g. Vet's fees, will be passed on to the licensee					

PLANNING AND ENVIRONMENTAL SERVICES	VAT	Charge	VAT	2019/20	2018/19
		£	£	£	£
Hackney Carriage Licences					
Driver licence (Hackney or Dual) - 3 yrs duration	No	212.00	-	212.00	212.00
Vehicle licence (excludes vehicles test) - 1 yr duration	No	230.00	-	230.00	230.00
Licence fee reduced for wheelchair accessible vehicles 25%					
Town & Police Clauses Act 1847					
Street closures admin charge	Yes	59.17	11.83	71.00	71.00
+ Street closures press advert recovery of cost	Yes	Recovery of costs			
Local Government Miscellaneous Provisions Act 1982					
Sex establishment licence: application	No	2,565.00	-	2,565.00	2,565.00
renewal	No	513.00	-	513.00	513.00
variation	No	205.00	-	205.00	205.00
Private Hire Licences					
Driver licence (PH or Dual) - 3 yrs duration	No	212.00	-	212.00	212.00
Private hire operators licence (1 car) - 5yrs duration	No	213.00	-	213.00	213.00
Vehicle licence (excludes vehicles test) - 1 yr duration *	No	230.00	-	230.00	230.00
* Licence fee reduced for wheelchair accessible vehicles 25%					
MOBILE HOMES ACT 2013					
Application to transfer a site licence	No	315.00	-	315.00	315.00
Deposit of Site Rules	No	58.00	-	58.00	58.00
Annual Fee					
Band 1 (1-8 Pitches)	No	0.00	-	0.00	-
Band 2 (9-24 Pitches)	No	267.00	-	267.00	267.00
Band 3 (25-99 Pitches)	No	451.00	-	451.00	451.00
Band 4 (100-199 Pitches)	No	708.00	-	708.00	708.00
Band 5 (more than 200 Pitches)	No	911.00	-	911.00	911.00
New Site Licence Application and renewals					
Band 1 (1-8 Pitches)	No	596.00	-	596.00	596.00
Band 2 (9-24 Pitches)	No	683.00	-	683.00	683.00
Band 3 (25-99 Pitches)	No	946.00	-	946.00	946.00
Band 4 (100-199 Pitches)	No	1,140.00	-	1,140.00	1,140.00
Band 5 (more than 200 Pitches)	No	1,377.00	-	1,377.00	1,377.00
Application to amend a site Licence fee					
Band 1 (1-8 Pitches)	No	349.00	-	349.00	349.00
Band 2 (9-24 Pitches)	No	359.00	-	359.00	359.00
Band 3 (25-99 Pitches)	No	373.00	-	373.00	373.00
Band 4 (100-199 Pitches)	No	379.00	-	379.00	379.00
Band 5 (more than 200 Pitches)	No	402.00	-	402.00	402.00
SCRAP METAL DEALERS LICENCES					
Scrap metal dealers collectors licence (3yrs duration)	No	190.00	-	190.00	190.00
Scrap metal dealers collectors licence renewal (3yrs duration)	No	143.00	-	143.00	143.00
Scrap metal dealers site licence (3yrs duration)	No	315.00	-	315.00	315.00
Scrap metal dealers site licence renewal (3yrs duration)	No	258.00	-	258.00	258.00
Scrap metal dealers variation of a licence	No	52.00	-	52.00	52.00
Scrap metal dealers additional site	No	72.00	-	72.00	72.00
ENVIRONMENTAL WASTE					
DOMESTIC REFUSE					
Black sacks - per roll of 26	Yes	2.50	0.50	3.00	3.00
PEST CONTROL - COMMERCIAL					
Insects and rodents per hour (excluding materials)	Yes	100.83	20.17	121.00	121.00
Rodent contract work	By ne	By negotiation - minimum charge £100			
Treatment for squirrels	Yes	100.83	20.17	121.00	121.00
Treatment for moles	Yes	100.83	20.17	121.00	121.00

APPENDIX 3

PLANNING AND ENVIRONMENTAL SERVICES	VAT	Charge	VAT	2019/20	2018/19
		£	£	£	£
PEST CONTROL - DOMESTIC					
Call out charge	Yes	58.33	11.67	70.00	70.00
Ants (each property)	Yes	82.50	16.50	99.00	99.00
Bedbug infestation: 1-3 bed property	Yes	85.83	17.17	103.00	103.00
4-5 bed property	Yes	90.83	18.17	109.00	109.00
> 5 bed property		By negotiation			
Second call out within 6 weeks of initial treatment at 50% charge					
Bees	Yes	58.33	11.67	70.00	70.00
Brown-tailed moth		Based on hourly rate			
Fleas infestation: 1-3 bed property	Yes	85.83	17.17	103.00	103.00
4-5 bed property	Yes	90.83	18.17	109.00	109.00
> 5 bed property		By negotiation			
Second call out within 6 weeks of initial treatment at 50% charge					
Lice and cockroaches	Yes	58.33	11.67	70.00	70.00
Mice	Yes	58.33	11.67	70.00	70.00
Rats	Yes	58.33	11.67	70.00	70.00
Wasps nests	Yes	58.33	11.67	70.00	70.00
additional nest (treated at same time as first)	Yes	27.50	5.50	33.00	33.00
RECYCLING					
Green bins: standard annual fee	No	46.00	-	46.00	43.00
direct debit payers and internet payers annual fee	No	41.00	-	41.00	38.00
(standard fee: monthly pro rata for new customers)					
Purchase of Green Bin including Delivery	no	23.00	-	23.00	20.00
Green waste sacks (per sack)	No		-	*Deleted*	1.00
delivery / postage charge per bag if required (2nd class)	Yes			*Deleted*	0.70
REFUSE COLLECTION					
Household Bulky Waste - 1 to 3 items	No	30.00	-	30.00	27.00
Household Bulky Waste - 4 to 6 items	No	60.00	-	60.00	54.00
Household Bulky Waste - 7 to 9 items	No	90.00	-	90.00	81.00
Household Bulky Waste - 10 to 12 items (maximum)	No	120.00	-	120.00	108.00
Residential Homes Roadside Collection					
1100ltr bin or equivalent - annual charge	No	1,100.00	-	1,100.00	1,070.00
NEW PROPERTIES (6 or more properties)					
Cost per refuse / recycling container to developers including delivery ***(New Charge)***	Yes	50.00	10.00	60.00	54.00
STRAY DOGS					
Stray dog destruction fee		Recovery of costs			
With Tag or Chip					
Administration fee	No	30.00	-	30.00	30.00
Collection fee statutory	No	25.00	-	25.00	25.00
Vets fees		Recovery of costs			
Without Tag or Chip					
Administration fee	No	35.00	-	35.00	35.00
Collection fee statutory	No	25.00	-	25.00	25.00
Vets fees		Recovery of costs			
STREET CLEANSING					
Return of abandoned trolleys	No	50.00	-	50.00	50.00

CUSTOMERS AND COMMUNITY SERVICES	VAT	Charge	VAT	2019/20	2018/19
		£	£	£	£
CEMETERIES					
Hire of bier	No		Deleted		22.00
Search in burial register	Yes	25.83	5.17	31.00	30.00
Use of chapel	No	133.00	-	133.00	128.00
Plot choosing: non-resident	no	106.00	-	106.00	103.00
resident	no	53.00	-	53.00	51.00
Collection of ashes	yes	35.00	7.00	42.00	41.00
Bronze Memorial Plaques					
Bench plaque: 8" x 2.5"	No	175.00	-	175.00	169.00
Plaque on plinth: 6" x 4"	Yes	338.33	67.67	406.00	393.00
6" x 4"	No	150.00	-	150.00	150.00
7" x 5"	No	168.00	-	168.00	163.00
Charges for Right to Place Monument					
Under 16 years	No		Free		-
Additional inscription	No	81.00	-	81.00	79.00
Full kerb set	No	218.00	-	218.00	211.00
Full kerb set & headstone up to 1m	No	320.00	-	320.00	309.00
Headstone up to 1m	No	139.00	-	139.00	135.00
Other memorials (*cremated remains memorials*)	No	108.00	-	108.00	104.00
Exclusive Right of Burial - Non Resident					
All ages: 5 years	No	240.00	-	240.00	232.00
10 years	No	424.00	-	424.00	410.00
15 years	No	595.00	-	595.00	576.00
30 years	No	1,078.00	-	1,078.00	1,042.00
Ashes: 30 years	No	355.00	-	355.00	344.00
99 years	No	548.00	-	548.00	530.00
Ashes - woodland glades: 30 years	No	391.00	-	391.00	378.00
99 years	No	650.00	-	650.00	628.00
Traditional: 99 years	No	1,658.00	-	1,658.00	1,603.00
Transfer of exclusive rights of burial	No	36.00	-	36.00	34.00
Woodland glades (*inc memorial tree*): 30 years	No	1,300.00	-	1,300.00	1,257.00
99 years	No	1,931.00	-	1,931.00	1,867.00
Exclusive Right of Burial - Resident					
All ages: 5 years	No	120.00	-	120.00	116.00
10 years	No	210.00	-	210.00	203.00
15 years	No	296.00	-	296.00	286.00
30 years	No	539.00	-	539.00	522.00
Ashes: 30 years	No	178.00	-	178.00	172.00
99 years	No	275.00	-	275.00	266.00
Ashes - woodland glades: 30 years	No	195.00	-	195.00	188.00
99 years	No	324.00	-	324.00	314.00
Traditional: 99 years	No	829.00	-	829.00	802.00
Transfer of exclusive rights of burial	No	36.00	-	36.00	34.00
Woodland glades (*inc memorial tree*): 30 years	No	649.00	-	649.00	627.00
99 years	No	1,585.00	-	1,585.00	1,533.00
					-
Grave Digging					-
Under 16 years	No		Free		-
16 years and over - single depth	No	478.00	-	478.00	462.00
16 years and over - single depth Saturday	No	542.00	-	542.00	524.00
16 years and over - double depth	No	509.00	-	509.00	492.00
16 years and over - double depth Saturday	No	573.00	-	573.00	554.00
Ashes - single depth	No	93.00	-	93.00	90.00
Ashes - single depth Saturday	No	99.00	-	99.00	95.00
Ashes - double depth	No	99.00	-	99.00	95.00
Ashes - double depth Saturday	No	104.00	-	104.00	101.00
					-

CUSTOMERS AND COMMUNITY SERVICES	VAT	Charge	VAT	2019/20	2018/19
		£	£	£	£
Interment - Non Resident					-
Under 16 years	No		Free		-
16 years and over	No	1,006.00	-	1,006.00	973.00
Ashes	No	308.00	-	308.00	298.00
Ashes - woodland glades	No	376.00	-	376.00	363.00
Burial plot adjacent to path or end of row	No	457.00	-	457.00	442.00
Scattering of ashes: under 16 years	No		Free		-
16 years and over	No	159.00	-	159.00	154.00
Saturday 10.00 - noon only	No	608.00	-	608.00	588.00
					-
Interment - Resident					-
Under 16 years	No		Free		-
16 years and over	No	504.00	-	504.00	487.00
Ashes	No	155.00	-	155.00	150.00
Ashes - woodland glades	No	189.00	-	189.00	183.00
Burial plot adjacent to path or end of row	No	228.00	-	228.00	221.00
Saturday 10.00 - noon only	No	304.00	-	304.00	294.00
Scattering of ashes: under 16 years	No		Free		-
16 years and over	No	81.00	-	81.00	79.00
					-
Memorialisation Scheme					-
Memorial climber / shrub	No		Deleted		150.00
Memorial garden seat: Traditional	No	1,200.00	-	1,200.00	1,100.00
Rustic	No	950.00	-	950.00	900.00
Memorial tree including planting	No	200.00	-	200.00	200.00
					-
Neat and Tidy Scheme					-
Ashes (bed): 1 year	Yes	155.83	31.17	187.00	181.00
5 years	Yes	743.33	148.67	892.00	862.00
10 years	Yes	1,406.67	281.33	1,688.00	1,633.00
Lawn (headstone bed): 1 year	Yes	180.83	36.17	217.00	209.00
5 years	Yes	850.83	170.17	1,021.00	988.00
10 years	Yes	1,613.33	322.67	1,936.00	1,872.00
Lawn (full burial): 1 year	Yes	204.17	40.83	245.00	237.00
5 years	Yes	966.67	193.33	1,160.00	1,122.00
10 years	Yes	1,832.50	366.50	2,199.00	2,127.00
PARKS TEAM ***(New Charge)***					
Parks Ground Maintenance Contracts - Charges based on enquiry					
					-
OFF STREET PARKING					-
Vehicles that display up to date disabled persons badge			Free		-
					-
OFF STREET PARKING					-
					-
Maldon District Council offices: Weekends					-
Pay & display: Saturday (8am to 5pm) up to 1 hour	Yes	0.83	0.17	1.00	1.00
Saturday (8am to 5pm) 1 to 2 hours	Yes	1.08	0.22	1.30	1.30
Saturday (8am to 5pm) 2 to 3 hours	Yes	1.50	0.30	1.80	1.80
Saturday (8am to 5pm) 3 to 4 hours	Yes	2.00	0.40	2.40	2.40
Saturday (8am to 5pm) over 4 hours	Yes	3.33	0.67	4.00	4.00
Saturday Evening 5pm to 10pm	Yes	0.83	0.17	1.00	1.00
Sunday All Day	Yes	0.83	0.17	1.00	1.00
					-
Butt Lane (Monday to Saturday - 8am to 5pm)					-
Pay & display: up to 1 hour	Yes	0.83	0.17	1.00	1.00
1 to 2 hours	Yes	1.08	0.22	1.30	1.30
2 to 3 hours	Yes	1.50	0.30	1.80	1.80
3 to 4 hours	Yes	2.00	0.40	2.40	2.40
over 4 hours	Yes	3.33	0.67	4.00	4.00
Weekday & Saturday Evening **(5pm to 10pm)**	Yes	0.83	0.17	1.00	1.00
Sunday All Day	Yes	0.83	0.17	1.00	1.00
					-
Season ticket: annual	Yes	483.33	96.67	580.00	580.00
6 months	Yes	241.67	48.33	290.00	290.00
monthly	Yes	43.33	8.67	52.00	52.00

CUSTOMERS AND COMMUNITY SERVICES	VAT	Charge	VAT	2019/20	2018/19
		£	£	£	£
Bulk purchases (Monday - Saturday): minimum 10 tickets		Discount of 5%			-
minimum 15 tickets		Discount of 10%			-
minimum 20 tickets		Discount of 15%			-
					-
Friary Fields (Monday to Saturday - 8am to 5pm)					-
Pay & display: up to 3 hours	Yes	1.50	0.30	1.80	1.80
3 to 4 hours	Yes	2.00	0.40	2.40	2.40
over 4 hours	Yes	3.33	0.67	4.00	4.00
Weekday & Saturday Evening **(5pm to 10pm)**	Yes	0.83	0.17	1.00	1.00
Sunday All Day	Yes	0.83	0.17	1.00	1.00
			-		-
Season ticket: annual	Yes	483.33	96.67	580.00	580.00
6 months	Yes	241.67	48.33	290.00	290.00
monthly	Yes	43.33	8.67	52.00	52.00
Bulk purchases (Monday - Saturday): minimum 10 tickets		Discount of 5%			-
minimum 15 tickets		Discount of 10%			-
minimum 20 tickets		Discount of 15%			-
Public sector partners (Monday - Friday)		Discount of 50%			-
					-
High St. East (Monday to Saturday - 8am to 5pm)					-
Pay & display: up to 1 hour	Yes	0.83	0.17	1.00	1.00
1 to 2 hours	Yes	1.08	0.22	1.30	1.30
2 to 3 hours	Yes	1.50	0.30	1.80	1.80
3 to 4 hours	Yes	2.00	0.40	2.40	2.40
over 4 hours	Yes	3.33	0.67	4.00	4.00
Weekday & Saturday Evening **(5pm to 10pm)**	Yes	0.83	0.17	1.00	1.00
Sunday All Day	Yes	0.83	0.17	1.00	1.00
					-
Season ticket: annual	Yes	483.33	96.67	580.00	580.00
6 months	Yes	241.67	48.33	290.00	290.00
monthly	Yes	43.33	8.67	52.00	52.00
Bulk purchases (Monday - Saturday): minimum 10 tickets		Discount of 5%			-
minimum 15 tickets		Discount of 10%			-
minimum 20 tickets		Discount of 15%			-
Public sector partners (Monday - Friday)		Discount of 50%			-
					-
Hythe Quay					-
Season ticket: annual	Yes	45.83	9.17	55.00	55.00
					-
Maldon Promenade (Monday to Sunday - 8am to 8pm)					-
Car: up to 1 hour	Yes	0.92	0.18	1.10	1.10
1 to 2 hours	Yes	1.83	0.37	2.20	2.20
2 to 4 hours	Yes	4.58	0.92	5.50	5.50
all day	Yes	5.83	1.17	7.00	7.00
Coach: up to 2 hours	Yes	5.50	1.10	6.60	6.60
over 2 hours	Yes	10.00	2.00	12.00	12.00
Coach park - coach / bus season tickets	Yes	166.67	33.33	200.00	200.00
Non residents season ticket	Yes	133.33	26.67	160.00	160.00
Residents season ticket	Yes	100.00	20.00	120.00	120.00
					-
Market Site					-
Season ticket: annual	Yes	533.33	106.67	640.00	640.00
6 months	Yes	266.67	53.33	320.00	320.00
monthly	Yes	47.50	9.50	57.00	57.00
					-
Silver Street					-
Season ticket: annual	Yes	483.33	96.67	580.00	580.00
6 months	Yes	241.67	48.33	290.00	290.00
monthly		Pro rata charge			-
Bulk purchases (Monday - Saturday): minimum 10 tickets		Discount of 5%			-
minimum 15 tickets		Discount of 10%			-
minimum 20 tickets		Discount of 15%			-

CUSTOMERS AND COMMUNITY SERVICES	VAT	Charge	VAT	2019/20	2018/19
		£	£	£	£
White Horse Lane (Monday to Saturday - 8am to 5pm)					-
Pay & display: up to 1 hour	Yes	0.83	0.17	1.00	1.00
1 to 2 hours	Yes	1.08	0.22	1.30	1.30
2 to 3 hours	Yes	1.50	0.30	1.80	1.80
3 to 4 hours	Yes	2.83	0.57	3.40	3.40
over 4 hours	Yes	6.67	1.33	8.00	8.00
Weekday & Saturday Evening **(5pm to 10pm)**	Yes	0.83	0.17	1.00	1.00
					-
White Horse Lane	Yes				-
Maldon Schools permit	Yes	166.67	33.33	200.00	200.00
	Yes				-
Town Centre Car Parks					-
Residents season ticket (Monday 5pm-10pm All Day Sunday)	Yes	60.00	12.00	72.00	72.00
Events Car Parking - day ticket *(New Charge)*					
Charge to be set by MDC prior to event	Yes				
					-
EVENTS EQUIPMENT HIRE To Parish Councils and Voluntary Organisations					-
Delivery / Collection of Large Equipment					-
Inner Zone *(Maldon & Heybridge)*	Yes		Deleted		28.00
Outer Zone *(All Other Areas)*	Yes		Deleted		50.00
					-
Electricity Supply (Riverside & Promenade Park)					-
Charge per day	Yes	45.83	9.17	55.00	53.00
Deposit	No	48.00	-	48.00	46.00
					-
Equipment - For Hire (with a £6 deposit chargeable)					-
Microphone stand - per stand	Yes		Deleted		2.00
					-
Equipment - For Hire (with a £10 deposit chargeable)					-
Bunting lengths - per 100m	Yes		Deleted		6.00
Orange high visibility fencing lengths - per 50m length	Yes		Deleted		6.00
Orange rope lengths (25mm) - per 220m	Yes		Deleted		6.00
Road pins - per set of 10	Yes		Deleted		7.00
					-
Equipment - For Hire (with a £24 deposit chargeable)					-
Steward jacket - per 10 (minimum)	Yes		Deleted		7.00
					-
Equipment - For Hire (with a £50 deposit chargeable)					-
Collapsible plastic table	Yes		Deleted		7.00
Crowd control barrier - per panel	Yes		Deleted		3.00
Easy up*: 10' x 10' complete	Yes		Deleted		72.00
20' x 10' complete	Yes		Deleted		87.00
Heras fence panel - per panel	Yes		Deleted		3.00
Steel Framed folding chairs 25 chairs (minimum)	Yes		Deleted		37.00
50 chairs	Yes		Deleted		65.00
100 chairs	Yes		Deleted		116.00
125 chairs	Yes		Deleted		173.00
Crowd control and heras panels are available in limited quantities. Please contact us in advance of your event to discuss whether we can meet your requirements					-
					-
Equipment - For Hire (with a £150 deposit chargeable)					-
PA system (indoor use only) - per day	Yes		Deleted		44.00
Portable floodlighting / generator - per day	Yes		Deleted		72.00
Portable shower	Yes		Deleted		58.00
					-
Equipment - For Sale Only					-
Barrier tape - per 500m	Yes		Deleted		4.00
					-
Events Trailer	Yes		Deleted		102.00
					-
Water Supply (Riverside & Promenade Park)					-
Charge per day	Yes	25.00	5.00	30.00	29.00
Deposit	No	55.00	-	55.00	53.00
					-
Pop Up Marquee Hire					-
Peak Time *(School Holidays/Bank Holidays/ Event Days)*					-
Day Hire	Yes		Deleted		185.00
Week Hire	Yes		Deleted		923.00

APPENDIX 3

CUSTOMERS AND COMMUNITY SERVICES	VAT	Charge	VAT	2019/20	2018/19
		£	£	£	£
Off Peak					-
Day Hire	Yes		Deleted		123.00
Week Hire	Yes		Deleted		616.00
Community / Charity					-
Day Hire	Yes		Deleted		86.00
Week Hire	Yes		Deleted		431.00
For all Council equipment the hirer will be responsible for insuring the goods					-
Any damage caused will be the responsibility of the hirer, and the cost of repair will be recharged in full					-
					-
Beach Hut Hire - Promenade Park					-
Daily Charge					-
High Season *(July, August & school holidays in April, May & September)*			Deleted		41.00
Mid-Season *(April, May, June, September & school holidays in October & December)*			Deleted		30.00
Low-Season *(January, February, March, October, November & December)*			Deleted		21.00
High-Season (April - September) - NEW CHARGE		35.00	7.00	42.00	n/a
Low-Season (October - March) - NEW CHARGE		25.00	5.00	30.00	n/a
A minimum charge of £10 (Inc. VAT) will apply for part days and later bookings					-
					-
Beach Hut Packages					-
Gold Package - (***Peak season beach hut hire, 2 all day splash park wristbands and all day car parking at Prom***)		45.83	9.17	55.00	50.00
Silver Package - (***Mid season beach hut hire, 2 all day splash park wristbands and all day car parking at Prom***)			Deleted		40.00
					-
FUNFAIRS AND CIRCUSES - Minimum of:					-
Damage deposit	No	500.00	-	500.00	602.00
					-
Circus at Promenade Park					-
Daily ground rate (whilst circus is in operation)	No	150.00	-	150.00	144.00
Daily ground rate (whilst circus is not in operation)	No	75.00	-	75.00	72.00
					-
Circus at Riverside Park					-
Daily ground rate (whilst circus is in operation)	No	133.00	-	133.00	128.00
Daily ground rate (whilst circus is not in operation)	No	69.00	-	69.00	67.00
					-
Funfair at Riverside Park					-
Daily ground rate (whilst fair is in operation)	No	365.00	-	365.00	351.00
Daily ground rate (whilst fair is not in operation)	No	185.00	-	185.00	179.00
					-
Travelling Funfair at Promenade Park					-
Daily ground rate (whilst fair is in operation)	No	475.00	-	475.00	460.00
Daily ground rate (whilst fair is not in operation)	No	191.00	-	191.00	185.00
					-
PARKS AND OPEN SPACES					-
Memorial Benches					-
Rustic bench	No	1,200.00	-	1,200.00	627.00
Cast iron bench	No	1,220.00	-	1,220.00	1,180.00
Disabled access picnic table	No		Deleted		1,492.00
					-
Advertising and Sponsorship					-
Events Banners per week (main gate entrances on railings x2 + free electronic advert)	Yes	26.67	5.33	32.00	31.00
Events Banners per week *(community / charity)*	Yes	15.83	3.17	19.00	18.00
Electronic Advert *(per day minimum 1 week)*	Yes	0.83	0.17	1.00	1.00
Internal park adverts *(per week)*	Yes	15.83	3.17	19.00	18.00
Vehicle advertising *(per day)*	Yes	105.83	21.17	127.00	123.00
Sponsorship	Yes		By negotiation		-
					-
Prom Park hire for Concessions *(New Charge)*					
Prices on enquiry					
Council owned Land Hire for Concessions					-
Peak Time *(School Holidays/Bank Holidays/ Event Days)*					-
Small (Single Operator)	No	53.00	-	53.00	51.00
Medium (Team of 2 - 5 Operators)	No	153.00	-	153.00	148.00
Large (Team of 5+ Operators)	No	229.00	-	229.00	222.00
Charitable Concession				Free	Free
Off Peak Time					-
Small (Single Operator)	No	36.00	-	36.00	35.00
Medium (Team of 2 - 5 Operators)	No	85.00	-	85.00	82.00
Large (Team of 5+ Operators)	No	153.00	-	153.00	148.00
Charitable Concession				Free	Free

CUSTOMERS AND COMMUNITY SERVICES	VAT	Charge	VAT	2019/20	2018/19
		£	£	£	£
Pop Up Trading					-
Peak Time *(School Holidays/Bank Holidays/ Event Days)*					-
Market Stall (Frame with Canopy)	No	54.00	-	54.00	52.00
Wheelie Cart	No	48.00	-	48.00	46.00
Wheelie Cart including Fridge	No	53.00	-	53.00	51.00
Electricity	Yes	10.83	2.17	13.00	13.00
Off Peak Time			-		-
Market Stall (Frame with Canopy)	No	43.00	-	43.00	42.00
Wheelie Cart	No	38.00	-	38.00	37.00
Wheelie Cart including Fridge	No	43.00	-	43.00	42.00
Electricity	Yes	10.83	2.17	13.00	13.00
					-
ROUNDABOUT SPONSORSHIP ***(New Charge)***					
1 Year agreement - Maldon Town site	Yes	3,333.33	666.67	4,000.00	-
1 Year agreement - Other district site	Yes	2,916.67	583.33	3,500.00	-
3 Year agreement - Maldon Town site	Yes	8,333.33	1,666.67	10,000.00	-
3 Year agreement - Other district site	Yes	7,083.33	1,416.67	8,500.00	-
Landscaping scheme (minimum 5 years)	Yes	416.67	83.33	500.00	-
1 Year Boundary sign Agreement	Yes	2,083.33	416.67	2,500.00	-
PARKS AND SPORTS PITCHES					-
Cricket (per game)					-
Adult	Yes	69.17	13.83	83.00	81.00
Junior	Yes	40.83	8.17	49.00	47.00
Sports pitch use - parking season ticket (per club)	Yes	100.83	20.17	121.00	117.00
					-
Football (per game)					-
Adult	Yes	43.33	8.67	52.00	50.00
Junior	Yes	32.50	6.50	39.00	38.00
Changing rooms (only)	Yes	11.67	2.33	14.00	14.00
Sports pitch use - parking season ticket (per team)	Yes	100.83	20.17	121.00	117.00
Sports club training / structured activities (*New Charge*)		8.33	1.67	10.00	10.00
					-
Mini Soccer					-
Juniors	Yes	25.83	5.17	31.00	30.00
					-
Netball (per court, per hour)					-
Adult	Yes	10.00	2.00	12.00	12.00
Junior	Yes	7.50	1.50	9.00	8.00
					-
Tennis (per court, per hour)					-
Adult	Yes	7.50	1.50	9.00	8.00
Junior	Yes	5.00	1.00	6.00	6.00
Member of Maldon Tennis Club		Discount of 50%			-
					-
Organised Bootcamps / Personal Training in Council-owned Parks					-
Hourly	Yes	8.33	1.67	10.00	10.00
Monthly Charge - 5 hours per week	Yes	166.67	33.33	200.00	193.00
Monthly Charge - 10 hours per week	Yes	310.00	62.00	372.00	359.00
					-
Information Hut Hire per hour		Deleted			10.00
					-
RIVERS					-
Moorings					-
Annual charge: up to 7.99 metres	Yes	116.67	23.33	140.00	140.00
8 to 9.99 metres	Yes	191.67	38.33	230.00	230.00
10 to 14.99 metres	Yes	266.67	53.33	320.00	320.00
15 metres and above	Yes	341.67	68.33	410.00	410.00
Mooring registration fee	Yes	104.17	20.83	125.00	125.00
Transfer of mooring		50% of annual mooring fee			-
					-
Residential Mooring Charges					-
up to 9.99 metres *(per month)*		102.50	20.50	123.00	123.00
10 to 14.99 metres *(per month)*		154.17	30.83	185.00	185.00
15 metres and above *(per month)*		205.00	41.00	246.00	246.00
					-

CUSTOMERS AND COMMUNITY SERVICES	VAT	Charge	VAT	2019/20	2018/19
		£	£	£	£
Wharfage - Hythe Quay Maldon and Burnham Pontoon					-
Daily fees: vessels and multihulls	Yes	17.50	3.50	21.00	21.00
Quarterly fees: vessels of 8 metres and over or multihulls *	Yes	812.50	162.50	975.00	975.00
240/32 Amp Supply - Daily Charge (Maldon)	yes	3.33	0.67	4.00	4.00
Static Events on vessels using the Hythe Quay / Burnham (Daily charge)	Yes	100.00	20.00	120.00	120.00
Exclusive use of visitor pontoons Maldon / Burnham (Daily charge)	Yes	100.00	20.00	120.00	120.00
Visitor Pontoon - Weekly Winter charge Oct - April (Maldon)	yes	41.67	8.33	50.00	50.00
					-
Commercial team ***(New Charges)***					
Box Office services - commission rate to be set at 10% unless agreed by MDC					
Commercial Services Marketing - Price on enquiry					
SPLASH PARK					-
Private bookings (per hour)	Yes	175.00	35.00	210.00	210.00
Private bookings (per half hour)	Yes	108.33	21.67	130.00	130.00
Single use ticket	Yes	2.08	0.42	2.50	2.50
Towels	Yes	4.17	0.83	5.00	5.00
T-Shirts	Yes	4.17	0.83	5.00	5.00
Swim Nappies	no	1.00	-	1.00	1.00
Bottled Water	yes	0.50	0.10	0.60	0.50
Gold Splash park all day wrist band ticket	Yes	10.42	2.08	12.50	12.00

APPENDIX 3

	Charge £	VAT £	2018/19 £	2019/20 £
PLANNING SERVICES				
BUILDING CONTROL				
New dwellings	See attached - table A			
Work to a single dwelling	See attached - table B			
All other non-domestic work	See attached - table C			
DEVELOPMENT CONTROL				
Designs and Patents Act 1989				
Ordnance Survey Maps				
Other Development Control				
Street Naming and Numbering				
Adding / removing a name	0.00	-	0.00	0.00
Renaming / renumbering a property	40.00	-	40.00	40.00
Naming / numbering 1-5 properties (per property) inc flats*	40.00	-	40.00	40.00
Naming / numbering 6-25 properties (per property) inc flats*	30.00	-	30.00	30.00
Naming / numbering 26-75 properties (per property) inc flats*	25.00	-	25.00	25.00
Naming / numbering 76+ properties (per property) inc flats*	20.00	-	20.00	20.00
Naming a street (per street)**	100.00	-	100.00	100.00
Change to development after notification	50.00	-	50.00	50.00
Street renaming at residents request	150.00	-	150.00	150.00
Written confirmation of postal address details	0.00	-	0.00	0.00
* numbers include dwellings within developments with new streets				
** number of new street names only				
LAND CHARGES				
Premises exempt as per legislation: church halls, village halls & non-commercial venues				
CON29 (part 1): standard fee	120.83	24.17	145.00	145.00
additional fee for non-residential searches	21.67	4.33	26.00	26.00
LLC1	22.00	-	22.00	22.00
additional fee for non-residential searches	32.50	6.50	39.00	39.00
CON29O (part 2) enquiry - per question: Q4-5 only (if purchased with full search)	15.00	3.00	18.00	18.00
Q6-21	15.00	3.00	18.00	18.00
Q22 only	21.67	4.33	26.00	26.00
Additional enquiry	31.00	6.20	38.00	38.00
Additional parcel of land LLC1	5.00	-	5.00	5.00
Additional parcel of land CON29	15.00	3.00	18.00	18.00
Copy of duplicate search	10.00	2.00	12.00	12.00
Search confirmation (up to 3mths old)	10.00	2.00	12.00	12.00
Personal Searches				
CON29R standard enquiry (when viewed in person)		Free		Free
Local land charges register (in person): print out		Free		Free
view		Free		Free
Local land charges LLC1 certificated	22.00	-	22.00	22.00

Planning Services Pre-Application Fees and Charges 2019/20

	Further Details	Cost (£)	VAT (£)	Total (£)
Householder development (Duty Planner)	Only available for non-Complex Householder advice. This would include extensions to single dwellings, porches, garages, outbuildings and walls and fences. (No written advice).	Free		Free
Householder development (Written advice)	Includes proposals to alter and extend individual houses and flats for residential purposes where the development relates to a building which is not listed as being of architectural or historic interest. In cases where the house or flat is listed then the charge will fall within Minor Development.	87.50	17.50	105.00
Householder development (Meeting* with Planning Officer of no more than one hour and written advice)	Includes proposals to alter and extend individual houses and flats for residential purposes where the development relates to a building which is not listed as being of architectural or historic interest. In cases where the house or flat is listed then the charge will fall within Minor Development.	167.50	33.50	201.00
Smallscale commercial development (Written advice)	Includes proposals for: Change of use up to 200m2 Extensions to commerical properties under 50m2 1-3 Advertisments Amendments to Previously Approved Schemes	87.50	17.50	105.00
Smallscale commercial development (Meeting* with Planning Officer of no more than one hour and written advice)	Includes proposals for: Change of use up to 200m2 Extensions to commerical properties under 50m2 1-3 Advertisments Amendments to Previously Approved Schemes	167.50	33.50	201.00
Minor development (Written advice)	Includes proposals for: 1-4 residential units or gross external floorspace of up to 499m2 Change of use between 200 and 499m2 Extensions to commerical properties over 50m2 Over three advertisements Public Art Telecommunications Equipment Air Conditioning / Ventilation Equipment Amendments to Previously Approved Schemes	221.67	44.33	266.00
Minor development (Meeting* with Planning Officer of no more than one hour and written advice)	Includes proposals for: 1-4 residential units or gross external floorspace of up to 499m2 Change of use between 200 and 499m2 Extensions to commerical properties over 50m2 Over three advertisements Public Art Telecommunications Equipment Air Conditioning / Ventilation Equipment Amendments to Previously Approved Schemes	499.17	99.83	599.00
Medium development (Written advice)	Includes proposals for: 5-9 residential units or gross external floorspace of 500-999m2	332.50	66.50	399.00
Medium development (Meeting* with Planning Officer of no more than one hour and written advice)	Includes proposals for: 5-9 residential units or gross external floorspace of 500-999m2	554.17	110.83	665.00
Major development (Written advice)	Includes proposals for: 10-20 residential units Non-residential development with a gross external floorspace over 1,000m2	554.17 (Plus additional £21 +VAT per dwelling to a maximum of 74 dwellings)	110.83	665.00

Major development (Meeting* with Planning Officer of no more than one hour and written advice)	Includes proposals for: 10-20 residential units Non-residential development with a gross external floorspace over 1,000m2	1,109.17 (Plus additional £21 +VAT per dwelling to a maximum of 74 dwellings)	221.83	1,331.00
Strategic Proposals (Planning Performance Agreements) (Meeting* with Planning Officer of no more than one hour and written advice)	Includes proposals for: Any application of 75 dwellings or more dwellings; or any outline residential development proposals whose site is 2 hectares or more. Any residential proposal promoted as an allocated site within the LDP. Any 100% Affordable Housing proposals of six dwellings or 0.3ha or more in outline form. Any non-residential development proposal, whose floor area is 1,500 square metres or more or whose site area is 2 hectares or more. Any non-residential proposals relating to development proposals allocated within the LDP. Any retail development 1,000 square meters or more or which of 250 square metres or more and is proposed to be beyond existing town centres as defined in the local plan or emerging LDP. Any mixed use development proposals whose site area is 2 hectares or more, or is of 75 dwellings or 1,000 square metres commercial floor area or more. Wind Turbines Any wind energy proposals whose output capacity is 1Mw or more or which proposes three or more turbines of 30m or more. Any Solar energy proposals whose output capacity is 1Mw or more or which proposes 4,000 or more solar panels. Energy from Waste Scheme which is 1KW capacity or more.	Individually determined at full cost recovery		
Minor Alterations to Listed Building (Written advice)	Only available for very minor and non-Complex advice. This would include replacement windows. This only relates to development that does not fall within any category above. In those instances where it does the higher fee will be required.	65.83	13.17	79.00
Alterations/Extension to Listed Building (Written advice)	Includes proposals for: Alterations to a listed building Extensions and additions to a listed building Demolition of an unlisted building within a conservation area This only relates to development that does not fall within any category above. In those instances where it does the higher fee will be required.	221.67	44.33	266.00
Alterations/Extension to Listed Building (Meeting* with Planning Officer of no more than one hour and written advice)	Includes proposals for: Alterations to a listed building Extensions and additions to a listed building Demolition of an unlisted building within a conservation area This only relates to development that does not fall within any category above. In those instances where it does the higher fee will be required.	540.83	108.17	649.00
Development in a Conservation Area (Written Advice)	This only relates to development that does not fall within any category above. In those instances where it does the higher fee will be required.	167.50	33.50	201.00
Development in a Conservation Area (Meeting* with Planning Officer of no more than one hour and written advice)	This only relates to development that does not fall within any category above. In those instances where it does the higher fee will be required.	487.50	97.50	585.00
Minor Tree advice (Tree within a conservation area only) (Written advice)	Includes proposals for: Works to 1-4 individually listed trees	65.83	13.17	79.00

Minor Tree advice (TPOs only) (Written advice)	Includes proposals for: Works to 1-4 individually listed trees Replacement of 1-4 individually listed trees		87.50	17.50	105.00
Minor Tree advice (TPOs only) (Meeting* with appropriate Officer of no more than one hour and written advice)	Includes proposals for: Works to 1-4 individually listed trees Replacement of 1-4 individually listed trees		221.67	44.33	266.00
Major Tree advice (TPOs only) (Meeting* with appropriate Officer of no more than one hour and written advice)	Includes proposals for: Works to 5 or more individually listed trees Replacement of 5 or more individually listed trees Works to trees within an area protected under a Tree Preservation Order Works to trees within a woodland protected under a Tree Preservation Order		444.17	88.83	533.00
Inspection of compliance with Enforcement Notice	Written confirmation that an enforcement notice has been complied with.		221.67	44.33	266.00
Compliance with Condition requests	Includes, but not exclusively: Written confirmation that a condition(s) has been complied with Written confirmation that a condition(s) has been discharged		167.50	33.50	201.00
Compliance with S.106 Agreement requests	Written confirmation that all/some S.106 obligations have been agreed	per obligation	110.83	22.17	133.00
Planning History requests	Includes, but not exclusively: Written confirmation of any restrictions imposed on a site on a site. Confirmation of authorised use of a site Confirmation of an absence of an agricultural occupancy condition		167.50	33.50	201.00

*All pre-application and advice Meeting*s will be held at the Council Offices. However, if it is agrred necessary to convene a Meeting* on site, travel time to and from the site will be charged at the hourly Meeting rate. Officers are unable to hold a site Meeting* without the prior deposit of plans or written proposals.

PLANNING SERVICES

TABLE A - NEW DWELLINGS

Dwelling-houses and Flats not exceeding 300m^2

Please note that the Charges marked with an * have been reduced to reflect where controlled electrical installations are being carried out, tested and certified by a registered Part P electrician. If these reductions are claimed and a self certifying electrician is not subsequently employed, the applicant will be invoiced for supplementary charges equivalent to the discount **(see D14 below)**

Code	Bungalows or Houses less than 4 storeys		Plan Charge	Inspection Charge *	Building Notice Charge*	Regularisation Charge*
H01	1 Plot	Net	192.00	479.00	738.00	939.00
		VAT	38.40	95.80	147.60	-
		Total	**230.40**	**574.80**	**885.60**	**939.00**
H02	2 Plots	Net	287.00	766.00	1,159.00	1,475.00
		VAT	57.40	153.20	231.80	-
		Total	**344.40**	**919.20**	**1,390.80**	**1,475.00**
H03	3 Plots	Net	335.00	1,054.00	1,528.00	1,944.00
		VAT	67.00	210.80	305.60	-
		Total	**402.00**	**1,264.80**	**1,833.60**	**1,944.00**
H04	4 Plots	Net	383.00	1,341.00	1,896.00	2,414.00
		VAT	76.60	268.20	379.20	-
		Total	**459.60**	**1,609.20**	**2,275.20**	**2,414.00**
H05	5 Plots	Net	431.00	1,628.00	2,265.00	2,883.00
		VAT	86.20	325.60	453.00	-
		Total	**517.20**	**1,953.60**	**2,718.00**	**2,883.00**
	Flats					
F01	1	Net	192.00	479.00	738.00	939.00
		VAT	38.40	95.80	147.60	-
		Total	**230.40**	**574.80**	**885.60**	**939.00**
F02	2	Net	287.00	623.00	1,001.00	1,274.00
		VAT	57.40	124.60	200.20	-
		Total	**344.40**	**747.60**	**1,201.20**	**1,274.00**
F03	3	Net	335.00	766.00	1,212.00	1,542.00
		VAT	67.00	153.20	242.40	-
		Total	**402.00**	**919.20**	**1,454.40**	**1,542.00**
F04	4	Net	383.00	910.00	1,422.00	1,810.00
		VAT	76.60	182.00	284.40	-
		Total	**459.60**	**1,092.00**	**1,706.40**	**1,810.00**
F05	5	Net	431.00	1,054.00	1,633.00	2,078.00
		VAT	86.20	210.80	326.60	-
		Total	**517.20**	**1,264.80**	**1,959.60**	**2,078.00**
	Conversion to					
V01	Single Dwelling-House	Net	192.00	575.00	843.00	1,073.00
		VAT	38.40	115.00	168.60	-
		Total	**230.40**	**690.00**	**1,011.60**	**1,073.00**
V02	Single Flat	Net	192.00	479.00	738.00	939.00
		VAT	38.40	95.80	147.60	-
		Total	**230.40**	**574.80**	**885.60**	**939.00**
	Notifiable electrical work		**(where applicable, in addition to the above, per dwelling)**			
D14	(Where a satisfactory certificate will **not** be issued by a Part P registered electrician)	Net	This charge relates to a first fix pre-plaster inspection and final testing on completion. For Regularisation application a full appraisal and testing will be carried out.		201.00	255.00
		VAT			40.20	-
		Total			**241.20**	**255.00**

Where Standard Charges are not applicable please contact Building Control on 01621 876235

TABLE B - WORK TO A SINGLE DWELLING

Limited to work not more than 3 storeys above ground level

Please note that the Charges marked with an * have been reduced to reflect where controlled electrical installations are being carried out, tested and certified by a registered Part P electrician. If these reductions are claimed and a self certifying electrician is not subsequently employed, the applicant will be invoiced for supplementary charges equivalent to the discount (see D14 below)

Code	Extension & New Build		Full Plans		Full Plans - Multiple work reductions only **		Building	Multiple work reductions only	Regularisation
			Plan Charge	Inspection Charge *	Plan Charge at 50% reduced rate**	Inspection Charge * at 50% reduced rate **	Notice Charge *	Building Notice Charge * at 50% reduced rate **	Charge *
D01a	Separate single storey extension with	Net	96.00	96.00	48.00	48.00	211.00	106.00	268.00
	floor area not exceeding 10m²	VAT	19.20	19.20	9.60	9.60	42.20	21.20	-
New charge		**Total**	**115.20**	**115.20**	**57.60**	**57.60**	**253.20**	**127.20**	**268.00**
D01	Separate single storey extension with	Net	192.00	383.00	96.00	192.00	632.00	316.00	805.00
	floor area exceeding 10m² but not	VAT	38.40	76.60	19.20	38.40	126.40	63.20	-
	exceeding 40m²	**Total**	**230.40**	**459.60**	**115.20**	**230.40**	**758.40**	**379.20**	**805.00**
D02	Separate single storey extension with	Net	192.00	479.00	96.00	240.00	738.00	369.00	939.00
	floor area exceeding	VAT	38.40	95.80	19.20	48.00	147.60	73.80	-
	40m² but not exceeding 100m²	**Total**	**230.40**	**574.80**	**115.20**	**288.00**	**885.60**	**442.80**	**939.00**
D03	Separate extension with some part 2 or	Net	192.00	431.00	96.00	216.00	685.00	343.00	872.00
	3 storeys in height and a total floor area	VAT	38.40	86.20	19.20	43.20	137.00	68.60	-
	not exceeding 40m²	**Total**	**230.40**	**517.20**	**115.20**	**259.20**	**822.00**	**411.60**	**872.00**
D04	Separate extension with some part 2 or	Net	192.00	575.00	96.00	288.00	843.00	422.00	1,073.00
	3 storeys in height and a total floor area	VAT	38.40	115.00	19.20	57.60	168.60	84.40	-
	exceeding 40m² but not ex 100m²	**Total**	**230.40**	**690.00**	**115.20**	**345.60**	**1,011.60**	**506.40**	**1,073.00**
D05	A building or extension comprising	Net	192.00	192.00	96.00	96.00	421.00	211.00	536.00
	SOLELY of a garage, carport or store	VAT	38.40	38.40	19.20	19.20	84.20	42.20	-
	- total floor area not exceeding 100m²	**Total**	**230.40**	**230.40**	**115.20**	**115.20**	**505.20**	**253.20**	**536.00**
D06	Detached non-habitable domestic	Net	192.00	287.00	96.00	144.00	527.00	264.00	670.00
	building with total floor area not	VAT	38.40	57.40	19.20	28.80	105.40	52.80	-
	exceeding 50m²	**Total**	**230.40**	**344.40**	**115.20**	**172.80**	**632.40**	**316.80**	**670.00**
	Conversions								
D07	First floor & second floor loft	Net	192.00	383.00	96.00	192.00	632.00	316.00	805.00
	conversions	VAT	38.40	76.60	19.20	38.40	126.40	63.20	-
		Total	**230.40**	**459.60**	**115.20**	**230.40**	**758.40**	**379.20**	**805.00**
D08	Other work (e.g. garage conversions)	Net	192.00	192.00	96.00	96.00	421.00	211.00	536.00
		VAT	38.40	38.40	19.20	19.20	84.20	42.20	-
		Total	**230.40**	**230.40**	**115.20**	**115.20**	**505.20**	**253.20**	**536.00**
	Alterations (including underpinning)								
D09	Renovation of a thermal element	Net	96.00	96.00	48.00	48.00	211.00	106.00	268.00
		VAT	19.20	19.20	9.60	9.60	42.20	21.20	-
		Total	**115.20**	**115.20**	**57.60**	**57.60**	**253.20**	**127.20**	**268.00**
D10	Replacement of windows, roof lights,	Net	96.00	96.00	48.00	48.00	211.00	106.00	268.00
	roof windows or external glazed doors	VAT	19.20	19.20	9.60	9.60	42.20	21.20	-
		Total	**115.20**	**115.20**	**57.60**	**57.60**	**253.20**	**127.20**	**268.00**
D11x	Cost of work not exceeding £1,000	Net	72.00	120.00	36.00	60.00	211.00	106.00	268.00
		VAT	14.40	24.00	7.20	12.00	42.20	21.20	-
New charge		**Total**	**86.40**	**144.00**	**43.20**	**72.00**	**253.20**	**127.20**	**268.00**
D11a	Cost of work exceeding £1,001 but not	Net	96.00	144.00	48.00	72.00	263.00	132.00	335.00
	exceeding £2,000 (Incl Renewable	VAT	19.20	28.80	9.60	14.40	52.60	26.40	-
	Energy systems)	**Total**	**115.20**	**172.80**	**57.60**	**86.40**	**315.60**	**158.40**	**335.00**
D11	Cost of work exceeding £2,001 & not	Net	144.00	192.00	72.00	96.00	369.00	185.00	469.00
	exceeding £5,000 (Incl Renewable	VAT	28.80	38.40	14.40	19.20	73.80	37.00	-
	Energy systems)	**Total**	**172.80**	**230.40**	**86.40**	**115.20**	**442.80**	**222.00**	**469.00**
D12	Cost of work exceeding £5,001 & not	Net	192.00	239.00	96.00	120.00	474.00	237.00	603.00
	exceeding £25,000	VAT	38.40	47.80	19.20	24.00	94.80	47.40	-
		Total	**230.40**	**286.80**	**115.20**	**144.00**	**568.80**	**284.40**	**603.00**
D13	Cost of work exceeding £25,001 & not	Net	239.00	479.00	120.00	240.00	790.00	395.00	1,006.00
	exceeding £100,000	VAT	47.80	95.80	24.00	48.00	158.00	79.00	-
		Total	**286.80**	**574.80**	**144.00**	**288.00**	**948.00**	**474.00**	**1,006.00**
	Notifiable Electrical work (in addition to the above, where applicable)								
D14	(Where a satisfactory certificate will **not** be issued by a Part P registered electrician)	Net	This charge relates to a first fix pre-plaster inspection and final testing on completion. For Regularisation application a full appraisal and testing will be carried out.				201.00	n/a	255.00
		VAT					40.20	n/a	-
		Total					**241.20**	**n/a**	**255.00**

****Multiple work reductions.** Where the proposed works consist of more than one of the above elements then the appropriate charge is calculated by paying the full amount for the most expensive element and only 50% for the other applicable elements **with the exception of D14 electrical Works**

Where Standard Charges are not applicable please contact Building Control on 01621 876235

TABLE C - ALL OTHER NON-DOMESTIC WORK

Limited to work not more than 3 storeys above ground level

Code	Extensions and New Build		Plan Charge	Plan Charge at 50% reduced rate** (for multiple works only)	Inspection Charge	Inspection Charge * at 50% reduced rate ** (for multiple works only)	Regularisation Charge
N01	Single storey with floor area not exceeding 40m2	Net	192.00	96.00	383.00	192.00	747.00
		VAT	38.40	19.20	76.60	38.40	-
		Total	**230.40**	**115.20**	**459.60**	**230.40**	**747.00**
N02	Single storey with floor area not exceeding 40m2 but not exceeding 100m2	Net	192.00	96.00	575.00	288.00	996.00
		VAT	38.40	19.20	115.00	57.60	-
		Total	**230.40**	**115.20**	**690.00**	**345.60**	**996.00**
N03	With some part 2 or 3 storey in height and a total floor area not exceeding 40m2	Net	192.00	96.00	479.00	240.00	872.00
		VAT	38.40	19.20	95.80	48.00	-
		Total	**230.40**	**115.20**	**574.80**	**288.00**	**872.00**
N04	With some part 2 or 3 storey in height and a total floor area exceeding 40m2 but not exceeding 100m2	Net	192.00	96.00	623.00	312.00	1,058.00
		VAT	38.40	19.20	124.60	62.40	-
		Total	**230.40**	**115.20**	**747.60**	**374.40**	**1,058.00**
	Alterations						
N05	Cost of work not exceeding £5,000	Net	144.00	72.00	144.00	72.00	374.00
		VAT	28.80	14.40	28.80	14.40	-
		Total	**172.80**	**86.40**	**172.80**	**86.40**	**374.00**
	Replacement of windows, roof lights, roof windows or external glazed doors (not exceeding 20 units)	Net	144.00	72.00	144.00	72.00	374.00
		VAT	28.80	14.40	28.80	14.40	-
		Total	**172.80**	**86.40**	**172.80**	**86.40**	**374.00**
	Renewable Energy systems (not covered by an appropriate competent persons scheme)	Net	144.00	72.00	144.00	72.00	374.00
		VAT	28.80	14.40	28.80	14.40	-
		Total	**172.80**	**86.40**	**172.80**	**86.40**	**374.00**
	Installation of new shop front	Net	144.00	72.00	144.00	72.00	374.00
		VAT	28.80	14.40	28.80	14.40	-
		Total	**172.80**	**86.40**	**172.80**	**86.40**	**374.00**
N06	Cost of work exceeding £5,000 & not exceeding £25,000	Net	192.00	96.00	192.00	96.00	498.00
		VAT	38.40	19.20	38.40	19.20	-
		Total	**230.40**	**115.20**	**230.40**	**115.20**	**498.00**
	Replacement of windows, roof lights, roof windows or external glazed doors (exceeding 20 units)	Net	192.00	96.00	192.00	96.00	498.00
		VAT	38.40	19.20	38.40	19.20	-
		Total	**230.40**	**115.20**	**230.40**	**115.20**	**498.00**
	Renovation of thermal elements	Net	192.00	96.00	192.00	96.00	498.00
		VAT	38.40	19.20	38.40	19.20	-
		Total	**230.40**	**115.20**	**230.40**	**115.20**	**498.00**
	Installation of a Raised Storage Platform within an existing building	Net	192.00	96.00	192.00	96.00	498.00
		VAT	38.40	19.20	38.40	19.20	-
		Total	**230.40**	**115.20**	**230.40**	**115.20**	**498.00**
N07	Cost of works exceeding £25,000 & not exceeding £100,000	Net	287.00	144.00	335.00	168.00	809.00
		VAT	57.40	28.80	67.00	33.60	-
		Total	**344.40**	**172.80**	**402.00**	**201.60**	**809.00**
	Fit out of building up to 100m2	Net	287.00	144.00	383.00	192.00	872.00
		VAT	57.40	28.80	76.60	38.40	-
		Total	**344.40**	**172.80**	**459.60**	**230.40**	**872.00**

Multiple work reductions. Where the proposed works consist of more than one of the above elements then the appropriate charge is calculated by paying the full amount for the most expensive element and only 50% for the other applicable elements.

Where Standard Charges are not applicable please contact Building Control on 01621 876235

Committee	Directorate	Policy Area	Current Policy	Existing Concessions	Proposed Policy for 2019/20
Comm	Customers & Community	Chargeable Household Waste Collection	Charges made for residential homes, with limited collections from villages halls equivalent to domestic property. Charges based on cost recovery for additional collections	Free to Village Halls. Signpost Clinical Waste Collection	Retain existing policy. **Concession change** Free Clinical Waste Collection.

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REVENUE ESTIMATES SUMMARY 2018/19	Actual 2017/18	Original 2018/19	Revised 2018/19	Original 2019/20
Directorates	£000	£000	£000	£000
Chief Executive		1,045	2,706	533
Resources		2,770	3,125	3,708
Customer & Communities		3,525	3,963	2,098
Planning & Licensing		2,175	2,241	322
Service Delivery				3,000
Strategy Performance and Governance				1,037
Net Cost of Services	**0**	**9,514**	**12,035**	**10,699**
Interest on Investments		(228)	(270)	(224)
Pension Interest Cost/Expected rtn on Assets(net)		836	842	842
Net Operating Expenditure	**0**	**10,122**	**12,608**	**11,317**
Appropriations & Adjustments				
Statutory Adjustments		(2,171)	(3,192)	(3,433)
Govt Direct Grants				
- New Homes Bonus		(446)	(475)	(414)
- Other Direct Grants		(9)	(30)	(31)
Business Rates Renewable Energy		(704)	(432)	*see below*
Levy Redistribution		*see below*		0
To/(From) Earmarked Revenue Reserves		228	(1,509)	200
To/(From) Balances		0	50	291
Expenditure to be Funded	**0**	**7,020**	**7,020**	**7,930**

	2018/2019		2019/2020	
Property Tax Base (Band D equivalent)	**24,193.2**		**24,536.1**	
	2018/2019		**2019/2020**	
Council Tax Charges	**Charge @ Band D £ : p**	**Total Cost £**	**Charge @ Band D £ : p**	**Total Cost £**
Revenue Expenditure to be Funded	290.16	7,020,000	323.21	7,930,358
Revenue Support Grant	0.00	0	0.00	0
Business Rates Retention				
- Renewable Energy			(27.29)	(669,513)
- Base Line Funding	(60.93)	(1,474,135)	(61.46)	(1,507,917)
- Business Growth Retention*	(41.29)	(998,970)	(37.67)	(924,295)
- Levy on Business Rates Growth net to ECC Pool*	14.53	351,466	12.42	304,764
- NDR Collection Fund Adjustment (Surplus)/Deficit	(2.93)	(70,844)	(5.79)	(142,000)
Council Tax Collection Fund Adj (Surplus)/Deficit	(6.57)	(159,000)	(6.03)	(148,000)
Maldon District Council Charge	**192.97**	**4,668,517**	**197.40**	**4,843,397**

* The NDR1 return is not yet available, therefore the figures are estimates for 2019/20 and will be updated when the return is available.

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Revised 2018-19

APPENDIX 6

ORIGINAL 18/19 (Top)
REVISED 18/19 budget

		Direct Costs				Recharges			Income			
9	Description	Staffing	Transport	Goods and Services	Capital Charges	Offices and Depots	Support in	Support out	Fees and Charges	Other Income	Government Grant	Net Budget
		£	£	£	£	£	£	£	£	£	£	£
Service Management &												
101	Corporate Core	631,900	1,000	11,700						(21,800)		622,800
		631,200	800	12,000						0		644,000
102	Election Services	102,400	100	1,400								103,900
		94,800	0	2,800								97,600
103	Policy & Comms	228,100	300	16,200								244,600
		228,200	300	16,300								244,800
104	Training			75,100								75,100
				76,700						(400)		76,300
105	Human Resources	187,500	200	22,000								209,700
		268,000	800	40,600								309,400
106	Apprentices	22,700		18,000								40,700
		29,000		0								29,000
108	Committee Services	337,000	300	21,900						(10,000)		349,200
		419,700	800	28,300						(10,000)		438,800
109	General Office Support	46,400		700								47,100
		25,300		700								26,000
110	Customer Services	407,300	400	19,300						(32,300)		394,700
		428,400	1,000	18,800		0	0			(43,400)		404,800
111	Internal Audit & Perf. Review	0	0	70,400								70,400
		0	0	70,400								70,400
113	Finance	396,700	0	92,100						0		488,800
		349,300	0	91,600						0		440,900
114	Revenues & Benefits	1,035,000	500	111,000						(375,900)	0	770,600
		992,300	1,000	188,000		0				(328,600)	(47,300)	805,400
118	Leisure & Community	311,900	1,400	33,300	0					0		346,600
		280,800	600	31,500	0	0	0			(9,000)		303,900
119	IT Services	433,700	0	351,900	42,500					0		828,100
		487,600	0	361,500	59,000					0		908,100
121	Council Offices	200,700	0	247,300	8,000					(62,800)		393,200
		254,300	0	249,200	95,900					(54,400)		545,000
124	Princes Rd Depot			17,800	5,500							23,300
				400	3,300							3,700
129	Legal Services											0
				18,700								18,700
132	Environmental Health	512,000	8,300	11,600								531,900
		547,800	8,300	10,200								566,300
133	Environmental Waste	188,400	100	3,800								192,300
		208,900	200	4,000		0	0					213,100
134	Housing	627,900	2,200	14,500								644,600
		632,200	2,200	14,700								649,100
141	Parks Operational Services	631,200	52,800	124,600	22,100				(29,300)	(79,400)	0	722,000
		666,600	54,900	124,200	32,300	0	0	0	(29,300)	(88,500)	0	760,200
149	Nursery				0							0
					300							300
153	Parks Rangers	376,300	9,400	8,600	1,700					(67,000)		329,000
		399,600	10,400	8,500	1,700	0	0			(70,000)		350,200
155	Parks Trading Unit Depot			9,800	2,700					(2,000)		10,500
				10,700	3,700		0			(2,400)		12,000
163	Enforcement	229,800	600	6,500								236,900
		195,900	1,400	6,400								203,700
164	Economic Development	147,700	1,900	1,500								151,100
		157,500	1,700	1,300								160,500
165	Planning Policy Services	432,600	1,400	4,500								438,500
		387,700	1,400	7,800								396,900
166	Planning Admin Services	293,100	0	33,300	0							326,400
		287,600	0	28,000								315,600

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APPENDIX 6

ORIGINAL 18/19 (Top) REVISED 18/19 budget		Direct Costs				Recharges			Income			
9	Description	Staffing	Transport	Goods and Services	Capital Charges	Offices and Depots	Support in	Support out	Fees and Charges	Other Income	Government Grant	Net Budget
		£	£	£	£	£	£	£	£	£	£	£
167	Development Control Services	651,900	4,100	14,800								**670,800**
		657,900	**4,100**	**26,300**								688,300
168	Building Control Services	225,200	5,500	5,300								**236,000**
		138,200	5,500	5,400								149,100
TOTAL Service Management & Support Services		**8,657,400**	**90,500**	**1,348,900**	**82,500**	**0**	**0**	**0**	**(29,300)**	**(651,200)**	**0**	**9,498,800**
		8,768,800	**95,400**	**1,455,000**	**196,200**	**0**	**0**	**0**	**(29,300)**	**(606,700)**	**(47,300)**	**9,832,100**
Central Services												
Corporate Core &												
256	Corporate Management			151,800					0			**151,800**
				406,700					0			**406,700**
260	Democratic Representation & Mgt	215,500	11,600	41,200	1,900							**270,200**
		221,100	13,800	43,700	1,900							**280,500**
270	Future Model - Transformation											**0**
		400,000		975,000								**1,375,000**
TOTAL Corporate & Democratic Core		**215,500**	**11,600**	**193,000**	**1,900**	**0**	**0**	**0**	**0**	**0**	**0**	**422,000**
		621,100	**13,800**	**1,425,400**	**1,900**	**0**	**0**	**0**	**0**	**0**	**0**	**2,062,200**
Central Services to the												
202	Business Rates Collection			4,300					(5,500)		(93,000)	**(94,200)**
				4,200					(5,100)		(93,000)	**(93,900)**
209	Council Tax Benefit Admin			3,700							(50,000)	**(46,300)**
				3,200							(55,900)	**(52,700)**
216	Council Tax Collection			36,300					(106,700)			**(70,400)**
				35,200			0		(106,200)			**(71,000)**
213	Electoral Registration			47,800					(1,200)	0		**46,600**
				47,300						0		**47,300**
253	Civil Emergencies			33,900								**33,900**
				33,900								**33,900**
254	Election Management			12,700						0		**12,700**
				12,700						0		**12,700**
255	Land Charges			15,200					(121,900)			**(106,700)**
				15,200					(121,900)			**(106,700)**
TOTAL Central Services		**0**	**0**	**153,900**	**0**	**0**	**0**	**0**	**(235,300)**	**0**	**(143,000)**	**(224,400)**
		0	**0**	**151,700**	**0**	**0**	**0**	**0**	**(233,200)**	**0**	**(148,900)**	**(230,400)**
Cultural, Environmental												
Cultural Services												
501, 502, 503, 509, 520,	Sport	**0**	**0**	**173,900**	**12,300**	**0**	**0**	**0**	**0**	**(605,300)**	**0**	**(419,100)**
		0	0	199,300	410,300	0	0	0	0	(628,500)	0	**(18,900)**
122, 506, 508	Community Centres	**0**	**0**	**34,800**	**6,400**	**0**	**0**	**0**	**0**	**0**	**0**	**41,200**
		0	**0**	**38,900**	**6,200**	**0**	**0**	**0**	**0**	**0**	**0**	**45,100**
505, 511, 514, 516, 518,	Parks & Open Spaces	**30,000**	**0**	**274,500**	**215,900**	**0**	**0**	**0**	**(683,000)**	**(51,700)**	**0**	**(214,300)**
		47,300	**0**	**325,300**	**235,600**	**0**	**0**	**0**	**(733,000)**	**(58,200)**	**0**	**(183,000)**
542, 546	Heritage	**0**	**0**	**4,300**	**5,100**	**0**	**0**	**0**	**0**	**0**	**0**	**9,400**
		0	**0**	**4,300**	**3,600**	**0**	**0**	**0**	**0**	**0**	**0**	**7,900**
309	Rivers		6,500	59,500	10,100				(167,400)	(6,700)		**(98,000)**
			4,900	69,000	5,400		0		(181,100)	(7,400)		**(109,200)**
320, 325, 330	Tourism	**140,100**	**500**	**68,700**	**0**	**0**	**0**	**0**	**(15,300)**	**0**	**0**	**194,000**
		181,600	**300**	**65,600**	**0**	**0**	**0**	**0**	**(15,300)**	**0**	**0**	**232,200**
TOTAL Cultural Services		**170,100**	**7,000**	**615,700**	**249,800**	**0**	**0**	**0**	**(865,700)**	**(663,700)**	**0**	**(486,800)**
		228,900	**5,200**	**702,400**	**661,100**	**0**	**0**	**0**	**(929,400)**	**(694,100)**	**0**	**(25,900)**
Environmental Services												
340	Public Entertainment Licences			27,900					(55,600)			**(27,700)**

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APPENDIX 6

ORIGINAL 18/19 (Top)
REVISED 18/19 budget

9	Description	Staffing	Transport	Goods and Services	Capital Charges	Offices and Depots	Support in	Support out	Fees and Charges	Other Income	Government Grant	Net Budget
		Direct Costs				**Recharges**			**Income**			
		£	£	£	£	£	£	£	£	£	£	£
				29,100					(55,600)			**(26,500)**
341	Hackney Carriage			16,000					(33,300)			**(17,300)**
				18,000					(33,600)			**(15,600)**
550	Public Conveniences			105,400	21,800							**127,200**
				101,400	20,100							**121,500**
555	Cemeteries			42,300	13,500				(126,400)			**(70,600)**
				52,900	19,100				(151,600)			**(79,600)**
562, 563	Community Safety	**77,000**	**0**	**35,400**	**0**	**0**	**0**	**0**	**0**	**(14,300)**	**0**	**98,100**
		83,100	**500**	**44,000**	**0**	**0**	**0**	**0**	**0**	**(19,200)**	**0**	**108,400**
576, 579, 581	Waste Management	**0**	**2,900**	**3,294,300**	**317,800**	**0**	**0**	**0**	**(1,997,000)**	**(700)**	**0**	**1,617,300**
		0	**2,900**	**3,272,300**	**320,200**	**0**	**0**	**0**	**(1,949,000)**	**(3,400)**	**0**	**1,643,000**
566, 567, 570, 571, 572,	Other Environmental Health	**5,000**	**1,800**	**60,000**	**6,100**	**0**	**0**	**0**	**(55,900)**	**0**	**0**	**17,000**
		4,600	**2,300**	**103,900**	**6,100**	**0**	**0**	**0**	**(64,700)**	**0**	**0**	**52,200**
TOTAL Environmental Services		**82,000**	**4,700**	**3,581,300**	**359,200**	**0**	**0**	**0**	**(2,268,200)**	**(15,000)**	**0**	**1,744,000**
		87,700	**5,700**	**3,621,600**	**365,500**	**0**	**0**	**0**	**(2,254,500)**	**(22,600)**	**0**	**1,803,400**
Planning & Development												
232	Discretionary Rate Relief											**0**
301	Planning Policy			26,500								**26,500**
				55,200					0		0	**55,200**
302	Development Control			124,000					(892,400)			**(768,400)**
				122,000					(884,300)			**(762,300)**
303	Building Regs - Fee Related			4,000					(135,300)			**(131,300)**
				4,000					(135,300)			**(131,300)**
313	Building Regs - Non Fee Related			0					0			**0**
				0					0			**0**
304	Building Conservation			1,800					0	0	0	**1,800**
				2,100					0	0	0	**2,100**
305	Economic Development			72,500						(60,000)	0	**12,500**
				76,400						0	0	**76,400**
307	Gypsy & Traveller	0		8,000								**8,000**
		0		8,000								**8,000**
565	Community Grants			81,300							(7,800)	**73,500**
				73,500								**73,500**
TOTALPlanning & Development Services		**0**	**0**	**318,100**	**0**	**0**	**0**	**0**	**(1,027,700)**	**(60,000)**	**(7,800)**	**(777,400)**
		0	**0**	**341,200**	**0**	**0**	**0**	**0**	**(1,019,600)**	**0**	**0**	**(678,400)**
Highways, Roads &												
311	Highways											**0**
												0
312	Street Naming			11,400								**11,400**
				11,400								**11,400**
534, 535	Off Street Parking	**0**	**0**	**156,400**	**18,100**	**0**	**0**	**0**	**(736,700)**	**0**	**0**	**(562,200)**
		0	**0**	**164,700**	**17,700**	**0**	**0**	**0**	**(745,800)**	**0**	**0**	**(563,400)**
TOTAL Highways, Roads & Transport Services		**0**	**0**	**167,800**	**18,100**	**0**	**0**	**0**	**(736,700)**	**0**	**0**	**(550,800)**
		0	**0**	**176,100**	**17,700**	**0**	**0**	**0**	**(745,800)**	**0**	**0**	**(552,000)**
Housing Services												
204	Rent Allowances			15,121,700						(388,200)	(14,516,700)	**216,800**
				14,575,400						(298,000)	(14,157,500)	**119,900**
203	Housing Benefits Admin			12,800					(3,000)		(137,000)	**(127,200)**
				12,100					(7,000)		(134,100)	**(129,000)**
591, 592, 593, 598	Other Housing Services			**71,800**					**(43,500)**	**(4,000)**	**(83,800)**	**(59,500)**
		0	**0**	**92,500**	**0**	**0**	**0**	**0**	**(43,500)**	**(4,000)**	**(71,900)**	**(26,900)**
TOTAL Housing Services		**0**	**0**	**15,206,300**	**0**	**0**	**0**	**0**	**(46,500)**	**(392,200)**	**(14,737,500)**	**30,100**
		0	**0**	**14,680,000**	**0**	**0**	**0**	**0**	**(50,500)**	**(302,000)**	**(14,363,500)**	**(36,000)**

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APPENDIX 6

ORIGINAL 18/19 (Top) REVISED 18/19 budget		Direct Costs				Recharges			Income			
9	Description	Staffing £	Transport £	Goods and Services £	Capital Charges £	Offices and Depots £	Support in £	Support out £	Fees and Charges £	Other Income £	Government Grant £	Net Budget £
Non Distributed Costs												
257	Non Distributed Costs	0	0	0	0	0	0	0	0	0	0	**0**
TOTAL Non Distributed Costs		**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
		0	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
Other Services												
224	Misc Land & Property			5,200	0				(32,000)			**(26,800)**
				2,900	0				(33,300)			**(30,400)**
225	Industrial Sites			1,100					(114,900)			**(113,800)**
				7,100					(116,300)			**(109,200)**
TOTAL Other Services		**0**	**0**	**6,300**	**0**	**0**	**0**	**0**	**(146,900)**	**0**	**0**	**(140,600)**
		0	**0**	**10,000**	**0**	**0**	**0**	**0**	**(149,600)**	**0**	**0**	**(139,600)**
SUB TOTAL		**9,125,000**	**113,800**	**21,591,300**	**711,500**	**0**	**0**	**0**	**(5,356,300)**	**(1,782,100)**	**(14,888,300)**	**9,514,900**
		9,706,500	**120,100**	**22,563,400**	**1,242,400**	**0**	**0**	**0**	**(5,411,900)**	**(1,625,400)**	**(14,559,700)**	**12,035,400**
Less Vacancy/Savings												**0**
TOTAL AGREED	**ORIGINAL18/19**	**9,125,000**	**113,800**	**21,591,300**	**711,500**	**0**	**0**	**0**	**(5,356,300)**	**(1,782,100)**	**(14,888,300)**	**9,514,900**
	REVISED 18/19	**9,706,500**	**120,100**	**22,563,400**	**1,242,400**	**0**	**0**	**0**	**(5,411,900)**	**(1,625,400)**	**(14,559,700)**	**12,035,400**

Original 2019-20

APPENDIX 7

ORIGINAL 18/19 Top
ORIGINAL 19/20 Bottom

Cost Centre	Description	Direct Costs				Recharges			Income			
		Staffing £	Transport £	Goods and Services £	Capital Charges £	Offices and Depots £	Support in £	Support out £	Fees and Charges £	Other Income £	Government Grant £	Net Budget £
Service Management &												
Green	Staffing											0
		1,044,096										1,044,096
Red	Staffing											0
		2,131,900										2,131,900
Blue	Staffing											0
		3,020,000										3,020,000
101	Corporate Core	631,900	1,000	11,700						-21800		622,800
		1,000	500	10,100						0		11,600
102	Election Services	102,400	100	1,400								103,900
		800	0	2,700								3,500
103	Policy & Comms	228,100	300	16,200								244,600
		1,200	300	16,100	0					0		17,600
104	Training			75,100								75,100
				61,100						0		61,100
105	Human Resources	187,500	200	22,000								209,700
		1,800	0	22,400	0					0		24,200
106	Apprentices	22,700		18,000								40,700
		18,000		0								18,000
108	Committee Services	337,000	300	21,900					(10,000)			349,200
		1,100	800	21,800					(10,000)			13,700
109	General Office Support	46,400		700								47,100
		0	0	700						0		700
110	Customer Services	407,300	400	19,300						(32,300)		394,700
		175,300	1,000	20,000	0					(30,400)		165,900
111	Internal Audit & Perf. Review			70,400								70,400
				70,400								70,400
113	Finance	396,700		92,100								488,800
		2,300	0	42,700	0					0		45,000
114	Revenues & Benefits	1,035,000	500	111,000						(375,900)	0	770,600
		481,300	1,000	108,900						(305,900)	0	285,300
118	Leisure & Community	311,900	1,400	33,300	0					0		346,600
		109,600	600	31,500	0					(9,000)		132,700
119	IT Services	433,700	0	351,900	42,500							828,100
		1,400		487,700	132,800							621,900
121	Council Offices	200,700		247,300	8,000					(62,800)		393,200
		400	0	265,700	95,900					(58,200)		303,800
124	Princes Rd Depot			17,800	5,500							23,300
				400	3,300							3,700
132	Environmental Health	512,000	8,300	11,600								531,900
		255,100	8,300	10,900								274,300
133	Environmental Waste	188,400	100	3,800								192,300
		32,200	100	3,500								35,800
134	Housing	627,900	2,200	14,500								644,600
		282,600	2,200	14,900								299,700
141	Parks & Countryside Services	631,200	52,800	124,600	22,100	0	0		(29,300)	(79,400)		722,000
		353,000	53,200	112,200	31,900	0	0		(29,300)	(52,300)		468,700
149	Nursery			0	0							0
				0	300							300
153	Parks Rangers	376,300	9,400	8,600	1,700	0	0			(67,000)		329,000
		207,100	9,900	8,300	3,700					(70,000)		159,000
155	Prom Depot			9,800	2,700					(2,000)		10,500
				10,400	3,700					(2,500)		11,600
163	Enforcement	229,800	600	6,500								236,900
		123,200	1,400	6,200							0	130,800
164	Economic Development	147,700	1,900	1,500								151,100
		33,900	1,900	1,200								37,000

14/01/2019

Original 2019-20

APPENDIX 7

ORIGINAL 18/19 Top
ORIGINAL 19/20 Bottom

Cost Centre	Description	Direct Costs: Staffing £	Transport £	Goods and Services £	Capital Charges £	Recharges: Offices and Depots £	Support in £	Support out £	Income: Fees and Charges £	Other Income £	Government Grant £	Net Budget £
165	Planning Policy Services	432,600	1,400	4,500								438,500
		45,100	1,400	8,200								54,700
166	Planning Admin Services	293,100		33,300								326,400
		131,600		28,200								159,800
167	Development Control Services	651,900	4,100	14,800								670,800
		315,900	4,100	14,600								334,600
168	Building Control Services	225,200	5,500	5,300								236,000
		75,200	5,500	5,200								85,900
TOTAL Service Management & Support Services		**8,657,400**	**90,500**	**1,348,900**	**82,500**	**0**	**0**	**0**	**(39,300)**	**(641,200)**	**0**	**9,498,800**
		8,845,096	**92,200**	**1,386,000**	**271,600**	**0**	**0**	**0**	**(39,300)**	**(528,300)**	**0**	**10,027,296**
Central Services												
Corporate Core &												
256	Corporate Management			151,800								151,800
				248,400					0		0	248,400
260	Democratic Representation & Mgt	215,500	11,600	41,200	1,900	0	0					270,200
		223,600	14,000	37,200	1,900					0		276,700
270	Future Model Transformation	0		0								0
		260,000		344,000						(182,000)		422,000
TOTAL Corporate & Democratic Core		**215,500**	**11,600**	**193,000**	**1,900**	**0**	**0**	**0**	**0**	**0**	**0**	**422,000**
		483,600	**14,000**	**629,600**	**1,900**	**0**	**0**	**0**	**0**	**(182,000)**	**0**	**947,100**
Central Services to the												
202	Business Rates Collection			4,300			0		(5,500)		(93,000)	(94,200)
				4,300					(5,100)		(93,000)	(93,800)
209	Council Tax Benefit Admin	0		3,700							(50,000)	(46,300)
				3,300							(53,000)	(49,700)
216	Council Tax Collection			36,300			0		(106,700)			(70,400)
				35,800					(106,200)			(70,400)
213	Electoral Registration			47,800		0			(1,200)			46,600
		0		46,400		0			(1,200)			45,200
253	Civil Emergencies			33,900								33,900
				33,900								33,900
254	Election Management			12,700								12,700
				96,100						0		96,100
255	Land Charges			15,200					(121,900)			(106,700)
				15,700					(121,900)			(106,200)
TOTAL Central Services		**0**	**0**	**153,900**	**0**	**0**	**0**	**0**	**(235,300)**	**0**	**(143,000)**	**(224,400)**
		0	**0**	**235,500**	**0**	**0**	**0**	**0**	**(234,400)**	**0**	**(146,000)**	**(144,900)**
Cultural, Environmental &												
Cultural Services												
501, 502, 503, 509, 520, 522	Sport	**0**	**0**	**173,900**	**12,300**	**0**	**0**	**0**	**0**	**(605,300)**	**0**	**(419,100)**
		0	0	176,600	410,300	0	0	0	0	(624,100)	0	(37,200)
122, 506, 508	Community Centres	**0**	**0**	**34,800**	**6,400**	**0**	**0**	**0**	**0**	**0**	**0**	**41,200**
		0	0	26,200	9,600	0	0	0	0	0	0	35,800
505, 511, 514, 516, 518, 519	Parks & Open Spaces	**30,000**	**0**	**274,500**	**215,900**	**0**	**0**	**0**	**(666,100)**	**(68,600)**	**0**	**(214,300)**
		32,000	0	245,200	258,200	0	0	0	(739,700)	(41,000)	0	(245,300)
542, 546	Heritage	**0**	**0**	**4,300**	**5,100**	**0**	**0**	**0**	**0**	**0**	**0**	**9,400**
		0	0	4,300	3,600	0	0	0	0	0	0	7,900
309	Rivers		6,500	59,500	10,100		0		(167,400)	(6,700)		(98,000)
			6,500	40,600	5,400		0		(175,900)	(7,400)		(130,800)
320, 325, 330	Tourism	**140,100**	**500**	**68,700**	**0**	**0**	**0**	**0**	**(15,300)**	**0**	**0**	**194,000**
		85,600	500	62,800	0	0	0	0	(15,300)	0	0	133,600
TOTAL Cultural Services		**170,100**	**7,000**	**615,700**	**249,800**	**0**	**0**	**0**	**(848,800)**	**(680,600)**	**0**	**(486,800)**
		117,600	**7,000**	**555,700**	**687,100**	**0**	**0**	**0**	**(930,900)**	**(672,500)**	**0**	**(236,000)**

14/01/2019

Original 2019-20

APPENDIX 7

ORIGINAL 18/19 Top ORIGINAL 19/20 Bottom		Direct Costs				Recharges			Income			
Cost Centre	Description	Staffing £	Transport £	Goods and Services £	Capital Charges £	Offices and Depots £	Support in £	Support out £	Fees and Charges £	Other Income £	Government Grant £	Net Budget £
Environmental Services												
340	Public Entertainment Licences			27,900					(55,600)			**(27,700)**
				30,000					(55,600)			**(25,600)**
341	Hackney Carriage			16,000					(33,300)			**(17,300)**
				18,500					(33,600)			**(15,100)**
550	Public Conveniences			105,400	21,800							**127,200**
				97,500	20,100							**117,600**
555	Cemeteries			42,300	13,500		0		(126,400)			**(70,600)**
				47,500	17,000		0		(135,400)			**(70,900)**
562, 563	Community Safety	**77,000**	**0**	**35,400**	**0**	**0**	**0**	**0**	**0**	**(14,300)**	**0**	**98,100**
		42,200	**0**	**35,400**	**0**	**0**	**0**	**0**	**0**	**(14,300)**	**0**	**63,300**
576, 579, 581	Waste Management	**0**	**2,900**	**3,294,300**	**317,800**	**0**	**0**	**0**	**(1,997,000)**	**(700)**	**0**	**1,617,300**
		0	**2,900**	**3,343,400**	**323,900**	**0**	**0**	**0**	**(1,970,600)**	**(700)**	**0**	**1,698,900**
566, 567, 570, 571, 572, 573,	Other Environmental Health	**5,000**	**1,800**	**60,000**	**6,100**	**0**	**0**	**0**	**(55,900)**	**0**	**0**	**17,000**
		5,000	**1,800**	**60,400**	**6,100**	**0**	**0**	**0**	**(60,000)**	**0**	**0**	**13,300**
TOTAL Environmental Services		**82,000**	**4,700**	**3,581,300**	**359,200**	**0**	**0**	**0**	**(2,268,200)**	**(15,000)**	**0**	**1,744,000**
		47,200	**4,700**	**3,632,700**	**367,100**	**0**	**0**	**0**	**(2,255,200)**	**(15,000)**	**0**	**1,781,500**
Planning & Development												
232	Discretionary Rate Relief											**0**
301	Planning Policy			26,500								**26,500**
				26,500								**26,500**
302	Development Control			124,000					(892,400)			**(768,400)**
				119,000					(895,400)			**(776,400)**
303	Building Regs - Fee Related			4,000					(135,300)			**(131,300)**
				4,000					(140,700)			**(136,700)**
313	Building Regs - Non Fee Related						0					**0**
				0					0			**0**
304	Building Conservation			1,800								**1,800**
				1,800					0	0	0	**1,800**
305	Economic Development			72,500						(60,000)		**12,500**
				12,500						0	0	**12,500**
307	Gypsy & Traveller			8,000								**8,000**
				8,000	0	0	0					**8,000**
565	Community Grants			81,300	0	0	0				(7,800)	**73,500**
				76,000	0	0	0				0	**76,000**
TOTALPlanning & Development Services		**0**	**0**	**318,100**	**0**	**0**	**0**	**0**	**(1,027,700)**	**(60,000)**	**(7,800)**	**(777,400)**
		0	**0**	**247,800**	**0**	**0**	**0**	**0**	**(1,036,100)**	**0**	**0**	**(788,300)**
Highways, Roads &												
311	Highways											**0**
												0
312	Street Naming			11,400								**11,400**
				8,900								**8,900**
534, 535	Off Street Parking	**0**	**0**	**156,400**	**18,100**	**0**	**0**	**0**	**(736,700)**	**0**	**0**	**(562,200)**
		0	**0**	**136,800**	**28,600**	**0**	**0**	**0**	**(741,800)**	**0**	**0**	**(576,400)**
TOTAL Highways, Roads & Transport Services		**0**	**0**	**167,800**	**18,100**	**0**	**0**	**0**	**(736,700)**	**0**	**0**	**(550,800)**
		0	**0**	**145,700**	**28,600**	**0**	**0**	**0**	**(741,800)**	**0**	**0**	**(567,500)**
Housing Services												
204	Rent Allowances			15,121,700						(388,200)	(14,516,700)	**216,800**
				14,575,400						(358,000)	(14,157,500)	**59,900**
203	Housing Benefits Admin			12,800			0		(3,000)		(137,000)	**(127,200)**

14/01/2019

APPENDIX 7

ORIGINAL 18/19 Top ORIGINAL 19/20 Bottom		Direct Costs				Recharges			Income			
Cost Centre	Description	Staffing £	Transport £	Goods and Services £	Capital Charges £	Offices and Depots £	Support in £	Support out £	Fees and Charges £	Other Income £	Government Grant £	Net Budget £
				12,400			0		(7,000)		(130,000)	(124,600)
591, 592, 593, 598	Other Housing Services			71,800					(43,500)	(4,000)	(83,800)	(59,500)
		0	0	24,600	0	0	0	0	(40,500)	(4,000)	(21,900)	(41,800)
TOTAL Housing Services		0	0	15,206,300	0	0	0	0	(46,500)	(392,200)	(14,737,500)	30,100
				14,612,400	0	0	0	0	(47,500)	(362,000)	(14,309,400)	(106,500)
Non Distributed Costs												
257	Non Distributed Costs	0	0	0	0	0	0	0	0	0	0	0
TOTAL Non Distributed Costs		0	0	0	0	0	0	0	0	0	0	0
		0	0	0	0	0	0	0	0	0	0	0
Other Services												
224	Misc Land & Property			5,200					(32,000)			(26,800)
				4,400	0				(35,500)			(31,100)
225	Industrial Sites			1,100					(114,900)			(113,800)
				2,800	0				(114,900)			(112,100)
TOTAL Other Services		0	0	6,300	0	0	0	0	(146,900)	0	0	(140,600)
		0	0	7,200	0	0	0	0	(150,400)	0	0	(143,200)
SUB TOTAL		9,125,000	113,800	21,591,300	711,500	0	0	0	(5,349,400)	(1,789,000)	(14,888,300)	9,514,900
		9,493,496	117,900	21,452,600	1,356,300	0	0	0	(5,435,600)	(1,759,800)	(14,455,400)	10,769,496
Less Vacancy/Savings												0
		(70,000)										
TOTAL AGREED BUDGET	**ORIGINAL 18/19**	9,125,000	113,800	21,591,300	711,500	0	0	0	(5,349,400)	(1,789,000)	(14,888,300)	9,514,900
	ORIGINAL 19/20	9,423,496	117,900	21,452,600	1,356,300	0	0	0	(5,435,600)	(1,759,800)	(14,455,400)	10,699,496

Earmarked Revenue Reserve	Purpose	Review Mechanism	At 31/3/18	Estimated at 31/3/19	Estimated at 31/3/20	Estimated at 31/3/21	Estimated at 31/3/22
Repairs & Renewals Fund	To provide funds to support additional revenue / capital costs arising from the need to maintain the Council's Asset base	Bi-annually by the Finance and Corporate Services Committee at budget setting and final accounts approval stages	225,316	128,816	20,816	-	-
Insurance	The Council maintains external insurance policies to cover major risks. In many cases the policies have excess clauses that require the Council to meet the first part of each claim. The Council has established this reserve to cover its liabilities under policy excesses, finance any claims for small risks not insured externally and cover any future liability that may arise from winding up of Municipal Mutual Insurance.	Bi-annually by the Finance and Corporate Services Committee at budget setting and final accounts approval stages	60,000	60,000	60,000	60,000	60,000
Revenue Commitments	This reserve exists to smooth out the timing differences between monies being earmarked to expenditure from the annual revenue budget and the expenditure actually occurring	Annually by the Finance and Corporate Services Committee at final accounts approval stage	134,136	-	-	-	-
Heritage Projects	The Council gives grants in support of environmental initiatives and historic buildings. The time limits on these grants exceed the financial year in which budget provision is made, necessitating a reserve to cover outstanding liabilities	Annually by the Finance and Corporate Services Committee at final accounts approval stage	8,617	8,617	-	-	-
Community Grants	The Council previously had schemes for awarding grants. The time limits on these grants exceed the financial year in which budget provision is made, necessitating a reserve to cover outstanding liabilities.	Annually by the Finance and Corporate Services Committee at final accounts approval stage	1,000	1,000	-	-	-
CIL and LDP review	Money has been put aside from unspent budgets to support the creation and adoption of the delayed LDP	Annually by the Finance and Corporate Services Committee at final accounts approval stage	235,000	206,300	-	-	-
Business Continuity	To provide funding for emergency requirements such as salt, sand bags or other business continuity requirements	Bi-annually by the Finance and Corporate Services Committee at budget setting and final accounts approval stages	10,000	10,000	10,000	10,000	10,000
Community Sport Network	The Council has schemes for awarding grants. The time limits on these grants exceed the financial year in which budget provision is made, necessitating a reserve to cover outstanding liabilities.	Bi-annually by the Finance and Corporate Services Committee at budget setting and final accounts approval stages	8,020	20	-	-	-
Transformation (including IGNITE)	The Council is looking to change the way in which it works internally and also how it delivers its services to others. This reserve will enable up-front investment in these projects.	Bi-annually by the Finance and Corporate Services Committee at budget setting and final accounts approval stages	1,712,361	239,980	-	-	-
Neighbourhood Plan Applications	To provide funding for preparation of Neighbourhood Plans	Bi-annually by the Finance and Corporate Services Committee at budget setting and final accounts approval stages	29,177	29,177	-	-	-
Waste Contract Implementation	Money set aside towards the procurement and mobilisation of the new Waste contract	Bi-annually by the Finance and Corporate Services Committee at budget setting and final accounts approval stages	24,913	15,413	-	-	-
Business Rates Equalisation	To provide funds to support fluctuations in Business Rates receivable into the General Fund.	Bi-annually by the Finance and Corporate Services Committee at budget setting and final accounts approval stages	533,000	261,000	311,000	361,000	411,000
Pension	To provide funds to enable payment of the forward funding of the pension deficit.	Bi-annually by the Finance and Corporate Services Committee at budget setting and final accounts approval stages	116,000	720,000	1,424,000	-	-
Other Reserves	Other reserves have been set up in relation to the continuation of projects for which external funds have been received but have not been fully utilised within that particular year.	Bi-annually by the Finance and Corporate Services Committee at budget setting and final accounts approval stages	393,185	246,226	-	-	-
TOTAL			**3,490,725**	**1,926,549**	**1,825,816**	**431,000**	**481,000**

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REGULATION OF INVESTIGATORY POWERS ACT 2000

CORPORATE POLICY AND PROCEDURE ON THE USE OF COVERT SURVEILLANCE

Title	Regulation of Investigatory Powers Act 2000
Owner	Director of Resources
Version	2
Issue date	
Approved by	Council
Next revision due	February 2022

Contents

1

INTRODUCTION

1.1 This document sets out the policy and procedures adopted by Maldon District Council ("the council") in relation to Part II of the Regulation of Investigatory Powers Act 2000 ("RIPA"). The policy should be read in conjunction with the Home Office Codes of Practice on covert surveillance and covert human intelligence sources; acquisition and disclosure of communications data, and any guidance issued by the Investigatory Powers Commissioner's Office (IPCO) (formerly the Office of Surveillance Commissioners – OSC)

1.2 For the purpose of this update, references to the Home Office Codes of Practice relate to the latest versions which were issued in August 2018 in relation to covert surveillance and covert human intelligence sources; and 2016 in relation to the acquisition and disclosure of communications data. References to the OSC Procedures and Guidance document relate to the latest version which was issued in July 2016.

1.3 The following terms are used throughout this Policy:

RIPA	Regulation of Investigatory Powers Act 2000
CHIS	Covert Human Intelligence Source
SPoC	Single Point of Contact

SRO	Senior Responsible Officer
IPCO	Investigatory Powers Commissioner's Office
NAFN	National Anti-Fraud Network
CSP	Communications Service Provider

1.4 It should be noted that any use of activities under RIPA will be as a last resort and council policy is not to undertake such activities unless necessary.

1.5 Further information on RIPA forms can be found on the intranet with search word "Ripa"

2 PURPOSE AND OBJECTIVES

2.1 Directed surveillance or acquisition of communications data by or on behalf of the council must be carried out in accordance with this policy. Any such activity must be authorised by one of the Authorising Officers identified in Appendix A. All authorisations must then be approved by a Magistrate before any covert activity takes place. Staff directly employed by the council and any external agencies working for the council are subject to RIPA whilst they are working in a relevant investigatory capacity.

2.2 The purpose of the policy is to ensure the council is acting lawfully while undertaking its various enforcement functions, ensuring directed surveillance, or acquisition of communication data is both necessary and proportionate, and takes into account the rights of individuals under Article 8 of the Human Rights Act.

2.3 Surveillance, for the purpose of the Act, includes monitoring, observing or listening to persons, their movements, conversations or other activities and communications. It may be conducted with or without the assistance of a surveillance device and includes the recording of any information obtained.

3 ROLES AND RESPONSIBILITIES

3.1 **Senior Responsible Officer (SRO):**

3.1.1 The role of SRO will be undertaken by the council's Director of Resources

3.1.2 In accordance with good practice the SRO will be responsible for:

- The integrity of the process in place within the council for the management of covert surveillance;
- Ensuring that all authorising officers are of an appropriate standard;
- Compliance with Part 2 of the Act and with the Home Office Codes of Practice;

- Oversight of the reporting of errors to the relevant Commissioner and the identification of both the cause(s) of errors and the implementation of processes to minimise repetition of errors;
- Engagement with the Investigatory Powers Commissioner's Office (IPCO) inspectors when they conduct their inspections, where applicable;
- Where necessary, oversight of the implementation of post-inspection action plans approved by the relevant oversight Commissioner.
- Have overall responsibility for the management and oversight of requests and authorizations under RIPA;
- Retain a copy of the application and authorization together with any supplementary documentation and notification of the approval given by the authorizing officer maintain a central RIPA records file;
- Review and monitor all forms and documents received to ensure compliance with the relevant law and guidance and this policy and procedures document and informing the Authorizing Officer of any concerns;
- Be responsible for organizing a corporate RIPA training programme and ensure corporate awareness of RIPA

3.2 **Authorizing Officers**

3.2.1 The officers named in Appendix A shall be the only officers within the council who can authorize applications under RIPA in accordance with the procedures set out in section 7 of this policy.

3.2.2 Each of the Authorizing Officers can authorize applications, for onward consideration by a Magistrate. Each Authorizing Officer may authorize renewals and cancellations, and undertake reviews, in relation to any investigation carried out, or proposed to be carried out, by officers. Authorizing Officers **may not sub-delegate** their powers in relation to RIPA to other officers.

3.2.3 The officer who authorizes a RIPA application should normally also carry out the review,renewal and cancellation. If the original Authorizing Officer is not available to undertake the review, renewal or cancellation, this can be undertaken by any other Authorizing Officer.

4 <u>LOCAL AUTHORITY USE OF RIPA</u>

4.1 RIPA sets out a regulatory framework for the use of covert investigatory techniques by public authorities. If such activities are conducted by council officers, then RIPA regulates them in a manner that is compatible with the European Convention on Human Rights (ECHR), particularly Article 8, the right to respect for private and family life.

4.2 RIPA limits local authorities to using three covert techniques, as set out below:

- **Directed surveillance** is essentially covert surveillance in places other than residential premises or private vehicles

- A **Covert human intelligence source (CHIS)** includes undercover officers, public informants and people who make test purchases (for enforcement purposes)

- Acquisition of **Communications data** is the 'who', 'when' and 'where' of a communication, but not the 'what' (ie the content of what was said or written). RIPA groups communications data into three types:

    - 'traffic data' (which includes information about where the communications are made or received)

    - 'service use information' (such as the type of communication, time sent and its duration); and

    - 'subscriber information' (which includes billing information such as the name, address and bank details of the subscriber of telephone or internet services)

4.3 Under RIPA a local authority can only authorize the acquisition of the less intrusive types of communications data: service use and subscriber information. Under **no circumstances** can local authorities be authorized to obtain traffic data under RIPA.

4.4 Local authorities are **not** permitted to intercept the content of any person's communications and it is an offence to do so without lawful authority.

4.5 Directed surveillance may only be authorized under RIPA for the purpose of preventing or detecting criminal offences that are either punishable, whether on summary conviction or indictment, by a maximum term of at least 6 months' imprisonment **or** are related to the underage sale of alcohol and tobacco.

4.6 Local authorities cannot authorize directed surveillance for the purpose of preventing disorder unless this involves a criminal offence(s) punishable (whether on summary conviction or indictment) by a maximum term of at least 6 months' imprisonment. Requests for authorization must still demonstrate how the activity is both proportionate and necessary.

4.7 Examples of cases where the offence being investigated attracts a maximum custodial sentence of six months or more include more serious criminal damage and dangerous waste dumping

4.8 Directed surveillance will always be a last resort in an investigation, and use of a **CHIS by the council will not as a matter of policy be undertaken and**

therefore the council will not apply for such authorizations.

4.9 In cases of joint working with other agencies, for example the Department for Work and Pensions or the Police, only one authorization from one organisation is required. This should be made by the lead authority for the particular investigation. Council officers should satisfy themselves that authorization has been obtained and be clear exactly what activity has been authorized.

4.10 For access to communication data, a Single Point of Contact (SPoC) is required to undertake the practical facilitation with the communications service provider (CSP) in order to obtain the data requested. The SPoC must have received training specifically to facilitate lawful acquisition of communications data and effective co-operation between the local authority and CSP.

4.11 The National Anti-Fraud Network (NAFN) provides a SPoC service to local authorities. Local authorities using the NAFN SPoC service will still be responsible for submitting any applications to a Magistrate and an authorizing officer in the council is still required to scrutinise and approve any applications.

4.12 Compliance with the provisions of RIPA, the Home Office Codes of Practice and this policy and procedures should protect the council, its officers and agencies working on its behalf against legal challenge. Section 27 of RIPA states that "conduct…shall be lawful for all purposes if an authorisation…confers an entitlement to engage in that conduct on the person whose conduct it is and his conduct is in accordance with the authorisation". If correct procedures are not followed, the council could be rendered liable to claims and the use of the information obtained may be disallowed in any subsequent legal proceedings.

5 <u>THE SCOPE OF RIPA AND TYPES OF SURVEILLANCE</u>

5.1 Officers should be aware of the scope and extent of activities covered by the provisions of RIPA. In many cases investigations carried out by council officers will not be subject to RIPA, as they involve overt rather than covert surveillance (see below). An explanation of terms used is set out below:

5.2 **'Surveillance'** includes

- monitoring, observing, listening to persons, watching or following their movements, listening to their conversations and other such activities or communications;
- recording anything mentioned above in the course of authorised surveillance;
- surveillance by, or with the assistance of, appropriate surveillance device(s).

Surveillance can be <u>overt</u> or <u>covert.</u>

5.3 Covert Surveillance

- Covert Surveillance is surveillance carried out in a manner calculated to ensure that the person subject to the surveillance is unaware that it is, or may be taking place.

- RIPA requires the authorisation of two types of covert surveillance (**directed surveillance** and **intrusive surveillance**) plus the use of covert human intelligence sources (CHIS) or acquisition of communications data.

5.4 Directed Surveillance

Directed Surveillance is surveillance which:-

- is covert; and

- is not intrusive surveillance (see definition below - **the council is prohibited by law from carrying out any intrusive surveillance**);

- is not carried out as an immediate response to events where it would not be practicable to obtain authorisation under the Act;

- is likely to result in the obtaining of private information about a person (whether or not one specifically identified for the purposes of the investigation or operation).

5.5 **Private information** in relation to a person includes any information relating to his private and family life, his home and his correspondence. The fact that covert surveillance occurs in a public place or on business premises does not mean that it cannot result in the obtaining of private information about a person. The way a person runs their business may also reveal information about his private life and the private lives of others. Prolonged surveillance targeted on a single person will undoubtedly result in the obtaining of private information about him/her and others that s/he comes into contact or associates with.

5.6 Private life considerations are particularly likely to arise if several records are to be analyzed together in order to establish, for example, a pattern of behavior, or if one or more pieces of information (whether or not available in the public domain) are covertly (or in some cases overtly) obtained for the purpose of making a permanent record about a person or for subsequent data processing to generate further information. In such circumstances, the totality of information gathered may constitute private information even if individual records do not. Where such conduct includes covert surveillance, a directed surveillance authorization may be considered appropriate

5.7 Private information may include personal data, such as names, telephone numbers and address details. Where such information is acquired by means of covert surveillance of a person having a reasonable expectation of privacy, a direct surveillance authorization is appropriate.

5.8 **Overt Surveillance**

5.8.1 Overt Surveillance will include most of the surveillance carried out by the council - there will be nothing secretive, clandestine or hidden about it. For example, signposted CCTV cameras normally amount to overt surveillance . In many cases, officers will be going about council business openly (e.g. a parking attendant patrolling a council car park).

5.8.2 However, care must be taken to ensure that officers are not intentionally acting as members of the public in order to disguise their true intent as this may then be considered as covert and require RIPA authorisation.

5.8.3 Similarly, surveillance will be overt if the subject has been told it will happen. This will be the case where a noisemaker is warned that recordings will be made if the noise continues; or where an entertainment licence is issued subject to conditions, and the licensee is told that officers may visit without notice or without identifying themselves to the owner/proprietor to check that the conditions are being met. Such warnings should be given to the person concerned in writing.

5.8.4 Overt surveillance does not require any authorisation under RIPA. Neither does **low-level surveillance** consisting of general observations in the course of law enforcement (for example, an officer visiting a site to check whether a criminal offence had been committed). Repeated visits may amount to systematic surveillance however, and require authorisation: if in doubt, advice should be sought from the Monitoring Officer or the SRO

5.8.5 Home Office guidance also suggests that the use of equipment such as binoculars or cameras, to reinforce normal sensory perception by enforcement officers as part of *general* observation does not need to be regulated by RIPA, as long as the *systematic* surveillance of an individual is not involved. However, if binoculars or cameras are used in relation to anything taking place on any residential premises or in any private vehicle the surveillance can be intrusive even if the use is only fleeting. Any such surveillance will be intrusive “if it consistently provides information of the same quality as might be expected to be obtained from a device actually present on the premises or in the vehicle”. The quality of the image obtained rather than the duration of the observation is what is determinative. **It should be remembered that the council is not permitted to undertake intrusive surveillance.**

5.8.6 Similarly, although signposted CCTV cameras do not normally require authorisation, this will be required if the camera(s) are to be directed for a specific purpose which involves prolonged surveillance on a particular person. (See Section 12 for guidance on the authorisation of directed surveillance undertaken by means of the council’s CCTV cameras.)

5.8.7 Use of body worn cameras should be overt. Badges should be worn by officers stating body cameras are in use and it should be announced that recording is taking place. In addition, cameras should only be switched on when recording is necessary – for example, when issuing parking tickets.

5.8.8 Surveillance that is unforeseen and undertaken as **an immediate response** to events or circumstances such that it is not reasonably practicable to seek authorisation normally falls outside the definition of directed surveillance and therefore authorisation is not required. However, if a **specific investigation** or **operation is subsequently to follow**, authorisation must be obtained in the usual way before it can commence. In no circumstances will any covert surveillance operation be given backdated authorisation after it has commenced.

5.9 **Social Networking Sites (SNS)**

5.9.1 The Home Office Revised Code of Practice on Covert Surveillance and Property Interference, published in August 2018, provides the following guidance in relation to online covert activity:

'The growth of the internet, and the extent of the information that is now available online, presents new opportunities for public authorities to view or gather information which may assist them in preventing or detecting crime or carrying out other statutory functions, as well as in understanding and engaging with the public they serve. It is important that public authorities are able to make full and lawful use of this information for their statutory purposes. Much of it can be accessed without the need for RIPA authorisation; use of the internet prior to an investigation should not normally engage privacy considerations. But if the study of an individual's online presence becomes persistent, or where material obtained from any check is to be extracted and recorded and may engage privacy considerations, RIPA authorisations may need to be considered. The following guidance is intended to assist public authorities in identifying when such authorisations may be appropriate.

The internet may be used for intelligence gathering and/or as a surveillance tool. Where online monitoring or investigation is conducted covertly for the purpose of a specific investigation or operation and is likely to result in the obtaining of private information about a person or group, an authorisation for directed surveillance should be considered, as set out elsewhere in this code. Where a person acting on behalf of a public authority is intending to engage with others online without disclosing his or her identity, a CHIS authorisation may be needed (The Covert Human Intelligence Sources code of practice provide detail on where a CHIS authorisation may be available for online activity).

In deciding whether online surveillance should be regarded as covert, consideration should be given to the likelihood of the subject(s) knowing that the surveillance is or may be taking place. Use of the internet itself may be considered as adopting a surveillance technique calculated to ensure that the subject is unaware of it, even if no further steps are taken to conceal the activity. Conversely, where a public authority has taken reasonable steps to inform the public or particular individuals that the surveillance is or may be taking place, the activity may be regarded as overt and a directed surveillance authorisation will not normally be available.

As set out below, depending on the nature of the online platform, there may be a reduced expectation of privacy where information relating to a person or group of people is made openly available within the public domain, however in some circumstances privacy implications still apply. This is because the intention when making such information available was not for it to be used for a covert purpose such as investigative activity. This is regardless of whether a user of a website or social media platform has sought to protect such information by restricting its access by activating privacy settings.

Where information about an individual is placed on a publicly accessible database, for example the telephone directory or Companies House, which is commonly used and known to be accessible to all, they are unlikely to have any reasonable expectation of privacy over the monitoring by public authorities of that information. Individuals who post information on social media networks and other websites whose purpose is to communicate messages to a wide audience are also less likely to hold a reasonable expectation of privacy in relation to that information.

Whether a public authority interferes with a person's private life includes a consideration of the nature of the public authority's activity in relation to that information. Simple reconnaissance of such sites (i.e. preliminary examination with a view to establishing whether the site or its contents are of interest) is unlikely to interfere with a person's reasonably held expectation of privacy and therefore is not likely to require a directed surveillance authorisation. But where a public authority is systematically collecting and recording information about a particular person or group, a directed surveillance authorisation should be considered. These considerations apply regardless of when the information was shared online.'

5.10 **Intrusive Surveillance**

5.10.1 Intrusive Surveillance occurs when surveillance:

- is covert;
- relates to residential premises and/or private vehicles; and
- involves the presence of a person <u>in</u> the premises or <u>in</u> the vehicle or is carried out by a surveillance device in the premises/vehicle. Surveillance equipment mounted <u>outside</u> the premises will not be intrusive, unless the device consistently provides information of the same quality and detail as might be expected if they were <u>in</u> the premises/vehicle.

5.10.2 **Intrusive surveillance cannot be carried out or approved by the council**. Only the police or other law enforcement agencies are permitted to use such powers. Likewise, the council has no statutory powers to interfere with private property.

6 <u>COVERT HUMAN INTELLIGENCE SOURCE</u>

6.1 The use of a covert human intelligence source (CHIS), and his or her conduct, also requires authorisation under RIPA. It is considered unlikely that there will be any circumstances which would require the council to either use a CHIS or operate under cover and so the **Council will not seek authorisations under RIPA for CHIS.** It is however important that employees read this part of the policy so that they do not by accident carry out surveillance that requires authorization.

6.2 A CHIS is defined as someone who establishes or maintains a personal or other relationship for the purpose of

- covertly using the relationship to obtain information or provide access to any

information to another person;
- covertly disclosing information obtained by means of that relationship where the relationship is conducted in a manner that is calculated to ensure that one of the parties to the relationship is unaware of its purpose.

These provisions would cover the use of professional witnesses to obtain evidence or information, or officers operating “undercover”. Great caution should be exercised in these circumstances.

6.3 The provisions of RIPA relating to CHIS do not apply where a situation would not normally require a relationship to be established for the covert purpose of obtaining information. For example:

- where members of the public volunteer information to the council as part of their normal civic duties;
- where the public contact telephone numbers set up by the council to receive information;
- where members of the public are asked to keep diaries of incidents in relation to, for example, planning enforcement, anti-social behaviour or noise nuisance. However, in certain circumstances, RIPA authorisation may be required if the criteria in section 26(2) of the Act are met.

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7 AUTHORISATION PROCEDURES

7.1 **Any directed surveillance undertaken by or on behalf of the council must be carried out in accordance with RIPA (see section 14 about non ripa) and must not commence until authorisation has been granted and has been approved by a relevant judicial authority**. If such activities are undertaken without authorisation the SRO must be advised immediately. Only those officers employed in the designated “Authorising Officer Posts” set out in Appendix A can authorise an application under RIPA. Once authorised, the application must be presented to a Magistrate for final approval.

7.2 The acquisition of communications data can only be undertaken by a SPoC, although the same authorisation procedures will apply.

7.3 Officers must discuss the need to undertake directed surveillance with their line manager before seeking an authorisation. **All other reasonable and less intrusive options to gain the required information must be considered before an authorisation is applied for and the RIPA application must detail why these options have failed or have been considered not appropriate in the circumstances of the individual investigation.**

7.4 All applications for authorisation must be made on the appropriate form and can be found on the council’s intranet by using “Ripa” in the search engine. In the event of any query, officers making or authorising applications should consult the Monitoring Officer or the SRO. Authorisations will not take effect until the relevant judicial authority has made an order approving the grant of the authorisation. The relevant judicial authority in England and Wales is a

Magistrate. **It is vital that any surveillance for which authorisation has been sought does not start until such time as it has been approved by a Magistrate**

7.5 It is necessary for the council to obtain judicial approval for all initial RIPA authorisations/applications and renewals. **There is no requirement for the Magistrate to consider either cancellations or internal reviews.**

7.6 In any case where it is likely that **confidential information** may be acquired by directed surveillance or by the use or conduct of a source, **the Authorised Officer who may grant authorisation is the SRO (Director of Resources) or, in her absence the Monitoring Officer.**

7.7 **Confidential information** consists of communications subject to *legal privilege*, communications between a Member of Parliament and another person on constituency matters, confidential personal information, or confidential journalistic material. So, for example, extra care should be taken where, through the use of surveillance, it is likely that knowledge will be acquired of communications between a minister of religion and an individual relating to the latter's spiritual welfare, or between a Member of Parliament and a constituent relating to constituency matters, or wherever matters of medical or journalistic confidentiality may be involved

7.8 Covert surveillance of all legal consultations should be considered to be intrusive.

7.9 When considering an application, Authorising Officers must:

(a) have regard to the contents of this document, the training provided and any other guidance or advice given by the SRO;

(b) satisfy his/herself that the RIPA authorisation will be:

(i) **in accordance with the law**;
(ii) **necessary** in the circumstances of the particular case; and
(iii) **proportionate** to what it seeks to achieve.

(c) assess whether or not the proposed surveillance is proportionate, considering the following elements:

- The custodial sentence applicable to the offence being investigated;
- Balancing the size and scope of the proposed activity against the gravity and extent of the perceived crime or offence;
- Explaining how and why the methods to be adopted will cause the least possible intrusion on the subject and others;
- Whether the activity is an appropriate use of the legislation and a reasonable way, having considered all practical alternatives, of obtaining the necessary result;
- Evidencing, as far as reasonably practicable, what other methods had been considered and why they were not implemented.

(d) take into account the risk of intrusion into the privacy of persons other than the specified subject of the surveillance (called 'collateral intrusion'), and consider whether any measures should be taken to avoid or minimise collateral intrusion as far as possible (the degree of likely collateral intrusion will also be relevant to assessing whether the proposed surveillance is proportionate);

(e) consider any issues which may arise in relation to the health and safety of council employees and agents, and ensure that a risk assessment has been undertaken if appropriate.

8 If an application is granted, the Authorising Officer must set a date for its review, and ensure that it is reviewed on that date (see below). Records must be kept in relation to all RIPA applications and authorisations by the Authorising Officer and by sending a copy to the SRO for retention.

9 URGENT AUTHORISATIONS

9.1 It is no longer possible for urgent authorisations to be given orally. However, a Magistrate may consider an authorisation out of hours in **exceptional** circumstances.

10 DURATION OF AUTHORISATIONS

10.1 Authorisations will have effect until the date for expiry specified on the relevant form. They must be granted for the designated period of three months for directed surveillance and one month for the acquisition of communications data. **No further operations should be carried out after the expiry of the relevant authorisation unless it has been renewed.** It will be the responsibility of the officer in charge of an investigation to ensure that any directed surveillance is only undertaken under an appropriate and valid authorisation, and therefore, he/she should be mindful of the date when authorisations and renewals will cease to have effect.

10.2 Authorisations should be reviewed at appropriate intervals in order to update the Authorising Officer on progress on the investigation and whether the authorisation is no longer required. Review periods should be set by the Authorising Officer, but should normally take place on a monthly basis unless the Authorising Officer considers that they should take place more or less frequently (if so, the reasons should be recorded). If the surveillance provides access to confidential information or involves collateral intrusion, there will be a particular need to review the authorisation frequently. The results of reviews should be recorded.

10.3 Authorisations must be cancelled as soon as they are no longer necessary. Even if an authorisation has reached its time limit and has ceased to have effect, it does not lapse and must still be formally cancelled. The responsibility for ensuring that authorisations are cancelled rests primarily with the officer in charge of the investigation, who should submit a request for cancellation on the appropriate form. However, if the Authorising Officer who authorised any directed surveillance (or any Authorising Officer who has taken over their duties) is satisfied that it no longer meets the criteria upon which it was authorised, s/he must cancel it and record that fact in writing even in the absence of any request for cancellation.

10.4 If it is required, a renewal must be authorised prior to the expiry of the original authorisation. Applications for renewal should be made on the appropriate form shortly before the original authorisation period is due to expire. Officers must take account of factors which may delay the renewal process (eg intervening weekends or the availability of the relevant authorising officer and a Magistrate to consider the application). The Authorising Officer must consider the matter afresh, including taking into account the benefits of the surveillance to date and any collateral intrusion that has occurred. Renewals of an authorisation may be granted more than once, provided the criteria for granting that authorisation are still met. However, if the reason for requiring the authorisation has changed from the purpose for which it was originally granted, then it should be cancelled and new authorisation sought. The renewal will begin on the day when the original authorisation would otherwise have expired.

11 MATERIAL OBTAINED DURING INVESTIGATIONS

11.1 Generally, all material (in whatever media) obtained or produced during the course of investigations subject to RIPA authorisations should be processed, stored and destroyed in accordance with the requirements of the Data Protection Act 2018 and any other legal requirements, including those of confidentiality, and the council's policies and procedures currently in force relating to document retention. The following paragraphs give guidance on some specific situations, but advice should be sought from the SRO where appropriate.

11.2 Where material is obtained during the course of an investigation which might be relevant to that investigation, or another investigation, or to pending or future civil or criminal proceedings, then it should **not** be destroyed, but retained in accordance with legal disclosure requirements.

11.3 Where material is obtained, which is not related to a criminal or other investigation or to any person who is the subject of the investigation, and there is no reason to suspect that it will be relevant to any future civil or criminal proceedings, it should be destroyed immediately.

11.4 Material obtained in the course of an investigation may be used in connection with investigations other than the one that the relevant authorisation was issued for. However, the use or disclosure of such material outside the council, unless directed by any court order, should only be considered in exceptional circumstances, and in accordance with advice from the SRO.

11.5 Where material obtained is of a confidential nature then the following additional precautions should be taken:

- Confidential material should not be retained or copied unless it is necessary for a specified purpose;
- Confidential material should only be disseminated in accordance with legal advice that it is necessary to do so for a specific purpose;

- Confidential material which is retained should be marked with a warning of its confidential nature. Safeguards should be put in place to ensure that such material does not come into the possession of any person where to do so might prejudice the outcome of any civil or criminal proceedings;
- Confidential material should be destroyed as soon possible after its use for the specified purpose.

If there is any doubt as to whether material is of a confidential nature, advice should be sought from the SRO.

ASSESSMENT AND REVIEW

11.6 Following completion of any investigation/operation involving the use of RIPA, an assessment should be undertaken. This should detail the information obtained and how it was used to take the case forward.

11.7 The SRO will undertake periodic reviews of the assessment forms and may provide these records as part of any inspection by the Office of Surveillance Commissioners.

12 CCTV AND DIRECTED SURVEILLANCE

12.1 The use of CCTV must be accompanied by clear signage in order for any monitoring to be overt. If it is intended to use CCTV for covert monitoring, for example by using either hidden cameras or without any signs warning that CCTV is in operation, then RIPA authorisation is likely to be required.

12.2 **Note 272 of the OSC's 2016 Procedures & Guidance document:**

272. It is recommended that a law enforcement agency should obtain a written protocol with a local authority if the latter's CCTV system is to be used for directed surveillance. Any such protocol should be drawn up centrally in order to ensure a unified approach. The protocol should include a requirement that the local authority should see the authorisation (redacted if necessary to prevent the disclosure of sensitive information) and only allow its equipment to be used in accordance with it.

13 RECORDS MANAGEMENT

13.1 Records shall be maintained for a period of at least **three years** from the cancellation of the authorisation. Following which they shall be securely destroyed in accordance with the council's Retention and Disposal Policy.

13.2 A copy of all completed RIPA forms, including applications (whether granted or refused), authorisations, reviews, renewals and cancellations, must be forwarded by the Authorising Officer to the SRO within **five working days** of the date of the relevant decision. All documents should be sent in sealed envelopes marked "For Your Eyes Only".

13.3 Applicants and Authorising Officers may keep copies of completed RIPA forms, but care must be taken to ensure any copies are stored securely and disposed of in accordance with the council's retention and disposal policy. It is good practice for officers who will be carrying out surveillance to retain a copy of the authorisation as a reminder of exactly what has been authorised. Under the Criminal Procedure and Investigations Act, case files are required to hold original documents for court action.

13.4 A ‘Surveillance Log Book’ should be completed by the investigating officer(s) to record all operational details of authorised covert surveillance. Each service will also maintain a record of the issue and movement of all Surveillance Log Books.

13.5 All RIPA records, whether in original form or copies shall be kept in secure locked storage when not in use.

14 NON-RIPA

14.1 It is important to understand that s 80 RIPA has the effect that if covert surveillance takes place without an authorization then it is not necessarily rendered unlawful. The effect of not having an authorization means that the Council cannot claim the protection of s27 which makes any such surveillance expressly lawful.

14.2 There may be circumstances when the crime threshold is not satisfied to apply for authorization under the legislation. However there may be a need to carry out covert surveillance eg employee surveillance. In such a case the forms for directed surveillance should be completed seeking authority from an Authorised Officer so that the Council is obliged to consider the seriousness of its proposed action and the need for rigour in authorizing a non ripa approved surveillance.

15 TRAINING

15.1 Appropriate corporate training will be arranged by the SRO for all officers likely to make applications or authorise them.

15.2 Such Officers must receive training on a bi- annual basis. This may be by way of a briefing or an e-learning module.

15.3 No officer will be permitted to undertake the role of Applicant or Authorising Officer unless she/he has undergone suitable training approved by the SRO

APPENDIX – ROLES AND RESPONSIBILITIES

AUTHORISING OFFICERS

1.Director of Resources

2.Strategic Services
Manager

3. Monitoring
Officer

SENIOR RESPONSIBLE OFFICER

Director of Resources

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REPORT of
DIRECTOR OF RESOURCES

to
FINANCE AND CORPORATE SERVICES COMMITTEE
12 MARCH 2019

HUMAN RESOURCES STATISTICS - QUARTER THREE 2018 / 19

1. PURPOSE OF THE REPORT

1.1 To present the Council's human resource statistics for the period 1 October 2018 to 31 December 2018. The main purpose of the report is to provide an update on the levels over the past quarter of vacancies, staff turnover, sickness absence, staff numbers and staff data to meet equality standards.

2. RECOMMENDATION

That the contents of this report are reviewed and commented on.

3. SUMMARY OF KEY ISSUES

3.1 This report is for Members' information only.

3.2 **Staff Turnover**

3.2.1 **Quarter 3 (Q3):** The staff turnover was based on an average of 223.33 staff employed in post between 1 October 2018 and 31 December 2018. There were 15 leavers and four starters in Q3.

3.2.2 Service level turnover for Q3 2018 / 19 is as follows:

Directorate	Leavers	Reasons for Leaving	Q2 *Average*[*1] Headcount	Average Full Time Equivalent (FTE) per Service	% of Service Staffing that was a Leaver per Service
Corporate Core	1	1 redundancy	6	5.58	16.66%
Resources	7	1 resignation 6 redundancies	48.67	38.88	14.38%
Customers and Community	4	2 resignations 1 end of Fixed Term Contract (FTC) 1 Other	97	85.05	4.12%

Directorate	Leavers	Reasons for Leaving	Q2 *Average*[*1] Headcount	Average Full Time Equivalent (FTE) per Service	% of Service Staffing that was a Leaver per Service
Planning and Regulatory	3	1 end of FTC 1 redundancy 1 Other	71.67	62.10	4.18%
Total	**15**		**223.33**	**191.61**	**6.72%**

4. RECRUITMENT

4.1 As part of the implementation of the Future Model, a recruitment freeze has been placed on all non-essential recruitment. There has been a high level of recruitment during Q3 to fill Phase 1 positions. These positions have been broken down into Directorates both in the existing structure and in what has been referred to as the New Future Model Directorates.

4.2 Within the existing Customers and Community Directorate 13 fixed term vacancies have been advertised and one within the Planning and Regulatory Services Directorate. The majority of this recruitment is for Splash Park staff to ensure they are on-board before April and will be contracted through Zero Hours contracts.

4.3 Within the New Future Model, Resources Directorate 9.76 permanent roles have been advertised, to appoint roles that have not been appointed through the consultation period for Phase 1 of the Future Model process.

4.4 Within the Strategy, Performance and Governance (New Future Model) five permanent vacancies have been advertised; two permanent vacancies within the Services Delivery (New Future Model). It is important to note that these vacancies have arisen as a result of no appointments during the Phase 1 consultation process.

4.5 There have been two positions advertised internally during this same phase.

4.6 All external posts continue to be advertised on the Council website as well as via social media including Facebook and Twitter, Indeed (one of the largest and free of charge job search engines), and the Government website ‘Find a Job’. All other relevant professional journals / media vehicles will be used where appropriate, ensuring as wide a reach as possible to potential candidates.

4.7 Please see below the external and internal vacancies for Q3 2018 / 19.

4.8 **Q3 External Vacancies:**

Directorate	Posts Advertised	Positions	Post advertised on Maldon District Council (MDC) website, Indeed, Twitter and Facebook
Customers and Community	Community Protection Officer (FTC)	1 FTE	Yes
	Splash Park Attendants Zero Hours (FTC)	10 FTE	Yes
	Splash Park Duty Manager & Relief Duty Manager Zero Hours (FTC)	2 FTE	Yes
Resources (New Future Module)	Resources Specialist Services Manager Permanent	1 FTE	Yes
	Resources Caseworker Level 1 Permanent	2.45 FTE	Yes
	Resources Caseworker Level 2 Permanent	4.31 FTE	Yes
	Senior Finance Specialist Permanent	1 FTE	Yes
	Senior Procurement Specialist Permanent	1 FTE	Yes
Planning and Regulatory Services	Homelessness Officer (FTC)	1 FTE	Yes
Strategy, Performance and Governance (New Future Module)	Strategy, Policy and Communication Manager Permanent	1FTE	Yes
	Programmes, Performance and Governance Manager Permanent	1 FTE	Yes
	Strategy Theme Lead (Community) Permanent	1 FTE	Yes
	Senior Specialist - Local Plan Permanent	1 FTE	Yes
	Specialist – Performance Permanent	1 FTE	Yes

Directorate	Posts Advertised	Positions	Post advertised on Maldon District Council (MDC) website, Indeed, Twitter and Facebook
Services Delivery (New Future Module)	Specialist Services Manager Permanent	1 FTE	Yes
	Commercial Manager Permanent	1 FTE	Yes
	Total Posts	**27 FTE**	

4.9 **Q3 Internal Vacancies:**

Directorate	Posts Advertised	Positions	Post advertised on intranet
Customers and Community	Leisure and Tourism Assistant (FTC)	1 FTE	Yes
Resources	0	0	0
Planning and Regulatory Services	Home Improvements Officer (FTC)	1 FTE	Yes
	Total Posts	**2 FTE**	

5. AGENCY WORKERS

5.1 Attention is drawn to **APPENDIX 1**, which sets out agency expenditure for Q3. The Finance department in consultation with Human Resources has compiled this information.

6. STAFF SICKNESS LEVELS

6.1 The overall attendance figures (short and long term absence combined) for Q3 2018 / 19 have increased from 293.81 total FTE days lost in Q2 18/19 (1.51 total days lost per FTE) to 377.32 total FTE days lost in Q3 (2.10 total days lost per FTE). This is an increase from Q2 of 83.51 total days lost to sickness and 0.59 per FTE.

6.2 It should be noted that the Q3 total days lost per FTE figure of 2.10 although higher than Q2, still remain below days lost per FTE in 2017 / 18.

6.3 In September 2018 the Council consulted on the Future Council model.

6.4 Short term absence has increased from 2 FTEs in Q2 to 9 FTEs in Q3. The biggest increase in short term absence was actually attributable to colds and flu which rose from 11 FTEs to 29 FTEs. The second biggest cause for short term absence was musculoskeletal with an increase from 3 FTEs during Q2 to 12 in Q3.

6.5 It is difficult to predict what Q4 might show by way of sickness absence whilst the Future Model programme continues. Further training sessions have been scheduled to support staff through an external provider entitled 'Understanding and Navigating Change'. These sessions are bookable by individuals at a time most suited to them. They are specifically designed to help develop resilience through times of uncertainty and to help understand reactions and the impact. Coping with change strategies will be taught during these sessions.

6.6 Due to the time of year Quarter three falls within, a free flu vaccination was again offered to staff and Members. These were available in order to help mitigate employee absence due to colds and flu. 60 vouchers were issued to staff.

6.7 The figures for Q3 18/19 with regard to short term sickness have increased from 129.51 total FTE days lost in Q2 (0.67 total days lost per FTE) to 294.08 total FTE days lost in Q3 (1.64 total days lost per FTE).

6.8 The figures for Q3 18/19 for long term absence have decreased from 164.30 total FTE days lost in Q2 (0.84 total days lost per FTE) to 83.24 total FTE days lost in Q3 (0.46 total days lost per FTE). This is a reduction of 81.06 days compared to Q2.

6.9 At the time of writing, of the four long term absence cases reported in Q2, two employees have left the organisation, and two have returned to work. There are currently no employees that have to be managed through the Council's absence policy due to long term sickness.

6.10 Figure 1 overleaf shows the sickness for each quarter for 2016 / 17, 2017 / 18 and 2018 / 19.

Figure 1

Please find below the sickness for each quarter for 2016/17, 2017 / 18 and 2018 / 19.

2018 / 19	**Quarter One**		**Quarter Two**		**Quarter Three**		**Quarter Four**		**Cumulative Figures**	
	Total Number of FTE Days Lost	Total Days Lost per FTE	Total Number of FTE Days Lost	Total Days Lost per FTE	Total Number of FTE Days Lost	Total Days Lost per FTE	Total Number of FTE Days Lost	Total Days Lost per FTE	Total Number of FTE Days Lost	Total Days Lost per FTE
Short Term Absence	218.80	1.07	129.51	0.67	294.08	1.64				
Long Term Absence	215.92	1.06	164.30	0.84	83.24	0.46				
Total	**434.72**	**2.13**	**293.81**	**1.51**	**377.32**	**2.10**				

2017 / 18	**Quarter One**		**Quarter Two**		**Quarter Three**		**Quarter Four**		**Cumulative Figures**	
	Total Number of FTE Days Lost	Total Days Lost per FTE	Total Number of FTE Days Lost	Total Days Lost per FTE	Total Number of FTE Days Lost	Total Days Lost per FTE	Total Number of FTE Days Lost	Total Days Lost per FTE	Total Number of FTE Days Lost	Total Days Lost per FTE
Short Term Absence	163.65	0.85	230.32	1.25	322.64	1.64	300.62	1.49	1017.23	5.23
Long Term Absence	393.05	2.04	198.64	1.08	300.12	1.53	198.24	0.98	1090.05	5.63
Total	**556.70**	**2.89**	**428.96**	**2.33**	**622.76**	**3.17**	**498.86**	**2.47**	2107.28	**10.86**

2016 / 17	**Quarter One**		**Quarter Two**		**Quarter Three**		**Quarter Four**		**Cumulative Figures**	
	Total Number of FTE Days Lost	Total Days Lost per FTE	Total Number of FTE Days Lost	Total Days Lost per FTE	Total Number of FTE Days Lost	Total Days Lost per FTE	Total Number of FTE Days Lost	Total Days Lost per FTE	Total Number of FTE Days Lost	Total Days Lost per FTE
Short Term Absence	237.94	1.25	241.39	1.21	259.46	1.31	306.53	1.55	1045.32	5.32
Long Term Absence	290.83	1.52	372.46	1.89	393.37	1.99	331.78	1.68	1388.44	7.08
Total	**528.77**	**2.77**	**613.85**	**3.1**	**652.83**	**3.3**	**638.31**	**3.23**	**2433.76**	**12.4**

7. ATTENDANCE MANAGEMENT COMPLIANCE

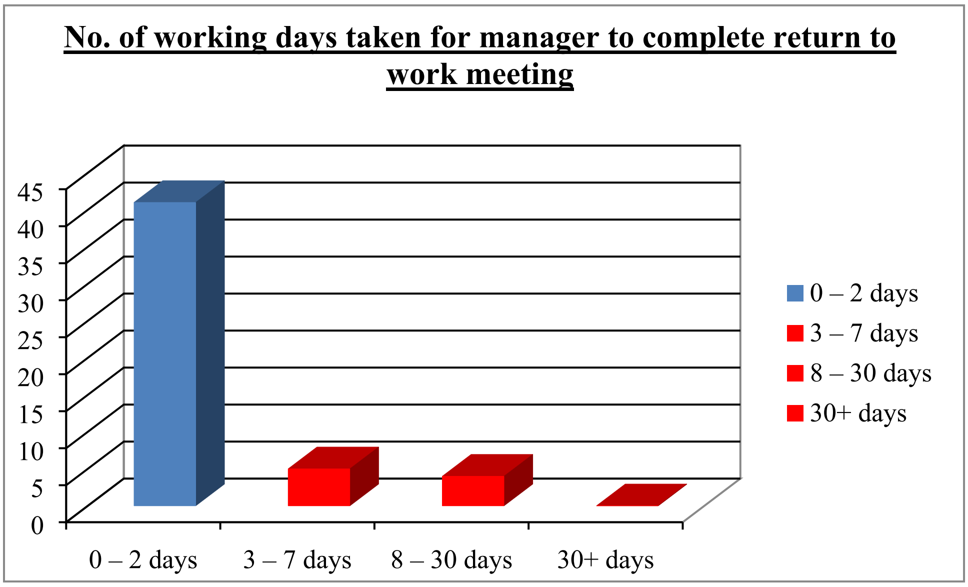
7.1 A) Manager Compliance

7.1.1 The March 2018 Attendance Management Audit recommended that regular compliance monitoring of controls within the Managing Attendance Policy should take place. Compliance against the completion of return to work meetings by managers following employee sickness absence is now measured.

7.1.2 In Quarter 2, 82% of return to work meetings were held within two days (compared to 70% in Q1). The target for completion is two days.

No. of days taken by manager to complete return to work meeting	No. of managers	% Completion
0 – 2 days	41	82%
3 – 7 days	5	10%
8 – 30 days	4	8%
30+ days	0	0%

Figure 2



7.1.3 Reasons for non-completion within the target period were managers being on annual leave or the employee failing to complete the return to work form within given timescales, which subsequently triggers a reminder for the manager to complete the return to work meeting. Where non-compliance is for no reason and continues, this is reported initially to the Group Manager, People, Performance and Policy and a meeting is arranged to discuss the matter with the respective manager. If non-compliance continues, this is reported to the relevant Director for appropriate action. Managers were recently reminded that return to work meetings should ideally take place on the employee's first day back following a period of sickness absence but in any case, within the two days following the employee's return.

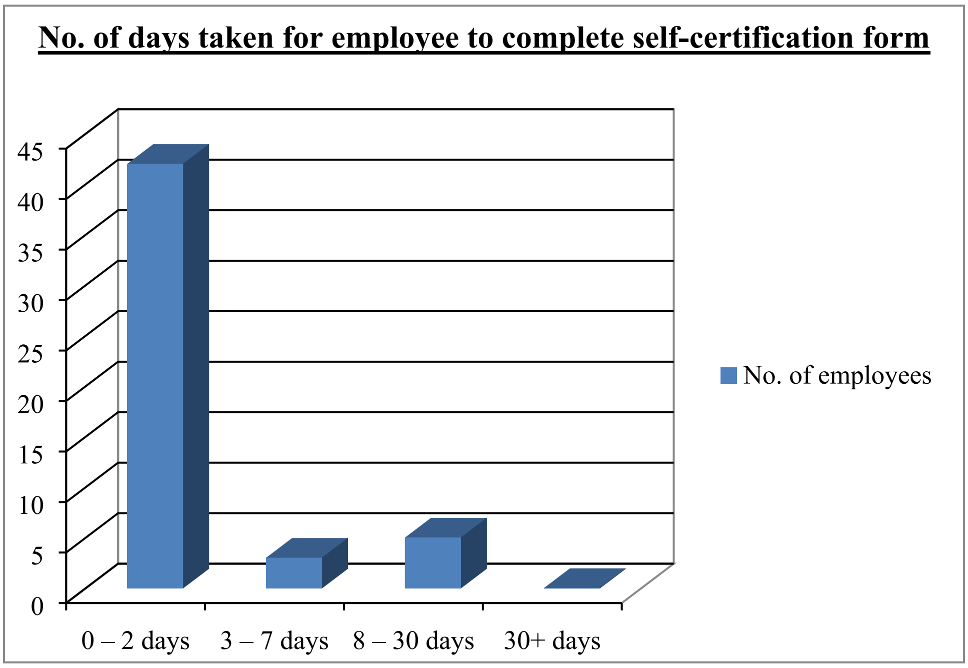
7.2 **B) Employee Compliance**

7.2.1 The completion of self-certification by employees is also monitored to ensure compliance with Policy. The Policy currently states that these should be completed 'as soon as possible and prior to the return to work meeting'. In Q2, 84% of staff completed this within two days, and 6% completed this between 3 - 7 days.

7.2.2 Staff have been reminded that self-certification forms should be completed on the first day back in the office, to enable these to be referred to by the line manager at the return to work meeting.

No. of days taken by employee to complete self-certificate	No. of employees	% Completion
0 – 2 days	42	84%
3 – 7 days	3	6%
8 – 30 days	5	10%
30+ days	0	0%

Figure 3



8. WORKFORCE STATISTICS

8.1 Please see **APPENDIX 2** attached to this report for the key statistics relating to staff including headcount, age profile, gender, sex and ethnic origin across the workforce.

9. EXIT QUESTIONNAIRE ANALYSIS

9.1 Employee turnover can have negative impact on an organisation's performance. By understanding the reasons behind staff turnover, employers can devise recruitment and retention initiatives that reduce turnover and increase employee retention. Employers are able to use information gathered in exit questionnaires to identify reasons for labour turnover and to assist in identifying what improvements the organisation can make for the future.

9.2 Gathering information about employees' reasons for leaving can provide an employer with invaluable data about its employment practices, management style and any treatment perceived by employees as being unsatisfactory or unfair. Many employees will reveal the truth about their reasons for leaving in an exit questionnaire. The Council currently obtains feedback via an exit questionnaire which is either discussed via an exit interview or completed individually by the leaver.

9.3 Of the 20 leavers MDC had in Q1 and Q2, between April 2018 and September 2018: HR issued 15 exit questionnaires (not always appropriate to issue these depending on the reason for leaving) and eight were received back. Information from these is fed back to directors / line managers, where appropriate, for attention, information or for remedial action to be taken.

9.4 Employees resign for many different reasons. Sometimes it is the attraction of a new job or the prospect of a period outside the workforce that 'pulls' them. On other occasions they are 'pushed' as a result of dissatisfaction in their present jobs to seek alternative employment. These 'push' factors range from a lack of career opportunities to organisational changes. The move might also be prompted by a combination of both 'pull' and 'push' factors. One key factor behind an individual's decision to leave the organisation may be a poor relationship with a line manager, leading to disengagement[1].

[1] [3]CIPD Turnover and Retention Factsheet, CIPD 2018

Figure 1: Main reasons given for leaving the Council

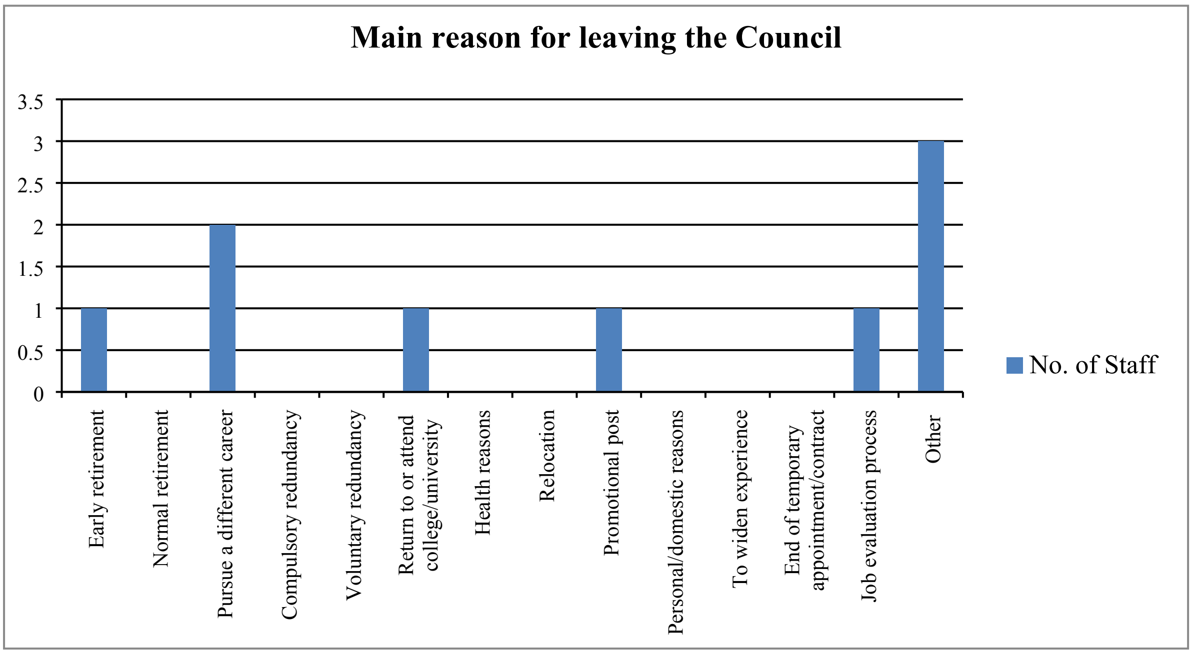


Figure 2: Factors that were part of the decision to leave the Council

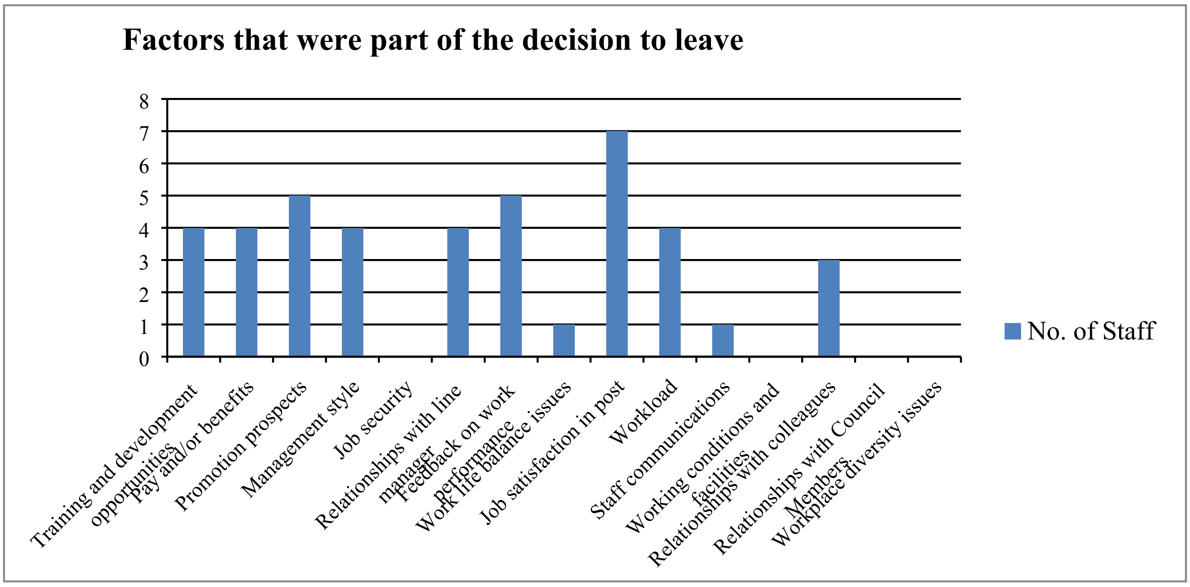
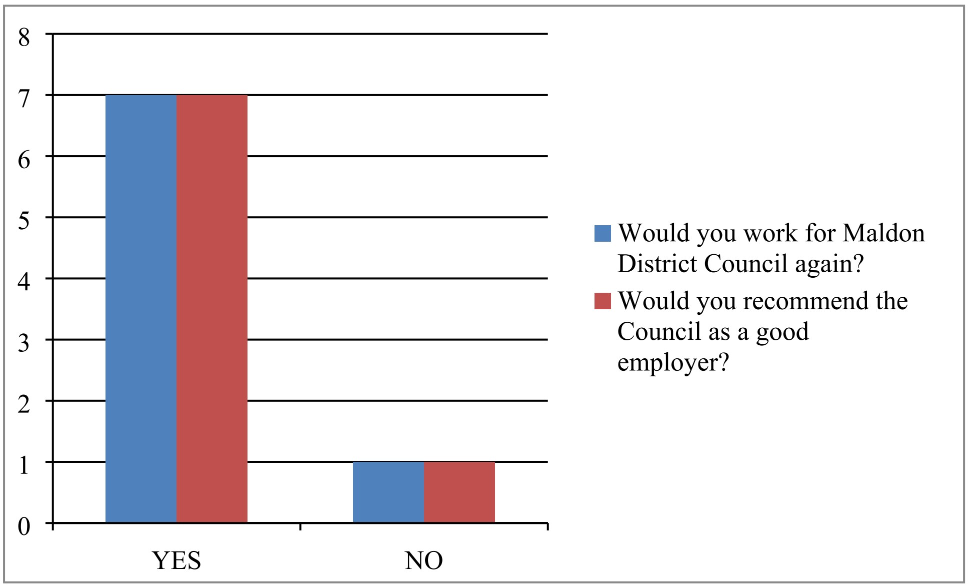


Figure 3: Individuals stating whether they would work for the Council again



9.5 As the sample size increases over the coming months, further data and better trend analysis and benchmarking will be produced. This in turn will shape what strategies and interventions are put in place to ensure better staff retention. Exit trend analysis will continue to be reported at future Finance and Corporate Services Committee meetings.

10. FUTURE MODEL

10.1 HR continues to work closely with the Corporate Leadership Team (CLT) and Ignite regarding the implementation of the People work stream under the Future Model. In Q2 the final People implementation project plan which outlines the key milestones and deliverables during mobilisation and Phases 1 and 2 was completed.

10.2 In summary, at the time of writing, staff consultation commenced on 17 September and ended on 17 October 2018, all feedback was collated and individual and generic questions were responded to. The recruitment of Tier 2 managers was completed in December 2018 and the interview process for staff in Phase 1 commenced on 23 October 2018 and continued until the end of November 2018. The external recruited process will commence where staff are not recruited to posts internally.

10.3 HR Specialists will continue to play an active role in the staff wellness and support agenda during the transformation, and will continue to work closely with managers, staff and various staff working groups.

10.4 Further details on the implementation of the People work streams under Ignite will be reported in the Future Model Programme Board meetings.

11. CONCLUSION

11.1 As a consequence of the implementation of the Future Model, a hold has been placed on all non-essential recruitment. There has therefore been a moderate amount of recruitment during Q2 but all internal and external posts recruited to have been on a fixed term or agency basis.

11.2 The overall attendance figures (short and long term absence combined) for Q2 2018 / 19 have decreased from 434.72 total FTE days lost in Q1 2018 / 19 (2.13 total days lost per FTE) to 293.81 total FTE days lost in Q2 (1.51 total days lost per FTE). **This is a significant reduction from Q1 of 32.42%**.

11.3 It should be noted that the Q2 total days lost per FTE figure of **2.13** is the **lowest since Q1 2014 / 15.**

11.4 HR continues to work closely with the CLT and Ignite regarding the implementation of the People work stream under the Future Model.

12. IMPACT ON CORPORATE GOALS

12.1 The effective implementation of the Attendance Management policy, including high levels of compliance with the policy, is critical to ensure that staff attendance levels are kept at the highest possible level to ensure resourcing is adequate in order to deliver an effective and efficient service for our customers.

13. IMPLICATIONS

(i) **Impact on Customers** – No direct impact on customers from this report, although the wider staff context concerning the impact of organisational change, recruitment, vacancies and sickness has an impact on the ability to deliver services to customers.

(ii) **Impact on Equalities** – More detailed information on the protected characteristics of the Council's workforce, is now available on the new Human Resources system. This will allow the team to consider the needs of those groups when writing new Policies and Procedures and when carrying out its functions.

(iii) **Impact on Risk** – Effective and proactive management of staff sickness and recruitment helps mitigate risk.

(iv) **Impact on Resources (financial)** – The cost of advertisements and other necessary costs related to recruitment are included within current approved budgets.

(v) **Impact on Resources (human)** – HR continues to regularly provide advice and guidance to both employees and managers on how best to manage attendance using the good practice steps outlined within the Managing Attendance Policy and Procedure. Staff absences do affect direct colleagues and this is addressed by the use of the Managing Attendance Policy with individuals.

(vi) **Impact on the Environment** – None.

Background Papers: None.

Enquiries to: Emma Foy, Director of Resources, (Tel: 01621 875762).

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Agency costs 2018/19 Quarter 3

Service	Reason for Appointment	Cost Centre	Post	Budget Value	Actual Spent Q1	Actual Spent Q2	Actual Spent Q3	Actual Spent Q4	Actual Spend to date	variance Over/(Under) spend
HR	Future Model implementation	105	HR support	15,000	-	-	16,771		16,771	1,771
Committee Services	General Data Protection Regulations Project implementation / to cover vacant post	108	Principle Advisor GDPR	64,100	17,210	22,691	-		39,901	- 24,199
IT	To cover vacant post	119	IT Manager	80,700	7,650	27,900	27,000		62,550	- 18,150
Housing	To cover vacant post	134	Homelessness officer	-	-	-	9,743		9,743	9,743
Parks Operational	To cover vacant post	141	Assistant Parks & Countryside Officer x2	-	-	3,205	4,030		7,235	7,235
Building Control	To cover vacant post	168	Building Control Officer	15,600	13,502	2,109	-		15,611	11
Future Model - Transformation	Future Model implementation	270	HR Project Officer	7,200	-	7,200			7,200	-
Future Model - Transformation	Future Model implementation	270	Technology Implementation Manager	46,994		9,558	37,436		46,994	-
Future Model - Transformation	Future Model implementation	270	Programme Manager	22,469		5,711	35,306		22,469	-
									-	-
				252,063	38,363	78,374	130,285	-	228,474	- 23,589

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Workforce Statistics: Quarter Three 2018 / 19

1. Headcount and Full Time Equivalent (FTE) by Gender[*1]

		Q1	Q2	Q3	Q4
Female	**Headcount**	154	150	138	
	FTE	123.98	120.52	105.35	
	% Workforce	65.25%	65.79%	66.01%	
Male	**Headcount**	82	78	71	
	FTE	77.83	73.62	73.86	
	% Workforce	34.75%	34.21%	33.97%	
Total	**Headcount**	**236**	**228**	**209**	
	FTE	**201.81**	**194.14**	**179.21**	

2. Number of Full and Part Time Employees by Gender[*1]

	Q1		Q2		Q3		Q4	
	MALE	**FEMALE**	**MALE**	**FEMALE**	**MALE**	**FEMALE**	**MALE**	**FEMALE**
Full Time	74	83	69	80	63	70		
Part Time	8	71	9	70	2	67		
Total	**82**	**154**	**78**	**150**	**65**	**137**		

3. Headcount by Directorate

Section	Number of staff in QTR 1 *(Average[*2])*	Number of staff in QTR 2 *(Average[*2])*	Number of staff in QTR 3 *(Average[*2])*	Number of staff in QTR 4 *(Average[*2])*
Corporate Core	8	6.33	6	
Resources	52.33	51.33	48.67	
Customers and Community	104	97.67	97	
Planning and Regulatory	72	72	71.67	
Total	**236.33**	**227.33**	**223.33**	

4. Headcount by Ethnic Group*1

	Quarter 1	Quarter 2	Quarter 3	Quarter 4
A White British	168	163	148	
A White English	48	45	43	
A White Irish	3	3	2	
A White Scottish	2	2	2	
A White Welsh	1	1	1	
B Mixed White & Asian	1	1	2	
B Mixed White & Black African			0	
B Mixed White & Black Bangladeshi			0	
C Asian, Asian British Bangladeshi	2	2	2	
C Asian, Asian British Indian				
C Asian, Asian British Pakistani				
D Black, Black British African				
D Black, Black British Caribbean				
E Chinese, Chinese British / other ethnic Chinese	1	1		
F Other	3	3	3	
G Prefer not to say	7	7	9	
TOTAL	**236**	**228**	**212**	

*1 Headcount data extracted from last date in reported quarter. Please also note the above data does not include information on staff employed on zero hours contracts / seasonal staff contracts.

*2 Headcount figure averaged from month ends within each quarter.

REPORT of
DIRECTOR OF SERVICE DELIVERY

to
FINANCE AND CORPORATE SERVICES COMMITTEE
12 MARCH 2019

UPDATED RATE RELIEF POLICY

1. PURPOSE OF THE REPORT

1.1 For Members to approve the updated Discretionary Non-Domestic Rate Relief Scheme at **APPENDIX 1**, which updates and replaces our existing policy to reflect changes announced by Central Government to support retail businesses. The new relief will be fully funded by Central Government.

2. RECOMMENDATION

To the Council:

That the proposed Discretionary Non-Domestic Rate Relief Scheme at **APPENDIX 1** be approved**.**

3. SUMMARY OF KEY ISSUES

3.1 As part of the 2018 Autumn Statement the Chancellor announced from 1 April 2019 additional measures to support businesses. These include a new Retail Relief scheme which would offer relief equivalent to one third of the bill for occupied retail properties with a rateable value of less than £51,000 in each of the years 2019-20 and 2020-21.

3.2 The amended policy at **APPENDIX 1** provides for the granting of this retail relief in line with the published guidelines. This relief is fully funded by Central Government.

4. CONCLUSION

4.1 The proposed Discretionary Non-Domestic Rate Relief at **APPENDIX 1** will enable additional financial support of up to one third of the total rates bill for eligible retail businesses with a rateable value of less than £51,000.

5. IMPACT ON CORPORATE GOALS

5.1 The updated Discretionary Non-Domestic Rate Relief policy will enable the granting of additional Discretionary Rate Relief and Rural Rate Relief which will support the Corporate Goal of "Delivering good quality, cost effective and valued services", whilst supporting "Creating opportunities for economic growth and prosperity".

6. IMPLICATIONS

(i) **Impact on Customers** – Eligible ratepayers will receive a reduction of up to one third on its rates bill.

(ii) **Impact on Equalities** – None.

(iii) **Impact on Risk** – The scheme should provide financial support to smaller retail businesses.

(iv) **Impact on resources (financial)** – None, the scheme is fully funded by Central Government

(v) **Impact on Resources (human)** – None – the schemes will be delivered within existing resources.

(vi) **Impact on the Environment** – None.

Background Papers: None.

Enquiries to: Sue Green, Group Manager: Customers, (Tel: 01621 875892).

Maldon District Council
Policy for the granting of
Discretionary Non-Domestic Rate Relief

Version Control

Version	*Version date*	*Revised by*	*Description*
1	June 2017	LM	Policy
2	June 2017	DA	Revisions
3	July 2017	LM	Revisions
4	July 2017	DA	Sign Off
5	October 2017	LM	Revisions MLM
6	November 2017	LM	Revisions MLM
7	January 2019	LM	Full update of policy

Contents

1.0 Purpose of the Policy

1.1 The purpose of this policy is to determine the level of discretionary relief and related areas to be granted to certain defined ratepayers within the Council's area.

1.2 The Local Government Finance Act 1988 and subsequent legislation requires the Council to grant mandatory relief for premises occupied by Charities and similar organisations that own or occupy them wholly or mainly for charitable purposes. Likewise, certain premises situated within a rural settlement area will be eligible for mandatory relief. Powers have also been granted under the Localism Act 2011, which allow for the granting of discretionary rate relief to any premises where the Council feels the granting of such relief would be of benefit to the local community.

1.3 In addition to the above, Central Government is keen that in certain cases, assistance should be provided to businesses who have had increases in their rate liability due to the revaluation of premises in April 2017. In these cases, and where the Council meets Central Government guidelines, grants are available under section 31 of the Local Government Act 2003.

1.4 Whilst the Council is obliged to grant relief to premises, which fall within the mandatory category, the Council also has powers to grant discretionary relief and reductions to ratepayers, subject to certain criteria being met. In the case of the new reliefs, some guidance has been issued by Central Government outlining actions expected to be taken by local authorities. This policy includes Government guidance where appropriate but also looks to target discretionary relief in line with the Council's priorities.

1.5 This document outlines the following areas:

- Details of the criteria for receiving Discretionary Reliefs for all relevant areas;
- The Council's policy for the granting of all types of Discretionary Reliefs;
- Guidance on granting and administering the reliefs and awards;
- European Union requirements including provisions for State Aid; and
- The Council's Scheme of Delegation.

1.6 Where organisations apply for relief they will be granted (or not granted) relief or reductions in line with the following policy.

2.0 Mandatory Relief - Legislative Background

Charity Relief

2.1 The powers relating to the granting of mandatory[1] and discretionary relief are given to the Council under the Local Government Finance Act 1988[2]. Charities and Trustees for Charities are only liable to pay one fifth of the Non-Domestic Rates that would otherwise be payable where property is occupied and used wholly or mainly for charitable purposes. This amounts to mandatory relief of 80%. For the purposes of the Act, a charity is an organisation or trust established for charitable purposes, whether or not it is registered with the Charity Commission. The provision has been extended under the Local Government Act 2003 (effective from 1st April 2004) to registered Community Amateur Sports Clubs (CASCs). Full details of the mandatory provisions are given later within this policy.

2.2 In the case of charity shops, the premises must meet the criteria laid down by section 64 (10) of the Local Government Finance Act 1988 which states that the premises are to be treated as used for charitable purposes at any time it is wholly or mainly used for the sale of goods donated to the charity and the proceeds of goods (after any deductions for expenses) are applied for the purpose of the charity.

2.3 The Council has discretion to grant relief of up to a further 20% for these mandatory cases under its discretionary provisions.

Rural Rate Relief

2.4 From 1st April 1998, under powers originally granted to the Council by the Local Government and Rating Act 1997[3], certain types of business in rural settlements, with a population below 3000 may qualify for mandatory rate relief of 50 per cent. Businesses that qualify for this relief are the sole general store and the sole post office in the settlement, provided it has a Rateable Value of up to £8500; any food shop with a Rateable Value of up to £8500; and the sole pub and the sole petrol station in the settlement provided it has a Rateable Value of up to £12500.

2.5 From 1st April 2017, Central Government has indicated that it wants all authorities to give 100% relief to premises that receive mandatory rural rate relief. The legislation enabling this will not be forthcoming until 2018 and therefore it has indicated that where the additional 50% is granted, a section 31 grant will be made available to the Council. This is dealt with further within this policy and the Council will automatically grant the additional 50% discretionary relief where appropriate

2.6 Where businesses in rural settlements have a Rateable Value of up to £16,500 **and** are not in receipt of mandatory relief, the Council may decide to give up to 100 per cent discretionary relief if it is satisfied that the business is of benefit to the community and having regard to the interests of its Council Taxpayers.

[1] S43 & S45 Local Government Finance Act 1988
[2] S47 & S48 Local Government Finance Act 1988
[3] LGFA 1988, s.47, as amended by Sch. 1 to the Local Government and Rating Act 1997

3.0 Discretionary Relief – Legislative Background

Introduction

3.1 The original purpose of discretionary relief was to provide assistance where the property does not qualify for mandatory relief, or to 'top' up cases where ratepayers already receive mandatory relief.

3.2 Over recent years and particularly since 2011, the discretionary relief provisions have been amended to allow authorities the flexibility to provide more assistance to businesses and organisations.

3.3 The range of bodies, which are eligible for discretionary rate relief, is wide and not all of the criteria laid down by the legislation will be applicable in each case.

3.4 Unlike mandatory relief, ratepayers are obliged to make a written application to the Council. The Council will expect all businesses to make applications in such a format as is required (which may vary from time to time) and for the business to provide such information and evidence as required in order to determine whether relief should be awarded.

3.5 The Council is obliged to consider carefully every application on its merits, taking into account the contribution that the organisation makes to the amenities within the authority's area. There is no statutory appeal process or Tribunal against any decision made by the Council although, as with any decision of a public authority, decisions can be reviewed by Judicial Review. The authority will however, upon request, review decisions made. Details of the internal review process are given within this policy.

3.6 Granting of the relief falls broadly into the following categories:

a. Discretionary Relief – Charities who already receive mandatory relief.
b. Discretionary Relief – Premises occupied by organisations not established or conducted for profit whose main objects are charitable or are otherwise philanthropic or religious or concerned with education, social welfare, science, literature or the fine arts **or** premises occupied by organisations not established or conducted for profit and wholly or mainly used for purposes recreation;
c. Discretionary Relief – Rural Rate relief - premises that already receive mandatory relief;
d. Discretionary Relief – Rural Rate relief - premises not receiving mandatory relief but of benefit to the local community and less that £16,500 RV;
e. Discretionary Relief – Granted under the Localism Act 2011 provisions;
f. Local Newspaper Relief (from 1st April 2017 for a period of three years);
g. Local Public House Relief (from April 2017 for a two-year period);
h. Supporting Small Businesses Relief (from 1st April 2017 for a period of five years or until business pay their full rate charge or their transitional rate charge (calculated in accordance with the Non-Domestic Rating (Chargeable Amounts) (England) Regulations 2016));
i. Discretionary Business Rates Relief Scheme (from 1st April 2017 for a period of up to four years);
j. Retail Discount Scheme; and
k. S49 Hardship Relief.

3.7 The decision to grant or not to grant discretionary relief is a matter purely for the Council.

The Council's general approach to granting Discretionary Relief

3.8 In deciding which organisations should receive discretionary rate relief, the Council has considered the following factors and priorities:

a. The awarding of relief will be in line with the Council's vision and values. Details can be found at
b. That any award should support business, charities, organisations and groups that help to retain services in the Council's area and not compete directly with existing businesses in an unfair manner;
c. It should help and encourage business, charities, organisations, groups and communities to become self-reliant;
d. Awarding discretionary relief should not distort competition or significantly change the provision of services within the Council's area;
e. Local organisations will be given priority over national organisations. Where requested, the organisation will need to supply the Council with clear evidence of **all** financial affairs (normally two full years) including, and most importantly, the amounts of monies raised, used and invested locally. This will be essential where the organisation is national in nature;
f. To enable appropriate organisations to start, develop or continue their activities, which deliver outcomes to the community and that also relate to the priorities of the Council, which without granting discretionary relief they would be unable to do;
g. To assist the Council in delivering services which could not be provided otherwise;
h. To enable the Council to determine the level of rate change in comparison with the organisation's financial situation; and
i. To ensure that the financial impact of awarding discretionary business rate relief is justified in terms of the local outcomes achieved by the organisation receiving it;

3.9 Where any reduction or remission is granted to a ratepayer under S49 Local Government Finance Act 1988 where hardship is proven to the Council, then there will be no requirement to grant Discretionary Rate Relief for that amount.

3.10 In certain cases, the order in which relief is granted is specified. Mandatory relief shall be granted in all cases where the criteria is met irrespective of whether discretionary relief can be granted or not.

The Council's approach to granting Government led Discretionary Relief schemes

3.11 Over the past few years, a number of schemes have been led by Central Government but without specific legislative changes. These are administered under S47 of the Local Government Finance Act 1988 and guidance is often provided. The Council is keen to support such initiatives especially where they are designed to help local businesses and will look to maximise both the reliefs given as well as maximise any grants receivable. However, the Council reserves the right to vary its approach where thought appropriate.

4.0 Effect on the Council's Finances

4.1 The granting of discretionary relief will, in the main, involve a cost to the Council. Since the change to the funding for Non-Domestic Rating in April 2013, the effect of the relief is complex.

4.2 Any amounts granted prior to 1st April 2013 and continuing since that date will be included in the Council's baseline within the Business Rates Retention Scheme. For any amounts granted for similar cases after 1st April 2013, the costs of the relief will be borne in accordance with the Business Rates Retention Scheme share namely 50% borne by Central Government, 40% by the Council and 10% by Essex County Council. This also applies where mandatory relief is granted. From 2020 the overall percentage of rates retained by local authorities will change in line with the 75% Business Rates Retention scheme announced by Central Government.

4.3 Where Central Government leads an initiative, grants are often available through section 31 of the Local Government Act 2003. This is not automatic and Central Government will look to the Council to adopt the recommended approach when granting in these areas

4.4 The financial effects of discretionary reliefs covered by this policy are as follows:

Appendix	Relief Type	Granted after 1st April 2013
	Charity Relief	
A	Discretionary relief granted to Mandatory Relief recipients	40% borne by the Council
B	Non-profit Making Organisations including Sports Clubs and societies	40% borne by the Council
	Rural Rate Relief	
C	50% Discretionary relief granted to Mandatory Rural Relief recipients	Section 31 Grant
D	Other premises within a rural settlement under £16500 RV	40% borne by the Council
	Localism	
E	Discretionary Relief granted to ratepayers generally and not covered by any other section	40% borne by the Council
	Local Newspaper Relief	
F	Discretionary Relief granted to local newspapers meeting the criteria (From 1st April 2017 for a period of three years)	Section 31 Grant
	Public House Relief	
G	Discretionary Relief granted to public houses meeting the criteria (From 1st April 2017 for a period of two years)	Section 31 Grant

Appendix	Relief Type	Granted after 1st April 2013
	Supporting Small Business Relief	
H	Supporting Small Businesses Relief (from 1st April 2017 for a period of up to five years if conditions are met	Section 31 Grant
	Discretionary Business Rates Relief Scheme	
I	Discretionary Business Rates Relief Scheme (from 1st April 2017 for a period of up to four years)	Section 31 Grant up to a maximum level set by Central Government. Once the maximum has been reached any additional amount is borne 40% by the Council
J	**Retail Discount**	
	The Retail Discount Scheme (from 1st April 2019 for a period of up to two years)	Section 31 Grant
	S49 Hardship Relief	
K	Partial or full relief for cases of hardship where it would be reasonable to do so having due regard to the interests of council tax payers	40% borne by the Council

5.0 Discretionary Relief – EU State Aid requirements

5.1 European Union competition rules generally prohibit Government subsidies to businesses. Relief from taxes, including non-domestic rates, can constitute state aid. The Council must bear this in mind when granting discretionary rate relief.

5.2 Rate relief for charities and non-profit making bodies is not generally considered to be state aid, because the recipients are not in market competition with other businesses. However, where other bodies receive relief and are engaged in commercial activities or if they are displacing an economic operator or if they have a commercial partner, rate relief could constitute state aid.

5.3 Relief will be State Aid compliant where it is provided in accordance with the De Minimis Regulations (1407/2013)[4] . The De Minimis Regulations allow an undertaking to receive up to €200,000 of De Minimis aid in a three-year period (consisting of the current financial year and the two previous financial years).

5.4 Where the relief to any one business is greater than the De Minimis level, then permission will need to be obtained from the European Commission. In such cases the matter will be referred to the Department for Communities and Local Government (DCLG) for advice and then referred back to the Council for consideration. It will be for the ratepayer to provide confirmation as to whether the State Aid provisions apply to them.

5.5 In all cases, where discretionary relief is to be granted or where liability is to be reduced, when making an application, ratepayers will be required to provide the Council with sufficient information to determine whether these provisions are applicable in their case.

[4] http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2013:352:0001:0008:EN:PDF

6.0 Administration of Discretionary Relief

6.1 The following section outlines the procedures followed by officers in granting, amending or cancelling discretionary relief and reduction. This is essentially laid down by legislation[5]

Applications and Evidence

6.2 All reliefs must be applied for. Application forms are produced by the Council both in hard copy and electronic format. The relevant application forms available on line using the following links

- General Discretionary application form
- CASC, charities and not for profit additional questions

6.3 Organisations are required to provide a completed application form plus any such evidence, documents, accounts (normally the last two years), financial statements etc. necessary to allow the Council to make a decision. Where insufficient information is provided, then no relief will be granted. In some cases, it may be necessary for officers to visit premises and we would expect organisations claiming relief to facilitate this where necessary.

6.4 Applications should initially be made to the Revenues and Benefits Services and will be determined in accordance with Section 7 of this policy.

6.5 **The Council will provide this service and provide guidance free of charge. Ratepayers are encouraged to approach the Council direct and NOT pay for such services through third parties.**

Granting of relief

6.6 In all cases, the Council will notify the ratepayer of decisions made.

6.7 Where an application is successful, then the following will be notified to them in writing:

- The amount of relief granted and the date from which it has been granted;
- If relief has been granted for a specified period, the date on which it will end. (It should be noted that reliefs are granted for the period specified in the appropriate Appendix and may vary from a day to a full financial year);
- The new chargeable amount;
- The details of any planned review dates and the notice that will be given in advance of a change to the level of relief granted; and

[5] The Non-Domestic Rating (Discretionary Relief) Regulations 1989

- A requirement that the applicant should notify the Council of any change in circumstances that may affect entitlement to relief.

6.8 Where relief is not granted, then the following information is provided, again in writing:
- An explanation of the decision within the context of the Council's statutory duty; and
- An explanation of the appeal rights (see below).

6.9 Discretionary relief is to be granted from the beginning of the financial year in which the decision is made or when liability begins whichever is the later. Since 1997 decisions can be made up to 6 months after the end of the financial year for which the application was made. In such cases, the Council *may* backdate its decision.

6.10 A decision to award discretionary relief and how much relief is given is normally only applicable to the financial year for which the application is made. However, the Council reserves the right to grant relief for any other period as appropriate.

6.11 A fresh application for discretionary relief will be necessary for each financial year **or** at such time-period as the Council determines.

Variation of a decision

6.12 Variations in any decision will be notified to ratepayers as soon as practicable and will take effect as follows:
- Where the amount is to be increased due to a change in rate charge or a change in the Council's decision which increases the award – this will apply from a date determined by the Council as appropriate;
- Where the amount is to increase for any other reason, it will take effect at the expiry of a financial year and so that at least one year's notice is given;
- Where the amount is to be reduced due to a reduction in the rate charge or liability including any reduction in rateable value, awarding of another relief or exemption this will apply from the date of the decrease in rate charge; and
- Where the amount is to be reduced for any other reason, it will take effect from a date determined by the Council as appropriate;

6.13 A decision may be revoked at any time however; a one-year period of notice will be given and the change will take effect at the expiry of a financial year.

7.0 Scheme of Delegation

Granting, Varying, Reviewing and Revocation of Relief

7.1 All powers in relation to reliefs are given under the Local Government Finance Act 1988, the Local Government and Rating Act 1997, the Local Government Act 2003 and the Localism Act 2011.However section 223 of the Local Government Act 1992 allows for delegation of decisions by the Council to Cabinet, Committees, Sub-Committees or Officers.

7.2 The Council's scheme of delegation allows for the Customers Officer to award, revise or revoke any discretionary relief applications. However, any application which is considered to be of a significant nature will be subject to consultation with the relevant executive or committee prior to final determination.

7.3 Applications that are refused will, on request, be reconsidered if additional supporting information is provided or the refusal is subsequently considered to be based on a misinterpretation of the application.

Reviews

7.4 The policy for granting relief will be reviewed annually or where there is a substantial change to the legislation or funding rules. At such time, a revised policy will be brought before the relevant committee of the Council.

Appeals

7.5 Where the Council receives an appeal from the ratepayer regarding the granting, non-granting or the amount of any discretionary relief, the case will be reviewed by the Customers Manager(s). Where a decision is revised then the ratepayer shall be informed, likewise if the original decision is upheld.

7.6 Where the ratepayer wishes to appeal the decision of the Customer Manager (s) the case will be considered by the Section 151 officer or relevant Executive member whose decision on behalf of the Council will be final

7.7 Ultimately the formal appeal process for the ratepayer is Judicial Review although the Council will endeavour to explain any decision fully and openly with the ratepayer.

8.0 Reporting changes in circumstances

8.1 Where any award is granted to a ratepayer, the Council will require any changes in circumstances which may affect the relief, to be reported as soon as possible. This will be important where the change would result in the amount of the award being reduced or cancelled e.g. where the premises comes unoccupied or is used for a purpose other than that determined by the Council as eligible for relief.

8.2 Where a change of circumstances is reported, the relief will, if appropriate, be revised or cancelled as appropriate. Where any award is to be reduced, the Council will look to recover the amount from the date the change of circumstances occurred.

9.0 Fraud

9.1 Where a ratepayer falsely applies for any relief, or where the ratepayer provides false information, makes false representation, or deliberately withholds information in order to gain relief, prosecutions will be considered under the Fraud Act 2006.

Appendix A

Discretionary Relief – Mandatory Relief recipients

Discretionary Relief – Mandatory Relief recipients

General Explanation

A.1 S43 of the Local Government Finance Act 1988 allows mandatory relief (80%) to be granted on premises if the ratepayer is a charity or trustees for a charity and the premises are wholly or mainly used for charitable purposes. No charge is made in respect of unoccupied premises where it appears that *when next in use* it will be used wholly or mainly for those purposes.

A.2 The legislation has been amended by the Local Government Act 2003 (effective from 1st April 2004) to include registered[6] Community Amateur Sports Clubs (CASC). These organisations can now receive the mandatory (80%) relief.

Charity registration

A.3 Charities are defined within the legislation as being an institution[7] or other organisation established for charitable purposes only or by persons administering a trust established for charitable purposes only.

A.4 The question as to whether an organisation is a charity may be resolved in the majority of cases by reference to the register of charities maintained by the Charity Commissioners under s.4 of the Charities Act 1960. Entry in the register is conclusive evidence. By definition, under the Non-Domestic Rating legislation, there is no actual need for an organisation to be a registered charity to receive the relief and this has been supported by litigation[8], however in all cases the organisation must fall within the following categories:

- trusts for the relief of poverty;
- trusts for the advancement of religion;
- trusts for the advancement of education; and
- trusts for other purposes beneficial to the community, but not falling under any of the preceding heads.

A.5 Certain organisations are exempted from registration generally and are not required to make formal application to the Charity Commissioners these are:

- the Church Commissioners and any institution administered by them;
- any registered society within the meaning of the Friendly Societies Acts of 1896 to 1974;
- units of the Boy Scouts Association or the Girl Guides Association; and
- voluntary schools within the meaning of the Education Acts of 1944 to 1980.

A.6 The Council will consider charitable organisations, registered or not, for mandatory relief.

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[6] Registered with HMRC as a CASC
[7] S67(10) Local Government Finance Act 1988
[8] Income Tax Special Commissioners v Pemsell (1891)

Use of Premises – wholly or mainly used

A.7 Irrespective of whether an organisation is registered as a charity or not, the premises **must** be wholly or mainly used for charitable purposes. This is essential if any relief (either mandatory or discretionary) is to be granted. In most cases this can be readily seen by inspection, but on occasions the Council has had to question the actual use to which the premises are to be put. In some cases, it will be necessary for the Council to inspect any premises fully.

A.8 Guidance from the Department of Communities and Local Government (DCLG) has stated that in the case of 'mainly', at least 51% must be used for charitable purposes whether of that charity or of that and other charities

A.9 The following part of this section gives details on typical uses where relief may be given plus additional criteria that have to be satisfied. The list is not exhaustive but gives clear guidance on premises for which mandatory relief can be granted *and therefore* premises which may be equally considered for discretionary rate relief.

Offices, administration and similar premises

A.10 Premises used for administration of the Charity include:

- Offices;
- Meeting Rooms; and
- Conference Rooms.

Charity shops

A.11 Charity shops are required to meet additional legislative criteria if they are to receive mandatory relief. Section 64 (10) of the Local Government Finance Act 1988 provides that a property is to be treated as being wholly or mainly used for charitable purposes at any time if, at the time, it is wholly or mainly used for the sale of goods donated to a charity and the proceeds of the sale of the goods (after any deduction of expenses) are applied for the purposes of the charity.

A.12 In order to ascertain whether an organisation meets these requirements, inspections may be made by an officer of the Council when an application is received

Granting of Mandatory Relief - the Council's Policy

A.13 Where the criteria for awarding mandatory relief are met, the rate charges shall be calculated in accordance with the legislation reducing the liability of ratepayers for each day that the criteria are met.

Charity Relief – Mandatory Relief recipients, the Council's Policy for granting discretionary relief.

A.14 The Council will consider applications for a discretionary rate relief top up from charities based on their own merits, on a case-by-case basis.

A.15 In determining the application, the following matters will be taken in to consideration:

1. How the charity supports and links into the Council's corporate vision and priorities;
2. The purpose of the charity and the specific activity carried out within the premises for which the relief is requested; and
3. Whether the charity operates at a local or national level and where appropriate, the local and national funding streams and financial position of the charity. The Council is keen to ensure that the organisation provides significant benefit to local residents.

A16 The Council is keen to support businesses that have a critical role to play in the local economy and to assist the Council in meeting the Corporate aims and values.

A.17 In the case of registered Community Amateur Sports Clubs, the key criteria in determining the application will be:

1. The ratepayer occupies the whole hereditament;
2. Relief cannot be granted in respect of premises that are occupied by the Council or precepting authority;
3. How the CASC supports and links into the Council's corporate vision and priorities;
4. The membership and fee structure, and whether the CASC is accessible to all residents, including whether there are concessions for certain groups, for example people on a low income or young people under 18;
5. Membership numbers and the number and percentage of these members that are local residents;
6. If the CASC has due regard to equality issues and if it actively encourages members from under-represented groups, for example black and minority ethnic residents, people over 50 and people with disabilities;
7. Whether facilities are available to the wider community regardless of ability; and
8. If the CASC runs a bar or food provision: the level of income from this activity and how this money is used; and whether the CASC operates at a local or national level and where appropriate, the local and national funding streams and financial position of the CASC.

A.18 The Council wishes to support and enable appropriate businesses to start, develop and continue with their operations that deliver outcomes directly related to the Council's aims and vision. In the main, this will be done through other means rather than granting discretionary relief. There may be occasions where applications are made for such relief or where a package of measures, including discretionary relief, are appropriate in supporting businesses. This would need to be in accordance with any limitations in respect of state aid.

Appendix B

Discretionary Relief – Non-Profit Making Organisations including Recreation

Discretionary Relief – Non-Profit Making Organisations including Recreation

General explanation

Non-Profit

B.1 The legislation[9] allows the Council to grant discretionary relief where the property is not an *excepted* one and all or part of it is occupied for the purposes of one or more institutions or other organisations none of which is established or conducted for profit and each of whose main objects are charitable or are otherwise philanthropic or religious or concerned with education, social welfare, science, literature or the fine arts.

B.2 Relief cannot be granted to any premises occupied by the Council, or any town, parish council or major Precepting Authority *(excepted premises).*

B.3 A number of issues arise from the term 'not established or conducted for profit'. This requires the Council to make enquiries as to the overall purpose of the organisation although if surpluses and such amounts are directed towards the furtherance or achievement of the objects of the organisation then it does not necessarily mean that the organisation was established or conducted for profit.[10]

Recreation Clubs

B.4 Ideally all recreation clubs should be encouraged to apply for Community Amateur sports Club (CASC) status, which would automatically entitle them to 80% relief. The relief granted to CASCs is covered earlier within this policy.

B.5 Recreation clubs can also apply to the Charity Commissioners for registration as a Charity (thereby falling under the mandatory provisions for 80% relief) where they meet the following conditions:

a. The promotion of community participation in healthy recreation and by the provision of facilities for the playing of particular sports; and
b. The advancement of the physical education of young people not undergoing formal education.

B.6 Where sports clubs do not meet the CASC requirement, and are not registered charities, discretionary relief can be granted (0-100%) where the property is not an *excepted* one, it is wholly or mainly used for purposes of recreation and all or part of it is occupied for the purpose of a club, society or other organisation not established or conducted for profit.

[9] S47 Local Government Finance Act 1988

Definition of Recreation

B.7 Recreation is clearly defined by the Sports Council as any of the following[11]

- Aikido
- American Football
- Angling
- Archery
- Arm Wrestling
- Association Football
- Athletics
- Australian Rules Football
- Badminton
- Ballooning
- Baseball
- Basketball
- Baton Twirling
- Biathlon
- Bicycle Polo
- Billiards and Snooker
- Bobsleigh
- Boccia
- Bowls
- Boxing
- Camogie
- Canoeing
- Caving
- Chinese Martial Arts
- Cricket
- Croquet
- Crossbow
- Curling
- Cycling
- Disability Sport
- Dragon Boat Racing
- Equestrian
- Fencing
- Fives
- Flying
- Gaelic Football
- Gliding
- Golf
- Gymnastics
- Handball
- Hang/Para Gliding
- Highland Games
- Hockey
- Horse Racing
- Hovering
- Hurling
- Ice Hockey
- Ice Skating
- Jet Skiing
- Ju Jitsu
- Judo
- Kabaddi
- Karate
- Kendo
- Korfball
- Lacrosse
- Lawn Tennis
- Life Saving
- Luge
- Modern Pentathlon
- Motor Cycling
- Motor Sports
- Mountaineering
- Movement, Dance, Exercise & Fitness
- Netball
- Orienteering
- Parachuting
- Petanque
- Polo
- Pony Trekking
- Pool
- Quoits
- Racketball
- Rackets
- Raquetball
- Rambling
- Real Tennis
- Roller Hockey
- Roller Skating
- Rounders
- Rowing
- Rugby League
- Rugby Union
- Sailing
- Sand/Land Yachting
- Shinty
- Shooting
- Skateboarding
- Skiing
- Skipping
- Snowboarding
- Softball
- Sombo Wrestling
- Squash
- Skater/Street Hockey
- Sub-Aqua
- Surf Life Saving
- Surfing
- Swimming & Diving
- Table Tennis
- Taekwondo
- Tang Soo Do
- Tenpin Bowling
- Trampolining
- Triathlon
- Tug of War
- Unihoc
- Volleyball
- Water Skiing
- Weightlifting
- Wrestling
- Yoga

Access to clubs

B.8 Guidance issued by the DCLG also requires the Council to consider access to clubs within the community before granting discretionary relief.

B.9 Membership should be open to all sections of the community. There may be legitimate restrictions placed on membership which relate for example to ability in sport or to the achievement of a standard in the

[11] Definition last reviewed by Sport England in 2002

field covered by the organisation or where the capacity of the facility is limited, but in general membership should not be exclusive or restrictive.

B.10 Membership rates should not be set at such a high level as to exclude the general community. However, membership fees may be payable at different rates that distinguish the different classes of membership such as juniors, adults, students, pensioners, players, non-players, employed and unemployed. In general, the club or organisation must be prepared to show that the criteria by which it considers applications for membership are consistent with the principle of open access.

B.11 The Council also asks the following question to help establish the level of access 'Does the organisation actively encourage membership from particular groups in the community e.g. young people, women, older age groups, persons with disability, ethnic minorities' etc.?'

Provision of facilities

B.12 Clubs which provide training or education are encouraged, as are those who provide schemes for particular groups to develop their skills e.g. young people, the disabled, retired people.

B.13 A number of organisations run a bar. The mere existence of a bar will not in itself be a reason for not granting relief. However, the Council focuses on the main purpose of the organisation. The Council is encouraged to examine the balance between playing and non-playing members.

B.14 Within this area, the Council also considers whether the facilities provided relieve the Council of the need to do so, or enhance and supplement those that it does provide.

Discretionary Relief - Non-Profit Organisations including Recreation – the Council's Policy

B.15 The Council will consider applications for discretionary rate relief from non-profit making organisations on their own merits on a case-by-case basis. In determining the application, the following matters will be taken in to consideration (The list is not exhaustive):

- How the organisation supports and links into the Council's corporate vision and priorities;
- Whether the facilities provided include education and/or training for members as a whole or for special groups;
- The extent to which the facilities provided reduce the demand for Council services or produce savings;
- Any membership and fee structure and whether the facilities are accessible to all residents, including whether there are concessions for certain groups, for example people on a low income or young people under 18;
- If covered by a membership scheme, membership numbers and the number and percentage of these members that are local residents; and
- If the organisation has due regard to equality issues and if its facilities are used by all members of the community, for example black and minority ethnic residents, people over 50 and people with disabilities.

B.16 The Council will also require additional financial information including:

- If the organisation runs a bar or food provision, the level of income from this activity and how this money is used.; and
- Whether the organisation operates at a local or national level and where appropriate, the local and national funding streams and financial position of the organisation.

Appendix C

Discretionary Relief - Rural Rate Relief – Mandatory Relief recipients

Discretionary Relief - Rural Rate Relief – Mandatory Relief recipients

What are the qualifying criteria for Mandatory Relief?

C.1 For a Post Office or General Store to be entitled to 50% Mandatory Relief, all the following criteria must be met:

- The Rateable Value of the property must not exceed £8,500 (from 1 April 2010);
- The property must be used as a Post Office or a General Store (see below for definition), or both;
- The property must be the only Post Office or the only General Store within the Rural Settlement.

C.2 For a Public House or Petrol Filling Station to be entitled to 50% Mandatory Relief, all the following criteria must be met:

- The Rateable Value of the property must not exceed £12,500 from 1 April 2010);
- The property must be used as a Public House (see below for definition) or a Petrol Filling Station (see below for definition); and
- The property must be the only Public House or the only Petrol Filling Station within the Rural Settlement.

C.3 For a village food shop to be entitled to 50% Mandatory Relief, all the following criteria must be met:

- The Rateable Value of the property must not exceed £8,500 from 1 April 2010); and
- The property must be used as a shop selling mainly food (see below for definition).

What rural settlements exist within the Maldon District Council's area?

C.4 The following are deemed to be rural settlements within the District Council's area:

Althorne – North	Althorne _ South	Asheldham
Bradwell-On-Sea	Bradwell Waterside	
Cold Norton		
Dengie		
Goldhanger	Great Braxted	Great Totham – North
Great Totham -South		
Hazeleigh	Heybridge Basin	
Langford	Latchingdon	Little Braxted
Little Totham		
Mundon		
North Fambridge -North	North Fambridge -South	
Purleigh		
St. Lawrence	Steeple	Stow Maries
Tillingham	Tollesbury	Tolleshunt D'arcy
Tolleshunt Knights	Tolleshunt Major	
Ulting		
Wickham Bishops	Woodham Mortimer	Woodham Walter

What is the definition of a General Store?

C.5 For the purposes of Rural Rate Relief, 'General Store' means a business or trade, which wholly or mainly sells by retail both food (other than confectionery) for human consumption and general household goods. Where there are two or more General Stores within the same Rural Settlement, none can qualify for Mandatory Relief on that basis, although if one of them functions as a Post Office or a Food Shop relief may be claimed independently on that ground. However, both a General Store and a Post Office in the same Rural Settlement will qualify for Mandatory Relief, provided that, they both meet the criteria. Although a General Store or a Post Office may not meet the criteria for Mandatory Relief, they may still be eligible to apply for Discretionary Relief.

What is the definition of a Public House?

C.6 For the purposes of Rural Rate Relief, 'Public House' means any premises as defined in the Licensing Act 2003, which has a premises license authorising sale by retail of alcohol for consumption on the premises. In addition, the premises must be used principally for retail sales of alcohol to members of the public for consumption on the premises, and sales must not be subject to the condition that buyers reside at or consume food on the premises.

What is the definition of a Petrol Filling Station?

C.7 For the purposes of Rural Rate Relief, 'Petrol Filling Station' means premises where petrol or other automotive fuels are sold retail to the general public for fuelling motor vehicles intended or adapted for use on roads

What is the definition of a Food Shop?

C.8 For the purpose of Rural Rate Relief, 'Food Shop' means a trade or business consisting wholly or mainly of the sale by retail of food for human consumption (excluding confectionery and catering – in this context catering means any supply of food for consumption on the premises on which it is supplied and any supply of hot food for consumption off the premises). This definition may also include shops, which sell mainly household foods and which may partly also sell hot take away food or food consumed on the premises. But shops whose main business is a restaurant, tearoom, take-away, or confectionery sales are not food shops and so will not qualify for mandatory relief.

What are the qualifying criteria for Discretionary Relief?

C.9 The Council may grant up to 50% Discretionary Relief in respect of any property which qualifies for 50% Mandatory Relief and the Council may also grant up to 100% Discretionary Relief to any rural business which does not meet the mandatory provisions. It should be noted that for 2017 onwards Central Government has requested that Council grant 50% discretionary relief to all ratepayers who receive 50% mandatory rural rate relief.

Rural Rate Relief – Mandatory Relief recipients, the Council's Policy for granting discretionary relief.

C.10 As Central Government has requested and fully funds any additional relief granted to ratepayers who receive mandatory rural rate relief, the Council will automatically grant the additional 50% until such time as primarily legislation is changed.

Appendix D

Discretionary Relief – Premises within Rural Settlements

Discretionary Relief – Premises within Rural Settlements

D.1 In addition to having the ability to grant discretionary relief to those in receipt of mandatory relief, the Local Government and Rating Act 1997 allows discretionary relief of up to 100% to be granted where the rateable value is £16500 or less and:

a. Property is used for purposes which are of benefit to the local community; and
b. It would be reasonable for the billing authority to award relief, having regards to the Council's Council Taxpayers.

D.2 As with most discretionary relief, part of the cost, is met by Central Government and the balance from local sources.

D.3 The main criteria for granting discretionary relief in respect of rural rate relief is that premises are used to benefit the local community.

Benefit to the local community

D.4 Whilst each application for the relief will be considered on its own merits, there are certain factors which weigh heavily in the decision-making process. It is this Council's belief that the spirit of the legislation is to assist businesses and amenities, which contribute significantly to the quality of life of the people who have their main home in the Rural Settlement.

D.5 To be successful for consideration, a business must show that its existence is a significant benefit to the local community with the majority of local residents directly benefiting from services or facilities provided by that business

Rural Rate Relief – the Council's Policy for granting discretionary relief.

D.6 The Council will also consider applications for a discretionary rural rate relief from all ratepayers, not entitled to mandatory relief up to a maximum of 100%.

D.7 In determining the application the following matters will be taken in to consideration:

- The granting of any discretionary relief will be essential in ensuring the viability of any business within the rural settlement;
- The granting of any discretionary relief is proportionate given the level of any business rates charged compared with the overall turnover of the business;
- The granting of any discretionary relief will assist the business in continuing to be viable and / or prevent the business from failing;
- The business is considered by the Council to be essential to the community and that any reduction or withdrawal of the business will have a serious detrimental effect on the rural settlement;

- The granting of any discretionary relief is reasonable having regard to the effect on taxpayers of the District.

Appendix E

Discretionary Relief – Localism Act 2011

Discretionary Relief – Localism Act 2011

General explanation

E.1 Section 69 of the Localism Act 2011 amended Section 47 of the Local Government Finance Act 1988. These provisions allow all Councils to grant discretionary relief in **any** circumstances where it feels fit having regards to the effect on the Council Tax payers of its area.

E.2 The provisions are designed to give authorities flexibility in granting relief where it is felt that to do so would be of benefit generally to the area and be reasonable given the financial effect to Council Tax payers.

Discretionary Relief – Localism – the Council's Policy

E.3 Applications will be considered from any ratepayer who wishes to apply. However, where a ratepayer is suffering hardship or severe difficulties in paying their rates liability then relief can be granted under the existing provisions as laid down by Section 49 of the Local Government Finance Act 1988. There will be no requirement to grant relief in such cases under the Council's discretionary relief policy.

E.4 Any ratepayer applying for discretionary rate relief under these provisions and who does not meet the criteria for existing relief (charities, non-profit making organisations etc.) must meet **all** of the following criteria and the amount of relief granted will be dependant on the following key factors:

a. The ratepayer **must not** be entitled to mandatory rate relief (Charity or Rural Rate Relief);
b. The ratepayer **must not** be entitled to Central Government funded reliefs;
c. The ratepayer **must not** be an organisation that could receive relief as a non-profit making organisation or as a sports club or similar;
d. The ratepayer **must** occupy the premises (no discretionary rate relief will be granted for unoccupied premises);
e. The premises and organisation **must** be of *significant* benefit to residents of the Council's area;
f. The premises and organisation **must** relieve the Council of providing similar facilities;
g. The ratepayer **must**;
    a. Provide facilities to certain priority groups such as elderly, disabled, minority groups, disadvantaged groups; **or**
    b. Provide *significant* employment or employment opportunities to residents of the Council; **or**
    c. Provide the residents of the area with such services, opportunities or facilities that cannot be obtained locally or are not provided locally by another organisation;
h. The ratepayer **must** demonstrate that assistance (provided by the discretionary rate relief) will be for a *short time only* **and** that any business / operation is financially viable in the medium and long term;
i. whether the premises occupied are considered to be reasonable having regard to the size and location of the premises, the size and nature of the organisation ,and the use being made of the premises by the organisation; **and**

j. The ratepayer **must** show that the activities of the organisation are consistent with the Council's core values and priorities.

E.5 Where a ratepayer can demonstrate that **all** of the above criteria are met, relief will be considered for initially a short period.

E.6 A formal application from the ratepayer will be required in each case and any relief will be granted in line with State Aid requirements as specified within section 6 of this policy.

Appendix F

Local Newspaper Relief

General Explanation

F.1 This is a temporary relief for 2017-18, 2018-19 and 2019-20 and the Government is not changing the legislation around the reliefs available to these properties. Central Government will reimburse local authorities that use their discretionary relief powers (under section 47(3)) of the Local Government Finance Act 1988 to grant relief in line with the eligibility criteria set out in this guidance.

F.2 The Council will be compensated by Central Government through a grant under section 31 of the Local Government Act 2003.

Eligibility criteria

F.3 The scheme will provide a £1,500 relief for office space occupied by local newspapers up to a maximum of one discount per local newspaper title and per hereditament, for three years from 1 April 2017.

Local Newspapers

F.4 The relief is to be specifically for local newspapers and by that, the Council means what would be considered a "traditional local newspaper." The relief will not be available to magazines.

Office Space

F.5 The hereditament **must** be occupied by a local newspaper and wholly or mainly used as office premises for journalists and reporters.

Amount of Relief

F.6 The amount of relief is limited to a maximum of one discount per newspaper title (e.g. per newspaper name) **AND** per hereditament. As with all discretionary rate relief, any grant will be subject to State Aid limits as defined within section 6 of this policy.

Local Newspaper Relief – the Council's policy for granting discretionary relief.

F.7 The Council has decided to grant relief strictly in accordance with Central Government guidelines.

Appendix G

Supporting Small Businesses Relief

General Explanation

G.1 Central Government has increased the thresholds for Small Business Rate Relief from 1 April 2017 to £12,000 for the 100% relief and £15,000 for the tapered relief. They have also allowed rural rate relief to be granted up to 100% using S47 of the Local Government Finance Act 1988 as a top up to the mandatory level of 50%, albeit that the rateable value limits have not been changes in respect of rural hereditaments (see section D of this policy). Unfortunately, despite these changes, some small businesses and businesses in rural areas may lose their entitlement to the relief due to increases in Rateable Value through the revaluation on 1st April 2017.

G.2 The transitional relief scheme (provided under the Non-Domestic Rating (Chargeable Amounts) (England) Regulations 2016 No. 1265) does not provide support in respect of changes in reliefs. Therefore, those ratepayers who have lost some or all of their small business or rural rate relief may face large percentage increases in bills from 1 April 2017.

G.3 In view of this, Central Government announced that a new scheme of relief would be made available to those ratepayers facing large increases as a result of the loss of small business or rural rate relief due to the revaluation. All authorities are encouraged to grant the relief in accordance with the guidelines laid down by Central Government and if granted strictly in accordance with guidance, the Council will be compensated by Central Government through a grant under section 31 of the Local Government Act 2003.

G.4 The relief is known as the 'Supporting Small Businesses Scheme'

Who is eligible for the relief and how much relief will be available?

G.5 The Supporting Small Businesses relief will help those ratepayers who as a result of the change in their rateable value at the revaluation are losing some or all of their small business or rural rate relief and, as a result, are facing large increases in their bills.

G.6 To support these ratepayers, the Supporting Small Businesses relief will ensure that the increase per year in the bills of these ratepayers is limited **to the greater of:**

a. a percentage increase per annum. of 5%, 7.5%, 10%, 15% and 15% 2017/18 to 2021/22 all plus inflation. (Unlike the transitional relief scheme under the Chargeable Amount regulations), for the first year of the scheme the percentage increase is taken against the bill for 31 March 2017 after small business rate relief or rural rate relief; **or**

b. a cash value of £600 per year (£50 per month).

G.7 This cash minimum increase ensures that those ratepayers paying nothing or very small amounts in 2016/17 after small business rate relief are brought into paying something.

G.8 In the first year of the scheme, this means all ratepayers losing some or all of their small business rate relief or rural rate relief will see the increase in their bill capped at £600. The cash minimum increase is £600 per year thereafter. This means that ratepayers who in 2016/17 paid nothing under small business rate relief and are losing all of their entitlement to relief (i.e. moving from £6,000 rateable value or less to more than £15,000) would under this scheme be paying £3,000 in year 5.

G.9 The Government has also decided that those on the Supporting Small Businesses relief scheme whose 2017 rateable values are £51,000 or more will not be liable to pay the supplement (1.3p) to fund small business rate relief while they are eligible for the Supporting Small Businesses relief scheme.

G.10 Ratepayers will remain in the Supporting Small Businesses relief scheme for either 5 years or until they reach the bill they would have paid without the scheme (this would be the charge payable as their true rates payable or the charge calculated under the Non-Domestic Rating (Chargeable Amounts) (England) Regulations 2016).

G.11 A change of ratepayer will not affect eligibility for the Supporting Small Businesses relief scheme, **but** eligibility will be lost if the property falls vacant or becomes occupied by a charity or Community Amateur Sports Club.

G.12 The rules for state aid (as detailed in section 6 of this policy) shall apply when considering Supporting Small Businesses Relief.

Recalculation of relief

G.13 The amount of relief awarded under the Supporting Small Businesses relief scheme will be recalculated in the event of a change of circumstances including the following:

- This could include, for example, a backdated change to the rateable value or the hereditament; or
- The awarding of another relief.

G.14 The Council will, in effect, calculate the award on a daily basis taking into account the above, and the relief will be re-calculated if the rateable value changes.

Other Reliefs

G.15 Hereditaments eligible for charity or Community Amateur Sports Club relief or hereditaments which are unoccupied are not eligible for Supporting Small Businesses Relief. Likewise, the same principle applies to properties for which a Section 44A certificate has been granted (apportionment of rateable values for partly occupied properties). The presence of a section 44A certificate will not further reduce the bill found under the Supporting Small Business scheme.

G.16 In accordance with Central Government guidelines, all other discretionary reliefs, will be considered **after** the application of Supporting Small Businesses relief.

Supporting Small Businesses Relief – the Council's policy for granting discretionary relief.

G.17 The Council has decided to grant relief strictly in accordance with Central Government guidelines

Appendix H

Public House Relief

General Explanation

H.1 This is a temporary relief for 2017-18 and 2018 – 19 and the Government is not changing the legislation around the reliefs available to premises. Central Government will reimburse local authorities that use their discretionary relief powers (under section 47(3)) of the Local Government Finance Act 1988) to grant £1000 relief in line with the eligibility criteria set out in guidance to be produced by Central Government

H.2 Central Government guidelines have been issued and it has been established that any amount granted will be reimbursed by a section 31 grant.

Eligibility criteria

H.3 The Council's policy, in line with Central Government requirements, will provide a relief of £1,000 relief for one year only (1st April 2017 to 31st March 2019) for all eligible public houses who have a rateable value of less than £100,000 on 1st April 2017.

H.4 The definition of a 'Public House' means any premises as defined in the Licensing Act 2003, which has a premises license authorising sale by retail of alcohol for consumption on the premises. In addition, the premises **must** be used principally for retail sales of alcohol to members of the public for consumption on the premises, and sales must not be subject to the condition that buyers reside at or consume food on the premises.

H.5 It will be for the Council to decide whether any premises falls within the definition give in the above paragraph. No relief shall be given where the premises are unoccupied.

Other Reliefs

H.4 Pubic House relief will be granted after applying any other mandatory reliefs and reductions

Public House Relief – the Council's policy for granting discretionary relief.

H.5 The Council has decided to grant relief strictly in accordance with Central Government guidelines.

Appendix I

Additional Discretionary Business Rate Relief Scheme

General Explanation

I.1 In March 2017, Central Government announced that it would make available a discretionary fund of £300 million over four years from 2017-18 to support those businesses that face the steepest increases in their business rates bills as a result of the revaluation. Government determined that Councils would be best placed to determine how this fund should be targeted and administered to support those businesses and locations within their area that are in the greatest need.

I.2 Every authority within England is to be provided with a share of a £300 million fund to support their local businesses. This is to be administered through billing authorities' discretionary relief powers under section 47 of the Local Government Act 1988.

I.3 Government also believes that local authorities are best placed to judge the particular circumstances of local ratepayers and direct the funding where it is most needed to support local economies.

I.4 The funding is not provided equally over the four-year period but in the following approximate proportions:

Year 1 (2017/18) 58%

Year 2 (2018/19) 28%

Year 3 (2019/20) 12%

Year 4 (2020/21) 2%

I.5 Councils will be compensated for any relief granted under section 31 of the Local Government Act 2003. The Government has decided that any underspend **cannot** be 'vired' from one year to the next.

I.6 A key criteria of reimbursement will be that all Billing Authorities will consult with major precepting authorities when formulating their schemes.

1.7 The financial effects to the Council of the Discretionary Business Rates Relief Scheme are shown in the following table

Amount of discretionary fund awarded (£000s) – Maldon District Council			
2017-18	2018-19	2019-20	2020-21
115	56	23	3

Consultation

I.8 The Council has consulted with the major preceptors in relation to this scheme and has taken their comments into account when determining the eligibility criteria. This is an essential part of the Discretionary Business Rates Relief Scheme and is in line with the grant determination issued by the Department of Communities and Local Government (DCLG) No.31/3071.

I.9 The grant determination states that a condition of the fund is that consultation is undertaken with 'relevant authorities'. Relevant authorities for the purposes of this scheme means:

a. Any major precepting authority; and
b. Any combined authority.

I.10 In the case of the District Council the major precepting authorities have been consulted namely:

a. Essex County Council
b. The Police and Crime Commissioner for Essex; and
c. Essex Fire and Rescue Service.

State Aid

I.11 The rules relating to State Aid (as defined within section 6 of this policy) apply. The Council will ensure full compliance in this area to ensure that relief can be given to the most deserving ratepayers.

Decisions by the Council

I.12 Decisions by the Council are made directly in line with the Scheme of Delegation as outlined within section 7 of this policy. Any decision to award relief under this scheme will follow the core principles of the Council's discretionary relief policy as defined by section 3.8.

I.13 It should be noted that whilst the funding from Central Government for Discretionary Business Rate Relief Scheme is limited, the decision of the Council whether to award any relief under this scheme **will not take account** of the level of any funding.

Discretionary Business Rate Relief Scheme– the Council's policy for granting discretionary relief.

Applications for relief under this scheme

I.14 The Council is keen to identify ratepayers who may qualify for the relief and as such will look to encourage certain ratepayers to apply. The Council will look to simplify the application process wherever possible, but it will expect any ratepayers to provide such information as is required by the Council to support their application.

Discretionary Business Rate Relief Scheme- the Council's policy for granting discretionary relief.

I.15 The Council has decided that relief under the scheme will be awarded using the following criteria:

a. Priority will be given to businesses with a new rateable value of between £12,000 and £50,000;
b. Priority will be given where rates that are payable increase by more than 20% in 2017-18 (due to revaluation) after any reliefs have been granted;
c. The ratepayer must:
    - have had an occupied rates liability during the period 1st April 2016 to 31st March 2017;
    - have been trading from the premises;
    - not have qualified for Mandatory Charity Relief or Supporting Small Business Relief scheme;
    - not have received State Aid in a three-year period, including the current year, in excess of €200,000 euros;
    - not have more than two occupied rateable properties in the United Kingdom
d. Relief will be recalculated if there is a rateable value reduction or if another relief is applied that affects liability, or there is any other change in liability;
e. Relief will not apply where properties are entered into the list retrospectively

I.16 Any business can apply, if they meet the criteria in the policy however priority for the allocation of the funding will be given to support small to medium retail businesses.

Amount of Relief

I.17 The amount of relief is tapered and will be calculated as follows:

2017/18

The award will be up to £1000 where the ratepayer meets the criteria in I.15

Future years

To be determined by the authority

Applications for relief under this scheme

I.18 The Council is keen to identify ratepayers who may qualify for the relief and as such will look to encourage certain ratepayers to apply. The Council will look to simplify the application process wherever possible, but it will expect any ratepayers to provide such information as is required by the Council to support their application

Variation and amendment of relief under the scheme

I.19 As with all reliefs, the amount of relief awarded under the Discretionary Businesses Rates relief scheme will be recalculated in the event of a change of circumstances. This will include, for example, a backdated change to the rateable value or the hereditament. This change of circumstances could arise during the year in question or during a later year.

I.20 The Non-Domestic Rating (Discretionary Relief) Regulations 1989 (S.I. 1989/1059) requires the Council to provide ratepayers with at least one year's notice in writing before any decision to revoke or vary a decision so as to increase the amount the ratepayer has to pay takes effect. Such a revocation or variation of a decision can only take effect at the end of a financial year. But within these regulations, the Council may still make decisions which are conditional upon eligibility criteria or rules for calculating relief which allow the amount of relief to be amended within the year to reflect changing circumstances.

Appendix J

Retail Discount

General Explanation

J.1 The Government announced on 29 October 2018 that it will provide a business rates Retail Discount scheme for occupied retail properties with a rateable value of less than £51,000 in each of the years 2019-20 and 2020-21.

J.2 The value of discount should be one third of the bill and must be applied after mandatory reliefs and other discretionary reliefs funded by section 31 grants have been applied.

J.3 Where an authority applies a locally funded relief, under section 47 this is must be applied after the Retail Discount.

J.4 As this is a measure for 2019-20 and 2020-21 only, the Government is not changing the legislation around the reliefs available to properties. Instead the Government will, in line with the eligibility criteria defined by them, reimburse any authorities that use their discretionary relief powers, introduced by the Localism Act (under section 47 of the Local Government Finance Act 1988, as amended) to grant relief.

J.5 It is for the Council to adopt a local scheme and determine in each individual case when to grant relief under section 47.

Who is eligible for the relief?

J.6 Properties that will benefit from the relief will be occupied hereditaments with a rateable value of less than £51,000, that are wholly or mainly being used as shops, restaurants, cafes and drinking establishments. The Government consider shops, restaurants, cafes and drinking establishments to mean:

i. Hereditaments that are being used for the sale of goods to visiting members of the public:

- Shops (such as: florists, bakers, butchers, grocers, greengrocers, jewellers, stationers, off licences, chemists, newsagents, hardware stores, supermarkets, etc)
- Charity shops
- Opticians
- Post offices
- Furnishing shops/ display rooms (such as: carpet shops, double glazing, garage doors)
- Car/ caravan show rooms
- Second hand car lots
- Markets
- Petrol stations
- Garden centres
- Art galleries (where art is for sale/hire)

ii. Hereditaments that are being used for the provision of the following services to

visiting members of the public:

- Hair and beauty services (such as: hair dressers, nail bars, beauty salons, tanning shops, etc)
- Shoe repairs/ key cutting
- Travel agents
- Ticket offices e.g. for theatre
- Dry cleaners
- Launderettes
- PC/ TV/ domestic appliance repair
- Funeral directors
- Photo processing
- Tool hire
- Car hire

iii. Hereditaments that are being used for the sale of food and/ or drink to visiting members of the public:

- Restaurants
- Takeaways
- Sandwich shops
- Coffee shops
- Pubs
- Bars

J.7 To qualify for the relief the hereditament should be wholly or mainly being used as a shop, restaurant, cafe or drinking establishment. In a similar way to other reliefs (such as charity relief), this is a test on use rather than occupation. Therefore, hereditaments which are occupied but not wholly or mainly used for the qualifying purpose will not qualify for the relief.

Hereditaments that are not likely to receive relief under the scheme

J.8 The list below sets out the types of uses that the Government does **not** consider to be retail use for the purpose of this relief. Again, it is for local authorities to determine for themselves whether particular properties are broadly similar in nature to those below and, if so, to consider them not eligible for the relief under their local scheme.

i. Hereditaments that are being used for the provision of the following services to visiting members of the public:

- Financial services (e.g. banks, building societies, cash points, bureaux de change, payday lenders, betting shops, pawn brokers)
- Other services (e.g. estate agents, letting agents, employment agencies)
- Medical services (e.g. vets, dentists, doctors, osteopaths, chiropractors)
- Professional services (e.g. solicitors, accountants, insurance agents/ financial advisers, tutors)
- Post office sorting offices

ii. **Hereditaments that are not reasonably accessible to visiting members of the public**

– Generally speaking, Government also does not consider other assembly or leisure uses beyond those listed to be retail uses for the purpose of the discount. For example, cinemas, theatres and museums are outside the scope of the scheme, as are nightclubs and music venues. Hereditaments used for sport or physical recreation (e.g. gyms) are also outside the scope of the discount. Where there is doubt, the Council will exercise discretion.

How much relief will be available?

J.9 The eligibility for the relief and the relief itself will be assessed and calculated on a daily basis. The following formula should be used to determine the amount of relief to be granted for a chargeable day for particular hereditament in the financial year 2019-20:

J.10 Amount of relief to be granted = V / 3 where V is the daily charge for the hereditament for the chargeable day after the application of any mandatory relief and any other discretionary reliefs.

Retail Discount – the Council's policy for granting discretionary relief.

J.11 The Council has decided to grant relief strictly in accordance with Central Government guidelines

Appendix K

Section 49 – Hardship Relief

Section 49 – Hardship Relief

General explanation

K.1 The Council is able to exercise its discretion under Section 49 of the Local Government Finance Act 1988 to provide either partial or full relief for non-domestic rate payments in cases of hardship where it would be reasonable to do so having due regard to the interests of council tax payers in general.

Section 49 Hardship Relief – the Council's Policy

K.2 The Council will consider applications for hardship relief from individuals and organisations based on their own merits on a case-by-case basis. The Customer Manager (s) will consider applications. Application forms are available at the following links:

- General Discretionary application form
- Hardship Discretionary additional questions

K.3 In making decisions on whether to award the relief the Council takes into account the following criteria (not listed in any priority):

- Any reduction or remission of rates on the grounds of hardship should be the exception rather than the rule;
- Any reduction of the rates must be shown to be significant to the future viability of the business;
- The business must continue to trade;
- Cash flow forecasts for a minimum of the next twelve months must be provided together with a comprehensive Business Plan incorporating a brief history of the business;
- The test of "hardship" is not strictly confined to financial hardship and that this, in itself, is not a deciding factor;
- The loss of the business would reduce amenities of an area if it is the sole provider of a service in the area;
- Details of any state aid, grants or subsidies either from central of local government over the previous three years;
- The loss of the business would worsen the employment prospects in the area;
- The interests of the Council Tax payers of the area would be best served by awarding the relief;
- The business must demonstrate how it is beneficial to the local community and why it is currently suffering financial hardship;
- The business provides employment to local residents in an area where employment opportunities are limited;
- Independent advice given by banks or financial advisors should be sought to demonstrate the future viability of the business;
- Applications will only be considered where signed by the ratepayer, or, where an organisation is the ratepayer, an appropriately authorised representative of the organisation; and
- The ratepayer will provide additional information as deemed necessary by the Council to be essential in order for a fair evaluation of the application.

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REPORT of
DIRECTOR OF RESOURCES

to
FINANCE AND CORPORATE SERVICES COMMITTEE
12 MARCH 2019

HOUSES IN MULTIPLE OCCUPATION LICENSING FEES

1. PURPOSE OF THE REPORT

1.1 To request approval from Members that they agree the revised Houses in Multiple Occupation (HMO) licence fee and the HMO licence renewal fee.

2. RECOMMENDATION

That Members agree to the proposed HMO licence fee and renewal fee.

3. SUMMARY OF KEY ISSUES

3.1 HMO Licensing came in to force in 2006 for all Houses in Multiple Occupation that comprised three or more storeys and that are occupied by five or more persons. There are relatively few properties which meet this definition and consequently for the first few years there was only one such licence granted.

3.2 Since 2013 / 14 the licence fee had been set at £615 and had increased slightly each year to its current level of £696. Licences are valid for five years and the payment taken is with the application only and not on an annual basis.

3.3 In October of 2018, the mandatory licensing of HMOs was extended to all HMOs occupied by five or more persons, irrelevant of the number of storeys. This has led to a number of additional licence applications being received and has given the Council a larger sample size on which to more reliably review the actual typical actions and timings that are involved. **APPENDIX A** to this report contains the proposed new licence application and renewal application fees and the breakdown of how these have been reached. When benchmarked against fees charged by other Local Authorities throughout Essex these appear to be reasonable.

3.4 This Authority has not previously charged a different fee for renewals – we have only previously had to carry out one such renewal. Licences are valid for five years and so in the coming years we will have a number of renewal applications made to us. Again, to bring us in to line with other Essex Authorities, and to reflect that it is generally more straightforward (and less resource-intensive) to carry out a renewal, we are seeking to introduce a renewal fee at this juncture.

3.5 As at present, it is proposed to charge an additional fee of £36 per room (bed room / letting) over and above five rooms. This is to reflect that there will be a slight increase in time for inspecting more rooms, as well as more potential administration by way of schedules of works and other similar items. No increase in this per room additional fee is sought from current levels.

4. CONCLUSION

4.1 The current licence fee has been identified as not truly representative of the time and work involved in the licensing process. The increase in licence fee will allow the Council to more accurately cover its costs at a time when it will be receiving more such applications in future.

4.2 The introduction of a renewal fee will more fairly reflect the time that a renewal process takes and consequently helps to ensure that Landlords are not paying more for a renewal than is involved with the process.

5. IMPACT ON CORPORATE GOALS

5.1 Communities will be strengthened through stronger controls over private landlords of HMOs, helping to keep people feeling safe from crime.

5.2 Ensuring that the Council's licence fee is appropriate ensures that the Council improves housing standards. This helps protect and shape the District by contributing to "meeting housing needs". It also helps to deliver good quality, cost effective and valued services.

5.3 Setting a reduced fee for licence renewals contributes to the potential for economic growth and prosperity by allowing Landlords to utilise more of their financial resources on their properties and in the wider economy.

6. IMPLICATIONS

(i) **Impact on Customers** – Increase in cost to Landlords for licence applications but offset by reduction for renewal.

(ii) **Impact on Equalities** – None.

(iii) **Impact on Risk** – At a time when Department resource is already more stretched than ever, it is important to ensure that function costs are accurate.

(iv) **Impact on Resources (financial)** – The increase in HMO licensing fee will have a positive financial impact due to revenue generated from licence application fees. However, this will be required to administer the scheme, and the proposed fees effectively create cost neutrality.

(v) **Impact of Resources (human)** – The increase in fee does not provide for additional staffing levels.

(vi) **Impact on the Environment** – None.

Background Papers: None.

Enquiries to: Chris Shipham, Environmental Protection Team Leader, (Tel: 01621 875863).

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Fee Structure - New Application			
Process	**Time (minutes)**	**Cost**	
Initial letter plus reminder and phone call to prospective licensable landlord.	60	£49.09	
Open HMO licensing case file on Uniform and enter known details to date inc. above.	15	£12.27	
Receive new application, enter details on case file, open folder in H drive and copy attached documents to relevant folders.	60	£31.80	
Validate the application and send out acknowledgement letter/ not validated letter [note this can be a short or a long process depending on the quality of the application.	60	£31.80	
land registry search and file result on H drive. Add £3.00 cost of search	15	£7.95	
EHO examines all the docs, complete check list, inform applicant of any shortcomings and arrange appointment to visit.	120	£98.18	
Carry out inspection inc travel time and mileage.	240	£196.36	
Write up inspection including details of any defects that will need remedying and enter on Uniform.	150	£122.73	
Complete licence check list and consider the three tests - building, fit and proper person and management tests	60	£49.09	
Draft and send out draft licence documents inc covering letter.	120	£98.18	
Consult with Planning, BC and Fire and any other relevant party such as freeholder mortgagor etc.	45	£36.82	
Assuming there are no adverse comments from all parties, issue the licence	60	£49.09	
Review file, actions taken and agree for licence to be granted by Line Manager	60	£51.86	
Update HMO register	20	£16.36	
Amend register entry on MDC website	15	£7.95	
Total Hours	18.3	£859.53	
	Misc costs, postage, mileage,	£13.20	£3.00 land registry fee; mileage 4.50 (avg 10 miles at 45p/mile): 10 letters @ .57p each.
		£872.73	
EHO Hourly rate	49.09		
Admin Hourly rate	31.8		
Manager hourly rate	51.86		

APPENDIX 1

Fee Structure - Renewal Application			
Process	Time (minutes)	Cost	
Covering letter sent to Landlord reminding of need to apply, plus one chaser phone call as necessary	30	£15.90	
Application form received and updated details entered on to Uniform database	15	£7.95	
Validate the application and send out acknowledgement letter/ not validated letter [note this can be a short or a long process depending on the quality of the application.	30	£15.90	
land registry search and file result on H drive. Add £3.00 cost of search	15	£7.95	
EHO examines all the docs, complete check list, inform applicant of any shortcomings and arrange appointment to visit.	90	£73.64	
Carry out inspection inc travel time and mileage.	180	£147.27	
Write up inspection including details of any defects that will need remedying and e	120	£98.18	
Complete licence check list and consider the three tests - building, fit and proper pe	45	£36.82	
Draft and send out draft licence documents inc covering letter.	90	£73.64	
Consult with Planning, BC and Fire and any other relevant party such as freeholder	45	£36.82	
If representations are made, serve notice setting out modifications and consider any further representations within 7 days consultation period. Details entered on to Uniform	30	£24.55	
Review file, actions taken and agree for licence to be granted by Line Manager	30	£25.93	
Update HMO register	20	£16.36	
Amend register entry on MDC website	15	£7.95	
Total Hours	12.6	£588.84	
Misc Costs, postage, mileage		13.2	£3.00 land registry fee; mileage 4.50 (avg 10 miles at 45p/mile): 10 letters @ .57p each.
Total		£602.04	
EHO Hourly rate	49.09		
Admin Hourly rate	31.8		
Manager hourly rate	51.86		

REPORT of
DIRECTOR OF RESOURCES

to
FINANCE AND CORPORATE SERVICES COMMITTEE
12 MARCH 2019

SUPPLEMENTARY ESTIMATES, VIREMENTS AND USE OF RESERVES:
1 JANUARY to 14 FEBRUARY 2019

1. PURPOSE OF THE REPORT

1.1 To report virements and supplementary estimates agreed under delegated powers as they are below the levels requiring approval by this Committee.

1.2 To inform Members of procurement exemptions that have been granted in the period.

1.3 To report on the use of the Repairs and Maintenance reserve during the year.

2. RECOMMENDATION

Members are invited to review and comment on the procurement exemption set out in section 3.4 of this report.

3. SUMMARY OF KEY ISSUES

3.1 **Rules and Regulations**

3.1.1 The approval and reporting arrangements in relation to virements and supplementary estimates are set out in the Financial Regulations and Financial Procedures. These are as follows:

Virements (movements) within the same budget head:

- Agreed by the relevant Director and the Director of Resources.

Virements between different budget heads:

- Up to £20,000 – Director and Director of Resources and reported in monthly Members Bulletin;
- Over £20,000 up to £50,000 – Director, Director of Resources, in Consultation with relevant Standing Committee Chairman and reported to the next Finance and Corporate Services Committee;
- Over £50,000 - the Finance and Corporate Services Committee.

Supplementary estimates:

- Up to £20,000 – Director, Director of Resources and Head of Paid Service in consultation with the Chairman of the Finance and Corporate Services Committee and the Leader of the Council and reported to the next meeting of the Finance and Corporate Services Committee;
- Over £20,000 – the Finance and Corporate Services Committee.

3.1.2 The Contract Procedure Rules provide information in relation to procurement exemptions. The exemption enables the council to waive any requirements within the contract procedure rules for specific projects.

3.1.3 Procurement exemptions should be signed by the Officer and countersigned by the Director of Resources and where appropriate the Chairman of the Finance and Corporate Services Committee.

3.2 Virements

3.2.1 There were no virement requests to report.

3.3 Supplementary Estimates

3.3.1 There were no supplementary estimates to report.

3.4 Procurement Exemptions

3.4.1 The following procurement exemptions were approved in this period:-

- An exemption was approved for the dredging of the Hythe Quay. The company selected completed the previous dredging project and has the correct licences for the work. The value of the works is £20,000.
- An exemption was approved for the installation of the surface at the galleon. The company are the only supplier of the required surface; the cost of the works is £16,000.
- An exemption was approved for an extension to the Burnham-on-Crouch Pontoon, the company selected supplied the original pontoon and other manufacturers units cannot be combined with the original pontoon. This is externally funded by the Coastal Communities Grant and will cost £35,245.

3.5 Drawdowns from Reserves

3.5.1 There were no drawdowns from reserves.

4. CONCLUSION

4.1 There are no supplementary estimates, virements or drawdown from reserves to report. Members are asked to note the procurement exemptions.

5. IMPACT ON CORPORATE GOALS

5.1 The adherence to the Financial Regulations and Financial Procedures contributes towards the corporate goal of 'Delivering good quality, cost effective and valuable services'.

6. IMPLICATIONS

(i) **Impact on Customers** – None identified.

(ii) **Impact on Equalities** – None identified.

(iii) **Impact on Risk** – None identified.

(iv) **Impact on Resources (financial)** – These are discussed above.

(v) **Impact on Resources (human)** – None identified.

(vi) **Impact on the Environment** – None identified.

Background Papers: None.

Enquiries to: Emma Foy, Director of Resources, (Tel: 01621 875762).

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REPORT of
DIRECTOR OF RESOURCES

to
FINANCE AND CORPORATE SERVICES COMMITTEE
12 MARCH 2019

ANNUAL REVIEW OF FINANCIAL REGULATIONS

1. PURPOSE OF THE REPORT

1.1 To consider and recommend to Council revisions to the Financial Regulations as part of the regular annual review.

2. RECOMMENDATIONS

(i) That Members review and comment on the Financial Regulations (**APPENDIX 1**).

<u>To the Council:</u>

(ii) That the Financial Regulations as attached at **APPENDIX 1** be approved.

3. SUMMARY OF KEY ISSUES

3.1 The amended Financial Regulations document is attached as **APPENDIX 1**.

3.2 The Financial Regulations have been updated to reflect the new leadership structure and practises within the Authority. A table of changes can be found on page two of **APPENDIX 1**.

3.3 The Financial Regulations refer to the Head of Paid Service. This is currently Richard Holmes as the Director of Service Delivery until 31 July 2019.

4. CONCLUSION

4.1 It is important that the Council's rules and regulations are regularly reviewed and kept up to date and the changes encompass amendments that were necessary to achieve this.

5. IMPACT ON CORPORATE GOALS

5.1 This review supports the goal of delivering good quality, cost effective and valued services in a transparent way.

6. IMPLICATIONS

(i) **Impact on Customers** – None.

(ii) **Impact on Equalities** – None.

(iii) **Impact on Risk** – Up to date policies provide a framework for officers to work to ensure consistency and compliance. Procedure notes provide a valuable business continuity tool, allowing others to carry out a process in periods of staff absence.

(iv) **Impact on Resources (financial)** – None.

(v) **Impact on Resources (human)** – None.

(vi) **Impact on the Environment** – None.

Background Papers: None.

Enquiries to: Emma Foy, Director of Resources, (Tel: 01621 875762).

APPENDIX 1

MALDON DISTRICT COUNCIL

MALDON DISTRICT COUNCIL

Financial Regulations and Financial Procedures

Updated February 2019

Changes log

Committee version	Change
C 2.1 changed to reflect audit committee responsibility as opposed to finance and corporate services.	June 2018
Throughout – Amend the references to Chief Executive and Directors titles in line with new structure.	October 2018
Appendix I reference to Deputy for Section 151 removed as this isn't a position.	January 2019
Amended wording relating to cheques as presigned cheques are now removed.	January 2019
Appendix G.9. Amended wording on BACS to reflect new BACS system of electronic signatures, and gave delegation of authorisations of BACS to Director of Resources.	February 2019.
Combined B.1.3 and B.1.4 as no required distinctions.	February 2019

Contents

1. Status of Financial Regulations

1.1. Financial regulations provide the framework for managing the Council's financial affairs. They apply to every member and officer of the Council and anyone acting on its behalf.

1.2. The regulations identify the financial responsibilities of the Council, the Committees, the Directors, and the Monitoring Officer. Directors should maintain a written record where decision making has been delegated to members of their staff, including seconded staff. Where decisions have been delegated or devolved to other responsible officers, references to the Director in the regulations should be read as referring to them. Actions may also be delegated, and again delegation should be documented, however the responsibility to ensure that these actions are happening remains with the person specified in these regulations. (Appendix I)

1.3. All Council Members and staff have a general responsibility for taking reasonable action to provide for the security of the assets under their control, and for ensuring that the use of these resources is legal, properly authorised, provides value for money and achieves best value.

1.4. The Director of Resources is responsible for maintaining a continuous review of the financial regulations and submitting any additions or changes necessary to the Council for approval. The Director of Resources is also responsible for reporting, where appropriate, breaches of the financial regulations to the Finance & Corporate Services Committee. Any non-compliance with the Regulations must be reported to the Director of Resources. Anyone wishing to act outside the provisions of these regulations, in a specific instance, must seek the prior written approval of the Director of Resources.

1.5. The Council's detailed financial procedures, setting out how the regulations will be implemented, are contained in the appendices to the financial regulations.

1.6. The Director of Resources is responsible for ensuring that all staff are aware of the existence and content of the Council's financial regulations and other internal regulatory documents and that they comply with them.

1.7. The Director of Resources is responsible for issuing advice and guidance to underpin the financial regulations that Members, Officers and others acting on behalf of the Council are required to follow. Notes and guidance may expand upon, but not contradict the Regulations. Any consultation required under these Regulations must allow sufficient time for a proper consideration of any issues.

1.8. All financial and accounting procedures must be carried out in accordance with the Regulations.

2. FINANCIAL REGULATIONS

a) Financial Management

1. INTRODUCTION

1.1 Financial management covers all financial accountabilities in relation to the running of the Council, including the policy framework and budget.

2. THE COUNCIL

2.1 The Council is responsible for adopting the corporate governance arrangements (Standing orders and Terms of Reference), for approving the annual budget and the policy framework within which the Committees operate. It is also responsible for approving and monitoring compliance with the Council's overall framework of accountability and control. The framework is set out in its corporate governance arrangements. The Council is also responsible for monitoring compliance with the agreed policy and related Committee decisions.

2.2 The Council is responsible for approving procedures for recording and reporting decisions taken. This includes those key decisions delegated by and decisions taken by the Council and its Committees.

3. THE COMMITTEES

3.1 The Finance & Corporate Services Committee is responsible for proposing the annual budget to the Council, and for discharging its own functions in accordance with that budget and framework.

3.2 Once approved, the Finance & Corporate Services committee is responsible for the administration of the budget for the services set out in its Terms of Reference.

3.3 Committee decisions can be delegated to an officer or a sub-committee.

3.4 The Committees are responsible for establishing protocols to ensure that decisions take account of legal and financial liabilities and risk management issues that may arise from the decision.

3.5 The Overview and Scrutiny Committee along with its major role in reviewing Best Value, has power to scrutinise decisions made, or action taken, in respect of any of the functions of the Council which have financial implications. It also has powers to make recommendations on future financial policy options and for reviewing the general financial policy and service delivery of the Council.

3.6 The Standards Committee is established by the Council and is responsible for promoting and maintaining high standards of conduct amongst councillors. In particular, it is responsible for advising the Council on the adoption and revision of the Members' code of conduct, and for monitoring the operation of the code.

4. THE STATUTORY OFFICERS

4.1 Head of Paid Service

4.1.1 He/she is responsible for the corporate and overall strategic management of the Council as a whole. He/she must report to and provide information for the Council, the Programme committees and other Committees. He/she is responsible for establishing a framework for management direction, style and standards and for monitoring the performance of the organisation. The Head of Paid Service is also responsible, together with the Monitoring Officer (see 4.2 below), for the system of record keeping in relation to all the Council's decisions.

4.1.2 The Director of Strategy, Performance and Governance is responsible for keeping the Council's corporate governance arrangements up to date.

4.2 Monitoring Officer

4.2.1 The Monitoring Officer is responsible for promoting and maintaining high standards of financial conduct and therefore provides support to the Standards Committee. The Monitoring Officer is also responsible for reporting any actual or potential breaches of the law or maladministration to the Council and/or to the Committees, and for ensuring that procedures for recording and reporting key decisions, as defined in the Constitution, are operating effectively.

4.2.2 The Monitoring Officer must ensure that Committees' decisions and the reasons for them are made public. He/she must also ensure that Council Members are aware of decisions made by Committees and of those made by officers who have delegated responsibility.

4.2.3 The Monitoring Officer is responsible for advising all Members and officers about who has authority to take a particular decision.

4.2.4 The Monitoring Officer is responsible for advising the Committees or Council about whether a decision is likely to be considered contrary or not wholly in accordance with the policy framework.

4.2.5 The Monitoring Officer (together with the Section 151 Officer (see below)) is responsible for advising the Committees or Council about whether a decision is likely to be considered contrary or not wholly in accordance with the budget. Actions that may be 'contrary to the budget' include:

a) initiating a new policy;

b) committing expenditure in future years to above the current budget level;

c) incurring expenditure where no estimate or an inadequate estimate exists thereby giving rise to the necessity for supplementary estimates or virements above approved limits;

d) causing the total expenditure financed from council tax, grants and corporately held reserves to increase, or to increase by more than a specified amount.

4.3 Section 151 Officer (Chief Finance Officer)

4.3.1 The Director of Resources is the Chief Finance Officer and has statutory duties in relation to the financial administration and stewardship of the Council. This statutory responsibility cannot be overridden. The statutory duties arise from:

a) Section 151 of the Local Government Act 1972;
b) The Local Government Finance Act 1988;

c) The Local Government and Housing Act 1989;
d) The Accounts and Audit Regulations 2015;
e) The Localism Act 2011.

4.3.2 The Section 151 Officer (Chief Finance Officer) is responsible for:

a) the proper administration of the Council's financial affairs;

b) setting and monitoring compliance with financial management standards;

c) advising on the corporate financial position and on the key financial controls necessary to secure sound financial management;

d) providing financial information;

e) preparing the revenue budget and capital programme;

Operational responsibility for these matters is assigned to the Director of Resources.

4.3.3 Section 114 of the Local Government Finance Act 1988 requires the Chief Finance Officer (Section 151 Officer) to report to the Council, Committees and external auditor if the Council, Committees or one of its officers or members:

a) has made, or is about to make, a decision which involves incurring unlawful expenditure;
b) has taken, or is about to take, an unlawful action which has resulted or would result in a loss or deficiency to the Council;
c) is about to make an unlawful entry in the Council's accounts.

Section 114 of the 1988 Act also requires:

d) the Chief Finance Officer to nominate a properly qualified member of staff to deputise should he/she be unable to perform the duties under section 114 personally;

e) the Council to provide the Chief Finance Officer with sufficient staff, accommodation and other resources, including legal advice where this is necessary, to carry out the duties under section 114.

5. DIRECTORS

5.1 Directors are responsible for ensuring that Committees are advised of the financial implications of all proposals and that the financial implications have been agreed by the Director of Resources;

5.2 The Directors and the Head of Paid Service are responsible for signing contracts on behalf of the Council.

5.3 It is the responsibility of Directors and Committees to consult with the Director of Resources and seek approval on any matter liable to affect the Council's finances, before any commitments are incurred.

6. OTHER FINANCIAL ACCOUNTABILITIES

6.1 Virement

6.1.1 The Council is responsible for agreeing procedures for revenue and capital virements of expenditure or income between budget headings.

6.1.2 Directors must consult the Director of Resources on all virements, (see **Appendix F**)

6.2 Treatment of year-end balances

6.2.1 The Director of Resources is responsible for agreeing procedures for carrying forward under-spending on budget headings.

6.3 Accounting policies

6.3.1 The Director of Resources is responsible for selecting accounting policies and ensuring that they are applied consistently.

6.4 Accounting records and returns

6.4.1 The Director of Resources is responsible for determining the accounting procedures and records for the Council.

6.5 The Annual Statement of Accounts

6.5.1 The Director of Resources is responsible for ensuring that the annual Statement of Accounts is prepared in accordance with the Chartered Institute of Public Finance and Accountancy (CIPFA) Code of Practice for Local Authority Accounting in the United Kingdom and that the annual accounts are published by the deadline set out in the Accounts and Audit Regulations each year. The Audit Committee is responsible for approving the annual Statement of Accounts.

b) Financial Planning

1. INTRODUCTION

1.1 The Council is responsible for agreeing the Council's policy framework, in particular the Corporate Plan. It is also responsible for agreeing the budget, the main framework of which will be proposed by the Finance & Corporate Services Committee. In terms of financial planning, the key elements are:

a) the revenue budget;
b) the medium term financial strategy (MTFS);
c) the capital programme.

2. POLICY FRAMEWORK

2.1 The policy framework comprises a number of statutory plans and strategies, which are set out in the Councils corporate governance arrangements.

2.2 The Council is also responsible for approving procedures for agreeing variations to approved budgets, plans and strategies forming the policy framework and for determining the circumstances in which a decision will be deemed to be contrary to the budget or policy framework. The Monitoring Officer or the S151 Officer , as appropriate, should refer decisions to the Council.

2.3 The Programme committees are responsible for taking in-year decisions on resources and priorities in order to deliver the budget policy framework within the financial limits set by the Council.

2.4 Preparation of the Corporate Plan

2.4.1 The Director of Strategy, Performance and Governance is responsible for proposing the Corporate Plan to the Council for approval.

3. BUDGETING

3.1 Budget format

3.1.1 The general format of the budget will be approved by the Finance & Corporate Services Committee and the Council on the advice of the Director of Resources. The draft budget should include current approvals updated for inflation and volume changes, proposals for growth and savings, together with the proposed taxation level.

3.2 Budget preparation

3.2.1 The Director of Resources is responsible for ensuring that a revenue budget is prepared on an annual basis and a MTFS at least on a three-yearly basis for consideration by the Finance & Corporate Services Committee, before submission to the Council. The Council may amend the budget before approving it.

3.3 Budget monitoring and control

3.3.1 The Director of Resources is responsible for providing appropriate financial information to enable budgets to be monitored effectively. He/she must monitor and control expenditure against budget allocations and report to the Finance & Corporate Services Committee on the overall position on a quarterly basis.

3.3.2 It is the responsibility of Directors to control income and expenditure within their area and to monitor performance, taking account of financial information provided by the Director of Resources. They should also take any action necessary to avoid exceeding their budget allocation and alert the Director of Resources to any problems.

3.4 Resource allocation

3.4.1 The Director of Resources is responsible for developing and maintaining a resource allocation process that ensures due consideration of the Council's strategic and financial planning process.

3.5 Preparation of the Capital Strategy

3.5.1 The Director of Resources is responsible for ensuring that the Capital Strategy and Capital Programme are prepared on an annual basis for consideration by the Finance & Corporate Services Committee before submission to the Council.

3.6 Guidelines

3.6.1 Guidelines on budget policies are issued to Directors by the Director of Resources following approval of the Finance & Corporate Services Committee. The guidelines will take account of:

a) legal requirements;
b) medium-term financial strategy;
c) the Corporate Plan;
d) available resources;
e) spending pressures;
f) other relevant guidelines issued by government or external audit;
g) other internal policy documents;
h) cross-cutting issues (where relevant);
i) external partnerships.

4. MAINTENANCE OF RESERVES

4.1 It is the responsibility of the Director of Resources to advise the Finance & Corporate Services Committee on prudent levels of reserves for the Council.

c) Risk Management and Control of Resources

1. INTRODUCTION

1.1 It is essential that robust, integrated systems are developed and maintained for identifying and evaluating all significant operational risks to the Council. This should include the proactive participation of all those associated with planning and delivering services.

2. RISK MANAGEMENT

2.1 The Audit Committee is responsible for approving the Council's Risk Management Policy and for reviewing the effectiveness of risk management. The Finance & Corporate Services Committee is responsible for ensuring that proper insurance exists where appropriate.

2.2 The Director of Resources is responsible for preparing the Council's Risk Management Policy and for promoting it throughout the Council and is responsible for advising the Committees on proper insurance cover where appropriate.

3. INTERNAL CONTROL

3.1 Internal control refers to the systems of control devised by management to help ensure the Council's objectives are achieved in a manner that promotes economical, efficient and effective use of resources and that the Council's assets and interests are safeguarded.

3.2 The Director of Resources is responsible for advising on effective systems of internal control. These arrangements need to ensure compliance with all applicable statutes and regulations, and other relevant statements of best practice. They should ensure that public funds are properly safeguarded and used economically, efficiently, effectively and in accordance with the statutory and other authorities that govern their use.

3.3 It is the responsibility of Directors to establish sound arrangements for planning, appraising, authorising and controlling their operations in order to achieve continuous improvement, economy, efficiency and effectiveness and for achieving their financial performance targets.

4. AUDIT REQUIREMENTS

4.1 The Accounts and Audit Regulations require every local Council to maintain an adequate and effective internal audit.

4.2 The Secretary of State for Communities and Local Government, via the Local Government Asssociation has delegated the appointment of external auditors to each local authority to a body called Public Sector Audit Appointments Ltd (PSAA). The basic duties of the external auditor are governed by section 15 of the Local Government Finance Act 1982, as amended by the Local Audit and Accountability Act 2014.

4.3 The Council may, from time to time, be subject to audit, inspection or investigation by external bodies such as HM Revenues and Customs, which have statutory rights of access.

5. PREVENTING FRAUD AND CORRUPTION

5.1 The Director of Strategy, Performance and Governance, is responsible for the development and maintenance of an Anti-Fraud and Anti-Corruption Policy.

6. ASSETS

6.1 Directors should ensure that records of the Council's assets in excess of the limit set out in section 1.7 of **Appendix F** are properly maintained and securely held. They should also ensure that contingency plans for the security of assets and continuity of service in the event of disaster or system failure are in place. The Director of Resources should ensure that all assets above the specified value are properly recorded in the asset register.

7. TREASURY MANAGEMENT

7.1 The Council has adopted CIPFA's Code of Practice for Treasury Management in Local Authorities.

7.2 The Finance & Corporate Services Committee is responsible for approving the treasury management policy and Treasury Management Practices (TMP's) setting out the matters detailed in CIPFA's Code of Practice for Treasury Management in Local Authorities. The Director of Resources has delegated responsibility for implementing and monitoring the TMP's.

7.3 All money in the hands of the Council is controlled by the officer designated for the purposes of section 151 of the Local Government Act 1972, referred to in the Code as the Director of Resources.

7.4 Subject to the Council setting the overall borrowing limits in accordance with the Prudential Code, the day to day decisions on borrowing, investment or financing shall be delegated to the Director of Resources, who is required to act in accordance with CIPFA's Code of Practice for Treasury Management in Local Authorities.

8. STAFFING

8.1 The Head of Paid Service is responsible for providing overall management to staff. He/she is also responsible for ensuring that there is proper use of evaluation or other agreed systems for determining the remuneration of a job.

8.2 Directors, in consultation with the Director of Resources, are responsible for controlling total staff numbers by:

a) advising the Council on the budget necessary in any given year to cover estimated staffing levels;
b) adjusting the staffing to a level that can be funded within approved budget provision, varying the provision as necessary within that constraint in order to meet changing operational needs;
c) the proper use of appointment procedures.

d) Systems and Procedures

1. INTRODUCTION

1.1 Sound systems and procedures are essential to an effective framework of accountability and control.

2. GENERAL

2.1 The Director of Resources is responsible for the operation of the Council's accounting systems, the form of accounts and the supporting financial records. The Director of Resources must determine any changes proposed by Directors to the existing financial systems or the establishment of new systems. However, Directors are responsible for the proper operation of financial processes in their own services.

2.2 Any changes to agreed procedures by Directors to meet their own specific service needs should be agreed with the Director of Resources.

2.3 The Director of Resources should ensure that all staff receive relevant financial training.

2.4 Directors must ensure that, where appropriate, computer and other systems are registered in accordance with Data Protection legislation. Directors must ensure that staff are aware of their responsibilities under freedom of information legislation.

3. INCOME AND EXPENDITURE

3.1 It is the responsibility of Directors to ensure that a proper scheme of internal authorisation has been established within their area and that it is operating effectively. The scheme of delegation should identify in writing staff authorised to act on the Directors' behalf, or on behalf of the Council, in respect of payments, income collection and placing orders, together with the limits of their authority. The Finance & Corporate Services Committee is responsible for approving procedures for writing off debts as part of the overall control framework of accountability and control.

4. PAYMENTS TO EMPLOYEES AND MEMBERS

4.1 The Director of Resources is responsible for all payments of salaries and allowances to all staff, including payments for overtime, and for payment of allowances to Members.

5. TAXATION

5.1 The Director of Resources is responsible for advising Directors, in the light of guidance issued by appropriate bodies and relevant legislation as it applies, on all taxation issues that affect the Council.

5.2 The Director of Resources is responsible for maintaining the Council's tax records, making all tax payments, receiving tax credits and submitting tax returns by their due date as appropriate.

6. TRADING ACCOUNTS

6.1 It is the responsibility of the Director of Resources to advise on the establishment and operation of trading accounts.

e) External Arrangements

1. INTRODUCTION

1.1 The Council provides a distinctive leadership role for the community and brings together the contributions of the various stakeholders. It must also act to achieve the promotion or improvement of the economic, social and environmental well-being of its area.

2. PARTNERSHIPS

2.1 The Programme committees are responsible for approving delegations, including frameworks for partnerships. The Programme committees are the focus for forming partnerships with other local public, private, voluntary and community sector organisations to address local needs.

2.2 The Programme committees can delegate functions, including those relating to partnerships, to officers. These are set out in the scheme of delegation that forms part of the Council's corporate governance arrangements. Where functions are delegated, the Programme committees remain accountable for them to the Council.

2.3 The Director of Resources is responsible for promoting and maintaining the same high standards of conduct with regard to financial administration in partnerships that apply throughout the Council.

2.4 The Director of Resources, in consultation with the Council's designated legal advisor, must ensure that the accounting arrangements to be adopted relating to partnerships and joint ventures are robust and comply with best practices. He/she must also consider the overall corporate governance arrangements and in consultation with the designated legal advisor, legal issues when arranging contracts with external bodies. He/she must ensure that the risks have been fully appraised before agreements are entered into with external bodies.

2.5 Programme committees are responsible for ensuring that appropriate approvals are obtained before any negotiations are concluded in relation to work with external bodies.

3. EXTERNAL FUNDING

3.1 The Director of Resources is responsible for ensuring that all funding notified by external bodies is received and properly recorded in the Council's accounts.

A. FINANCIAL MANAGEMENT PROCEDURES

A.1. FINANCIAL MANAGEMENT STANDARDS

1.1 Why is this important?

1.1.1 All staff and Members have a duty to abide by the highest standards of probity in dealing with financial issues. This is facilitated by ensuring everyone is clear about the standards to which they are working and the controls that are in place to ensure that these standards are met.

A.1.2 Key controls

1.2.1 The key controls and control objectives for financial management standards are

(a) their promotion throughout the Council;

(b) a monitoring system to review compliance with financial standards, and regular comparisons of performance indicators and benchmark standards that are reported to the Finance & Corporate Services and/or Overview & Scrutiny Committees.

A.1.3 Responsibilities of the Director of Resources

1.3.1 To ensure the proper administration of the financial affairs of the Council.

1.3.2 To set the financial management standards and to monitor compliance with them.

1.3.3 To ensure proper professional practices are adhered to and to act as head of profession in relation to the standards, performance and development of finance staff throughout the Council.

1.3.4 To advise on the key strategic controls necessary to secure sound financial management.

1.3.5 To ensure that financial information is available to enable accurate and timely monitoring and reporting of comparisons of national and local financial performance indicators.

A.1.4 Responsibilities of Directors

1.4.1 To promote the financial management standards set by the Director of Resources in their service and to monitor adherence to the standards and practices.

1.4.2 To promote sound financial practices in relation to the standards, performance and development of staff in their departments.

A.2. MANAGING EXPENDITURE

2.1 Scheme of Virement

2.1.1 Why is this important?

2.1.1.1 The scheme of virement is intended to enable the Finance & Corporate Services committee, Directors and their staff to manage budgets with a degree of flexibility within the overall policy framework determined by the Council, and therefore to optimise the use of resources.

A.2.2 Key controls

2.2.1 Key controls for the scheme of virement are:

(a) it is administered by the Director of Resources within guidelines set by the Council. Any variation from this scheme requires the approval of the Council;

(b) the overall budget is proposed by the Finance & Corporate Services Committee and approved by the Council. Directors and budget holders are therefore authorised to incur expenditure in accordance with the estimates that make up the budget. The rules below cover virement (i.e. switching resources between approved budget headings of expenditure or income). For the purposes of this scheme, a budget heading is considered to be a line in the Budget Summary of the Budget Book;

(c) virement does not create additional overall budget liability. Directors are expected to exercise their discretion in managing their budgets responsibly and prudently. For example, they should aim to avoid supporting recurring expenditure from one-off sources of savings or additional income, or creating future commitments, including full-year effects of decisions made part way through a year, for which they have not identified future resources. Directors must plan to fund such commitments from within their own budgets.

A.2.3 Responsibilities of the Director of Resources

2.3.1 To prepare jointly with the Directors, a report to the Finance & Corporate Services Committee where revenue and capital virements, between different directorates, in excess of specified financial limits, are proposed (see **Appendix F**).

A.2.4 Responsibilities of Directors

2.4.1 A Director, in consultation with the Director of Resources may exercise virement within the same directorate under his/her control for any amount. Virements between different directorates must be reported to the Finance & Corporate Services Committee. The authorisation limits are set out in **Appendix F**.

2.4.2 Amounts that require the approval of the Finance & Corporate Services Committee must specify the proposed expenditure and the source of funding, and must explain the implications in the current and future financial years.

2.4.3 Virement that is likely to impact on the level of service activity of another Director should be implemented only after agreement with the relevant Director.

2.4.4 No virement relating to a specific financial year should be made after 31 March in that year.

2.4.5 Where an approved budget is a lump-sum budget or contingency intended for allocation during the year, its allocation will not be treated as a virement, provided that:

a) the amount is used in accordance with the purposes for which it has been established;

b) the Finance & Corporate Services Committee has approved the basis and the terms, including financial limits, on which it will be allocated. Individual allocations in excess of the financial limits should be reported to the Finance & Corporate Services Committee.

2.4.6 Virements are not permitted in relation to asset charges or other budget headings which are outside the control of the Directors or where a proposal would adversely affect long term revenue commitments.

A.3. ACCOUNTING POLICIES

A.3.1 Why is this important?

3.1.1 The Director of Resources is responsible for the preparation of the Council's Statement of Accounts, in accordance with proper practices as set out in the format required by the CIPFA Code of Practice on Local Authority Accounting in the United Kingdom for each financial year ending 31 March.

A.3.2 Key controls

3.2.1 The key controls for accounting policies are:

a) systems of internal control are in place which ensure that financial transactions are lawful;
b) suitable accounting policies are selected and applied consistently;
c) proper accounting records are maintained;
d) financial statements are prepared which present fairly the financial position of the Council and its expenditure and income.

A.3.3 Responsibilities of the Director of Resources

3.3.1 To select suitable accounting policies and to ensure that they are applied consistently. The accounting policies are set out in the Statement of Accounts, which is prepared at 31 March each year, and covers such items as:

a) income and expenditure;
b) fixed assets;
c) treatment of leasing;
d) depreciation;
e) charges to revenue;
f) capital receipts;
g) debtors and creditors;
h) support services;
i) pensions;
j) government grants;
k) investments;
l) reserves.
m) stocks

A.3.4 Responsibilities of Directors

3.4.1 To adhere to the accounting policies and guidelines approved by the Director of Resources.

A.**4. ACCOUNTING RECORDS AND RETURNS**

A.4.1 Why is this important?

4.1.1 Maintaining proper accounting records is one of the ways in which the Council discharges its responsibility for stewardship of public resources. The Council has a statutory responsibility to prepare its annual accounts to present fairly its operations during the year. These are subject to external audit. This audit provides assurance that the accounts are prepared properly, that proper accounting practices have been followed and that quality arrangements have been made for securing economy, efficiency and effectiveness in the use of the Council's resources.

A.**4.2 Key controls**

4.2.1 The key controls for accounting records and returns are:

a) all Committees, finance staff and budget managers operate within the required accounting standards and timetables;

b) all the Council's transactions, material commitments and contracts and other essential accounting information are recorded completely, accurately and on a timely basis;

c) procedures are in place to enable accounting records to be reconstituted in the event of systems failure;

d) reconciliation procedures are carried out to ensure transactions are correctly recorded;

e) prime documents are retained in accordance with legislative and other requirements.

A.4.3 Responsibilities of the Director of Resources

4.3.1 To determine the accounting procedures and records for the Council. Where these are maintained outside his/her department, the Director of Resources should consult the Director concerned.

4.3.2 To arrange for the compilation of all accounts and accounting records under his/her direction.

4.3.3 To comply with the following principles when allocating accounting duties:

a) separating the duties of providing information about sums due to or from the Council and calculating, checking and recording these sums from the duty of collecting or disbursing them;

b) employees with the duty of examining or checking the accounts of cash transactions must not themselves be engaged in these transactions.

4.3.4 To make proper arrangements for the audit of the Council's accounts in accordance with the Accounts and Audit Regulations 2015.

4.3.5 To ensure that all claims for funds including grants are made by the due date.

4.3.6 To prepare and publish the audited accounts of the Council for each financial year, in accordance with the statutory timetable and with the requirement for the Audit Committee to approve the Statement of Accounts.

4.3.7 To administer arrangements for under-spending to be carried forward to the following financial year.

4.3.8 To ensure the proper retention of financial documents in accordance with the requirements set out in the Council's document retention guidelines.

A.4.4 Responsibilities of Directors

4.4.1 To consult and obtain the approval of the Director of Resources before making any changes to accounting records and procedures.

4.4.2 To maintain adequate records to provide a management trail leading from the source of income/expenditure through to the accounting statements.

4.4.3 To supply information required to enable the Statement of Accounts to be completed in accordance with guidelines issued by the Director of Resources.

A.**5. THE ANNUAL STATEMENT OF ACCOUNTS**

A.5.1 Why is this important?

5.1.1 The Council has a statutory responsibility to prepare its own accounts to present fairly its operations during the year. The Audit Committee is responsible for approving the statutory annual Statement of Accounts.

A.5.2 Key controls

5.2.1 The key controls for the annual Statement of Accounts are:

a) the Council is required to make arrangements for the proper administration of its financial affairs and to secure that one of its officers has the responsibility for the administration of these affairs. In this Council, that officer is the Director of Resources (Section 151 Officer);

b) the Council's Statement of Accounts must be prepared in accordance with proper practices as set out in the latest CIPFA Code of Practice on Local Authority Accounting in the United Kingdom.

A.**5.3 Responsibilities of the Director of Resources**

5.3.1 To sign and date the Statement of Accounts, stating that it presents a true and fair view of the financial position of the Council at the accounting date and its income and expenditure for the year ended 31 March.

5.3.2 To select suitable accounting policies and to apply them consistently.

5.3.3 To make judgements and estimates that are reasonable and prudent.

5.3.4 To comply with the latest accounting Code of Practice.

5.3.5 To draw up the timetable for final accounts preparation and to advise staff and external auditors accordingly.

A.5.4 Responsibilities of Directors

5.4.1 To comply with accounting guidance provided by the Director of Resources and to supply him/her with information when required.

B. FINANCIAL PLANNING

B.1. PERFORMANCE PLANS

B.1.1 Why is this important?

1.1.1 The purpose of performance plans is to explain overall priorities and objectives, current performance, and proposals for further improvement.

B.1.2 Key controls

1.2.1 The key controls for performance plans are:

(a) to meet the timetables set;

(b) to ensure that all performance information is accurate, complete and up to date;

(c) to provide improvement targets which are meaningful, realistic and challenging.

B.1.3 Responsibilities of Directors

1.4.1 To contribute to the development of performance plans in line with statutory requirements.

1.4.2 To contribute to the development of corporate and service targets and objectives and performance information.

1.4.3 To ensure that systems are in place to measure activity and collect accurate information for use as performance indicators.

1.4.4 To ensure that performance information is collected and monitored sufficiently frequently to allow corrective action to be taken if targets are not likely to be met.

B.2. BUDGETING

B.2.1 Format of the budget

2.1.1 Why is this important?

2.1.1.1 The structure of the budget determines the level of detail to which financial control and management will be exercised. The structure shapes how the rules around virement operate, the operation of financial limits and sets the level at which funds may be reallocated within budgets.

B.2.2 Key controls

2.2.1 The key controls for the budget structure are:

a) the structure complies with all legal requirements;

b) the structure reflects the accountabilities of service delivery.

B.2.3 Responsibilities of Directors

2.3.1 To comply with accounting guidance provided by the Director of Resources.

B.2.4 Revenue budget preparation, monitoring and control

2.4.1 Why is this important?

2.4.1.1 Budget management ensures that once the budget has been approved by the Council, resources allocated are used for their intended purposes and are properly accounted for. Budgetary control is a continuous process, enabling the Council to review and adjust its budget targets during the financial year. It also provides the mechanism that calls to account, managers responsible for defined elements of the budget.

2.4.1.2 By continuously identifying and explaining variances against budgetary targets, the Council can identify changes in trends and resource requirements at the earliest opportunity. The Council itself operates within an annual financial limit, approved when setting the overall budget. To ensure that the Council in total does not overspend, each service is required to manage its own expenditure within the budget allocated to it.

2.4.1.3 For the purposes of budgetary control by managers, a budget will normally be the planned income and expenditure for a service or policy area. However, budgetary control may take place at a more detailed level if this is required by the Directors scheme of delegation or by the Council.

B.**2.5 Key controls**

2.5.1 The key controls for managing and controlling the revenue budget are:

a) budget managers should be responsible only for income and expenditure that they can influence;

b) there is only one nominated budget manager for each budget area;

c) budget managers accept accountability for their budgets and the level of service to be delivered and understand their financial responsibilities;

d) budget managers follow an approved certification process for all expenditure;

e) income and expenditure are properly recorded and accounted for;

f) performance levels/levels of service are monitored in conjunction with the budget and necessary action is taken to align service outputs and budget;

g) Managers should supervise the financial management of those reporting to them.

B.**2.6 Responsibilities of the Director of Resources**

2.6.1 To establish an appropriate framework of budgetary management and control that ensures that:

a) budget management is exercised within annual financial limits unless the Council agrees otherwise;

b) each Manager has available timely information on receipts and payments on each budget which is sufficiently detailed to enable managers to fulfil their budgetary responsibilities;

c) all officers responsible for committing expenditure comply with relevant guidance, and the financial regulations;

d) each directly controllable cost centre has a single named manager, determined by the relevant Director. As a general principle, budget responsibility should be aligned as closely as possible to the decision-making process that commits expenditure;

e) significant variances from approved budgets are investigated and reported by budget managers regularly.

2.6.2 To administer the Council's scheme of virement.

2.6.3 To submit reports to the Finance & Corporate Services Committee and to the Council, in consultation with the relevant Director, where a Director is unable to balance expenditure and resources within existing approved budgets under his/her control.

2.6.4 To prepare and submit reports on the Council's projected income and expenditure compared with the budget on a quarterly basis.

2.6.5 To approve fees and charges where the budgeted income is less than or equal to £2,000.

B.**2.7 Responsibilities of Directors**

2.7.1 To maintain budgetary control within their services, in adherence to the principles in 2.6.1, and to ensure that all income and expenditure is properly recorded and accounted for.

2.7.2 To ensure that an accountable budget manager is identified for each item of income and expenditure under the control of the Director. As a general principle, budget responsibility should be aligned as closely as possible to the decision-making that commits expenditure.

2.7.3 To ensure that spending remains within the service's overall financial limit, and that individual budget headings are not overspent, by monitoring the budget and taking appropriate corrective action where significant variations from the approved budget are forecast.

2.7.4 To ensure that a monitoring process is in place to review performance levels/levels of service in conjunction with the budget and that it is operating effectively.

2.7.5 To ensure prior approval by the Council or Programme committees (as appropriate) for new proposals, of whatever amount, that:

a) create financial commitments in the current or future years;

b) change existing policies, initiate new policies or cease existing policies;

c) materially extend or reduce the Council's services.

2.7.6 To ensure compliance with the scheme of virement.

2.7.7 To agree with the relevant Director where it appears that a budget proposal, including a virement proposal, may impact materially on another service area or another Director's level of service activity.

B.2.8 Budgets and the Medium-Term Financial Strategy (MTFS)

2.8.1 Why is this important?

2.8.1.1 The Council is a complex organisation responsible for delivering a wide variety of services. It needs to plan effectively and to develop systems to enable scarce resources to be allocated in accordance with carefully weighed priorities. The budget is the financial expression of the Council's plans and policies.

2.8.1.2 A report on new proposals should explain the full financial implications, following consultation with the Director of Resources. Unless the Council or Finance & Corporate Services Committee has agreed otherwise, Directors must plan to contain the financial implications of such proposals within the relevant financial limit.

2.8.1.3 The revenue budget must be constructed so as to ensure that resource allocation properly reflects the business plans and priorities of the Council. Budgets (spending plans) are needed so that the Council can plan, authorise, monitor and control the way money is allocated and spent. It is illegal for a Council to budget for a deficit.

2.8.1.4 The annual strategic and financial planning process involves a cycle in which Directors develop their own plans for submission to the relevant Committee. As each year passes, another future year will be added to the MTFS. This ensures that the Council is always preparing for events in advance.

B.**2.9** Key controls

2.9.1 The key controls for budgets and the MTFS are:

a) specific budget approval for all expenditure;

b) budget managers are consulted in the preparation of the budgets for which they will be held responsible and accept accountability within delegations set by the Council for their budgets and the level of service to be delivered;

c) a monitoring process is in place to review regularly the effectiveness and operation of budget preparation and to ensure that any corrective action is taken.

B.**2.10** Responsibilities of the Director of Resources

2.10.1 To prepare and submit reports on budget prospects to the Finance & Corporate Services Committee including resource constraints set by the Government. Reports should take account of medium-term prospects, where appropriate.

2.10.2 To determine the detailed form of revenue estimates and the methods for their preparation.

2.10.3 To advise on the medium-term implications of spending decisions.

2.10.4 To encourage the best use of resources and value for money by working with Directors to identify opportunities to improve economy, efficiency and effectiveness, and by encouraging good practice in conducting financial appraisals of development or savings options, and in developing financial aspects of service planning.

2.10.5 To advise the Council on proposals in accordance with his/her responsibilities under section 151 of the Local Government Act 1972.

B.**2.11** Responsibilities of Directors

2.11.1 To prepare estimates of income and expenditure, in consultation with the Director of Resources.

2.11.2 To prepare budgets that are consistent with any relevant financial limits, with the Council's annual budget cycle and with guidelines issued by the Director of Resources.

2.11.3 To integrate financial and budget plans into business planning, so that budget plans can be supported by financial and non-financial performance measures.

2.11.4 In consultation with the Director of Resources and in accordance with the laid-down guidance and timetable, to prepare detailed draft revenue and capital budgets for consideration by the Finance & Corporate Services Committee.

2.11.5 When drawing up draft budget requirements, to have regard to:

a) spending patterns and pressures revealed through the budget monitoring process;

b) legal requirements;

c) requirements as defined by the Council in the Strategic and Financial Policy Process;

d) initiatives already under way and any new service requirements that are likely to require funding within the financial year in question.

B.2.12 Resource allocation

2.12.1 Why is this important?

2.12.1.1 A mismatch often exists between available resources and required resources. A common scenario is that available resources are not adequate to fulfil need/desire. It is therefore imperative that needs/desires are carefully prioritised, taking account of the Council's legal responsibilities and that resources are allocated to meet the urgent priorities. Resources may include staff, money, equipment, goods and materials.

B.**2.13 Key controls**

2.13.1 The key controls for resource allocation are:

a) resources are acquired in accordance with the law and allocated using an approved authorisation process;

b) resources are used only for the purpose intended, to achieve the approved policies and objectives, and are properly accounted for;

c) resources are securely held for use when required;

d) resources are used in the most efficient manner.

B.**2.14 Responsibilities of the Director of Resources**

2.14.1 To coordinate the Strategic and Financial Planning process to ensure that resources are devoted to the Council's stated priorities.

2.14.2 To advise on methods available for the funding of expenditure plans.

B.**2.15 Responsibilities of Directors**

2.15.1 To deliver the Council's key objectives within budget limits and to utilise resources allocated, and further allocate resources, in the most efficient, effective and economic way.

2.15.2 To identify opportunities to minimise or eliminate resource requirements or consumption without having a detrimental effect on service delivery.

B.2.16 Capital programmes

2.16.1 Why is this important?

2.16.1.1 Capital expenditure involves acquiring or enhancing fixed assets with a long-term value to the Council, such as land, buildings, and major items of plant, equipment or vehicles. Capital assets shape the way services are delivered in the long term and create financial commitments for the future in the form of financing costs and revenue running costs.

2.16.1.2 The Government controls the financing capacity of the Council through the CIPFA Prudential Code. This means that capital expenditure should be integrated into the Council's Treasury Management Strategy and should be carefully prioritised in order to maximise the benefit of scarce resources.

B.**2.17** Key controls

2.17.1 The key controls for capital programmes are:

a) the development and implementation of asset management plans;

b) specific approval by the Council for the programme of capital expenditure;

c) a scheme and estimate, including project plan, progress targets and associated revenue expenditure is prepared for each capital project, for approval by the Finance & Corporate Services Committee;

d) proposals for improvements and alterations to buildings must be approved by the relevant Director;

e) accountability for each capital project is accepted by a named manager;

f) monitoring of progress in conjunction with expenditure and comparison with approved budget;

g) capital spending plans are to be in line with the approved Capital Strategy.

B.**2.18** Responsibilities of the Director of Resources

2.18.1 To prepare the capital programme and estimates jointly with Directors and to report them to the Finance & Corporate Services Committee for approval. The Finance & Corporate Services Committee will make recommendations on the capital programme and on any associated financing requirements to the Council.

2.18.2 To prepare and submit reports jointly with the officers defined as accountable for capital projects to the Finance & Corporate Services Committee on the progress of the capital programme compared with the approved estimates.

2.18.3 Having regard to regulations determine the definition of 'capital'.

B.**2.19** Responsibilities of Directors

2.19.1 To comply with guidance concerning capital schemes and controls issued by the Director of Resources.

2.19.2 To prepare and submit quarerly reports jointly with the Director of Resources to the Finance & Corporate Services Committee on the the progress of the capital programme compared with the approved estimates.

2.19.3 To prepare regular reports reviewing the capital programme provisions for their services. In consultation with the Director of Resources, to obtain authorisation from the Finance & Corporate Services Committee and/or the Council for individual schemes where the estimated expenditure exceeds the capital programme provision by more than a specified amount (see **Appendix F**).

2.19.4 To ensure that all capital proposals have undergone a project appraisal in accordance with guidance issued by the Director of Resources.

2.19.5 To ensure that adequate records are maintained for all capital contracts.

2.19.6 To proceed with projects only when there is adequate provision in the capital programme.

2.19.7 To prepare and submit reports, jointly with the Director of Resources, to the Programme committees, of any increase in contract costs in excess of the approved scheme and estimate, unless the excess can be met by virement from elsewhere within the capital programme. The authorisation limits for capital virements are set out in **Appendix F**.

2.19.8 To prepare and submit reports, jointly with the Director of Resources, to the Programme committees, where it appears that the final cost of a revenue or capital contract will exceed the approved contract sum by more than a specified financial limit (see **Appendix F**).

2.19.9 No leasing arrangements as defined by the Director of Resources shall be entered into without prior approval.

B.3. MAINTENANCE OF RESERVES

B.3.1 Why is this important?

3.1.1 The Council must decide the level of general reserves it wishes to maintain before it can decide the level of council tax. Reserves are maintained as a matter of prudence. They enable the Council to provide for unexpected events and thereby protect it from overspending, should such events occur. Reserves for specific purposes may also be maintained, such as the purchase or renewal of capital items.

B.3.2 Key controls

3.2.1 To maintain reserves in accordance with the Code of Practice on Local Authority Accounting in the United Kingdom and agreed accounting policies.

3.2.2 For each reserve established, the purpose, usage and basis of transactions should be clearly identified and approved by the Finance & Corporate Services Committee.

B.3.3 Responsibilities of the Director of Resources

3.3.1 To advise the Finance & Corporate Services Committee and/or the Council on prudent levels of reserves for the Council.

B.3.4 Responsibilities of Directors

3.4.1 To ensure that resources are used only for the purposes for which they were intended.

C. RISK MANAGEMENT AND CONTROL OF RESOURCES

C.1. RISK MANAGEMENT

C.1.1 Why is this important?

1.1.1 All organisations, whether private or public sector, face risks to people, property and continued operations. Risk is the chance or possibility of loss, damage, injury or failure to achieve objectives caused by an unwanted or uncertain action or event. Risk management is the planned and systematic approach to the identification, evaluation and control of risk. Its objectives are to secure the assets of the organisation and to ensure the continued financial and organisational well-being of the organisation. In essence it is, therefore, an integral part of good business practice. Risk management is concerned with evaluating the measures an organisation already has in place to manage identified risks and then recommending the action the organisation needs to take to control these risks effectively.

1.1.2 It is the overall responsibility of the Council to approve the Council's risk management strategy, and to promote a culture of risk management awareness throughout the Council.

C.1.2 Key controls

1.2.1 The key controls for risk management are:

a) procedures are in place to identify, assess, prevent or contain material known risks, and these procedures are operating effectively throughout the Council;
b) a monitoring process is in place to review regularly the effectiveness of risk reduction strategies and the operation of these controls;
c) managers know that they are responsible for managing relevant risks and are provided with relevant information on risk management initiatives;
d) provision is made for losses that might result from the risks that remain;
e) procedures are in place to investigate claims within required timescales
f) acceptable levels of risk are determined and insured against where appropriate;
g) the Council has identified business continuity plans for implementation in the event of disaster that results in significant loss or damage to its resources.

C.1.3 Responsibilities of the Director of Strategy, Performance and Governance

1.3.1 To prepare and promote the Council's Risk Management Policy.

1.3.2 To develop risk management controls in conjunction with Directors.

C.1.4 Responsibilities of the Director of Resources

1.4.1 To include all appropriate employees of the Council in a suitable fidelity guarantee insurance.

1.4.2 To effect corporate insurance cover, through external insurance and internal funding, and to negotiate all claims in consultation with other officers, where necessary.

C.1.5 Responsibilities of Directors

1.5.1 To notify the Director of Resources immediately of any loss, liability or damage that may lead to a claim against the Council, together with any information or explanation required by the Council's insurers.

1.5.2 To take responsibility for risk management, having regard to advice from the Director of Resources and other specialist officers (e.g. fire prevention, health and safety).

1.5.3 To ensure that there are regular reviews of risk within their Service.

1.5.4 To notify the Director of Resources promptly of all new risks, properties or vehicles that require insurance and of any alterations affecting existing insurances.

1.5.5 To consult the Director of Resources and the Council's legal advisors on the terms of any indemnity that the authority is requested to give.

1.5.6 To ensure those employees, or anyone covered by the Council's insurances, do not admit liability or make any offer to pay compensation that may prejudice the assessment of liability in respect of any insurance claim.

C.2. INTERNAL CONTROLS

C.2.1 Why is this important?

2.1.1 The Council is complex and beyond the direct control of a single individual. It therefore requires internal controls to manage and monitor progress towards strategic objectives.

2.1.2 The Council has statutory obligations, and, therefore, requires internal controls to identify, meet and monitor compliance with these obligations.

2.1.3 The Council faces a wide range of financial, administrative and commercial risks, both from internal and external factors, which threaten the achievement of its objectives. Internal controls are necessary to manage these risks.

2.1.4 The system of internal controls is established in order to provide measurable achievement of:

a) efficient and effective operations;

b) reliable financial information and reporting;

c) compliance with laws and regulations;

d) risk management.

C.2.2 Key controls

2.2.1 The key controls and control objectives for internal control systems are:

a) key controls should be reviewed on a regular basis;

b) managerial control systems, including defining policies, setting objectives and plans, monitoring financial and other performance and taking appropriate anticipatory and remedial action. The key objective of these systems is to promote ownership of the control environment by defining roles and responsibilities;

c) financial and operational control systems and procedures, which include physical safeguards for assets, segregation of duties, authorisation and approval procedures and information systems;

d) an effective internal audit function that is properly resourced. It should operate in accordance with the principles contained in the Auditing Practices Board's auditing guideline Guidance for Internal Auditors, CIPFA's Code of Practice for Internal Audit in Local Government in the United Kingdom and with any other statutory obligations and regulations.

C.2.3 Responsibilities of the Director of Resources

2.3.1 To assist the Council to put in place an appropriate control environment and effective internal controls which provide reasonable assurance of effective and efficient operations, financial stewardship, probity and compliance with laws and regulations.

C.2.4 Responsibilities of Directors

2.4.1 To manage processes to check that established controls are understood and being adhered to and to evaluate their effectiveness, in order to be confident in the proper use of resources, achievement of objectives and management of risks.

2.4.2 To review existing controls in the light of changes affecting the Council and to establish and implement new ones in line with guidance from the Director of Resources. Directors should also be responsible, after consultation with the Director of Resources, for removing controls that are unnecessary or not cost or risk effective – for example, because of duplication.

C.3. AUDIT REQUIREMENTS

C.3.1 Internal audit

3.1.1 Why is this important?

3.1.1.1 The Accounts and Audit Regulations 2015 (para 5) require that a "relevant authority must undertake an effective internal audit to evaluate the effectiveness of its risk management, control and governance processes, taking into account public sector internal auditing standards or guidance".

3.1.1.2 Internal Audit must be seen as independent. This is achieved through operating within a framework that allows unrestricted access to senior management, reporting in its own name and segregation as far as practical from line operations. The function reports directly to the Director of Resources (also the officer designated under Section 151 of the Local Government Act5 1972 as responsible for ensuring the proper administration of the Authority's financial affairs). Internal Audit also reports directly to the Audit Committee.

C.3.2 Key controls

3.2.1 The key controls for internal audit are:

a) that it is independent in its planning and operation;

b) the Audit Manager has direct access to the Director of Resources, all levels of management and directly to elected Members;

c) Internal Auditors work towards complying with the UK Public Sector Internal Audit Standards (PSIAS), and effort is made to preserve objectivity by ensuring staff are free from conflicts of interest. Therefore as far as is practical, Internal Audit will not participate in the day to day operation of any systems of internal financial control.

C.3.3 Responsibilities of the Director of Resources

3.3.1 To ensure that internal auditors have the authority to:

a) access Council premises at reasonable times;

b) access all assets, records, documents, correspondence and control systems ;

c) receive any information and explanation considered necessary concerning any matter under consideration;

d) require any employee of the Council to account for cash, materials or any other asset under his/her control;

e) access records belonging to third parties, such as contractors, when required;

f) obtain direct access to the Finance & Corporate Services Committee and the Audit Committee.

3.3.2 To approve the annual audit plans, prepared by the Audit Manager, and present to the Audit Committee for their approval.

3.3.3 To prepare terms of reference for the internal audit function, for approval by the Audit Committee.

3.3.4 To ensure that effective procedures are in place to investigate promptly any fraud or irregularity.

C.3.4 Responsibilities of Directors

3.4.1 To ensure that internal auditors are given access at all reasonable times to premises, personnel, documents and assets that the auditors consider necessary for the purposes of their work.

3.4.2 To ensure that auditors are provided with any information and explanations that they seek in the course of their work.

3.4.3 To respond to internal and external audit reports in writing, within a timescale agreed by the appropriate Director and the Director of Resources or External Auditor, detailing the action intended to address any recommendations.

3.4.4 To ensure that any agreed actions arising from audit recommendations are carried out in a timely and efficient fashion.

3.4.5 To ensure that their staff report any suspicion of fraud, corruption or other financial irregularity in respect of Council funds, either directly, or via the Directors to the Director of Resources for investigation.

3.4.6 The Director of Resources must then arrange for appropriate investigation of the matter. The relevant Director must agree any further investigative action with the Director of Resources before proceeding.

3.4.7 The Director of Resources, in consultation with the relevant Director and the Monitoring Officer will advise whether any matter should be referred to the police for further investigation.

3.4.8 To ensure that the Director of Resources is given an opportunity, in a timely manner before live operation, to evaluate the adequacy of new systems for maintaining financial records, or records of assets, or changes to such systems.

C.3.5 External audit

3.5.1 Why is this important?

3.5.1.1 Under Schedule 1 of the Local Audit and Accountability Act 2014 all contracts for audit and related services, previously let by the Audit Commission, were transferred to Public Sector Audit Appointments Ltd on 1 April 2015. The external auditor has rights of access to all documents and information necessary for audit purposes (para 22 2014 Act).

3.5.1.2 The general duties of the external auditor are defined in the Local Audit and Accountability Act 2014 (para 20) and the Local Government Act 1999. In particular, Schedule 6 of the 2014 Act sets out that the Comptroller & Auditor General is responsible for preparing a code of audit practice, which external auditors follow when carrying out their duties. Schedule 1 of the code of audit practice sets out the auditor's statutory responsibilities across 3 main headings:

a) Audit Scope;

b) Reporting;

c) Additional powers and duties.

3.5.1.3 The Council's accounts are scrutinised by external auditors, who must be satisfied that the Statement of Accounts 'presents a true and fair view' (Para 20 2014 Act) of the financial position of the Council and its income and expenditure for the year in question and complies with the legal requirements.

C.3.6 Key controls

3.6.1 External auditors were initially appointed by Public Sector Audit Appointments Ltd, however subsequent appointments are to be made by the Local Authority for a maximum period of five years. The Comptroller & Auditor General (National Audit Office) prepares the code of audit practice, which external auditors follow when carrying out their audits.

C.3.7 Responsibilities of the Director of Resources

3.7.1 To ensure that external auditors are given access at all reasonable times to premises, personnel, documents and assets that the external auditors consider necessary for the purposes of their work.

3.7.2 To work with the external auditor and advise the Council, and Directors on their responsibilities in relation to external audit.

3.7.3 To ensure there is effective liaison between external and internal audit.

C.3.8 Responsibilities of Directors

3.8.1 To ensure that external auditors are given access at all reasonable times to premises, personnel, documents and assets which the external auditors consider necessary for the purposes of their work.

3.8.2 To ensure that all records and systems are up to date and available for inspection.

C.4. PREVENTING FRAUD AND CORRUPTION

C.4.1 Why is it this important?

4.1.1 The Council will not tolerate fraud and corruption in the administration of its responsibilities, whether from inside or outside the Council.

4.1.2 The Council's expectation of propriety and accountability is that Members and staff at all levels will lead by example in ensuring adherence to legal requirements, rules, procedures and practices.

4.1.3 The Council also expects that individuals and organisations (e.g. suppliers, contractors, service providers) with whom it comes into contact will act towards the Council with integrity and without thought of or actions involving fraud and corruption. It must guard against the possibility that these expectations will not be fulfilled in all respects.

C.4.2 Key controls

4.2.1 The key controls regarding the prevention of financial irregularities are that:

a) the Council has an effective Anti-Fraud and Anti-Corruption Policy and maintains a culture that will not tolerate fraud or corruption;

b) all Members and staff act with integrity and lead by example as per the relevant Code of Conduct;

c) Managers are required to deal swiftly and firmly with those who defraud or attempt to defraud the Council or who are corrupt;

d) high standards of conduct are promoted amongst Members by the standards committee;

e) the maintenance of a register of interests in which any hospitality or gifts accepted must be recorded;

f) "whistle blowing" procedures are in place and operate effectively;

g) legislation including the Public Interest Disclosure Act 1998 is adhered to.

C.4.3 Responsibilities of the Director of Strategy Performance and Governance.

4.3.1 To maintain and review an Anti-Fraud Policy.

C.4.4 Responsibilities of the Director of Resources

4.4.1 To maintain adequate and effective internal control arrangements.

4.4.3 To ensure that all suspected irregularities are investigated, and all proven irregularities reported to the Monitoring Officer and S151.

C.4.5 Responsibilities of Directors

4.5.1 To ensure that all suspected irregularities are reported to the Director of Resources

4.5.2 To instigate the Council's disciplinary procedures where the outcome of an audit investigation indicates improper behaviour.

4.5.3 To ensure that where financial impropriety is discovered, the Director of Resources is informed. Where sufficient evidence exists to believe that a criminal offence may have been committed, after consultation with the Director of Resources, relevant Director , to ensure that the Police are called in.

C.4.6 Responsibility of the Monitoring Officer

4.6.1 To maintain a register of interests.

C.5. ASSETS

C.5.1 Security

5.1.1 Why is this important?

5.1.1.1 The Council holds assets in the form of property, vehicles, equipment, furniture and other items worth millions of pounds. It is important that assets are safeguarded and used efficiently in service delivery, and that there are arrangements for the security of both assets and information required for service operations. An up-to-date asset register is a prerequisite for proper fixed asset accounting and sound asset management.

C.5.2 Key controls

5.2.1 The key controls for the security of resources such as land, buildings, fixed plant machinery, equipment, software and information are:

a) resources are used only for the purposes of the Council and are properly accounted for;

b) resources are available for use when required;

c) resources no longer required are disposed of in accordance with the law and the regulations of the Council so as to maximise benefits;

d) an asset register is maintained for the Council, assets are recorded when they are acquired by the Council and this record is updated as changes occur with respect to the location, value and condition of the asset;

e) all staff are aware of their responsibilities with regard to safeguarding the Council's assets and information, including the requirements of the Data Protection Act and software copyright legislation;

f) all staff are aware of their responsibilities with regard to safeguarding the security of the Council's Information Communication Technology (ICT) Systems, including maintaining restricted access to the information held on them and compliance with the Council's Information Communication Technology and internet security policies.

C.5.3 Responsibilities of the Director of Resources

5.3.1 To ensure that an asset register is maintained in accordance with good practice for all fixed assets with a value in excess of a specified financial limit (see **Appendix F**). The function of the asset register is to provide the Council with information about fixed assets so that they are:

a) safeguarded;

b) used efficiently and effectively;

c) adequately maintained.

5.3.2 To receive the information required for accounting, costing and financial records from each Director.

5.3.3 To ensure that assets are valued in accordance with the Code of Practice on Local Authority Accounting in the United Kingdom.

C.5.4 Responsibilities of Directors

5.4.1 A property database shall be maintained by the Director of Resources for all properties, plant and machinery and moveable assets currently owned or used by the Council subject to the minimum values specified in **Appendix F**. Any use of property by a service other than for direct service delivery should be supported by documentation identifying terms, responsibilities and duration of use.

5.4.2 To ensure that lessees and other prospective occupiers of council owned land are not allowed to take possession or enter the land until a lease or agreement, in a form approved by the Council's legal advisor, has been established.

5.4.3 To ensure the proper security of all buildings and other assets under their control in accordance with laid down guidelines.

5.4.4 Where land or buildings are surplus to requirements, a recommendation for sale should be the subject of a joint report by the Director and the Director of Resources (see **Appendix F**).

5.4.5 To pass title deeds to the Monitoring Officer who is responsible for maintaining the central repository of all title deeds.

5.4.6 To ensure that no Council asset is subject to personal use by a Member or employee without prior agreement of the relevant Director.

5.4.7 To ensure the safe custody of vehicles, equipment, furniture, stock, stores and other property belonging to the Council.

5.4.8 To ensure that an inventory is maintained of moveable assets (subject to limits in **Appendix F)** in accordance with arrangements defined by the Corporate Leadership Team.

5.4.9 To ensure that assets are identified, their location recorded and that they are appropriately marked and insured.

5.4.10 To consult the Director of Resources in any case where security is thought to be defective or where it is considered that special security arrangements may be needed.

5.4.11 To ensure cash holdings on premises are kept to a minimum.

5.4.12 To ensure that keys to safes and similar receptacles are carried on the person of those responsible at all times; loss of any such keys must be reported to the Director of Resources as soon as possible.

5.4.13 To record all disposals or part exchange of assets that should normally be by competitive tender or public auction in accordance with ***Contract Procedure Rules***, unless, the Finance & Corporate Services Committee agrees otherwise.

5.4.14 To ensure that all employees are aware that they have a personal responsibility with regard to the protection and confidentiality of information, whether held in manual or computerised records. Information may be sensitive or privileged, or may possess some intrinsic value, and its disclosure or loss could result in a cost to the Council in some way.

5.4.15 To maintain inventories and record an adequate description of furniture, fittings, equipment, plant and machinery above a specified financial limit in value (see **Appendix F**).

5.4.16 To carry out an annual check of all items on the inventory in order to verify location and condition and to take action in relation to surpluses or deficiencies, annotating the inventory accordingly. Attractive and portable items such as computers and cameras should be identified with security markings as belonging to the Council.

5.4.17 To make sure that property is only used in the course of the Council's business, unless the Director concerned has given permission otherwise.

C.5.5 Asset disposal

5.5.1 Why is this important?

5.5.1.1 It would be uneconomic and inefficient for the cost of assets to outweigh their benefits. Obsolete, non-repairable or unnecessary resources should be disposed of in accordance with the law and the regulations of the Council.

C.5.6 Key controls

5.6.1 Assets for disposal are identified and are disposed of at the most appropriate time, and only when it is in the best interests of the Council, and best price is obtained in accordance with ***Contract Procedure Rules*** and bearing in mind other factors, such as environmental issues.

5.6.2 Procedures protect staff involved in the disposal from accusations of personal gain.

C.5.7 Responsibilities of the Director of Resources

5.7.1 To issue advice on disposal in accordance with ***Contract Procedure Rules***.

5.7.2 To ensure appropriate accounting entries are made to remove the value of disposed assets from the Council's records and to include the sale proceeds if appropriate.

C.6. TREASURY MANAGEMENT

C.6.1 Why is this important?

6.1.1 Millions of pounds pass through the Council's accounts each year. This requires the establishment of codes of practice. These aim to provide assurances that the Council's money is properly managed in a way that balances risk with return, but with the overriding consideration being given to the security of the Council's investment.

C.6.2 Key controls

6.2.1 That the Council's borrowings and investments comply with the CIPFA Code of Practice on Treasury Management and with the Council's treasury management practices (TMP's).

6.2.2 That the Finance & Corporate Services Committee receives reports on Treasury activity at least twice a year in accordance with the code of practice and that the Treasury Management Strategy is subject to annual scrutiny before it is agreed.

C.6.3 Responsibilities of Director of Resources – treasury management and banking

6.3.1 To arrange the borrowing and investments of the Council in such a manner as to comply with the CIPFA Code of Practice on Treasury Management and the Council's treasury management practices and strategy.

6.3.2 To prepare reports for the consideration of the Finance & Corporate Services and Overview & Scrutiny Committees.

6.3.3 To operate bank accounts as are considered necessary – opening or closing any bank account shall require the written approval of the Director of Resources in accordance with the Banking Mandate (**Appendix G**).

C.6.4 Responsibilities of Directors – treasury management and banking

6.4.1 To follow the instructions on banking issued by the Director of Resources.

C.6.5 Responsibilities of Director of Resources – investments and borrowing

6.5.1 To ensure that all investments of money are made in the name of the Council.

6.5.2 To ensure that all securities that are the property of the Council and the title deeds of all property in the Council's ownership are held in the custody of the Monitoring Officer or under arrangements approved by the Director of Resources.

6.5.3 To effect all borrowings in the name of the Council.

6.5.4 To maintain records of all borrowing of money by the Council.

C.6.6 Responsibilities of Directors – investments and borrowing

6.6.1 To ensure that loans are not made to third parties and that interests are not acquired in companies, joint ventures or other enterprises without the approval of the Council.

C.6.7 Responsibilities of Directors – funds held for third parties

6.7.1 To arrange, where funds are held on behalf of third parties, for their secure administration, approved by the Director of Resources, and to maintain written records of all transactions.

C.6.8 Responsibilities of the Director of Resources – imprest accounts

6.8.1 To provide employees of the Council with cash imprest accounts to meet minor expenditure on behalf of the Council and to prescribe rules for operating these accounts. Minor items of expenditure should not exceed the prescribed amount.

6.8.2 To determine the petty cash limit and to maintain a record of all transactions and petty cash advances made, and periodically to review the arrangements for the safe custody and control of these advances.

6.8.3 To reimburse imprest holders, as often as necessary, to restore the imprests.

C.6.9 Responsibilities of Directors – imprest accounts

6.9.1 To ensure that employees operating an imprest account:

a) obtain and retain vouchers to support each payment from the imprest account. Where appropriate, an official receipted VAT invoice must be obtained;

b) make adequate arrangements for the safe custody of the account;

c) produce upon demand by the Director of Resources cash and all vouchers to the total value of the imprest amount;

d) record transactions promptly;

e) reconcile and balance the account at least monthly; reconciliation sheets to be signed and retained by the imprest holder;

f) provide the Director of Resources with a certificate of the value of the account held at 31 March each year;

g) ensure that the float is never used to cash personal cheques or to make personal loans and that the only payments into the account are the reimbursement of the float and change relating to purchases where an advance has been made.

C.7. STAFFING

C.7.1 Why is this important?

7.1.1 In order to provide the highest level of service, it is crucial that the Council recruits and retains high calibre, knowledgeable staff, qualified to an appropriate level.

C.7.2 Key controls

7.2.1 The key controls for staffing are:

a) procedures are in place for forecasting staffing requirements and cost;

b) controls are implemented to ensure that staff time is used efficiently and to the benefit of the Council;

c) checks are undertaken prior to employing new staff to ensure that they are appropriately qualified, experienced, lawfully resident and trustworthy.

C.7.3 Responsibilities of the Director of Resources

7.3.1 To act as an advisor to Directors on areas such as Income Tax, National Insurance and pension contributions, as appropriate.

7.3.2 To ensure that staff costs are charged accurately to allow Directors to monitor staffing budgets effectively.

C.7.4 Responsibilities of Directors

7.4.1 To monitor staff activity to ensure adequate control over such costs as sickness, overtime, training and temporary staff.

7.4.2 To ensure that the staffing budget is not exceeded without due authority and that it is managed to enable the agreed level of service to be provided.

7.4.3 To ensure that the Director of Resources is immediately informed if the staffing budget is likely to be materially over- or under-spent.

D. FINANCIAL SYSTEMS AND PROCEDURES

D.1. GENERAL

D.1.1 Why is this important?

1.1.1 Services have systems and procedures relating to the control of the Council's assets. Services are reliant on computers for their financial management information. The information must therefore be accurate and the systems and procedures sound and well administered. They should contain controls to ensure that transactions are properly processed and errors detected promptly.

1.1.2 The Director of Resources is responsible for ensuring that the authority's financial systems are sound and should therefore be notified of any new developments or changes.

D.1.2 Key controls

1.2.1 The key controls for systems and procedures are:

a) basic data exists to enable the Council's objectives, targets, budgets and plans to be formulated;

b) performance is communicated to the appropriate managers on an accurate, complete and timely basis;

c) early warning is provided of deviations from target, plans and budgets that require management attention;

d) operating systems and procedures are secure.

D.1.3 Responsibilities of the Director of Resources

1.3.1 To make arrangements for the proper administration of the Council's financial affairs, including to:

a) issue advice, guidance and procedures for officers and others acting on the Council's behalf;

b) determine the accounting systems, form of accounts and supporting financial records;

c) establish arrangements for audit of the Council's financial affairs;

d) approve any new financial systems to be introduced;

e) approve any changes to be made to existing financial systems.

1.3.2 To ensure that effective contingency arrangements, including back-up procedures, exist for computer systems. Wherever possible, back-up information should be securely retained in a fireproof location, preferably off site or at an alternative location within the building.

1.3.3 To ensure that, where appropriate, computer systems are registered in accordance with Data Protection legislation and that staff are aware of their responsibilities under the legislation.

D.1.4 Responsibilities of Directors

1.4.1 To ensure that accounting records are properly maintained and held securely.

1.4.2 To ensure that vouchers and documents with financial implications are not destroyed, except in accordance with arrangements approved by the Director of Resources.

1.4.3 To ensure that a complete management trail, allowing financial transactions to be traced from the accounting records to the original document, and vice versa, is maintained.

1.4.4 To incorporate appropriate controls to ensure that, where relevant:

a) all input is genuine, complete, accurate, timely and not previously processed;

b) all processing is carried out in an accurate, complete and timely manner;

c) output from the system is complete, accurate and timely.

1.4.5 To ensure that the organisational structure provides an appropriate segregation of duties to provide adequate internal controls and to minimise the risk of fraud or other malpractice.

1.4.6 To ensure there is a documented and tested disaster recovery plan to allow information system processing to resume quickly in the event of an interruption.

1.4.7 To ensure that systems are documented and staff trained in operations.

1.4.8 To consult with the Director of Resources before changing any existing system or introducing new systems.

1.4.9 In consultation with the Director of Resources to establish a scheme of delegation identifying officers authorised to act upon the Directors behalf in respect of payments, income collection and placing orders, including variations, and showing the limits of their authority.

1.4.10 To supply lists of authorised officers, with specimen signatures and delegated limits, to the Director of Resources, together with any subsequent variations.

1.4.11 To ensure that relevant standards and guidelines for ICT systems issued by the Director of Resources or IT Manager are observed.

1.4.12 To ensure that computer equipment and software are protected from loss and damage through theft, vandalism, etc.

1.4.13 To comply with the copyright, designs and patents legislation and, in particular, to ensure that:

a) only software legally acquired and installed by the Council is used on its computers;

b) staff are aware of legislative provisions;

c) in developing systems, due regard is given to the issue of intellectual property rights.

D.2. INCOME AND EXPENDITURE

D.2.1 Income

2.1.1 Why is this important?

2.1.1.1 Income can be a vulnerable asset and effective income collection systems are necessary to ensure that all income due is identified, collected, receipted and banked properly. It is preferable to obtain income in advance of supplying goods or services as this improves the Council's cash-flow and also avoids the time and cost of administering debts.

D.**2.2** Key controls

2.2.1 The key controls for income are:

a) all income due to the Council is identified and charged correctly, in accordance with an approved charging policy, which is regularly reviewed;

b) all income is collected from the correct person, at the right time, using the correct procedures and the appropriate stationery;

c) all money received by an employee on behalf of the Council is paid in without delay through the Council's payment facility, as the Director of Resources directs, to the Council's bank account, and properly recorded. The responsibility for cash collection should be separated from that:

   i. for identifying the amount due
   ii. for reconciling the amount due to the amount received

d) effective action is taken to pursue non-payment within defined timescales;

e) formal approval for debt write-off is obtained;

f) appropriate write-off action is taken within defined timescales;

g) appropriate accounting adjustments are made following write-off action;

h) all appropriate income documents are retained and stored for the defined period in accordance with the document retention guidelines;

i) money collected and deposited is reconciled to the bank account by a person who is not involved in the collection or banking process.

D.2.3 Responsibilities of the Director of Resources

2.3.1 To agree arrangements for the collection of all income due to the Council and to approve the procedures, systems and documentation for its collection.

2.3.2 To approve all debts to be written off in consultation with the relevant Director and to keep a record of all sums written off up to the approved limit and to adhere to the requirements of the Accounts and Audit Regulations 2015.

2.3.3 To obtain the approval of the Finance & Corporate Services Committee in consultation with the relevant Director for writing off debts in excess of a specified financial limit (see **Appendix F**)

2.3.4 To ensure that appropriate accounting adjustments are made following write-off action.

2.3.5 To order and supply to services all receipt forms, books or tickets and similar items and to satisfy himself/herself regarding the arrangements for their control.

D.**2.4 Responsibilities of Directors**

2.4.1 To implement the charging policy for the supply of goods or services, including the appropriate charging of VAT (in consultation with the Director of Resources where appropriate), and to review it regularly, in line with corporate policies.

2.4.2 To separate the responsibility for identifying amounts due and the responsibility for collection, as far as is practicable.

2.4.3 To establish and initiate appropriate recovery procedures, including legal action where necessary, for debts that are not paid promptly.

2.4.4 To issue official receipts or to maintain other documentation for income collection.

2.4.5 To ensure that at least two employees are present when post is opened so that money received by post is properly identified and recorded.

2.4.6 To hold securely receipts, tickets and other records of income for the appropriate period in accordance with the documentation retention policy.

2.4.7 To secure all income to safeguard against loss or theft, and to ensure the security of cash handling.

2.4.8 To ensure that income is paid fully and promptly into the appropriate Council bank account in the form in which it is received. Appropriate details should be recorded on paying-in slips to provide an audit trail. Money collected and deposited must be reconciled to the bank account on a regular basis.

2.4.9 To ensure personal cheques or other payments are not en-cashed.

2.4.10 To supply the Director of Resources with details relating to work done, goods supplied, services rendered or other amounts due, to enable the Director of Resources to record correctly the sums due to the Council and to ensure accounts are sent out promptly. Directors have a responsibility to assist the Director of Resources in collecting debts that they have originated**,** by providing any further information requested about the debtor, and in pursuing the matter on the Council's behalf.

2.4.11 To notify the Director of Resources of outstanding income relating to the previous financial year as soon as possible after 31st March in line with the timetable determined by the Director of Resources and not later than 15th April.

D.3. ORDERING AND PAYING FOR WORK, GOODS AND SERVICES

D.**3.1** Why is this important?

3.1.1 Public money should be spent with demonstrable probity and in accordance with the Council's policies. Authorities have a statutory duty to achieve best value in part through economy and efficiency. The Council's procedures should help to ensure that services obtain value for money from their purchasing arrangements. These procedures should be read in conjunction with the Council's ***Contract Procedure Rules***.

D.**3.2** General

3.2.1 Every Officer and Member of the Council has a responsibility to declare any links or personal interests that they may have with purchasers, suppliers and/or contractors if they are engaged in contractual or purchasing decisions on behalf of the Council, in accordance with appropriate codes of conduct.

3.2.2 Official orders must be in a form approved by the Director of Resources. Official orders must be issued for all work, goods or services to be supplied to the Council, except for supplies of utilities, periodic payments, petty cash purchases or other exceptions specified by the Director of Resources.

3.3.3 Each order must conform to the guidelines approved by the Council on procurement Standard terms and conditions and must not be varied without the prior approval of the Director of Resources.

3.3.4 Apart from petty cash, the normal method of payment from the Council shall be by BACS drawn on the Council's bank account by the Director of Resources. The use of direct debit shall require the prior agreement of the Director of Resources. The use of Council procurement/business cards by non card holders shall require the prior agreement of the Director of Resources.

3.3.5 Official orders must not be raised for any personal or private purchases, nor must personal or private use be made of Council contracts, except where there is a specific Council policy to the contrary.

3.3.6 Detailed regulations relating to Procurement are set out in the Council's ***Contract Procedure Rules.***

3.3.7 Where an order is not appropriate as discussed in section 3.2.2, authorisation must be provided on the specified form and attached to the invoice for payment. Authorisation thresholds for Officers are set out in **Appendix H.**

D.**3.3** Key controls

3.3.1 The key controls for ordering and paying for work, goods and services are:

a) all goods and services are ordered only by authorised persons and are correctly recorded;

b) all goods and services shall be ordered in accordance with the Council's ***Contract Procedures Rules***;

c) goods and services received are checked to ensure they are in accordance with the order;

d) payments are not made unless goods have been received by the Council to the correct price, quantity and quality standards;

e) all payments are made to the correct person, for the correct amount and are properly recorded, regardless of the payment method;

f) all appropriate evidence of the transaction and payment documents are retained and stored for the defined period, in accordance with the document retention guidelines;

g) all expenditure, including VAT, is accurately recorded against the right budget and any exceptions are corrected by journal;

h) in addition e-commerce requires that processes are in place to maintain the security and integrity of data for transacting business electronically.

D.**3.4** Responsibilities of the Director of Resources

3.4.1 To ensure that all the Council's financial systems and procedures are sound and properly administered.

3.4.2 To approve any changes to existing financial systems and to approve any new systems before they are introduced.

3.4.3 To approve the form of official orders and associated terms and conditions in consultation with the Council's legal advisors.

3.4.4 To make payments from the Council's funds on the Director's authorisation that the expenditure has been duly incurred in accordance with financial regulations.

3.4.5 To make payments, whether or not provision exists within the estimates, where the payment is specifically required by statute or is made under a court order.

3.4.6 To make payments to contractors on the certificate of the appropriate Director, which must include details of the value of work, retention money, amounts previously certified and amounts now certified.

3.4.7 To provide advice and encouragement on making payments by the most economical means, in accordance with the Council's Procurement Strategy and associated guidance.

3.4.8 To ensure that payment is not made unless a proper VAT invoice, where appropriate, has been received, checked and coded, confirming:

(a) that the invoice has not previously been paid;

(b) that expenditure has been properly incurred;

(c) that prices and arithmetic are correct;

(d) correct accounting treatment of tax;

(e) that discounts have been taken where available;

(f) that appropriate entries will be made in accounting records.

3.4.9 To ensure that payments are not made on a photocopied or faxed invoice, statement or other document other than the formal invoice, except where the original invoice has been lost, in which case a check must be made to see if payment has been made and if it has not the copy annotated accordingly prior to payment.

D.**3.5** Responsibilities of Directors

3.5.1 To ensure that official orders are issued via the e-procurement system for all goods and services, other than the exceptions as specified in 3.2.2.

3.5.2 To ensure that orders are only used for goods and services provided to the service. Individuals must not use official orders to obtain goods or services for their private use (see 3.3.5).

3.5.3 To ensure that only staff authorised to raise orders (Buyers) via the e-procurements system have access to the system. To ensure that only staff authorised to approve orders above the specified limit have access to the system. Buyers and Approvers should be satisfied that the goods and services ordered are appropriate and needed, that there is adequate budgetary provision and that quotations or tenders have been obtained if necessary. Best Value principles should underpin the Council’s approach to procurement. Value for money should always be achieved.

3.5.4 To ensure that goods and services are checked on receipt to verify that they are in accordance with the order. This check should, where possible, be carried out by a different officer from the person who authorised the order. Appropriate entries should then be made in inventories if necessary.

3.5.5 To ensure that the e-payment system is updated to show the receipt of goods, immediately after the goods are received.

3.5.6 Wherever possible to ensure that two authorised members of staff are involved in the ordering and receiving process.

3.5.7 To encourage suppliers of goods and services to receive payment by the most economical means for the Council. It is essential, however, that payments made by direct debit have the prior approval of the Director of Resources.

3.5.8 To ensure that the service obtains best value from purchases by taking appropriate steps to obtain competitive prices for goods and services of the appropriate quality. Due regard to be taken of the Council's procurement strategy and associated procurement guidance.

3.5.9 To ensure that employees are aware of the national code of conduct for local government employees specified in personnel policies.

3.5.10 To ensure that, loans, leasing or rental arrangements are not entered into without prior agreement from the Director of Resources.

3.5.11 To notify the Director of Resources of outstanding expenditure relating to the previous financial year as soon as possible after 31st March in line with the timetable determined by the Director of Resources.

3.5.12 With regard to contracts for construction and alterations to buildings and for civil engineering works, to document and agree with the Director of Resources the systems and procedures to be adopted in relation to financial aspects. This includes certification of interim and final payments, checking, recording and authorising payments, the system for monitoring and controlling capital schemes and the procedures for validation of subcontractors' tax status.

3.5.13 To notify the Director of Resources immediately of any expenditure to be incurred as a result of statute/court order where there is no budgetary provision.

3.5.14 To ensure that all appropriate payment records are retained and stored for the defined period, in accordance with the document retention guidelines.

D.4. PAYMENTS TO EMPLOYEES AND MEMBERS

D.4.1 Why is this important?

4.1.1 Staff costs are the largest item of expenditure for most Council services. It is therefore important that payments are accurate, timely, made only where they are due for services to the Council and that payments accord with individuals' conditions of employment. It is also important that all payments are accurately and completely recorded and accounted for and that Members' allowances are authorised in accordance with the scheme adopted by the Council.

D.4.2 Key controls

4.2.1 The key controls for payments to employees and Members are:

(a) proper authorisation procedures are in place and that there is adherence to corporate timetables in relation to:

i. starters
ii. leavers
iii. variations
iv. enhancements
v. and that payments are made on the basis of timesheets or claims;
vi. frequent reconciliation of payroll expenditure against approved budget and bank account;

(b) all appropriate payroll documents are retained and stored for the defined period in accordance with the document retention guidelines;

(c) that HM Revenues and Customs regulations are complied with.

D.**4.3** Responsibilities of the Director of Resources

4.3.1 To arrange and control the secure and reliable payment of salaries, compensation or other emoluments to existing and former employees, in accordance with procedures prescribed by him/her, on the due date.

4.3.2 To ensure that all appropriate payroll documents are retained and stored for the defined period in accordance with the document retention guidelines.

4.3.3 To record and make arrangements for the accurate and timely payment of tax, pensions and other deductions.

4.3.4 To make arrangements for payment of all travel and subsistence claims.

4.3.5 To make arrangements for paying Members travel or other allowances upon receiving the prescribed form, duly completed and authorised.

4.3.6 To ensure that adequate and effective systems and procedures are operated, so that:

(a) payments are only authorised to bona fide employees;

(b) payments are only made where there is a valid entitlement;

(c) conditions and contracts of employment are correctly applied, employees' names listed on the payroll are checked at regular intervals to verify accuracy and completeness.

4.3.7 To ensure that the Director of Resources is notified of the details of any employee benefits in kind, to enable full and complete reporting within the income tax self-assessment system (P11d).

D.4.4 Responsibilities of Directors

4.4.1 To send an up-to-date list of the names of officers authorised to sign records to the Director of Resources, together with specimen signatures.

4.4.2 To ensure that payroll transactions are processed only through the payroll system. Directors should give careful consideration to the employment status of individuals employed on a self-employed consultant or subcontract basis. HM Revenues and Customs applies a tight definition for employee status, and in cases of doubt, advice should be sought from the Director of Resources.

4.4.3 To certify travel and subsistence claims and other allowances. Certification is taken to mean that journeys were authorised and expenses properly and necessarily incurred, and that allowances are properly payable by the Council, ensuring that cost-effective use of travel arrangements is achieved. Due consideration should be given to tax implications and the Director of Resources is informed where appropriate.

4.4.4 To make, having regard to the particular circumstances of each case, ex gratia payments not exceeding a specified financial limit (see **Appendix F**) in any one case, subject to consultation with the Director of Resources. The circumstances of the proposed payment must not have the effect of circumventing other Council pay and allowance policies, tax rules or other legislation.

4.4.5 To notify the Director of Resources of all appointments, terminations or variations that may affect the pay or pension of an employee or former employee, in the form and to the timescale required by the Director of Resources.

4.4.6 To ensure appointments are made in accordance with the regulations of the Council and approved establishments, grades and scale of pay and that adequate budget provision is available.

D.4.5 Responsibilities of Members and Officers

4.5.1 To submit claims for travel and subsistence allowances on a monthly basis and, in any event, within one month of the year end.

D.5. TAXATION

D.5.1 Why is this important?

5.1.1 Like all organisations, the Council is responsible for ensuring its tax affairs are in order. Tax issues are often very complex and the penalties for incorrectly accounting for tax are severe. It is therefore very important for all officers to be aware of their role.

D.5.2 Key controls

5.2.1 The key controls for taxation are:

(a) Finance staff remain abreast of tax legislation, in particular that relating to PAYE, NICs, CIS and VAT.

(b) budget managers are provided with relevant information and kept up to date on tax issues;

(c) budget managers are instructed on required record keeping;

(d) all taxable transactions are identified, properly carried out, accounted for within stipulated time-scales and paid through appropriate financial systems;

(e) records are maintained in accordance with instructions;

(f) returns are made to the appropriate authorities within the stipulated timescale.

D.5.3 Responsibilities of the Director of Resources

5.3.1 To complete all HM Revenues and Customs returns regarding PAYE and NIC's.

5.3.2 To complete a monthly return of VAT inputs and outputs to HM Revenues and Customs.

5.3.3 To provide details to HM Revenues and Customs regarding the construction industry tax deduction scheme in accordance with their deadlines.

5.3.4 To provide guidance for Council employees on taxation issues (including VAT).

D.5.4 Responsibilities of Directors

5.4.1 To ensure that the correct VAT liability is attached to all income due and that all VAT recoverable on purchases complies with HM Revenues and Customs regulations.

5.4.2 To ensure that, where construction and maintenance works are undertaken, the contractor fulfils the necessary construction industry tax deduction requirements.

5.4.3 To follow any guidance on taxation issued by the Director of Resources.

D.6. TRADING ACCOUNTS AND BUSINESS UNITS

D.**6.1** **Why is this important?**

6.1.1 Trading accounts have become more important as local authorities have developed a more commercial culture.

D.6.2 General

6.2.1 Trading activities must operate within the Council's overall arrangements and rules for financial, personnel and resource management. Exceptionally, where it can be demonstrated that this would lead to a unit being uncompetitive and losing work, special arrangements can be considered. While the Programme committees have an overall responsibility for the operations of trading activities, clearly trading activities need freedom within this framework to operate on a commercial basis. Trading activities must adhere to Financial Regulations, unless alternative arrangements are explicitly identified and agreed in writing with the Director of Resources.

D.**6.3** **Responsibilities of the Director of Resources**

6.3.1 To advise on the establishment and operation of trading accounts.

D.**6.4** **Responsibilities of Directors**

6.4.1 To ensure that the control of the trading activity will be to the financial target (the 'bottom line') rather than to individual expenditure and income estimate headings

6.4.2 To ensure that as a minimum, a break even position should be achieved.

6.4.3 To report to the Finance & Corporate Services Committee, where a trading activity plans a significant item of expenditure (e.g. a capital scheme, the purchase of a major item of computer software or the creation of a major ongoing revenue commitment), prior to the expenditure being committed, unless already in an approved capital programme

6.4.4 To make a full report to the Finance & Corporate Services Committee, as soon as it is known that the trading activity may make a deficit.

6.4.5 To make a report to the Finance & Corporate Services Committee on the outturn of each trading activity compared to the financial plan.

6.4.6 To consult with the Director of Resources and the Council's legal advisors where a trading activity wishes to enter into a contract with a third party where the contract expiry date exceeds the remaining life of their main contract with the Council. In general, such contracts should not be entered into unless they can be terminated within the main contract period without penalty.

E. EXTERNAL ARRANGEMENTS

E.1. PARTNERSHIPS

E.1.1 Why is this important?

1.1.1 Partnerships are likely to play a key role in delivering community strategies and in helping to promote and improve the well-being of the area. Local authorities are working in partnership with others – public agencies, private companies, community groups and voluntary organisations. Local authorities still deliver some services, but their distinctive leadership role is to bring together the contributions of the various stakeholders. They therefore need to deliver a shared vision of services based on user wishes.

1.1.2 Local authorities usually act as an "enabler" and will mobilise investment, bid for funds, champion the needs of their areas and harness the energies of local people and community organisations. Local authorities will be measured by what they achieve in partnership with others.

E.1.2 General

1.2.1 The main reasons for entering into a partnership are:

a) the desire to find new ways to share risk;

b) the ability to access new resources;

c) to provide new and better ways of delivering services;

d) to forge new relationships.

1.2.2 A partner is defined as either:

a) an organisation (private or public) undertaking, part funding or participating as a beneficiary in a project or;

b) a body whose nature or status give it a right or obligation to support the project.

1.2.3 Partners participate in projects by:

a) acting as a project deliverer or sponsor, solely or in concert with others;

b) acting as a project funder or part funder;

c) being the beneficiary group of the activity undertaken in a project.

1.2.4 Partners have common responsibilities:

a) to be willing to take on a role in the broader programme appropriate to the skills and resources of the partner organisation;

b) to act in good faith at all times and in the best interests of the partnership's aims and objectives;

c) be open about any conflict of interests that might arise;

d) to encourage joint working and promote the sharing of information, resources and skills between public, private and community sectors;

e) to hold confidentially any information received as a result of partnership activities or duties that is of a confidential or commercially sensitive nature;

f) to act wherever possible as ambassadors for the project.

E.**1.3** Key controls

1.3.1 The key controls for Council partners are:

a) if appropriate, to be aware of their responsibilities under the Council's financial regulations and procedures together with ***Contract Procedure Rules***;

b) to ensure that risk management processes are in place to identify and assess all known risks;

c) to ensure that project appraisal processes are in place to assess the viability of the project in terms of resources, staffing and expertise;

d) to agree and accept formally the roles and responsibilities of each of the partners involved in the project before the project commences;

e) to communicate regularly with other partners throughout the project so that problems can be identified and shared to achieve their successful resolution.

E.**1.4** Responsibilities of the Director of Resources

1.4.1 To advise on effective controls that will ensure that resources are not wasted.

1.4.2 To advise on the key elements of funding a project. They include:

a) a scheme appraisal for financial viability in both the current and future years;

b) risk appraisal and management;

c) resourcing, including taxation issues;

d) audit, security and control requirements;

e) carry-forward arrangements.

1.4.3 To ensure that the accounting arrangements are satisfactory.

1.4.4 To maintain a register of all contracts entered into with external bodies.

1.4.5 To ensure that spending has occurred in line with the terms and conditions and any eligibility criteria.

E.**1.5** Responsibilities of Directors

1.5.1 To ensure that, before entering into agreements with external bodies the Council's legal advisors are consulted.

1.5.2 To ensure that, before entering into agreements with external bodies, a risk management appraisal has been prepared.

1.5.3 To ensure that such agreements and arrangements do not impact adversely upon the services provided by the Council.

1.5.4 To ensure that all agreements and arrangements are properly documented.

1.5.5 To provide appropriate information to the Director of Resources to enable a note to be entered into the Council's Statement of Accounts concerning material items.

E.2. EXTERNAL FUNDING

E.2.1 Why is this important?

2.1.1 External funding is potentially a very important source of income, but funding conditions need to be carefully considered to ensure that they are compatible with the aims and objectives of the Council. Local authorities are increasingly encouraged to provide seamless service delivery through working closely with other agencies and private service providers. Funds from external agencies provide additional resources to enable the Council to deliver services to the local community. However, in some instances, although the scope for external funding has increased, such funding is linked to tight specifications and may not be flexible enough to link to the Council's overall plan.

E.2.2 Key controls

2.2.1 The key controls for external funding are:

a) to ensure that key conditions of funding and any statutory requirements are complied with and that the responsibilities of the accountable body are clearly understood;

b) to ensure that funds are acquired only to meet the priorities approved in the policy framework by the Council;

c) to ensure that any match-funding requirements and future revenue implications are given due consideration prior to entering into long-term agreements and that future revenue budgets reflect these requirements.

E.2.3 Responsibilities of the Director of Resources

2.3.1 To ensure that all funding notified by external bodies is received and properly recorded in the Council's accounts.

2.3.2 To ensure that the match-funding requirements are considered prior to entering into the agreements and that future revenue budgets reflect these requirements.

2.3.3 To ensure that audit requirements are met.

E.2.4 Responsibilities of Directors

2.4.1 To ensure that all claims for funds are made by the due date.

2.4.2 To ensure that the project progresses in accordance with the agreed project and that all expenditure is properly incurred and recorded.

E.3. WORK FOR THIRD PARTIES

E.3.1 Why is this important?

3.1.1 Legislation enables the Council to provide a range of services to other bodies. Such work may enable a unit to maintain economies of scale and existing expertise. Arrangements should be in place to ensure that any risk associated with this work is minimised and that such work is intra vires.

E.3.2 Key controls

3.2.1 The key controls for working with third parties are:

a) to ensure that proposals are costed properly in accordance with guidance provided by the Director of Resources;

b) to ensure that contracts are drawn up using guidance provided by the Director of Resources and that the formal approvals process is adhered to;

c) to issue guidance with regard to the financial aspects of third party contracts and the maintenance of the contract register.

E.3.3 Responsibilities of Director of Resources

3.3.1 To issue guidance with regard to the financial aspects of third party contracts and the maintenance of the contract register.

E.3.4 Responsibilities of Directors

3.4.1 To ensure that the approval of the appropriate Programme committee is obtained before any negotiations are concluded to work for third parties.

3.4.2 To maintain a register of all contracts entered into with third parties in accordance with procedures specified by the Director of Resources.

3.4.3 To ensure that appropriate insurance arrangements are made.

3.4.4 To ensure that the Council is not put at risk from any bad debts.

3.4.5 To ensure that no contract is subsidised by the Council.

3.4.6 To ensure that, wherever possible, payment is received in advance of the delivery of the service.

3.4.7 To ensure that the service has the appropriate expertise to undertake the contract.

3.4.8 To ensure that such contracts do not impact adversely upon the services provided for the Council.

3.4.9 To ensure that all contracts are properly documented.

3.4.10 To provide appropriate information to the Director of Resources to enable a note to be entered into the Statement of Accounts.

F. FINANCIAL LIMITS

F.1. General

F.1.1 Throughout these regulations, there are references to financial limits. These limits will need to be reviewed on a regular basis and, consequently, the latest figures have been consolidated in this appendix in order to facilitate any future changes. The regulations which contain financial limits are listed below:

F.1.2 Virements between Directorates require the approval of the Finance & Corporate Services Committee subject to the authorisation limits set out below. For the purpose of virements, salaries are to be considered as a Directorate in their own right and are under the control of the Head of Paid Service.

F1.3 The use of reserves is to be approved through the same authorisation process as virements where not approved as part of the annual budget or accounts processes, or have specific delegation.

F.1.4 The financial limits for approval of revenue virements and revenue supplementary estimates are set out below:

(a) <u>Virements within same Directorate</u>

Relevant Director and Director of Resources

(b) <u>Virements between different Directorates</u>

(i) Up to **£20,000** – Director and Director of Resources and reported quarterly to members via email.

(ii) Over **£20,000** up to **£50,000** - Director, Director of Resources in consultation with relevant Programme committee Chairman; and reported to the next Finance & Corporate Services Committee meeting;

(iii) Over **£50,000** - the Finance & Corporate Services Committee.

(c) <u>Supplementary Estimates</u>

(i) Up to **£20,000** – Director and Director of Resources in consultation with the Chairman of the Finance & Corporate Services Committee and the Leader and reported to the next Finance & Corporate Services Committee;

(ii) Over **£20,000** – the Finance & Corporate Services Committee.

NB One of the Council's budget policies is to only agree supplementary estimates in exceptional circumstances.

F.1.5 A capital scheme (an identifiable project) is where expenditure exceeds £**10,000**.

F.1.6 The financial limits for approval of capital virements and capital supplementary estimates are the same as for revenue.

F.1.7 Any excess expenditure over the approved contract sum of more than **5%** or **£10,000** whichever is the greater must be reported to the Programme committee (Appendix B paragraph 2.19.8).

F.1.8 The asset register shall contain all assets with a value in excess of **£10,000** (Appendix C paragraph 5.3.1).

F.1.9 All items with a value in excess of **£500** shall be included in inventories (Appendix C paragraph 5. 4.15). IT assets (laptops, monitors, printers etc but excluding IT peripherals) are an exception to this limit as are more desirable, and are all recorded on the IT inventory.

F.1.10 Finance & Corporate Services Committee approval is required to declare land surplus to requirements where the value exceeds **£10,000** (Appendix C paragraph 5.4.4).

F.1.11 Finance & Corporate Services Committee approval is required to write-off bad debts in excess of **£10,000** (Appendix D paragraph 2.3.3), in the case of Non Domestic Rates Debts this is increased to **£20,000.**

F.1.12 Finance & Corporate Services Committee approval is required to make ex-gratia payments in excess of **£2,000** (Appendix D paragraph 4.4.4).

F.1.13 Finance limits relating to contracts are contained in the Council's ***Contract Procedure Rules***.

G. BANK MANDATE

G.1. Cheques are only to be issued in emergencies and will be from the contingency cheque book.

G.2. Cheques above £10,000 shall be countersigned by the Director of Resources or, in his/her absence, the Director of Service Delivery or the Director of Strategy Performance and Governance.

G.3. Amendments to cheques can be countersigned by the above and additionally the Resources Specialist Manager for cheques up to £10,000.

G.4. Manual CHAPS payments shall be signed by any of the following:

a) Director of Resources

b) Director of Service Delivery

c) Director of Strategy Performance and Governance

G.5. All arrangements with the Council's financial institutions shall be made by the Director of Resources who shall be authorised to operate such banking accounts/investments/financial instruments as he/she may consider necessary.

G.6. All cheques shall be ordered only on the authority of the Director of Resources or under arrangements made by him/her.

G.7. All cheques shall be ensured are kept in safe custody by the Director of Resources until issue.

G.8. All instructions relating to the Council's banking accounts, shall be authorised by the Director of Resources or Officers authorised by him or her.

G.9. Payments may be made by BACS or CHAPS electronic transmission subject to two electronic signatures; and submission by an authorised card holder authentication. Responsibility for the delegation of authorisation below Director level and limits applicable is set by the Director of Resources.

H. AUTHORISATION ARRANGEMENTS

Total Value	Category	Authorisation Level
Up to £5,000	Electronic Orders	*Authorised buyer*
£5,001 to £50,000	Invoice Authorisations, Electronic Order Approvals, Mileage and Expenses Claims	*Line Manager*
Above £50,001*	Invoice Authorisations and Order/Contract Approvals	*Director*

* Note requirement for written contracts above £50,000 – See Section 16.2 of Contract Procedure Rules.

Definitions (as per Contract Procedure Rules)

Approved Buyer- An Officer designated by a Director who is authorised to generate electronic orders on behalf of the Council.

Line Manager - An *Officer* designated by the *Director to* exercise the role reserved to the line manager by the contract procedure rules, this will be a Level 2 Manager.

Director- One of three Directors responsible for operational delivery of services

I. DELEGATIONS

I.1.1 Introduction

1.1.1. The Status of financial regulations section (Section one in this document) refer to Directors and Officers delegating their responsibilities per these financial regulations. Delegation should be given in writing, however there are instances where this isn't necessary or not possible due to sickness/leave. These delegations are only applicable where decisions/actions are required urgently and the relevant officer is not available and written delegation has not been made as not known required.

1.1.2. There are statutory delegations for statutory posts, the Monitoring Officer and Returning Officer, who have a Deputies. Written delegation is not required for these posts to act in the full capacity.

1.1.3. Other Officer delegations: -

Officer	**Delegation given to:**
Service Director	Another Service Director
Group Manager	Service Director

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REPORT of
DIRECTOR OF RESOURCES

to
FINANCE AND CORPORATE SERVICES COMMITTEE
12 MARCH 2019

PAY POLICY STATEMENT

1. PURPOSE OF THE REPORT

1.1 To meet the statutory requirement to annually seek the Council's approval of a Pay Policy Statement.

2. RECOMMENDATION

To the Council:

That the Pay Policy Statement attached at **APPENDIX 1** to this report be adopted for the financial year 2019 / 20.

3. SUMMARY OF KEY ISSUES

3.1 The Localism Act 2011 requires that Councils publish a Pay Policy Statement describing the approach of the authority to the remuneration of the highest ("Chief Officers") and lowest paid staff. The Pay Policy Statement was originally put in place on 1 April 2012. This has to be annually approved by the elected Members of the Council.

3.2 The Ministry for Housing, Communities and Local Government has published formal Guidance in respect of meeting this requirement. This defines a large number of specific issues which must be addressed in the Statement but leaves it completely to the discretion of each authority as to what their policy is toward these matters.

3.3 The Pay Policy Statement has been reviewed and is attached at **APPENDIX 1**. It reflects the current arrangements for pay at Maldon District Council. The only change made is to reflect the new structure of the Council.

4. CONCLUSION

4.1 To meet the requirements of the Localism Act 2011 the Committee is requested to recommend to the Council the re-adoption of the Pay Policy Statement attached at **APPENDIX 1**.

5. IMPACT ON CORPORATE GOALS

5.1 The publication of a Pay Policy Statement aids transparency in line with the corporate goal of “Delivering good quality, cost effective and valued services”.

6. IMPLICATIONS

(i) **Impact on Customers** – None.

(ii) **Impact on Equalities** – Part of the government rationale for the publication of the Pay Policy Statement is to highlight the relative pay of the highest and lowest paid staff.

(iii) **Impact on Risk** – None.

(iv) **Impact on Resources (financial)** – None.

(v) **Impact on Resources (human)** – None.

(vi) **Impact on the Environment** – None.

Background Papers: None.

Enquiries to: Emma Foy, Director of Resources, (Tel: 01621 875762).

Document Control Sheet

Document title	Pay Policy Statement
Summary of purpose	Compliance with Localism Act
Prepared by	Group Manager ; People, Performance and Policy
Status	Final
Version number	5
Approved by	
Approval date	
Date of implementation	Immediate
Review frequency	Annual (or as necessary before then)
Next review date	March 2020
Circulation	
Published on the Council's website	Yes

Validity Statement

This document is due for review by the date shown above, after which it may become invalid. Users of the strategy or policy should ensure that they are consulting the currently valid version of the document.

MALDON DISTRICT COUNCIL

Pay Policy Statement

Note: This Statement has been written to meet the statutory requirements of the Localism Act 2011 and to aid transparency in respect of Maldon District Council's policy regarding pay to the highest and lowest paid staff.

1. General policy

1.1 The Council has undertaken a Job Evaluation exercise which reviewed every post in the Council, up to and including the Corporate Directors, on a consistent basis and placed them within a single unified pay scale. The pay scale was designed to be consistent with best practice and benchmarked as to value and applies up to and including Director level. In accordance with the Council's constitution, the remuneration of the posts of the Directors were set by the Appointments Committee composed of elected Members of the authority.

1.2 The Job Evaluation process was designed to achieve compliance with Equal Pay legislation and, further to this, the contractual terms and conditions of staff were also standardised at the same time. The effect is that the remuneration of all Council employees is governed by a single set of policies and procedures. This is reflected in the Pay Policy statements below.

1.3 The pay multiple for 18/19 is based on the ratio of the Corporate Directors Salary to all other employees average FTE salary and equates to 3.64. The Government has considered setting twenty to one as a maximum. As a result it is not considered necessary to have a specific policy concerning the pay multiple. If the multiple starts to rise, for example above five to one, this could be reconsidered.

2. Policy regarding pay to "Chief Officers"

2.1 Definition of "Chief Officers" for the purposes of this statement

2.1.1 The term "Chief Officer" as employed in the Localism Act has a different meaning to the use made of it at Maldon District Council. For the purposes of this Pay Policy Statement only, the relevant posts are considered to be classed as Chief Officer:

- The three Director posts
- The Monitoring Officer

2.2 Pay

2.2.1 The role of Director was introduced following the 2014 Senior Management Review and pay set by the Job Evaluation process. Now the pay line has been set it is subject to the same factors as the rest of staff pay, for example any annual pay award granted.

2.2.2 Any exception to this, such as a proposal to change the pay of senior staff out of line with normal pay awards would be subject to a report to the Council and approval being given.

2.2.3 An additional consideration is that the Head of Paid Service has delegated powers to award discretionary points on an officer's salary scale within approved budgetary limits where they deem it to be in the interests of the Authority. This only applies to points up to the maximum of the salary band for that post.

2.3 Performance related pay and bonuses

2.3.1 Maldon District Council does not have performance related pay or bonus payments for any staff. As there is no mechanism for linking pay and performance in this way 'earn back' arrangements are also not appropriate.

2.4 Fees, allowances, benefits in kind and expenses

2.4.1 The Chief Executive is also the Returning Officer for the District, meaning that the post holder has specific responsibilities in respect of all elections and national referenda held in the District. These duties attract fees that are variable depending on the election. For Parliamentary, Police and Crime Commissioner, European elections and national referenda these are set by the Government. For County elections there are set by Essex County Council. For District and Parish elections they are set locally.

2.4.2 Apart from this no fees, allowances, benefits on kind or expenses are available to the posts listed in 2.1, other than those available to all staff and on the same basis.

2.5 Pension

2.5.1 All staff are eligible to join the Local Government Pension Scheme in accordance with the terms of that scheme. No special considerations apply to the posts listed in 2.1.

2.6 Severance payments

2.6.1 Where senior staff leave in the normal course of business (resignation, retirement, etc.) the same procedures would be applied as for any other staff member and no additional payments would arise as a result.

2.6.2 Should a senior post be made redundant the post holder would receive redundancy payments in accordance with the Council's Managing Organisational Change policy that applies to all staff. The Council's policy is not to award any additional compensatory payments to staff.

2.6.3 Should a senior staff member leave as a result of a settlement agreement these, by their nature, are subject to negotiation with the individual and their representatives and so are variable in their terms. Such agreements are formal legal arrangements and confidentiality binding on both parties is a key component, so any payment arising from such an agreement would not be published. Authorisation of the payment would be in accordance with the Council's terms of reference and scheme of delegation and it would need to represent value for money for the taxpayer in the circumstances.

2.6.4 Senior staff that were previously employed by the Authority and left with a severance or redundancy payment may be re-employed on a consultancy basis to cover short term staff pressures where it is considered appropriate in the public interest to do so.

2.7 Recruitment of senior staff

2.7.1 When recruiting to a senior post the salary offered would be that applicable to the grade of the post, as determined by Job Evaluation, and within the established pay line. No additional payments would arise, unless a market supplement to enable recruitment was considered justified due to a recognised technical skill shortage in the job market.

2.7.2 In the event that a senior post were to be filled by a person who had retired from another Authority and was in receipt of a pension it would be arranged so that the person was not better off overall, through abatement of pension and/or pay as applicable.

2.7.3 In accordance with the guidance set out in the Localism Act, Full council should be given the opportunity to vote before large salary packages (£100k or above) offered in respect of a new appointment. This will be considered by the Council should the opportunity arise in the future."

2.8 Monitoring Officer

2.8.1 The Monitoring Officer is not subject to any additional payment.

2.9 Publication of remuneration of senior staff

2.9.1 This Pay Policy Statement, once approved by the Council, will be published on the Council's website.

2.9.2 The remuneration and pension contributions of the posts listed in 2.1 above are published annually in the Financial Statements of the Authority and a copy placed on the website.

3. Lowest paid staff

3.1 Definition

3.1.1 The lowest paid staff at Maldon District Council are those in Pay Band A (£13,560 to £14,890). This definition has been chosen as reflecting the reality of the pay line. The posts in Band A were placed there as a result of the Council's Job Evaluation scheme.

3.2 Pay Policy in respect of lowest paid staff

3.2.1 The Council has confirmed its commitment to paying the National Living Wage of £8.45 per hour. Therefore, those in Pay Band A and some in Pay Band B (£15,603 - £16,665) are paid a supplement.

3.2.2 On the whole no special considerations apply to the lowest paid staff. They are subject to identical terms and conditions, procedures and policies as all other staff. In some cases these policies give slightly different benefits to different levels of staff. For example the lowest five pay bands (A to E) an enhanced pay rates for overtime is paid. No enhancement above grade E is paid. In contrast the basic amount of annual leave increases with pay. Overtime is only paid in exceptional circumstances to staff.

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