



Meeting: **POLICY REVIEW COMMITTEE**  
Date: **TUESDAY 12 APRIL 2016**  
Time: **5.00PM**  
Venue: **COMMITTEE ROOM**  
To: **Councillors J Deans (Chair), M Hobson (Vice Chair),  
K Arthur, J Cattanach, D Hutchinson, R Packham  
and Mrs J Shaw-Wright.**

## Agenda

### 1. Apologies for absence

### 2. Disclosures of Interest

A copy of the Register of Interest for each Selby District Councillor is available for inspection at [www.selby.gov.uk](http://www.selby.gov.uk).

Councillors should declare to the meeting any disclosable pecuniary interest in any item of business on this agenda which is not already entered in their Register of Interests.

Councillors should leave the meeting and take no part in the consideration, discussion or vote on any matter in which they have a disclosable pecuniary interest.

Councillors should also declare any other interests. Having made the declaration, provided the other interest is not a disclosable pecuniary interest, the Councillor may stay in the meeting, speak and vote on that item of business.

If in doubt, Councillors are advised to seek advice from the Monitoring Officer.

### 3. Minutes

To confirm as a correct record the minutes of the meeting of the Policy Review Committee held on 19 January 2016 (pages 1 - 5 attached).

### 4. Chair's Address to the Policy Review Committee

### 5. Review of the Corporate Charging Policy

To review the Corporate Charging Policy (pages 6 - 24 attached).

## **6. Policy Review - Annual Report 2015/16**

To consider the Policy Review Annual Report 2015/16  
(pages 25 - 43 attached).

Gillian Marshall  
Solicitor to the Council

Enquiries relating to this agenda, please contact Janine Jenkinson on:  
Tel: 01757 292268 or email: [jjenkinson@selby.gov.uk](mailto:jjenkinson@selby.gov.uk)

### **Recording at Council Meetings**

Recording is allowed at Council, committee and sub-committee meetings which are open to the public, subject to:- (i) the recording being conducted with the full knowledge of the Chairman of the meeting; and (ii) compliance with the Council's protocol on audio/visual recording and photography at meetings, a copy of which is available on request. Anyone wishing to record must contact the Democratic Services Officer using the details above prior to the start of the meeting. Any recording must be conducted openly and not in secret.

# Minutes

## Policy Review Committee

- Venue: Committee Room
- Date: Tuesday 19 January 2016
- Time: 5.00 p.m.
- Present: Councillors J Deans (Chair), K Arthur, D Hutchinson, R Packham, C Pearson, and Mrs J Shaw-Wright.
- Apology for Absence: Councillor M Hobson
- Officers Present: Jonathan Lund - Deputy Chief Executive, Karen Iveson – Executive Director (s151), Ralph Gill – Lead Officer (Benefits and Taxation), Michelle Dinsdale – Policy Officer, Chris Watson – Assistant Policy Officer, Helen McNeil – Lead Officer (Debt Control and Enforcement), and Janine Jenkinson - Democratic Services Officer.
- Also in attendance: Councillor C Lunn

### **21. DISCLOSURES OF INTEREST**

There were no declarations of interest.

### **22. MINUTES**

The Committee considered the minutes of the meeting held on Wednesday 21 October 2015.

#### **RESOLVED:**

**To receive and approve the minutes of the Policy Review Committee held on 21 October 2015 for signature by the Chair.**

## **23. CHAIR'S ADDRESS**

There was no address from the Chair.

## **24. DRAFT BUDGET AND MEDIUM TERM FINANCIAL PLAN**

Karen Iveson, Executive Director (s151) and Councillor C Lunn, (Executive Member for Finance and Resources) presented a report that outlined the Council's draft Revenue Budget and Capital Programme 2016/17 and Medium Term Financial Plan.

The Committee was informed that on 3 December 2015 the Executive had discussed and approved the draft budget for public consultation and submission to the Policy Review Committee for comment. The report set out the draft budget for the General Fund and Housing Revenue Account for 2016/17 and the following two financial years, along with proposals for capital investment and the Programme for Growth.

The Policy Review Committee was asked to review the Executive report and provide comments, prior to the Executive finalising the budget proposals for submission to Council on 23 February 2016.

In relation to Business Rates, the Committee noted that a forecasted £5.4 million surplus had been assumed for 2016/17. The Executive Director (s151) explained that the surplus was due to the retention of renewable energy Business Rates from a local power station; however Councillors were advised there was some uncertainty in relation to the future retention of 100% of Business Rates from renewable energy projects and it was not known if similar levels of receipts could be expected going forward.

It was explained that the anticipated £5.4 million surplus for 2016/17 would be allocated to the Programme for Growth with spending plans to follow in the coming months.

The Committee noted that the draft General Fund Revenue Budget for 2016/17 assumed a Council Tax rise of 2% for 2016/17. Councillor C Lunn advised Councillors that a 2% rise would take the Council average Band D charge from £162.00 to £165.22; a rise of 6p a week.

### **RESOLVED:**

**To note and endorse the Draft Revenue Budget and Capital Programme 2016/17 and the Medium Term Financial Plan, as set out in the report.**

## 25. WELFARE REFORM

Ralph Gill, Lead Officer (Benefits and Taxation) presented a report that provided a six month review detailing the impact of the Welfare Reform changes in Selby District.

The Lead Officer (Benefits and Taxation) addressed the following points that had been raised at the Policy Review Committee meeting held on 14 July 2014:

- In relation to the number of people affected by the Spare Room Deduction and level of tenant rent arrears, Councillors attention was drawn to point 2.1.4 in the report. The data provided indicated that the number of people affected by the Spare Room Deduction showed only a minor change to the position in June 2015 and the number of council tenants affected had reduced over time. The total value of arrears on the accounts of people affected by the Spare Room Deduction was £3,287.78 with an average value of £136.99. The Committee was advised that Discretionary Housing Payments (DHP) were available to people in financial hardship due to the welfare reform changes and the Council continued to promote DHP to people most in need of support.
- Councillors were informed there were currently nine households in Selby District affected by the Benefit Cap.
- In relation to debt collection, the Committee was reassured that the Council went to great lengths to ensure that debt repayment arrangements were affordable and sustainable. Debtors were also referred to Citizen's Advice Bureau for help and support. Officers were in discussion with South Yorkshire Credit Union (SYCU) regarding further support they could offer individuals with rent and Council Tax arrears.
- Councillors were informed that Council Tax was paid in respect of 37,229 domestic properties across the District. Council Tax Support of £3.9 million was currently awarded at a discount on 4,621 accounts of which 2,320 were people in receipt of the state pension.
- In relation to forecast information regarding the impact of the Living Wage on Selby residents, the Lead Officer (Benefits and Taxation) reported that it was not technically possible for the Council to provide this information. However, a specialist agency could be commissioned to undertake a one off study for roughly £6,000. He advised that if the Committee wished to pursue this, the Executive would have consider whether to allocate the financial resources to facilitate the study.

The Committee thanked the Lead Officer (Benefits and Taxation) for a comprehensive report.

**RESOLVED:**

**To note the report.**

**26. REVIEW OF THE CORPORATE ENFORCEMENT POLICY**

Michelle Dinsdale, Policy Officer and Chris Watson, Assistant Policy Officer presented a report that set out the draft Corporate Enforcement Policy.

Councillors were informed that the existing policy had been reviewed and the revised policy now adopted an overarching approach, and had been updated to reflect the changes to the regulatory and legislative framework of the existing policy.

The Committee was asked to provide feedback in relation to the content, approach and tone of the draft policy.

Councillors agreed that the tone of the draft policy was concise and easy to read, the approach was consistent and proportionate, and the content was clearly set out for the reader.

**RESOLVED:**

**To note and endorse the draft Corporate Enforcement Policy, as set out in the report.**

**27. TENANCY FRAUD REPORT**

The Lead Officer (Debt Control and Enforcement) provided the Committee with an update on the Council's approach to tenancy fraud.

The Committee was informed that the Council did not have a single policy; but that fraud related issues were included in the following documents: Home Choice Allocations Policy, Tenancy Policy, Tenancy Agreement and the Enforcement Policy.

The Lead Officer (Debt Control and Enforcement) reported that the most common tenancy related frauds nationally related to the following:

- Misrepresentation of a household housing position in order to get an allocation
- Sub-letting a property
- Succession
- Right to Buy

Councillors were advised that the Council adopted pro-active, preventative measures to minimise potential tenancy fraud. Recently, Housing Officers had introduced a new measure, whereby new tenants were photographed

when they signed a tenancy agreement; the photograph was then used to verify the tenant when introductory tenancy visits were carried out.

The Lead Officer (Debt Control and Enforcement) reported that over the last three years, the Council had received 967 benefit fraud referrals from the public, 51 relating to residency issues. 29 cases had been progressed as far as prosecution and 2 of the cases had been for tenancy fraud.

Councillors were informed that the way the Council investigated Housing Benefit fraud would be changing, as the Department for Work and Pensions (DWP) had been rolling out a nationwide Single Fraud Investigation Service (SFIS) which brought together all welfare benefit fraud investigations currently undertaken by the DWP, local authorities and HMRC under the new Fraud and Error Service (FES).

The Council was scheduled to transfer the Housing Benefit Fraud function to the DWP from 1 March 2016 and two members of the Enforcement Team would be transferred to the DWP. The Council was currently looking at how it would facilitate fraud investigation in the future, and the possibility of working with the Council's auditors, Veritau was being explored.

**RESOLVED:**

**To note the update provided at the meeting.**

**28. WORK PROGRAMME 2015/16**

The Committee considered the Work Programme 2015/16.

**RESOLVED:**

**To note the Committee Work Programme 2015/16.**

The meeting closed at 6.35 p.m.



## Public Session

Report Reference Number PR/15/13

Agenda Item No: 5

---

<b>To:</b>	<b>Policy Review Committee</b>
<b>Date:</b>	<b>12 April 2016</b>
<b>Author:</b>	<b>Rachel Crossley - Graduate Policy Officer and Michelle Dinsdale - Policy Officer</b>
<b>Lead Officer:</b>	<b>James Cokeham, Head of Policy</b>

---

### **Title: Review of the Corporate Charging Policy**

**Summary:** A review of the current Corporate Charging Policy has been undertaken to bring the policy up to date with legislation, The Corporate Plan 2015-2020 objective to 'deliver great value and increase income', and the Council's Medium Term Financial Strategy.

On 3 March 2016, the draft Corporate Charging Policy was approved by Executive for consultation from 4 March to 15 April 2016.

### **Recommendations:**

- i. For Policy Review Committee to review the Draft Policy; and**
- ii. To provide comments on the Draft Policy.**

### **Reasons for recommendation**

To ensure Policy Review Committee have the opportunity to comment on the Draft Policy as part of the consultation process.



## **1. Introduction and background**

- 1.1 The Council provides a number of services to the community, both statutory and discretionary. For many of these services, the Council has the authority to set their own charges (i.e. there is local discretion over the level of the charge).
- 1.2 The Corporate Charging Policy sets out a corporate framework for the setting of fees and charges for services provided by Selby District Council. The Policy applies to all fees and charges which the Council has discretion to set.
- 1.3 The current Corporate Charging Policy was approved in October 2011 and scheduled for review in October 2016. However, the local and national context for this policy has changed significantly since its approval, and an early review of the current policy has therefore been undertaken.
- 1.4 Under the current arrangements charges are reviewed only annually. To introduce new charges or change existing charges in response to market signals requires a separate report to Executive in-year.

## **2. The Report**

- 2.1 A review of the Corporate Charging Policy has been undertaken to ensure that it supports the Council's Corporate Plan objective to 'deliver great value', part of which is to 'increase income', and the Commercial Development Programme.
- 2.2 The Council wants to ensure that it develops business resilience, becoming more self-sufficient in the future and less reliant on central government grants. Charging for services can contribute towards the achievement of financial, corporate and service objectives.
- 2.3 The draft Policy has been designed to support the Council's vision of being customer focused, business like, and forward thinking, and to develop business resilience in the face of significant reductions in grants from central Government.
- 2.4 The draft Policy therefore sets out a framework for charging which enables the setting of charges to be flexible and market led, by allowing Officers, in consultation with the appropriate Director and the Section 151 Officer, to make flexible pricing decisions in response to external market conditions.

2.5 The Policy outlines the key principles to be considered in charging for Council services in a transparent and consistent manner, and sets out a clear and equitable framework of standards and procedures to be followed when reviewing charges.

2.6 The main changes to the proposed revised Policy are:

- The use of 'Full Cost Recovery' as the Council's default charging model: services must achieve full cost recovery over time, unless there is an Executive decision to subsidise.
- The use of the new 'Direct Cost Plus' charging model: this model allows flexible pricing decisions to take account of external market conditions.
- The recognition that there are circumstances where setting charges at a level more than full cost recovery may be appropriate (e.g. when trading with other local authorities or public bodies the Council is not limited in the amounts it can charge).
- Enabling the Council to apply differential charging, discounting and alternative pricing structures in order to maximise commercial benefit and target service take-up.
- Allowing for timely and responsive charging decisions by enabling Officers (either the appropriate Director/Head of Service or an Officer with the approval of the appropriate Director/Head of Service), in consultation with the Section 151 Officer, to vary existing charges for individual services.
- The use of a Charging Policy Process and Business Case to support decisions to vary existing charges giving a clear coherent structure and increasing transparency.

2.7 The draft Policy is subject to a six week consultation period between 4 March 2016 and 15 April 2016. A report detailing the outcome of the consultation and seeking approval of the draft Policy will be brought to the Executive on May 12 2016.

## 2.8 **Implementation**

If the final policy is approved, an amendment will need to be made to Part 4 (Financial Procedural Rules) Section 15(i) of the Selby District Council Constitution, which states that "New Charges or changes in existing charges shall be approved by the executive". An amendment will be needed to allow the appropriate Officers the flexibility to vary existing charges when applying the 'Full Cost Recovery' or 'Direct Cost Plus' charging models (in accordance with section 8 of the Policy), without the need for an Executive approval. Such an amendment will require a separate report to Full Council. All charges relating to subsidised services, and those charges specifically identified in Appendix 4 (Charges Excluded from the Corporate Charging Policy) would still require Executive decision.

### **3. Legal/Financial Controls and other Policy matters**

#### **3.1 Legal Issues**

The legislation concerning Local Authority charging is complex. This policy provides clarity for officers when considering proposals for new charges or changes to existing charges.

#### **3.2 Financial Issues**

The ability to set and amend charges with flexibility and to take account of market forces is important to ensure the Council's income generation targets are met.

#### **3.3 Impact Assessment**

An Equality, Diversity and Community Impact (EDCI) Screening has been completed and no adverse impact has been identified.

The Corporate Charging Policy is not likely to impact those with equality characteristics differently as it will be applied equitably to everyone.

### **4. Conclusion**

The current Corporate Charging Policy has been reviewed to ensure that it aligns with and best serves corporate and financial objectives. The draft revised policy is designed to ensure that the Council can develop business resilience by setting a framework where designing charges to achieve 'Full Cost Recovery' will be the default charging model. Individual services will be able to vary existing charge rates on a case by case basis, taking into account relevant market rates and the need to maximise income and operate efficiently. The review has resulted in the development of an updated Policy which, if implemented, will change the Council's processes for the setting of charges for services.

### **5. Background Documents**

N/a.

*Contact Officer:*

Rachel Crossley  
Graduate Trainee

X42085  
rcrossley@selby.gov.uk

Michelle Dinsdale  
Policy Officer  
X42041  
mdinsdale@selby.gov.uk

**Appendices:**  
*Appendix A – draft Corporate Charging Policy*

**Access Selby**

*A new approach to public service*

**SELBY**

DISTRICT COUNCIL

*Moving forward with purpose*

## Corporate Charging Policy

*A new approach to public service*



**Contents**

1 Introduction..... 3

2 Scope ..... 3

3 Application of the Corporate Charging Policy..... 4

4 Aims and Objectives ..... 4

5. Charging and Trading Legislation ..... 4

6 Standard Charging Principles ..... 5

7 Charging Models ..... 6

8. Authority to Set and Vary Charges ..... 7

9 Policy Review ..... 8

DRAFT

## 1 Introduction

Selby District Council's Corporate Plan 2015-2020 identifies how the Council will work with others to deliver important outcomes, co-operating with communities and partners to achieve what matters most as effectively and efficiently as possible.

The priorities identified by the Council are to make the Selby district a great place...to **do business**, to **enjoy life** and to **make a difference**. These priorities will be supported by Selby District Council delivering **great value**, which includes a goal to generate increased income over the course of the Plan. Together these priorities ensure its vision of a council which is customer focused, business like and forward thinking.

The Council's Medium Term Financial Strategy sets out financial objectives to support the delivery of the Corporate Plan, particularly in the challenging financial context of a fragile UK economy, on-going austerity measures, significant reductions in grants from central Government and the move towards more locally generated income streams, underlined in the recent Comprehensive Spending Review (November 2015). This puts even greater pressure on the Council's finances and further reinforces the need for the Council to deliver efficiencies and generate sustainable local income sources.

The Council wants to ensure that it develops business resilience, becoming more self-sufficient in the future and less reliant on central government grants. Charging for services can contribute towards the achievement of financial, corporate and service objectives, for example by encouraging or discouraging the use of a service or to alter patterns of behaviour.

Opportunities for growing income generation are therefore a priority for the Council, alongside broader proposals for the trading and commercialisation of appropriate services. In the face of further public sector funding cuts, maximising the potential for increased income and savings will be integral to supporting the Council's Corporate Plan.

This Corporate Charging Policy outlines the key principles to be considered in charging for Council services in a transparent and consistent manner.

This policy replaces the previous policy which was introduced in October 2011.

## 2 Scope

This policy applies to the setting and reviewing of all fees and charges for Council services, where the Council has discretion to apply a charge and discretion over the level of charge applied.

The policy excludes:

- Charges which are determined by Central Government (a list of such charges is available on the Council's web-site)
- Council Tax
- Business Rates
- Housing rents
- Any charges where there are legal or contractual reasons for exclusion
- Any charges levied by Trading Companies or other third parties delivering services on behalf of the Council.

### **3 Application of the Corporate Charging Policy**

Service areas should use this policy when determining or proposing charges for services as part of the budget-setting process for the forthcoming financial year, and for any other ad hoc consideration of service charges.

Understanding the relationship between cost and charges is vital when determining charges for services and financial support and advice should be sought when applying this policy.

### **4 Aims and Objectives**

The overarching aim of the Corporate Charging Policy is to foster a more commercial approach to setting fees and charges. The concept of commercialism is to ensure the Council thinks consistently in a business-like manner and to very clearly calculate the costs and benefits associated with the activities it carries out.

The objectives of the Corporate Charging Policy are:

- To promote efficiency and support the commercialisation of our business in order to support the Medium Term Financial Strategy and deliver the Corporate Plan;
- To minimise the draw on local taxation of discretionary services and promote fairness, by fostering a culture where discretionary services are supported largely by users rather than the Council Tax payer;
- To set a clear, flexible and equitable framework of standards and procedures for applying charges and fees to relevant Council services for both individuals and organisations. The level of charge will reflect the cost plus a return where this is legal and possible for the Councils' expertise.
- To meet the corporate values of being 'business like' by service areas understanding and reviewing the costs and charges for their service areas.

### **5. Charging and Trading Legislation**



The legislation and case law that governs Councils' ability to charge and generate income is complex.

Specific powers to charge for services are contained in a variety of local government statutes. These include:

- **Local Authorities (Goods and Services) Act 1970** – introduced powers for councils to enter into agreement with other Local Authorities and public bodies for the supply of goods and services. Any agreement may contain such terms as to payment or otherwise as the parties consider appropriate.
- **Local Government Act 2003** – added further opportunities to the above. This act enables council's to trade in activities related to their functions on a commercial basis and make a profit, which may be reinvested in services, through a trading company.
- **Localism Act 2011** – the General Power of Competence (GPC) introduced a power to allow councils to do anything that an individual may do. However, for the purposes of charging, this should not exceed the cost of provision of the service in question, as operating for a commercial purpose (i.e. to make a profit) must be done through a trading company.

## 6 Standard Charging Principles

Standard principles will be applied to all fees & charges (within the scope of this policy) set by the Council. Where the Council deviates from these principles, the basis and reason for any such variations will be clearly documented and approved in accordance with the Council's Constitution/scheme of delegation.

Services which have discretion over charging are encouraged to operate more commercially in order to maximise efficiency and reduce dependence on revenue support. The ability of services to operate in this way is dependent on services being able to set and amend their charges with a level of flexibility, including consideration of current market rates and demand for the service. The Policy will also make decision making simpler and more timely.

This Policy enables the Council to apply differential charging, discounting and alternative pricing structures in order to maximise commercial benefit and target service take-up. Individual service areas can vary charge rates on a case by case basis, taking into account relevant market rates and the need to maximise income and operate efficiently.

All fees and charges will:

- Contribute to the achievement of corporate and service objectives;
- Maximise potential income, to achieve financial objectives, unless there is an explicit policy decision to subsidise the service;
- Be subject to equality impact assessment screening and consultation where appropriate.
- Minimise the costs of collection;
- As a minimum be increased annually from 1 April each year in line with Consumer Price Index (CPI) inflation increases (rate published for the preceding September each year);
- Be subject to a scheduled review at least every 3-5 years.

## 7 Charging Models

When introducing or reviewing a charge the Council will follow one of three models:

Charge	Definition	Application
<b>1. Full Cost Recovery</b>	Full Cost Recovery is defined in this policy as the Chartered Institute of Public Finance and Accounts' (CIPFA's) 'total cost' model. When charging 'total cost' the Council is aiming to charge the user the full cost to the Council of providing that service. The 'total cost' to the Council is calculated following CIPFA methodology. The cost of the charge will include, in addition to the direct cost of providing the service, costs such as fair and appropriate proportion of the cost of premises, central services and other overheads.	<b>This is the Council's 'default' charging principle.</b>
<b>2. Direct Cost Plus</b>	As a minimum the Council would recover the direct cost of providing the service plus wherever possible, a contribution to overheads.  The level of overhead contribution	<b>This allows flexible pricing decisions to take account of external market conditions.</b> For instance, there are circumstances where setting charges at a level more than full cost recovery may be appropriate

	<p>is an operational decision, and will be dependent upon the particular circumstances and objectives.</p>	<p>(e.g. when trading with other local authorities or public bodies the Council is not limited in the amounts it can charge).</p> <p>This charging model also allows charges to be set below full cost recovery to achieve a particular objective – for example entering into a new market or attracting new business. However, in line with the Standard Charging Principles, the aim will always be to recover the full cost of a service over time.</p>
<p><b>3. Subsidised</b></p>	<p>A subsidised charge requires the Council to contribute to the direct cost of the service. Where the Council is not covering the direct costs of the service, it will require a contribution from the Council.</p> <p>All subsidies will be subject to the approval of the Executive.</p>	<p><b>This model provides the Council with the option to provide a service with full or partial subsidy.</b></p> <p>The level of subsidy will be determined by reference to the nature of the service and the rationale for any subsidy for example:</p> <ul style="list-style-type: none"> <li>• providing a public good;</li> <li>• encouraging service take up;</li> <li>• the user group's ability to pay.</li> </ul> <p>The financial impact of subsidy decisions on the authority will be identified both individually and collectively, and actively managed and reviewed.</p> <p>A list of current subsidised services is set out at Appendix 3.</p>

## 8. Authority to Set and Vary Charges

The decision on charging levels will be based on the relevant charging method (full cost recovery, direct cost plus, subsidised).

All charging decisions must be made in accordance with Selby District Council's Constitution (Budget and Policy Framework, Scheme of Delegation and Financial Procedure Rules) and be able to demonstrate consistency with Council strategic priorities, policies and statutory obligations.

The decision for varying charges for individual services is an operational decision, which will be taken by the appropriate Director/Head of Service (or Lead Officers with the approval of the appropriate Director/Head of Service), in consultation with the Section 151 Officer. The decision to vary charges (for example to offer discounts/special promotions) will be supported by adherence to the Charging Policy Process at Appendix 1 and the completion of the Business Case template at Appendix 2. This should be used to set out the clear rationale for the approach and charges proposed.

All decisions in relation to subsidised services must be approved by Executive.

There may be occasional charges which will be exempt from this policy, and any variations in these charges must be approved by Executive. A list of such charges is set out at Appendix 4.

## **9 Policy Review**

This policy will be reviewed periodically, taking into account developing Council policies and priorities and any changes in legislation.

## **Appendix 1**

### **List of Discretionary Free or Subsidised Services**

#### **Free Services**

Car Parking in Tadcaster and Sherburn

Green Waste Collection

Clinical Waste Collection

Pest Control – Rats only

Payment Transaction Charges

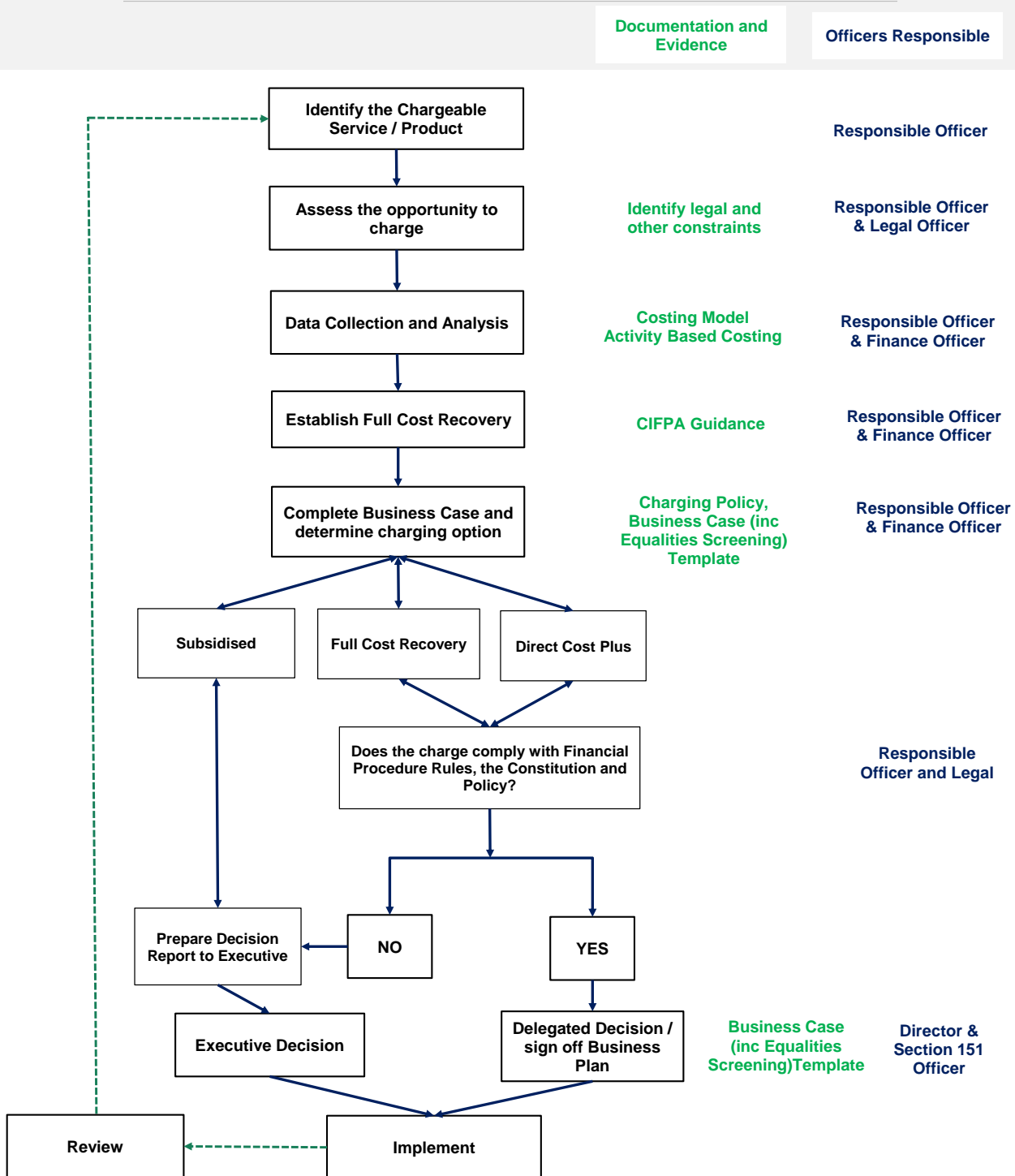
Caravan Licensing

#### **Subsidised Rates**

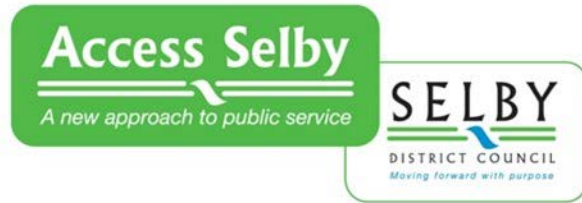
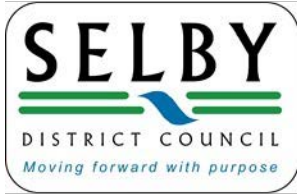
Senior Rail Cards

Bulky Waste Collection – for residents in receipt of certain benefits only

# CHARGING POLICY PROCESS



Notes:  
Responsible Officer is the Officer developing the new charge, this may be the Lead Officer or Senior Manager



## Charging Decision : Business Case

**Service area and charging opportunity:**

**Rationale for the charging decision (how does it support corporate objectives):**

**Financial position:**

Current Charge	Income (£)	Expenditure (£)	Net position (£)	Cost recovery (%)

<b>Proposed charge with calculation(s)</b> (include details of whether full cost recovery will be achieved)	
<b>Projected additional income with calculation (s)</b>	
<b>Any other financial information</b> (include appendices if appropriate)	

**Key evidence and assumptions (include the outcomes of any consultation and options appraisal):**

**Outcome of EDCI screening:**

**Potential issues and risks:**

Issue/risk	Impact (High, Medium, Low)	Management actions

**Implementation plan:**

Milestone/key action	Date to be completed/ implementation period

**Any other information/comments:**

	Name and signature	Date
Responsible officer:		
Director:		
Legal:		
Finance:		





## **Appendix 4**

### **Charges Excluded From the Corporate Charging Policy**

Car Park Charges

**To:** Policy Review Committee  
**Date:** 12 April 2016  
**Author:** Janine Jenkinson, Democratic Services Officer  
**Lead Officer:** Karen Iveson, Chief Finance Officer (S151)

---

**Title:** Policy Review Committee Annual Report

**Summary:** The report provides an update on the work of the Policy Review Committee for 2015/16.

**Recommendation:**

**To note the Annual Report submitted by the Chair of the Policy Review Committee**

**Reasons for recommendation**

The Committee ensures the contribution of Policy Review is effective in supporting service improvement and delivery against the Council's priorities.

**1. Introduction and background**

**1.1** During the past 12 months the Policy Review Committee has met on five occasions, scrutinising the work of Selby District Council.

**1.2** The Annual Report (Appendix A) provides an update on the topics scrutinised and the work of the Committee.

**2. The Report**

**2.1** The Committee has considered a wide range of items and these are outlined in the report.

Work undertaken in-line with the Council's priorities has proved positive and valuable and the Committee has considered a wide range of topics.

**3. Conclusion**

The Committee is asked to agree the Policy Review Annual report.

**Contact Officer:** *Janine Jenkinson*  
*Democratic Services Officer*  
*Selby District Council*  
*jjenkinson@selby.gov.uk*

**Appendix:**

Appendix A – Annual Report 2015/16

**Selby District Council**

**POLICY REVIEW**  
**ANNUAL REPORT**  
**2015/2016**

## **Introduction by Councillor James Deans - Chair of the Policy Review Committee**



I am pleased to present the Policy Review Committee with the Annual Report for 2015/16.

The Policy Review Committee will have met five times in 2015/16 and considered a range of different issues. The Committee's Work Programme included items that were relevant and in-line with the Council's Corporate Plan and Priorities for 2015/16.

I would like to thank all Councillors of the Policy Review Committee for their support and continued hard work. Many people have contributed to the success of Policy Review, including officers, and my thanks goes out to all of them.

I look forward to the continuing progress of Policy Review in 2015/16.

# **Policy Review Committee Annual Report**

## **The Policy Review Committee**

The Policy Review Committee membership comprised the following Members during the 2015/16 municipal year:

### **Conservative**

J Deans (Chair)  
M Hobson (Vice Chair)  
K Arthur  
K Ellis (until November 2015)  
D Hutchinson  
J Cattnach (from 25 February 2016)

### **Labour**

R Packham  
J Shaw-Wright

The Committee met five times during the year.

Officer support was provided by Jonathan Lund, Deputy Chief Executive; Karen Iveson, Chief Finance Officer (S151) and Janine Jenkinson, Democratic Service Officer.

## **The Role of the Policy Review Committee**

The Policy Review Committee is one of the Council's three Overview and Scrutiny committees. It is responsible for contributing to the development of Council policy, reviewing and making recommendations regarding existing Council policy and considering and commenting upon the implications on Selby District of the policies of partner organisations and other agencies delivering public services in the District.

## **2015/16 Work Programme**

During 2015/16 the Policy Review Committee reviewed and commented upon a number of topics, including:

- The Council's financial and budgeting arrangements;
- PLAN Selby;
- Review of the Licensing Policy;
- The Council's Corporate Enforcement Policy; and
- Matters associated with Welfare Reform.

**Policy Review Committee Annual Report 2015/16**

Date of Meeting	Topic	Discussion / Resolution
16 June 2015	<b>PLAN Selby: responses to initial consultation</b>	<p>Executive Councillor Mackman and Keith Dawson, Director Access Selby, presented a final report on the results of the Initial Consultation.</p> <p>Councillors were informed of the key issues arising from the first round of public participation and were asked to provide comments and recommendations on the scope and content of PLAN Selby, which could then be considered by the Local Plan Programme Board and the Executive.</p> <p>The Committee received a presentation that highlighted the following key issues that had been raised in response to the initial public consultation:</p> <ul style="list-style-type: none"> <li>• Providing Homes</li> <li>• Promoting Prosperity</li> <li>• Green Belt</li> <li>• Safeguarded Land</li> <li>• Development Limits</li> <li>• Strategic Countryside Gaps</li> <li>• Infrastructure Needs</li> <li>• Climate Change and Renewable Energy</li> </ul>



		<ul style="list-style-type: none"> <li>• The Environment</li> </ul> <p>Councillors were advised that the issues raised during the Initial Consultation on PLAN Selby would be used to inform further discussions with communities, stakeholders and to inform planning policy and option development.</p> <p><b>RESOLVED:</b></p> <ul style="list-style-type: none"> <li>• <b>The Committee endorsed the scope and content of PLAN Selby.</b></li> <li>• <b>The comments raised at the meeting, were passed onto the Local Plan Programme Board and Executive for consideration.</b></li> </ul>
14 July 2015	<b>National Non-Domestic Rates Transitional Relief Scheme</b>	<p>Tammy Fox, Benefits and Taxation Officer presented a report that set out the details of the National Non-Domestic Rates Transitional Relief Scheme.</p> <p><b>RESOLVED:</b></p> <p><b>To recommend to the Executive that the Transitional Relief Scheme, as set out in Appendix A of the report be approved.</b></p>
	<b>National Non-Domestic Rates Discretionary Reliefs</b>	<p>The Committee considered a revised Discretionary Rate Relief Policy.</p> <p>The Committee also discussed the 80% Mandatory Relief available</p>

		<p>to charities.</p> <p><b>RESOLVED:</b></p> <p><b>The Committee recommended that the Executive consider charity shops' compliance with the Discretionary Rate Relief scheme.</b></p> <p><b>The Committee approved the following changes to the Council's Discretionary Rate Relief Policy:</b></p> <ul style="list-style-type: none"> <li>• <b>S44a relief (part occupation of premises) be added to the Policy; and</b></li> <li>• <b>The award cap relating to rateable values be removed.</b></li> </ul>
	<p><b>Review of the Licensing Policy</b></p>	<p>The Solicitor to the Council presented a report that set out the scope and timetable for the review of the Licensing Policy.</p> <p><b>RESOLVED:</b></p> <p><b>The Committee noted the proposals for the review of the Licensing Policy and asked that that the following information be included in the Licensing Policy:</b></p> <ul style="list-style-type: none"> <li>• <b>A section on the licensing responsibilities of alcohol wholesale/retail businesses.</b></li> <li>• <b>A section regarding the Council's joint partnership working on enforcement to promote the Licensing</b></li> </ul>

		<b>Objectives.</b>
	<b>Welfare Reform – Six Months Update</b>	<p>The Business Manager presented a report that provided a six month review detailing the impact of the Welfare Reform changes in Selby.</p> <p>The Committee noted that under Universal Credit, all claimants would have their housing costs paid to them directly, rather than to the landlord, as at present. The Business Manager explained that this could potentially have a significant impact on the Council, because for the first time, a number of tenants would have discretion over when and if to pay their rent. Officers would monitor this closely and tenants would be offered any advice/support needed.</p> <p>In addition, the Committee asked what impact the Government’s recent announcements regarding the Living Wage would have on Selby residents. The Benefits and Taxation Officer explained that forecasting work would be carried out and information would be available to Councillors in the future.</p> <p><b>RESOLVED:</b></p> <p><b>The Committee noted the report and requested the following information be included in the next Welfare Reform report:</b></p> <ul style="list-style-type: none"> <li>• <b>The Council’s approach to debt collection.</b></li> <li>• <b>Forecast information regarding the impact of the Living Wage on Selby residents.</b></li> </ul>

		<ul style="list-style-type: none"> <li>• <b>Historical data in relation to the number of people affected by the Spare Room Deduction and level of tenant rent arrears.</b></li> <li>• <b>The number of residents that paid Council Tax and the number of residents in receipt of Council Tax Benefit.</b></li> </ul>
<p><b>15 September 2015</b></p>	<p><b>Medium Term Financial Strategy Update</b></p>	<p>The Lead Officer (Finance) and Executive Councillor Lunn presented an update report regarding the Medium Term Financial Strategy (MTFS).</p> <p>The Lead Officer explained that three scenarios had been modelled to prepare for the possible cuts in Government funding. The Committee was advised of the uncertainty regarding the New Homes Bonus and the risks associated with the Business Rates System.</p> <p>With regard to Business Rates, the Lead Officer (Finance) explained that the Council's Business Rates income was volatile due to a small number of businesses providing the majority of income received. The current approach to Business Rates Retention income was to set aside gains above baseline funding into the Business Rates Equalisation reserve; the reserve could then be used to off-set the impact of any loss of income.</p> <p><b>RESOLVED:</b></p> <p><b>The Committee endorsed the Medium Term Financial Strategy, as set out in the report.</b></p>

	<p><b>Review of the Corporate Enforcement Report</b></p>	<p>The Policy Officer presented a report that set out the scope and timetable for the review of the Corporate Enforcement Policy.</p> <p>The Corporate Enforcement Policy and individual policies within the current Policy were in need of updating due to a shift in the regulatory framework and best practice.</p> <p>The revised Policy would include all relevant regulatory compliance and enforcement services, with the exception of debt control and Regulation of Investigatory Powers. These enforcement areas presented complex and in-depth issues; therefore, specific policies would be developed separately.</p> <p>Councillors raised some concern regarding fly tipping. In response to a query, the Senior Enforcement Officer reported that the majority of complaints received related to fly tipping, litter and dog fouling. In addition, he outlined the difficulties of prosecution.</p> <p><b>RESOLVED:</b></p> <ul style="list-style-type: none"> <li>• <b>The Committee noted and endorsed the proposals for the review of the Corporate Enforcement Policy, as set out in the report.</b></li> <li>• <b>The Committee requested that a letter was sent to York Magistrates' Court, outlining the concerns raised during the discussion and inviting a representative to attend a future meeting.</b></li> </ul>
--	--	---

		<ul style="list-style-type: none"> <li>• <b>The Committee agreed that dog fouling, litter and fly tipping be considered as future enforcement priorities and campaigns of awareness.</b></li> </ul>
<p><b>21 October 2015</b></p>	<p><b>PLAN Selby – responses to focused engagement</b></p>	<p>The Director Access Selby, Interim Planning Policy Manager and Councillor John Mackman, (Deputy Leader of the Council and Lead Executive Member for Place Shaping) provided the Committee with an update on the key issues arising from the Plan Selby Focused Engagement Consultation which had been held between 29 June – 10 August 2015.</p> <p>The Interim Planning Policy Manager reported that the representations received in response to the Focused Engagement related to the following key themes:</p> <ul style="list-style-type: none"> <li>• Designated Service Villages (DVS) and Growth Options</li> <li>• Development Limits</li> <li>• Employment Land Review</li> <li>• Green Belt</li> <li>• Highways Assessment</li> <li>• Strategic Housing Market Assessment (SHMA)</li> <li>• Market Towns Study</li> <li>• Site Selection</li> <li>• Villages in Green Belt</li> <li>• Strategic Countryside Gap</li> </ul> <p>The Committee was informed that further work was underway in relation to the most suitable growth options for Selby Town based</p>

on detailed site assessments. The Interim Planning Policy Manager reported that there was a need to focus upon a balanced range of sustainable sites for housing and employment. In particular, it was important to plan positively for the needs of an ageing population.

In addition, Councillors were advised that in order to maintain the existing network of green spaces to a good standard, work would be focused on maintaining and strengthening Selby's natural and heritage assets.

With regard to Tadcaster, the Interim Planning Policy Manager informed the Committee that land availability and deliverability had been recognised as key local issues. Councillors were advised that the regeneration of Tadcaster town centre was a key priority focus.

Councillors expressed concern regarding the capacity of the local infrastructure in Sherburn in Elmet to support growth. Particular attention was drawn to the capacity of the local primary schools that were considered to be oversubscribed and unable to accommodate additional pupils.

**RESOLVED:**

**The Committee requested that the Director Access Selby and the Interim Planning Policy Manager take into consideration the comments made during the meeting, as outlined above.**

<p><b>19 January 2016</b></p>	<p><b>Draft Budget and Medium Term Financial Plan</b></p>	<p>Karen Iveson, Executive Director (s151) and Councillor C Lunn, (Executive Member for Finance and Resources) presented a report that outlined the Council's draft Revenue Budget and Capital Programme 206/17 and Medium Term Financial Plan.</p> <p>The Committee was informed that on 3 December 2015 the Executive had discussed and approved the draft budget for public consultation and submission to the Policy Review Committee for comment. The report set out the draft budget for the General Fund and Housing Revenue Account for 2016/17 and the following two financial years, along with proposals for capital investment and the Programme for Growth.</p> <p>The Policy Review Committee was asked to review the Executive report and provide comments, prior to the Executive finalising the budget proposals for submission to Council on 23 February 2016.</p> <p>In relation to Business Rates, the Committee noted that a forecasted £5.4 million surplus had been assumed for 2016/17. The Executive Director (s151) explained that the surplus was due to the retention of renewable energy Business Rates from a local power station; however Councillors were advised there was some uncertainty in relation to the future retention of 100% of Business Rates from renewable energy projects and it was not known if similar levels of receipts could be expected going forward.</p> <p>It was explained that the anticipated £5.4 million surplus for 2016/17 would be allocated to the Programme for Growth with spending plans to follow in the coming months.</p>
-------------------------------	---	--



		<p><b>RESOLVED:</b>  <b>To note and endorse the Draft Revenue Budget and Capital Programme 2016/17 and the Medium Term Financial Plan, as set out in the report.</b></p>
	<p><b>Welfare Reform</b></p>	<p>Ralph Gill, Lead Officer (Benefits and Taxation) presented a report that provided a six month review detailing the impact of the Welfare Reform changes in Selby District.</p> <p>The Lead Officer addressed the following points that had been raised at the Policy Review Committee meeting held on 14 July 2014:</p> <ul style="list-style-type: none"> <li>• In relation to the number of people affected by the Spare Room Deduction and level of tenant rent arrears, Councillors attention was drawn to point 2.1.4 in the report. The data provided indicated that the number of people affected by the Spare Room Deduction showed only a minor change to the position in June 2015 and the number of council tenants affected had reduced over time. The total value of arrears on the accounts of people affected by the Spare Room Deduction was £3,287.78 with an average value of £136.99. The Committee was advised that Discretionary Housing Payments (DHP) were available to people in financial hardship due to the welfare reform changes and the Council continued to promote DHP to people most in need of</li> </ul>

		<p>support.</p> <ul style="list-style-type: none"><li>• Councillors were informed there were currently nine households in Selby District affected by the Benefit Cap.</li><li>• In relation to debt collection, the Committee was reassured that the Council went to great lengths to ensure that debt repayment arrangements were affordable and sustainable. Debtors were also referred to Citizen's Advice Bureau for help and support. Officers were in discussion with South Yorkshire Credit Union (SYCU) regarding further support they could offer individuals with rent and Council Tax arrears.</li><li>• Councillors were informed that Council Tax was paid in respect of 37,229 domestic properties across the District. Council Tax Support of £3.9 million was currently awarded at a discount on 4,621 accounts of which 2,320 were people in receipt of the state pension.</li><li>• In relation to forecast information regarding the impact of the Living Wage on Selby residents, the Lead Officer (Benefits and Taxation) reported that it was not technically possible for the Council to provide this information. However, a specialist agency could be commissioned to undertake a one off study for roughly £6,000. He advised that if the Committee wished to pursue this, the Executive would have consider whether to allocate the financial resources to facilitate the study.</li></ul>
--	--	--

		<p>The Committee thanked the Lead Officer (Benefits and Taxation) for a comprehensive report.</p> <p><b>RESOLVED:</b> <b>To note the report.</b></p>
	<p><b>Review of the Corporate Enforcement Policy</b></p>	<p>The Policy Officer and Assistant Policy Officer presented a report that set out the draft Corporate Enforcement Policy.</p> <p>Councillors were informed that the existing policy had been reviewed and the revised policy now adopted an overarching approach, and had been updated to reflect the changes to the regulatory and legislative framework of the existing policy.</p> <p>The Committee was asked to provide feedback in relation to the content, approach and tone of the draft policy. Councillors agreed that the tone of the draft policy was concise and easy to read, the approach was consistent and proportionate, and the content was clearly set out for the reader.</p> <p><b>RESOLVED:</b> <b>To note and endorse the draft Corporate Enforcement Policy, as set out in the report.</b></p>
	<p><b>Tenancy Fraud Report</b></p>	<p>The Lead Officer (Debt Control and Enforcement) provided the Committee with an update on the Council’s approach to tenancy fraud.</p>

The Committee was informed that the Council did not have a single policy; but that fraud related issues were included in the following documents: Home Choice Allocations Policy, Tenancy Policy, Tenancy Agreement and the Enforcement Policy.

The Lead Officer (Debt Control and Enforcement) reported that the most common tenancy related frauds nationally related to the following:

- Misrepresentation of a household housing position in order to get an allocation
- Sub-letting a property
- Succession
- Right to Buy

Councillors were advised that the Council adopted pro-active, preventative measures to minimise potential tenancy fraud. Recently, Housing Officers had introduced a new measure, whereby new tenants were photographed when they signed a tenancy agreement; the photograph was then used to verify the tenant when introductory tenancy visits were carried out.

Councillors were informed that the way the Council investigated Housing Benefit fraud would be changing, as the Department for Work and Pensions (DWP) had been rolling out a nationwide Single Fraud Investigation Service (SFIS) which brought together all welfare benefit fraud investigations currently undertaken by the DWP, local authorities and HMRC under the new Fraud and Error

Service (FES).

The Council was scheduled to transfer the Housing Benefit Fraud function to the DWP from 1 March 2016 and two members of the Enforcement Team would be transferred to the DWP. The Council was currently looking at how it would facilitate fraud investigation in the future, and the possibility of working with the Council's auditors, Veritau was being explored.

**RESOLVED:**  
**The Committee noted the update provided at the meeting.**