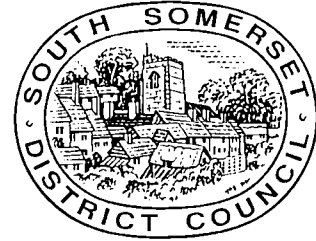


South Somerset District Council

Notice of Meeting



South Somerset District Council

Making a difference where it counts

Thursday 16th March 2017

7.30 pm

**Council Chamber
Council Offices
Brympton Way
Yeovil, BA20 2HT**

(disabled access and a hearing loop are available at this meeting venue)



All members of Council are requested to attend this meeting:

If you would like any further information on the items to be discussed, please contact the Democratic Services Manager on 01935 462148 or democracy@southsomerset.gov.uk

This Agenda was issued on Wednesday 8 March 2017.

Ian Clarke, Assistant Director (Legal & Corporate Services)

This information is also available on our website
www.southsomerset.gov.uk and via the mod.gov app



INVESTORS IN PEOPLE

South Somerset District Council Membership

Chairman: Mike Best
Vice-chairman: Tony Capozzoli

Clare Aparicio Paul	Kaysar Hussain	David Recardo
Jason Baker	Val Keitch	Jo Roundell Greene
Cathy Bakewell	Andy Kendall	Dean Ruddell
Marcus Barrett	Jenny Kenton	Sylvia Seal
Mike Beech	Mike Lewis	Gina Seaton
Neil Bloomfield	Sarah Lindsay	Peter Seib
Amanda Broom	Mike Lock	Garry Shortland
Dave Bulmer	Tony Lock	Angie Singleton
John Clark	Paul Maxwell	Alan Smith
Nick Colbert	Sam McAllister	Sue Steele
Adam Dance	Graham Middleton	Rob Stickland
Gye Dibben	David Norris	Gerard Tucker
Sarah Dyke	Graham Oakes	Andrew Turpin
John Field	Sue Osborne	Linda Vijeh
Nigel Gage	Tiffany Osborne	Martin Wale
Carol Goodall	Stephen Page	William Wallace
Anna Groskop	Ric Pallister	Nick Weeks
Peter Gubbins	Crispin Raikes	Colin Winder
Henry Hobhouse	Wes Read	Derek Yeomans
		1 vacancy

Information for the Public

The meetings of the full Council, comprising all 60 members of South Somerset District Council, are held at least 6 times a year. The full Council approves the Council's budget and the major policies which comprise the Council's policy framework. Other decisions which the full Council has to take include appointing the Leader of the Council, members of the District Executive, other Council Committees and approving the Council's Constitution (which details how the Council works including the scheme allocating decisions and Council functions to committees and officers).

Members of the Public are able to:-

- attend meetings of the Council and its committees such as Area Committees, District Executive, except where, for example, personal or confidential matters are being discussed;
- speak at Area Committees, District Executive and Council meetings;
- see reports and background papers, and any record of decisions made by the Council and Executive;
- find out, from the Executive Forward Plan, what major decisions are to be decided by the District Executive.

Meetings of the Council are scheduled to be held monthly at 7.30 p.m. on the third Thursday of the month in the Council Offices, Brympton Way although some dates are only reserve dates and may not be needed.

The agenda, minutes and the timetable for council meetings are published on the Council's website – www.southsomerset.gov.uk/councillors-and-democracy/meetings-and-decisions

Agendas and minutes can also be viewed via the mod.gov app (free) available for iPads and Android devices. Search for 'mod.gov' in the app store for your device and select 'South Somerset' from the list of publishers and then select the committees of interest. A wi-fi signal will be required for a very short time to download an agenda but once downloaded, documents will be viewable offline.

The Council's corporate aims which guide the work of the Council are set out below.

Further information can be obtained by contacting the agenda co-ordinator named on the front page.

South Somerset District Council - Council Aims

South Somerset will be a confident, resilient and flexible organisation, protecting and improving core services, delivering public priorities and acting in the best long-term interests of the district. We will:

- Protect core services to the public by reducing costs and seeking income generation.
- Increase the focus on Jobs and Economic Development.
- Protect and enhance the quality of our environment.
- Enable housing to meet all needs.
- Improve health and reduce health inequalities.

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South Somerset District Council

Thursday 16 March 2017

Agenda

1. Apologies for Absence

2. Minutes

To approve and sign the minutes of the previous meeting held on Thursday, 23rd February 2017.

3. Declarations of Interest

In accordance with the Council's current Code of Conduct (as amended 26 February 2015), which includes all the provisions relating to Disclosable Pecuniary Interests (DPI), personal and prejudicial interests, Members are asked to declare any DPI and also any personal interests (and whether or not such personal interests are also "prejudicial") in relation to any matter on the Agenda for this meeting.

Members are reminded that they need to declare the fact that they are also a member of a County, Town or Parish Council as a Personal Interest. Where you are also a member of Somerset County Council and/or a Town or Parish Council within South Somerset you must declare a prejudicial interest in any business on the agenda where there is a financial benefit or gain or advantage to Somerset County Council and/or a Town or Parish Council which would be at the cost or to the financial disadvantage of South Somerset District Council.

4. Public Question Time

5. Chairman's Announcements

Items for Discussion

6. Briefing by the Local Government Boundary Commission on the forthcoming electoral review of South Somerset District Council (Page 6)

7. Council Tax Penalties and Civil Penalties in Housing Benefit (Pages 7 - 15)

8. Proposed Changes to Business Rates Relief Policy (Pages 16 - 29)

9. Membership of Committees - Appointment of Councillors to Committees and Panels (Page 30)

10. Draft Meetings Calendar for 2017/18 (Pages 31 - 32)

11. Report of Executive Decisions (Pages 33 - 35)

12. Audit Committee (Pages 36 - 37)

13. Scrutiny Committee (Pages 38 - 40)

14. Motions

No Motions have been submitted by Members.

15. Questions Under Procedure Rule 10

No questions have been submitted by Members under Procedure Rule 10.

16. Date of Next Meeting (Page 41)

Agenda Item 6

Briefing by the Local Government Boundary Commission on the forthcoming electoral review of South Somerset District Council

CEO: Alex Parmley
Lead Officer: Ian Clarke, Director (Support Services)
Contact Details: ian.clarke@southsomerset.gov.uk or (01935) 462184

Officers from the Local Government Boundary Commission will attend and make a presentation on the forthcoming electoral review of South Somerset District Council.

An electoral review is an examination of a council's electoral arrangements. This means:

- the total number of members to be elected to the council;
- the number and boundaries of electoral areas (wards/divisions) for the purposes of the election of councillors;
- the number of councillors for any electoral area of a local authority; and
- the name of any electoral area.

Where it appears that an area's electoral arrangements should be changed in order to provide for better representation of an area's electors, a review will give rise to recommendations for changes which we will lay before Parliament. Whenever the Local Government Boundary Commission undertake an electoral review, they aim to deliver good electoral equality across a local authority area. This means ensuring that, for any principal council, the ratio of electors to councillors in each electoral ward/division, is as nearly as possible, the same.

Agenda Item 7

Council Tax Penalties and Civil Penalties in Housing Benefit

Assistant Director: Donna Parham, Assistant Director (Finance and Corporate Services)
Service Manager: Ian Potter, Revenues and Benefits Manager
Lead Officer: As above
Contact Details: ian.potter@southsomerset.gov.uk or 01935 462690

Purpose of the Report

1. To request that the Council approves the application of Council Tax Penalties and Civil Penalties in Housing Benefit with effect from 1 April 2017

Public Interest

2. South Somerset District Council is responsible for the billing, collection and enforcement of Council Tax, the administration of Housing Benefit (on behalf of the Department for Work and Pensions) and the administration of Council Tax Support.
3. There is a wide range of Council Tax exemptions and discounts and the Council has a responsibility to the tax payer to ensure that where a discount, exemption, Housing Benefit or Council Tax Support award has been made that the recipient remains entitled to it.
4. The amount of Council Tax to be charged by each preceptor and the billing authority is determined by reference to the Council Tax base. This determines how much Council Tax each household is charged.
5. It is important therefore to ensure that only those entitled to a discount or exemption continue to receive it to prevent loss of income.

Recommendation

6. That Full Council approves the application of Council Tax and Housing Benefit Civil Penalties with effect from 1 April 2017.

Background

Council Tax

7. Currently Council Tax discounts, exemptions and Council Tax Support amounting to £19.7m have been applied to Council Tax accounts for the financial year 2016/17.
8. The recipient of a Council Tax discount, exemption or Council Tax Support award has a legal duty to notify the Council within 21 days if there has been a change in circumstances which affects Council Tax liability or would mean that the discount or exemption no longer applies, or would mean that the amount of their award might be affected, including reducing it to nil.

9. Any reduction that a Council Tax payer continues to receive but is not entitled to is “lost income” to South Somerset District Council, Somerset County Council, Avon and Somerset Police, Devon and Somerset Fire and Rescue Authorities and Parish Councils.
10. Some time ago, the Audit Commission estimated that between 3% and 11% of discounts, reductions and exemptions claimed against Council Tax were either incorrect or fraudulently claimed (Audit Commission 2009).
11. If it is assumed that the current rate of error is 5%, that would represent approximately £985k of lost income across all preceptors in Somerset. The SSDC loss of income on that basis would be approximately £98k.

Housing Benefit

12. The Council administers Housing Benefit on behalf of the Department of Work and Pensions and it is estimated that approximately £44m will have been paid out in Housing Benefit in the 2016/17 financial year. The Council receives funding from Government for the Housing Benefit it pays out.
13. However where a late or unreported change results in an overpayment of Housing Benefit the council only receives a reduced funding of 40 pence in the pound. At least 60% of any overpayment needs to be recovered in order that the Council does not suffer a financial loss. As with all debt there is a risk of non-collection and therefore financial loss for the Council.
14. The most effective way to minimise potential loss both in Council Tax and Housing Benefit funding is to encourage the timely reporting of changes in circumstance that affects entitlement to discounts, exemptions and Housing Benefit. Penalising those who fail to carry out their legal duty to notify the Council of such changes is designed to bring about future behavioural change.

Current compliance regime

15. The Council has a multifaceted compliance regime across Council Tax and Housing Benefit that identifies unreported changes. This includes:
 - An increased collection team
 - Real Time Information from HMRC
 - Housing Benefit Matching Service referrals
 - National Fraud Initiative data matching
 - Council Tax discount and exemption review programme
 - Council Tax Support and Housing Benefit claim review programme
 -
16. This compliance work contributes to minimising the loss of income. However with the exception of the Real Time Information from HMRC the rest of the changes identified have normally occurred sometime in the past. Collecting the additional Council Tax due where a discount or exemption is removed for a past period is not always straightforward

and there is an element of risk of some non-collection. Similarly collecting overpaid Housing Benefit carries a risk of non-collection.

Demand reduction

17. The late or non-reporting of changes in circumstances creates avoidable demand in a number of ways. It increases the volume of reviews that needs to be carried out both on Housing Benefit and Council Tax Support claims and on Council Tax records. A proportion of people will repay the additional Council Tax or Housing Benefit overpayment without requiring intervention. However, those that do not, create avoidable contact. This may involve the sending of reminder notices, the issuing of a summons, monitoring payment agreements, dealing with broken agreements and further enforcement action. There will also be telephone demand associated with this additional work. This all adds to the cost of administering Council Tax and Housing Benefit.
18. Taking steps to encourage people to tell us about changes in circumstance in a timely way will help to reduce avoidable demand as well as reducing costs and minimising loss of income.

Reporting changes in circumstance

19. We take every opportunity to inform people of their duty to tell us about changes in their circumstances. We also make it easy for people to tell us about changes.
20. In addition to reporting changes by phone and in writing, there are a number of on-line forms covering Council Tax and Housing Benefit/Council Tax Support.
21. The Benefits Team has recently launched a photo upload facility which enables people to provide evidence of their change electronically which removes delays in receiving the evidence and reduces demand in the post room and customer service counters.
22. Making it easy to report changes and provide evidence provides further encouragement for timely notification.

Penalties

Council Tax Penalties

23. The Council is legally entitled to obtain information from residents, owners or managing agents to help identify the person liable for payment of the Council Tax.
24. Where a person fails to supply certain information we have requested within 21 days of the request for the information, or knowingly supplies inaccurate information in purported compliance with such a request, we may impose a penalty.
25. As mentioned, the recipient of a Council Tax discount, exemption or Council Tax Support award has a legal duty to notify the Council within 21 days if there has been a change in circumstances which affects Council Tax liability or would mean that the

discount or exemption no longer applies, or would mean that the amount of their award might be affected, including reducing it to nil.

26. The law allows Councils to impose a £70 penalty to any person who:
- a) fails to notify the Council that an exemption on a dwelling should have ended
 - b) fails to notify the Council that a discount should have ended
 - c) fails to notify the Council of a change of address or fails to notify the Council of a change in the liable party
 - d) fails to provide information requested to identify liability
 - e) fails to provide information requested after a liability order has been obtained
 - f) fails to notify the Council that Council Tax Support should have ended
 - g) fails, without reasonable excuse, to notify the Council that there has been a change in their circumstances which would affect Council Tax Support
27. Where a penalty has been imposed and a further request for the same information is made to that person and is again not properly complied with, the Council may impose a further penalty of £280. A penalty of £280 may be imposed each time the Council repeats the request and the person does not fulfil their statutory obligations.
28. Where the Council possesses a liability order for failure to pay Council Tax, The Council has the right to ask the customer for details of their employment and other income. It is a criminal offence not to supply the information without reasonable excuse, or for a person to knowingly or recklessly supply false information. The matter can be referred back to the Magistrates' Court for a summary conviction and fine to be imposed. These fines would be collected by the Magistrates and paid to the Council.

Civil Penalties for Housing Benefit

29. A recipient of Housing Benefit has a legal duty to notify the Council within one month if there has been a relevant change in circumstances which would mean that the amount of their award might be affected, including reducing it to nil.
30. A "relevant change of circumstances", means a change of circumstances that a person might reasonably be expected to know might affect their entitlement to, or the amount of, Council Tax Support.
31. The civil penalty that can be applied in Housing Benefit cases is £50.

Applying a penalty

32. The Council will align the time allowed to report a change affecting Council Tax before a penalty is applied with that allowed for reporting changes to Housing Benefit i.e. one month.

33. Details regarding the application of penalties, where they will not be applied and how to appeal against a penalty are contained in the attached Appendix A.

Relevant Legislation

34. The following legislation permits the application of Council Tax penalties and Civil Penalties.
- Schedule 3 of the Local Government Finance Act 1992
 - Local Government Finance (England)(Substitution of Penalties) Order 2008 (S.I 2008/981)
 - Regulation 12 & 13 of the Council Tax Reduction schemes (Detection of Fraud and Enforcement)(England) 2013
 - The Council Tax (Administration and Enforcement) Regulations 1992 (S.I 1992/613)
 - The Valuation Tribunal for England (Council tax and Rating Appeals)(Procedure) Regulations 2009 SI 2009/2269
 - The Social Security (Civil Penalty) Regulations 2012 (SI 2012/190)
 - Welfare Reform Act 2012

Management Information & Reporting

35. For at least the first 12 months the Council will produce management information covering all penalties imposed. This will enable the Council to determine the effectiveness of the policy, identify areas for improvement in decision making and processes.
36. Management Information to be recorded will be:
- Volume of penalties & reasons for the imposition
 - The volume and value of penalties recovered
 - The volume and value of penalties written off
 - The type and effectiveness of action taken to recover each penalty
 - The volume of complaints made and upheld
 - The volume of appeals made against a penalty and reasons for appeal
 - The volume of cases going to Valuation Tribunal and the volume of successful appeals
 - The volume and reason for exemption from a penalty where one would otherwise have been imposed

Publicising Council Tax Penalties and Civil Penalties in Housing Benefit

37. The Council already includes a warning about the right to impose penalties on Council Tax bills and other documentation.

38. We have included a flyer reminding people of their duty to notify the Council about relevant changes affecting entitlement to discounts, exemptions, Council Tax Support and Housing Benefit with all annual Council Tax bills and Housing Benefit award letters. A copy of this is shown in Appendix B.
39. The intention is to publicise the introduction of the application of Council Tax and Civil Penalties through a wide range of channels including a press release, social media and our website.
40. While the use of penalties is planned to come in to effect from 1 April 2017 it would be appropriate to allow some time between the publicity taking place and the commencement of penalty imposition. It is proposed therefore that any changes relating to a past period reported up to and including 30 April 2017 will not attract a penalty.

Policy review

41. This policy will be reviewed periodically and at least every three years to ensure it is, and remains fit for purpose. This policy will also be updated at the time relevant legislation changes.

Financial Implications

42. There are no adverse financial implications associated with this report. It is not possible to estimate the value of penalties that might be applied and collected during 2017/18. All penalty income collected does not form part of the collection fund and remains with SSDC. The management information collected during the year will enable a decision to be made as to how much should be added to the Medium Term Financial Plan for future years.

Council Plan Implications

None associated with this report

Carbon Emissions and Climate Change Implications

None associated with this report

Equality and Diversity Implications

None associated with this report

Privacy Impact Assessment

None associated with this report

Background Papers

None

Appendix A

How penalties will work

Penalties are payable directly to the authority that imposed them (the billing authority), and can be collected by adding the penalty to the person's Council Tax liability and detailing it on their Council Tax bill.

A penalty request memo will be completed by a member of the Revenues and Benefits Team and must be approved by a Revenues or Benefits Team Leader or the Revenues and Benefits Manager before being applied.

Once the penalty has been applied to the account a letter will be sent to the person(s) in all cases advising of the application of the penalty and the reason for it. The letter will also set out the right of appeal.

A revised Council Tax bill will also be issued showing the penalty which has been applied on a separate line.

Where a penalty is imposed where the person who has not supplied the information does not have a Council Tax account an invoice will be raised for repayment.

In the case of Housing Benefit the Civil Penalty will be recovered by raising an invoice.

Exceptions

The Council will exclude taxpayers and Housing Benefit recipients from the imposition of a penalty where they have relevant mitigating family/personal circumstances, for example recent bereavement or serious illness. Council Tax payers or benefit recipients who are severely mentally impaired are also excluded from the penalty scheme.

Exclusion from a penalty will also be considered in cases where the customer or their partner has a significant degree of physical or mental infirmity, such as a terminal illness, severe clinical depression, and hearing/sight/speech problems, learning difficulties or frailty due to old age.

All identified exceptional cases will be passed to a Revenues or Benefits Team Leader or the Revenues and Benefits Manager for a decision to be made.

Appeals

Where the Council's decision to impose a penalty is disputed an appeal can be made to a Valuation Tribunal. Before making an appeal the appellant will first ask the Council to review its decision.

Where a penalty is imposed on a person and he alleges that there is no power in the case concerned to impose a penalty of the amount imposed, he may appeal against the imposition.

Where the imposition of a penalty is subject to an appeal, no amount shall be payable in respect of the penalty while the appeal is outstanding.

The Council has the power to quash a penalty that it has imposed.

Council Tax

You must tell us:

if someone moves into your household that means your single person discount should have ended

if you have a change in your circumstances that means your discount should have ended

that an exemption on a dwelling should have ended

about a change of address within 21 days or as soon as practicable

Please be aware that - The Council can impose a penalty of £70 if you don't tell us about these changes within 21 days

Reporting a change is easy. You can tell us on-line at www.southsomerset.gov.uk/online-services or call us on 01935 462462.

Not sure if your discount or exemption should have ended? Give us a call and we'll let you know.



Housing Benefit & Council Tax Support

You must tell us if you have a change in your circumstances that might affect how much help we can give you. If in doubt, check it out by calling us. We'll be happy to help you.

Reporting a change is easy. You can tell us on-line at www.southsomerset.gov.uk/online-services

or call us on 01935 462462.

Had a change and need to send us some evidence? You can now upload a photo of the evidence and other documents.

Visit www.southsomerset.gov.uk/evidenceupload to upload your photos or documents.

Simply snap it and send it



Please be aware that - The Council can impose a civil penalty of £50 if you don't tell us about these changes within 1 month

Agenda Item 8

Proposed changes to Business Rates Relief Policy

Assistant Director: Donna Parham, Assistant Director (Finance and Corporate Services)
Service Manager: Ian Potter, Revenues and Benefits Manager
Lead Officers: Ian Potter, Revenues and Benefits Manager, Revenues and Benefits Sharon Jones, Revenues Team Leader, Revenues and Benefits
Contact Details: ian.potter@southsomerset.gov.uk or 01935 462690
sharon.jones@southsomerset.gov.uk or 01935 462256

Purpose of the Report

1. To request that Full Council approve the proposed amendments to the Council's Business Rates Discretionary Rate Relief Policy (DRR Policy) relating to Discretionary Charity Relief.

Public Interest

2. A range of Mandatory and Discretionary Rate Reliefs exist to reduce (in some cases to Nil) the amount of Non-Domestic Rates (commonly known as business rates) a business or organisation has to pay. The qualifying rules and levels of relief for Mandatory Reliefs are set by Government and are the same throughout the country. The rules and levels of award for Discretionary Rate reliefs are set by each Council and as such may vary from Council to Council. A full review and updating of the policy was undertaken in 2014 with the policy coming in to effect from 1 April 2015. It was subsequently updated with effect from 1 April 2016.

Recommendations

3. That Full Council:
 - (a) approves a change to the DRR Policy on Discretionary 'Top up' Charity Relief to 100% where the rate payer would, apart from entitlement to Mandatory Charity, otherwise qualify for 100% Small Business Rate Relief
 - (b) notes the DRR Policy Overview and Scrutiny Committee Task and Finish Group have considered and support the proposed amendments

That Full Council notes that District Executive:

- (c) approved the use of the Council's local discount powers to grant 100% Rural Rate Relief to eligible ratepayers from 1 April 2017;
- (d) approved the use of the Council's local discount powers to introduce a local discount of £1500 a year for Local Newspapers which would come in to effect on 1 April 2017;
- (e) noted that the Retail Relief which was in place for 2014/15 and 2015/16 has been removed from the policy as the deadline for applications has now passed;

- (f) noted that the Flood Relief which related to premises flooded between 1/12/13 and 31/03/14 has been removed from the policy as the deadline for applications has now passed;
- (g) noted that the temporary Transitional Relief scheme has been removed from the policy as it comes to an end on 31 March 2017. A new national Transitional Relief Scheme is being introduced alongside the new 2017 Rating List.

Background

- 4. The Local Government Finance Bill 2012 introduced the Business Rates Retention Scheme. The scheme is designed to help achieve two of Government's key priorities: economic growth and localism. The scheme enables the retention of a proportion of the business rates revenue generated in a local area by the relevant local authorities. Business rates retention is intended to provide incentives for local authorities to drive economic growth, as the authorities will be able to retain a share of the growth that is generated in business rates revenue in their areas, as opposed to the previous system where all business rates revenues were held centrally. The government has announced that the share to be paid to central government from business rates collected will be 50%. Therefore 50% of business rates will be retained locally (40% District, 9% County, 1% Fire authorities).
- 5. As part of the Retention Scheme Government changed the contribution it makes to the various rate reliefs. Reliefs were previously broken down into mandatory support (support set by central Government) that was repaid to the local authority in full from the Government on the basis that local authorities had no choice but to award it under set criteria. The remaining discretionary relief (support set through SSDC) that the authority had to pay either in full or a proportion of but allocation was based on the authority's own criteria.
- 6. Under the new Government rules SSDC has to contribute 40% towards all reliefs even those that it has no choice about awarding. It has therefore been important to recognise the financial risk of applying reliefs when considering the new policy. The financing of reliefs need to be both affordable and balance the needs of the business and those of the local tax payer.
- 7. This current policy was created after extensive work by the Council's Overview and Scrutiny Committee Task & Finish group and in consultation with both internal and external (business stakeholders). It came in to effect on 1 April 2015 with a transitional period of one year for current recipients, and was updated for the 2016/17 financial year.

Proposed Policy changes for 2017/18

Autumn Statement 2016 – Mandatory Rural Rate Relief announcement

- 8. In his Autumn Statement the Chancellor confirmed that the Government will double Mandatory Rural Rate relief to 100% from 1 April 2017. However this requires a change to primary legislation. The Government intends to amend the relevant primary legislation to require local authorities to grant 100% mandatory rural rate relief but cannot achieve this in time for the 2017/18 financial year.
- 9. Therefore, before the requirement to grant mandatory relief comes into force in April 2018, Government expects local authorities to use their local discount powers to grant

100% Rural Rate Relief to eligible ratepayers from 1 April 2017. Local authorities will be compensated in full for their loss of income as a result of this change. This compensation will be paid through a section 31 grant and calculated on the basis of the Government returns that councils submit under the rates retention scheme. Note that this is subject to State Aid limits.

Budget Statement 2016 - Local Newspapers

10. The Chancellor announced at the Budget that the Government will introduce a £1,500 business rates discount for office space occupied by local newspapers, up to a maximum of one discount per local newspaper title and per hereditament, and up to state aid limits, for 2 years from 1 April 2017. The relief will be delivered through local authority discretionary discount powers under section 47(3) of the Local Government Finance Act. Government will reimburse billing authorities for the actual cost to them under the rates retention scheme of granting this relief.

- There is currently one local newspaper office that would qualify for this discount.

Budget Statement 2016 – Small Business Rate Relief announcement

11. At Budget 2016, the Government confirmed that the temporary doubling of the Small Business Rate Relief (SBRR) from 50% to 100% would be made permanent from 1 April 2017. The £6,000 and £12,000 thresholds would be increased as follows, up to £12,000 and up to £15,000 respectively. This means that premises with rateable values below £12,000 or that meet the eligibility criteria for SBRR will receive 100% relief and those businesses with rateable values from £12,000 up to £15,000 will receive a tapered relief.

Effect of Small Business Rate Relief announcement on SSDC DRR Policy

12. At that time there was no mention of changes to either Mandatory Rural or Charity Relief. Small Business Rates Relief cannot be awarded where the ratepayer is entitled to Mandatory Rural or Mandatory Charity Relief. Mandatory Rural Rate Relief is awarded at the rate of 50% of the rates payable, while Mandatory Charity Relief is 80% of the rates payable.

13. The Council's Discretionary Rate Relief Policy allows a top up to these reliefs to varying degrees depending on meeting the relevant criteria in the policy. Generally the total of Mandatory and Discretionary Rate Relief does not exceed 90%. The announcement on SBRR in the budget meant that there would be cases where a rate payer in receipt of Mandatory Rural Rate Relief and Discretionary 'top-up' Rate Relief, or Mandatory Charity Relief and Discretionary 'top-up' Rate Relief would receive less support than rate payers not entitled to Rural or Charity Relief in premises with the same rateable value.

Review of the DRR Policy

14. An Overview and Scrutiny Task and Finish Group was convened to undertake an annual review of the DRR Policy. The Group considered the above effect along with other elements of the Policy.

15. Prior to the Autumn Statement, the Task and Finish Group members had decided to recommend that the Council's DRR Policy be amended to allow for a 'Better Buy' decision to be made in cases where a rate payer was entitled to Mandatory Rural Rate Relief, or Mandatory Charity Relief. This would have the effect of resolving the anomaly

created by the permanent doubling and increase in the rateable value thresholds of Small Business Rate Relief.

16. The subsequent announcement to grant 100% Rural Relief from 1 April 2017 has removed the anomaly for those rate payers.
17. However the level of Mandatory Charity Relief was not changed, and so for these rate payers the anomaly still exists.
18. A possible measure to resolve this anomaly would be to award additional Discretionary 'top-up' Rate Relief where the rate payer would, apart from entitlement to Mandatory Charity Relief have otherwise qualified for 100% Small Business Rate relief based on the rateable value of their premises.
19. The Table below shows the types of premises receiving Mandatory Charity Relief that would benefit from this measure.

Description	Number	Description	Number
Café	1	Restaurant	1
Car Park	1	School and Premises	2
Club/Clubhouse	8	Shop	9
Day Nursery	5	Sports ground	3
Hall	9	Store	4
Museum	2	Swimming Pool	1
Offices	11	Theatre	2
Other	4	Workshop	2

20. In addition, two Community Amateur Sports Clubs would also benefit from this measure.
21. A report on the work of the Task and Finish group, it's findings and recommendations of the Task and Finish Group are attached at Appendix A

Future monitoring and review

22. The content of the policy will continue to be reviewed annually and brought back before members where further updates are required.

Financial Implications

23. The use of the Council's local discount powers to grant 100% Rural Rate Relief, and the Local Newspaper discount will be reimbursed in full by Government.
24. The use of the Council's local discount powers to grant 100% Rural Rate Relief to eligible ratepayers from 1 April 2017 will reduce the cost of Discretionary 'top-up' Rural Rate Relief by £20,800. This SSDC share of this saving would be £8320 (i.e. 40%).
25. The introduction of the 'Better Buy' award for charities receiving Mandatory Charity Relief will increase the cost of Discretionary 'top-up' Rate Relief by a maximum of £30,318 (assuming they all meet the Small Business rate relief entitlement criteria). The SSDC share of this additional cost is £12127 (i.e. 40%).
26. Taking account of the saving on Discretionary Rural Rate Relief the maximum net cost of these two measures would be £9,518. The SSDC share of this cost is £3,807 (i.e. 40%).

27. This will be absorbed by current budgets.

Council Plan Implications

Economy

Supports the “Economy” Priority - To promote a strong economy with thriving urban and rural businesses.

Carbon Emissions and Climate Change Implications

None associated with this report

Equality and Diversity Implications

An equalities impact was carried out as part of the original policy review and there are no implications associated with the proposed policy revisions.

Privacy Impact Assessment

None associated with this report

Background Papers

- SSDC Discretionary Rate relief Policy accessed at www.southsomerset.gov.uk/business-rates/ndr-relief-policy
 - Business Rates Information Letter (BRIL) 3 2016 – Autumn Statement Measures and 2017 Revaluation accessed at www.gov.uk/government/collections/business-rates-information-letters
 - Report to District Executive - March 2016 item 10
 - Report to Council – March 2015 item 5
 - Report to District Executive – November 2014 item 8
-



Monitoring SSSDC National Non Domestic Rates Discretionary relief policy

Report and Findings of the Overview and Scrutiny Task and
Finish Group

February 2017

Chair's forward

An Overview and Scrutiny Task and Finish group commenced in July 2016 to review the effectiveness of the South Somerset National Non Domestic Rate (NNDR) commonly referred to as Business Rates Discretionary Relief policy that was revised in 2013/14 and came into effect on 1st April 2015. This policy was created with extensive input from an Overview and Scrutiny Task and Finish group and it was a recommendation from this group that monitoring is undertaken to measure the impact and success of the policy.

The key aims of the original group were to ensure the revised policy:

- Met with the needs of the Council Plan and related strategies to support the Council's objectives for South Somerset and to support the essential and widely varied voluntary and non-profit making organisations that make South Somerset a great place to live and work in.
- Provided transparency and accountability in the decisions made, recognising that a proportion of the assistance given through Discretionary Rate Relief is paid by the local taxpayer and as such the Council has a duty to ensure public funds are spent wisely.
- Is accessible and not too complex for both the applicant and officers to administer;
- Effectively utilise relevant expertise and skill across SSDC.
- Has adequate measures to provide stability to the recipients of NNDR relief.
- Has adequate flexibility and could evolve i.e. to meet new requirements, to ensure that it keeps up with any changes Council objectives, and to allocate annual awards.
- Take into account the financial risks of applying the new policy.

The following report provides an overview of the monitoring work of the Task and Finish group, its findings and recommendations.

I would like to take this opportunity to thank the members who conducted this review and the officers who supported us throughout the process.

Sue Steele

Scrutiny Committee Chair

Task and Finish group Members:

Sue Steele Review Chair

Mike Beech
Michael Lewis
David Norris
Sue Osborne
Alan Smith

Officer Support

James Gilgrist	Economic Development Officer
Sharon Jones	Revenues Team Leader
Helen Morris	Revenues Team Leader
Ian Potter	Revenues and Benefits Manager
Ashley Smalley	Revenues Monitoring Officer
Jo Gale	Scrutiny Manger

The Work of the Task and Finish Group

The Task and Finish Group explored the following areas with Revenues Officers to assess the effectiveness of the policy:

- Have the ambitions of the original Task and Finish group been met?
- Is the policy helping to achieve the principles that the Task and Finish group set as a basis for the policy? (The principles that formed the basis of the policy are detailed in appendix 1).
- Relevant data to ascertain if the policy and associated processes are effective for applicants and recipients and are appropriate in terms of resource and cost.
- Identify any external changes or pressures that may impact on the deliverability and intentions/outcomes of the policy.

Is the policy fit for purpose/achieving the ambitions and principles of the original Task and Finish Group?

In response to member questions Revenues Officers reported:

- The administration of the scheme has been manageable; no additional resource has been required and is likely to be less time consuming going forward.
- Now the policy is so clearly defined, there is greater acceptance when people do not qualify for the discretionary relief and therefore less challenges progressing to management level.
- A very small number of appeals have come forward and in most cases this has been due to people misinterpreting the scheme, assuming they could qualify for more relief as it is titled discretionary relief.
- Reviewing the scheme now annually will be much less time consuming for staff.
- Although not a priority of the scheme design, the relief awarded has decreased, this is reassuring in terms of minimising financial risk to SSDC.

Have there been any unforeseen issues or consequences for SSDC, business organisations, charities etc. as a result of the revised policy?

Revenues officers explained the wording around the criteria for museums was tightened up to reflect members' intentions of this being specifically for small museums during 2015 (now only awarded where the Rateable Value is below £50,000). This year they had received representations on behalf of rural Post Offices.

Members reviewed the impact on Rural Post Offices and questioned if it was fair that they should pay a 10% NNDR charge when compared to other business and organisations it could be argued that they are restricted as to how they can make a business more profitable compared with those in urban areas who may qualify for 100% Small Business Rate relief from April 2017 following a change in the rules.

The Task and Finish group discussed the original intention of the policy and how it was agreed originally that the scheme should reflect in many ways the principles of the Council Tax Reduction scheme, an example – Everyone should contribute something. Members agreed the value of the rates left to be paid once the Mandatory and Discretionary reliefs totalling 90% had been applied was easily affordable in most cases and that the information that had been presented by the rural Post Offices highlighted that they're being impacted upon by many different issues, in particular the post office re-organisation. Members also commented on how many services people used to use post offices for are now available on-line.

Members concluded no changes should be made to the policy at this time. This decision has been superseded by the changes brought about by the Autumn Statement – detailed later in this report.

How accessible/easy are the processes applicants need to go through to apply for the relief and the methods of administrating the policy for staff?

The Revenues Officers informed the group:

- New application forms were designed and implemented to ensure all the information necessary to determine the level of discretionary relief was provided at the earliest opportunity.
- No issues/complaints have been raised with regard to the process and planned enhancement.
- Where we need to assess if there is a true financial need for the support, the Finance team review the accounts/books. (costs for this needs to be monitored moving forward).
- That the next phase of work is to get the application forms accessible on-line

What does the NNDR collection rate information and arrears data show throughout the period when the changes to the policy have been introduced?

The Revenues Officers reported:

- There isn't any evidence of ratepayers falling into arrears due to the revision of the policy. (Some summons were issued but this was as result of people not contacting SSDC and submitting their applications and evidence to qualify for awards too late).
- The collection rate has improved since 2014/15

Year	Collection Rate
2014/15	95.44%
2015/16	97.03%
2016/17 estimated projection	98.00%

Future or external changes or pressures that may impact on the deliverability and intentions/outcomes of the policy

Revenue Officers sought clarification where the award of 20% discretionary relief for Sole Rural pubs has been awarded because they can demonstrate they are making significant efforts to help the business succeed, if this should be given for a maximum length of time or if it is based purely on the continued efforts. Members confirmed the maximum award period should be three years and there should be new evidence provided each year to demonstrate what efforts and new approaches/ideas are being trialled.

Proposed change to raise the threshold for Small Business Rate relief (SBR) from £6000 to a maximum of £15,000 - Small Business Rate relief was proposed to be changing with effect from 1st April 2017; currently businesses occupying premises with a Rateable Value (RV) up to £6,000 can qualify for 100% relief where they meet the qualifying criteria. This upper RV limit is being increased to £12,000 and those businesses with an RV of between £12,001 and £15,000 will get a tapered relief, again where they meet the qualifying criteria.

Members with Revenues Officers reviewed the impact this will have /how it could be seen to cause unfairness across the district by recipients of Mandatory Rural relief (this applies to the Sole post office, Petrol Station and General store in what has been identified as a Rural settlement RV up to £8,500) and charitable relief.(Village Halls, Community Centres and meeting rooms, Scout Guide and Youth Organisations, Pre – Schools/Play groups and

nurseries with a charitable status, Charity office where charity service is actually being provided, Sports Clubs, CASC's, Museum, Heritage, Arts centre and Theatres)

The officer's spoke of their concern that much has been publicised to suggest Small Business will not have to pay rates and this without the lack of detail will cause confusion for Rural Business and charities etc.

Members agreed they needed to consider if the SSDC discretionary relief scheme should be revised to take into account the proposed changes to SBR and requested the revenues team identify those cases where receiving Mandatory Rural relief as opposed to SBR could leave them worse off than a similar business not in a rural settlement or an organisation who is not a charity.

Revenues officers provided an overview of the impact of the changes to the Small Business Rate Relief. During the overview and through subsequent discussion the following points were made:

- Due to the hierarchy of the Rating relief system, those businesses and organisations that qualify for a mandatory Charitable or Rural rate relief will not benefit from this change, this includes cafés, halls, and rural shops, pubs, post offices and petrol filling stations.
- If the SSDC Discretionary rate relief policy is left as it is now with effect from 1 April 2017 a small pub, café, post office shop or filling station etc. with an RV up to £12000 that is in a rural settlement will have to pay some business rates of between 10% and 50% of their annual charge. Those same types of business in an urban area (not classed as a rural settlement) will not pay any business rates where they meet the qualifying criteria for Small Business Rate relief.
- If the SSDC Discretionary rate relief policy is left as it is now with effect from 1 April 2017 a café or a hall etc. that is run by a charity with an RV up to £12,000 would have to pay between 10% and 20% business rates. Those cafés and halls etc. that are not being run as a charity will not pay any business rates where they meet the qualifying criteria for Small Business Rate relief.
- This is only applicable to small charities who only have 1 property or if they have more than one, whose total RV of all properties is still below £12,000.
- Based on the Draft RV list which is as at 30th September 2016 118 properties would be unable to qualify for the 100% SBR despite having an RV below £12000 due to receiving a mandatory charity or rural rate relief.
- If members wanted to amend the SSDC policy to prevent those businesses, organisations or charities in receipt of a mandatory or charity relief being disadvantaged an additional £74,000 of discretionary relief would need to be awarded.
- Of the additional relief that would need to be provided 40% of the cost would fall to SSDC, 10% to Somerset County Council and 50% to central Government.

- The additional cost is the equivalent to approximately 50 pence per household paying Council Tax, unless the money could be found from a grant.
- Under rate retention the full cost of NNDR reliefs would fall to SSDC, full rate retention is planned to come in to force in 2019/20.
- The revised NNDR relief scheme members agreed in 2014 was based on some principles, everyone should contribute something (with only a couple of exceptions) and that the discretionary relief should only provide support to those that need it and encourage self-sustainability, if the scheme is altered these original principles will not stand.
- Looking at the Council Plan should we be looking to protect our rural services and if so does that mean ensuring they receive the same relief as their competitors who are not in rural settlements?
- Longer term business rates could be more valuable/cost effective supporting employment, community value and health and wellbeing.
- Looking at pubs there are 61 across the district all of which are privately owned that have a RV below £12,000 of these 15 are in a rural settlement and would therefore not get the 100% relief in the form of Small Business Rates relief. To top the mandatory reliefs up to provide a 100% would be approximately between £25,000 and £30,000.
- The RV of pubs is worked out differently from other businesses, with regard to pubs they look at sales and how well the business is doing, not the floor space, and the use to which it is put.
- With many businesses receiving additional relief it could be an excellent opportunity for a form of intervention from ED with the Growth Hub and partners to encourage those small businesses to take up some business advice and consider how best to use this additional money. James Gilgrist has offered to consult his colleague Mike Bartlett – Business Support Officer on how to take this forward.

All members present agreed unanimously to recommend the policy was amended to provide those business, organisations and charities that have an RV below £12,000 and are in receipt of a mandatory rural or charitable relief a top up equivalent to Small Business Rate Relief where they would meet the qualifying criteria for that relief. This was necessary to prevent inequality across the district, avoiding rural businesses and Charitable Organisations being disadvantaged.

Following the Autumn statement and the change to grant a 100% Rural rate relief from 1 April 2017 members now recommend that the policy is amended so charities that have an RV below £12,000 and are in receipt of Mandatory Charitable relief receive a top up equivalent to Small Business Rate Relief where they would meet the qualifying criteria for that relief.

Summary of Recommendations

1. The policy is amended so charities that have an RV below £12,000 and are in receipt of Mandatory Charitable relief receive a top up equivalent to Small Business Rate Relief where they would meet the qualifying criteria for that relief from 1 April 2017 onwards.
2. Economic Development Business Support officers examine how to potentially capitalise on the enhancement of small business rate relief with the Growth Hub and partners to encourage those small businesses to consider some business advice to further develop and grow their business.
3. The policy is reviewed annually to ensure it is achieving its objectives, specifically assess the impact of the changes recommended in this report and the costs attributed to assessing the financial need for discretionary relief.

Appendix 1 Principles that underpin the SSDC NNDR Discretionary Relief policy

1. Provide assistance only when there is evidence of financial need.

The Group took into account that in most cases the ability to pay is not considered and therefore it is questionable as to whether public funds are being used in the best way. It was also agreed that awards of relief should be proportionate to income. The recipient in some cases should demonstrate that appropriate effort was being made to make the business/group sustainable.

2. The policy should support business, charities, organisations and groups that help to retain services in rural areas.

It was agreed that SSDC should support retaining services in rural areas to prevent the potential detrimental effects of rural isolation on business organisations, charities and communities. The Group outlined the importance of enabling services to be locally accessible to residents especially in areas with limited public transport.

3. Help and encourage business, charities, organisations, groups and communities to become self-reliant.

The Task and Finish Group concluded that for some recipients there was an expectation and a dependency on the local authority for NDR Reliefs. Many of these businesses and Groups could become more self-reliant with some advice and assistance. Any recipient should demonstrate that appropriate effort was being made to make the business/group sustainable.

4. Awarding discretionary relief should not distort competition

The Task and Finish Group agreed that it was important to maintain competition on the high street, and there should not be an unfair advantage given to some over others. The Task and Finish Group did take into consideration the advantages of charity shops in that they have filled empty shops, their recycling agenda, and that they have created employment. However, they do currently create a distortion in competition because of their ability over other shops to considerably lower their overheads through NDR Relief. It was also noted that Charity Shops receive 80% mandatory relief at present and it was agreed that this support is sufficient without additional support from SSDC's taxpayers.

5. Every business/ organisation should contribute something towards the provision of local services.

The policy should be fair for all persons liable to pay NDR and considers the interest and needs of the residents/tax payers of South Somerset. This principle also brings businesses, organisations, and charities in line with the principle agreed as part of the Council Tax Reduction Scheme that every household should contribute to the cost of local services.

Agenda Item 9

Membership of Committees – Appointment of Councillors to Committees and Panels

Lead Officer: Ian Clarke, Director - Support Services
Contact Details: ian.clarke@southsomerset.gov.uk or (01935) 462184

1. Purpose of the Report

To confirm changes to Committees, Panels and outside organisation appointments following requests from the Liberal Democrat and Conservative groups.

2. Public Interest

Each year at their annual meeting, Council agree to appoint Councillors to the various committees and to represent SSDC on outside organisations. This report confirms the wishes of the Liberal Democrat and Conservative groups to make amendments to the Councillors appointed to various Committees and Boards.

3. Recommendations

In accordance with Section 16 (1) Local Government and Housing Act 1989 and the duty therein to give effect to the wishes of the political group to which seats on any committee are allocated, the Council confirm that:-

1. One Conservative Councillor (to be advised) be appointed to the Appointments Committee
2. Councillor David Norris be appointed to the South West Internal Audit Partnership Ltd
3. Councillor Derek Yeomans be appointed to the Transformation Board
4. Councillor Nick Weeks be appointed to the Somerset Rivers Authority (substitute)

4. Report

The membership of committees and working groups for 2016/17 was approved at the Annual Council meeting on 19th May 2016. Since then, several Committee membership changes have been made for varying reasons and this report confirms the wishes of the Liberal Democrat and Conservative groups to make amendments to the Councillors appointed to the various Committees and Boards.

5. Background Papers

Minutes of Council – 19th May 2016
Minutes of Council – 17th November 2016

Agenda Item 10

Draft Meetings Calendar for 2017/18

Lead Officer: Ian Clarke, Director (Support Services)

Contact Details: ian.clarke@southsomerset.gov.uk or (01935) 462184

1. Purpose of the Report

For Members to review and comment on the proposed meetings timetable for 2017/18.

2. Recommendation

The Council is asked to approve the meetings timetable for 2017/18 subject to any amendments made by the Annual Council meeting in May 2017.

3. Background

Attached as Appendix A is the proposed meetings timetable for the new municipal year and the Council is asked to agree the timetable for publication. The Annual Council meeting in May will be asked to confirm the timetable in the light of its decisions on the constitution and appointment of new committees for 2017/18.

4. Background Papers

None

South Somerset District Council
Programme of Meetings of Council and Committees – 2017/2018

Meeting	Day	Time	2017								2018				
			May	Jun	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May
Council	Thurs	7.30pm	18*	(15)	20	(17)	21	(19)	16	(14)	18	22**	15	(19)	17*
District Executive	Thurs	9.30am	11	1	6	3	7	5	2	7	4	1	1	5	3
Area Committee - South	Wed	2.00pm	3	7	5	2	6	4	1	29 Nov	3	7	7	4	2
Area Committee - East	Wed	9.00am	10	14	12	9	13	11	8	6	10	14	14	11	9
Area Committee - West	Wed	5.30pm	17	21	19	16	20	18	15	6	17	21	21	18	16
Area Committee - North	Wed	2.00pm	24	28	26	23	27	25	22	13	24	28	28	25	23
Scrutiny Committee	Tues	10.00am	9	30 May	4	1	5	3	31 Oct	5	2	30 Jan	27 Feb	3	1
Audit Committee	Thurs	10.00am	25	22	27	24	28	26	23	14	25	22	22	26	24
Regulation Committee	Tues	10.00am	16	20	18	15	19	17	21	12	16	20	20	17	15
Licensing Committee	Tues	10.00am	-	13	-	8	-	10	-	12	-	13	-	10	-
Standards Committee	Tues	2.15pm	-	13	-	-	-	10	-	-	-	13	-	10	-

* Annual Meeting of Council - May

** Council Budget and Council Tax Setting Meeting – February

Dates in brackets () for Council are reserve dates which will only be engaged if required.

Agenda Item 11

Report of Executive Decisions

Lead Officer: Angela Cox, Democratic Services Manager
Contact Details: angela.cox@southsomerset.gov.uk or (01935) 462148

This report is submitted for information and summarises decisions taken by the District Executive and Portfolio Holders since the last meeting of Council in February 2017. The decisions are set out in the attached Appendix.

Members are invited to ask any questions of the Portfolio Holders.

Background Papers

All Published

Ric Pallister, Leader of the Council
Angela Cox, Democratic Services Manager
angela.cox@southsomerset.gov.uk or (01935) 462148

Appendix

Portfolio	Subject	Decision	Taken By	Date																
Strategy & Policy	Community Led Housing - Outline Plan	The Portfolio Holder for Strategy and Policy has approved the outline plan for the use of funds specifically allocated by central government to support community led housing schemes.	Portfolio Holder	24/02/17																
Leader: Strategy & Policy Leisure & Culture Equalities & Diversity	District-wide Voluntary Sector Grants 2017/18	District Executive agreed: 1. to approve the District-wide Voluntary Sector Grants funding for 2017/18 as follows:- <table style="margin-left: 40px; border: none;"> <tr> <td>Access for All</td> <td style="text-align: right;">9,000</td> </tr> <tr> <td>Citizens Advice South Somerset (CASS)</td> <td style="text-align: right;">121,730</td> </tr> <tr> <td>SPARK (previously SSVCA)</td> <td style="text-align: right;">74,260</td> </tr> <tr> <td>Somerset Rural Youth Project</td> <td style="text-align: right;">8,000</td> </tr> <tr> <td>Actiontrack Performance Company</td> <td style="text-align: right;">2,000</td> </tr> <tr> <td>Take Art</td> <td style="text-align: right;">10,500</td> </tr> <tr> <td>Somerset Art Works</td> <td style="text-align: right;">3,500</td> </tr> <tr> <td>Somerset Film</td> <td style="text-align: right;">2,000</td> </tr> </table> 2. to approve the proposal to conduct a review into the future funding relationship with SPARK and CASS to be reported to members in the autumn of 2017. This will inform the funding relationship from 2018/19 onwards.	Access for All	9,000	Citizens Advice South Somerset (CASS)	121,730	SPARK (previously SSVCA)	74,260	Somerset Rural Youth Project	8,000	Actiontrack Performance Company	2,000	Take Art	10,500	Somerset Art Works	3,500	Somerset Film	2,000	District Executive	02/03/17
Access for All	9,000																			
Citizens Advice South Somerset (CASS)	121,730																			
SPARK (previously SSVCA)	74,260																			
Somerset Rural Youth Project	8,000																			
Actiontrack Performance Company	2,000																			
Take Art	10,500																			
Somerset Art Works	3,500																			
Somerset Film	2,000																			
Finance & Legal Services	Council Tax Penalties and Civil Penalties in Housing Benefit	District Executive agreed to recommend to Council that it approve the application of Council Tax and Housing Benefit Civil Penalties with effect from 1 April 2017 (as detailed in the report).	District Executive	02/03/17																
Finance & Legal Services	Proposed Changes to Business Rates Relief Policy	District Executive agreed to: a. approve the use of the Council's local discount powers to grant 100% Rural Rate Relief to eligible ratepayers from 1 April 2017; b. approve the use of the Council's local discount powers to introduce a local discount of £1500 a year for Local Newspapers which would come in to effect on 1 April 2017; c. note that the Retail Relief which was in place for 2014/15 and 2015/16 has	District Executive	02/03/17																

Portfolio	Subject	Decision	Taken By	Date
		<p>been removed from the policy as the deadline for applications has now passed;</p> <p>d. note that the Flood Relief which related to premises flooded between 1/12/13 and 31/03/14 has been removed from the policy as the deadline for applications has now passed;</p> <p>e. note that the temporary Transitional Relief scheme has been removed from the policy as it comes to an end on 31 March 2017. A new national Transitional Relief Scheme is being introduced alongside the new 2017 Rating List;</p> <p>f. recommend to Council a change to the DRR Policy on Discretionary 'Top up' Charity Relief to 100% where the rate payer would, apart from entitlement to Mandatory Charity, otherwise qualify for 100% Small Business Rate Relief;</p> <p>g. note the DRR Policy Overview and Scrutiny Committee Task and Finish Group have considered and support the proposed amendments.</p>		
Finance & Legal Services	Review of Discretionary Housing Payments Policy	<p>District Executive agreed to:</p> <p>a. approve the revised Discretionary Housing Payment Policy to come in to effect on 1 April 2017;</p> <p>b. note the Discretionary Housing Payment Policy Overview and Scrutiny Committee Task and Finish Group findings and recommendations for the policy revision attached at Appendix A.</p>	District Executive	02/03/17
Strategy & Policy	Quarterly Corporate Performance and Complaints Monitoring Report – 3rd Quarter 2016/17	District Executive noted the report.	District Executive	02/03/17
Strategy and Policy	Consent for disposal of a property in Yeovil by Yarlington Housing Group	The Portfolio Holder for Strategy and Policy has agreed to withhold consent from the proposed disposal of number 58, Westfield Crescent, Yeovil by Yarlington Housing Group.	Portfolio Holder	10/03/17

Agenda Item 12

Audit Committee

This report summarises the items considered by the Audit Committee on 23 February 2017:

57. Certification of Claims Report (Agenda Item 6)

David Johnson, Audit Manager at Grant Thornton, presented the report from the external auditors on their findings from the signing off of the Housing Benefit Subsidy Claim for 2016/17. He referred to errors which were detailed in Appendix A of the agenda report. He explained that this had been a challenging year for both Grant Thornton and South Somerset District Council.

The Assistant Director noted that unfortunately there would always be an element of human error and that although the amendment required to the subsidy claim figure was high, it was a small percentage. She explained that she was looking at ways to ensure that the figure would be less next year and that SWAP were continuing to do further assessments. She further advised that it was not a training issue.

The Revenues and Benefits Manager advised members that the workload within the team could become less complex following the roll out of universal credit, which should reduce the amount of errors made. He was hopeful that there would be an improvement next year.

Members were content to note the report.

RESOLVED: that members noted the report.

58. SWAP Internal Audit - Quarter 3 2016/17 Update (Agenda Item 7)

The Assistant Director, SWAP, presented her report to members. She informed members that the IT Skills audit and Key Income Streams audit were underway. She advised members that the Healthy Organisation audits were near completion.

She referred to page 19 of the agenda report and advised that they were now making slightly more progress than stated within the report.

RESOLVED: that members noted the progress made.

59. Treasury Management Performance to December 2016 (Agenda Item 8)

The Principal Accountant summarised her report to members. She explained that she was expecting there to be approximate £110,000 variable on the returns at the end of the year.

She responded to questions from members.

RESOLVED: that members note the Treasury Management Activity for the nine month period ended 31st December 2016 and the position of the individual prudential indicators for the nine month period ended 31st December 2016.

60. Risk Registers for the Transformation and Westlands Projects (Agenda Item 9)

The Assistant Director summarised some of the key points of detail on the Risk Register for both the Transformation and Westlands project.

She confirmed to members that the damaged roof had now been repaired and that recruitment at Westlands was going well. She explained that the business plan for the centre was up and running and would be monitored and that the centre was due to fully open on 28th March.

She responded to members question.

RESOLVED: that members noted the report.

61. Audit Committee Forward Plan (Agenda Item 10)

David Johnson, Audit Manager at Grant Thornton advised members that the External Audit - Annual Governance Report should read External Audit - Annual Findings Report.

Members noted to Audit Committee Forward Plan.

Councillor Derek Yeomans
Chairman of Audit Committee

Agenda Item 13

Scrutiny Committee

At the Scrutiny meeting held 28th February 2017, members considered the following items:

Follow up was required following the consideration of the Somerset Waste Partnership New Waste Treatment Facility decision at the Scrutiny Committee meeting in January

Members all agreed that the following outstanding queries and recommendations should be sent to all appropriate parties via a formal letter from the Chairman of Scrutiny on behalf of the committee:

Somerset Waste Partnership

- Make the equalities impact assessment for the New Waste Treatment facility and associated Waste Transfer stations available including the details of all mitigation work that has been conducted and is planned to be carried out by the Waste Board and any service providers.
- Amend the presentation of their Agendas and Summary of decision notices to make it clearer when an item is a decision making item and therefore is subject to the 5 day call in period or is an update/information only item.

Somerset County Council

- Highways department to help us by providing information relating to any highway conditions attached to the Permission for the Waste Transfer site at Dimmer and how the residents' of Clanville can have their concerns surrounding the B3153 considered to see if any mitigation measures could be taken forward.
- Minerals and Waste Policy Team revisit the wording in the Somerset Waste Core Strategy and make recommendations to Council to alter the policy to more clearly define what a Strategic Facility is to prevent confusion around Transfer Stations in the future.
- Provide information on the website regarding the make-up of the Waste Scrutiny arrangements and links to agendas and minutes.
- Amend the presentation of their Agendas and Summary of decision notices to make it clearer when an item is a decision making item and therefore is subject to the 5 day call in period or is an update/information only item.

Monitoring SSDC National Non Domestic Rates Relief Policy

Scrutiny endorsed the report and recommendations of the Task and Finish Group.

Discretionary Housing Payment Policy – Overview and Scrutiny Task and Finish Group Report

Scrutiny Supported proposed changes to the policy wording made by the Scrutiny Manager and endorsed the report and recommendations of the Task and Finish Group.

Reports to be considered by District Executive on 2 March 2017

Scrutiny Committee made the following comments to District Executive:

District-wide Voluntary Sector Grants 2017/18

- Members noted the slight reduction in grant to Access for All. Given the staff reductions at SSDC as we go through Transformation, Scrutiny queried if now was the right time to cut the funding to the Access for All.
- Members noted the good work of Citizens Advice South Somerset (CASS) and queried if they would be under increased pressure due to the wider roll-out of Universal Credit? Some members were concerned that CASS may require more money due to the current environment and peoples change in circumstances and sought re-assurance that there was a process to measure how well CASS were managing.
- Page 15 – top line of table refers to number of clients helped – Members queried the type of help provided and for what?
- Page 35 participation at Youth Days – the target wasn't met and members queried if there was any particular reason for this?
- Page 42 – bullet point refers to the InspirED project whereby schools will be able to engage with Take Art. Scrutiny queried if schools needed to pay for this and if not what the funding criteria is.
- Page 42 - members noted the participation figures for some Take Art activities had significantly reduced and queried if there was any reason for the trend?
- Page 45 – members noted the craft exhibition with the National Trust. Members acknowledge the National Trust is a membership organisation and members sought reassurance that people were not required to be a member in order to view the exhibition.
- In general Scrutiny felt narratives would be useful in future reports to explain targets or provide reasons for targets not being met.

Council Tax Penalties & Civil Penalties in Housing Benefit

- Page 54 – Civil penalties and housing benefit – members noted that the paragraphs did not detail what the penalty is and suggested this is amended.
- Scrutiny noted the paragraph about Equalities was missing from the report, and sought reassurance that an Equalities Impact Assessment had been completed.
- Members also wished to clarify their understanding that April would effectively be an amnesty period.

Proposed Changes to Business Rates Relief Policy

- Scrutiny endorsed the report and recommendations of the Task and Finish Group.
- Scrutiny supported the recommendations in the District Executive report.

Review of Discretionary Housing Payments Policy

- Scrutiny noted that since the agenda had been published that the Scrutiny Manager and the Revenues & Benefits Manager had reviewed the proposed revised policy again and had suggested some slight amendments for greater clarity – these being:
 - Clarity about the DHP shortfalls – page 80
 - Slight word changes to points F, G and 2 on page 83
- Scrutiny endorsed the report and recommendations of the Task and Finish Group.
- Scrutiny supported the recommendations in the DX report.

Quarterly Corporate performance and Complaints Monitoring Report – 3rd Quarter 2016/17

- Members commented that few of the performance measures provided monitoring information about standards or services as we progress through transformation.
- Scrutiny asked for narratives/suggested reasons for the fly-tipping indicators, especially as a rise is reported under PI 011.

District Executive Forward Plan

- Scrutiny queried if the item scheduled for May - Intelligent Enforcement Proposal for Council Car Parks – was the item about Automatic Number Plate Recognition or if it was for something different?

Task and Finish Reviews

Street Trading – members explained that they had reviewed the consultation responses and were now working with the Licensing Manger to agree the details and compile the report and recommendations.

Consent for Disposal - The Corporate Strategic Housing Manager attended the committee to provide an overview of the latest situation across the district. Members agreed to re-open this Task and Finish group to specifically focus on existing policies and procedures to see if they are fit for purpose and achieving. As part of their work the Task and Finish Group had raised some concern about the links of disposal of properties to the Rural Lettings Policy. He provided figures to illustrate the impact of the policy to date and the wider issues. Members agreed to give this further consideration and to assess the realistic outcomes that could be achieved by conducting a Task and Finish Exercise.

Council Tax Support – A new Task and Finish group has formed to look at the policy and if and how the policy/scheme could be amended to manage the decrease in administration grant.

Community Council For Somerset – No progress has been made since the last meeting.

Sue Steele
Chairman of Scrutiny Committee

Agenda Item 16

Date of Next Meeting

Members are asked to note that the next scheduled meeting of the Full Council will take place on **Thursday, 20th April 2017** in the Council Chamber, Council Offices, Brympton Way, Yeovil **commencing at 7.30 p.m.**
