

**ASHFIELD DISTRICT COUNCIL**



Council Offices,  
Urban Road,  
Kirkby in Ashfield  
Nottingham  
NG17 8DA

## Agenda

### Cabinet

Date: **Monday, 27th January, 2020**

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Time: **10.00 am**

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Venue: **Council Chamber, Council Offices, Urban Road,  
Kirkby-in-Ashfield**

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For any further information please contact:

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# **CABINET**

## **Membership**

**Chairman:**

Councillor Jason Zadrozny

**Councillors:**

Kier Barsby  
Samantha Deakin  
David Martin  
Helen-Ann Smith  
John Wilmott

Melanie Darrington  
Tom Hollis  
Matthew Relf  
Daniel Williamson

## **FILMING/AUDIO RECORDING NOTICE**

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## **SUMMONS**

You are hereby requested to attend a meeting of the Cabinet to be held at the time/place and on the date mentioned above for the purpose of transacting the business set out below.



**Carol Cooper-Smith**  
**Chief Executive**

## AGENDA

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1. **To receive apologies for absence, if any.**
2. **Declarations of Disclosable Pecuniary or Personal Interests and Non Disclosable Pecuniary/Other Interests.**
3. **To receive and approve as a correct record the minutes of the meeting of the Cabinet held on 25th November, 2019.** 5 - 10
4. **Corporate Scorecard Performance - April to September 2019 Update.** 11 - 18  
  
**Non-Key Decision**  
Leader of the Council: Councillor Jason Zadrozny
5. **Electronic Payment Options for Car Parking.** 19 - 26  
  
**Non-Key Decision**  
Deputy Leader and Portfolio Holder for Streets, Parks and Town Centres: Councillor Helen-Ann Smith
6. **Re-designation of the Teversal, Stanton Hill and Skegby Neighbourhood Forum.** 27 - 32  
  
**Key Decision**  
Portfolio Holder for Place, Planning and Regeneration: Councillor Matthew Relf
7. **Planning Compliance and Enforcement Plan.** 33 - 56  
  
**Key Decision**  
Portfolio Holder for Place, Planning and Regeneration: Councillor Matthew Relf
8. **Fees and Charges 2020/21.** 57 - 90  
  
**Key Decision**  
Portfolio Holder for Finance: Councillor David Martin

9. **Treasury Management Mid Year Report 2019/20.** 91 - 104

**Non-Key Decision**

Portfolio Holder for Finance: Councillor David Martin

10. **Housing Rent Setting 2020/21.** 105 - 110

**Key Decision**

Portfolio Holder for Housing: Councillor Kier Barsby

11. **Temporary Accommodation Policy.** 111 - 124

**Key Decision**

Portfolio Holder for Housing: Councillor Kier Barsby

## CABINET

Meeting held in the Council Chamber, Council Offices, Urban Road, Kirkby-in-Ashfield,

on Monday, 25th November, 2019 at 10.00 am

**Present:** Councillor Jason Zadrozny in the Chair;

Councillors Kier Barsby, Melanie Darrington,  
Samantha Deakin, David Martin, Matthew Relf,  
Daniel Williamson and John Wilmott.

**Apologies for Absence:** Councillors Tom Hollis and Helen-Ann Smith.

**Officers Present:** Craig Bonar, Lynn Cain, Carol Cooper-Smith,  
Sarah Daniel, Katherine Green,  
Theresa Hodgkinson, Peter Hudson and Emma  
Lindley.

### **CA.30 Declarations of Disclosable Pecuniary or Personal Interests and Non Disclosable Pecuniary/Other Interests**

No declarations of interest were made.

### **CA.31 Minutes**

RESOLVED

that the minutes of the meeting of the Cabinet held on 7<sup>th</sup> October, 2019 be received and approved as a correct record.

### **CA.32 Revision of Parking Order**

Cabinet were requested to consider the proposals detailed in the report regarding changes to the Council's parking provision and charges and to undertake the process to revise the Council's Parking Order.

Members were asked to note some changes to the Parking Schedule appended to the report, as follows:-

Page 42: Festival Hall, Kirkby - maximum stay should state '12 hours' instead of '4 hours';

Page 43: Ellis Street, Kirkby – maximum stay should state '2 hours' instead of '12 hours';

Page 45: New Street, Sutton - maximum stay should state '12 hours' instead of '4 hours'.

Members considered the alternative option of retaining the current car parking provision but declined this course of action due to previous Cabinet resolutions to amend free parking provision and car parking charges within the District.

RESOLVED that

- a) the proposals detailed in the report regarding changes to parking provision and charges (including the amendments to the schedule as outlined at the meeting and the proposals agreed at the February 2019 Cabinet meeting), be approved;
- b) approval be given to commence the legal process for varying the existing Ashfield District Council Civil Enforcement Off Street Parking Order;
- c) the publication of the Ashfield District Council Civil Enforcement Off Street Parking Places Variation (No 2) Order 2019, be approved;
- d) delegated authority be granted to the Director of Place and Communities, in consultation with the relevant Portfolio Holder, to enact the proposed future changes to the order as and when required and to make any minor amendments to the order, plans and other documents as required.

Reason:

To ensure that the Parking Order is up to date to reflect changes in parking provision and to provide flexibility for future changes which may be required.

### **CA.33 Leisure Transformation - Procurement of the New Leisure Centre Operator Contract**

Cabinet were asked to note the framework for the procurement of a new Leisure Operator Contract for April 2021 onwards, as outlined in the report.

As the report was for information purposes only, there were no alternative options for Members to consider.

RESOLVED

that the report be received and noted.

Reason:

To ensure Cabinet Members are kept updated in relation to the procurement of a new Leisure Operator Contract, commencing April 2021.

### **CA.34 Domestic Abuse Policies**

Approval was sought from Cabinet Members for the implementation of two Council policies regarding domestic abuse.

Members considered the alternative option of declining to review, update and consolidate the three policies (developed between 2014 and 2017), but acknowledged the importance of regularly updating the policies taking into account a number of identified updates aimed at enhancing the Council's

efforts to tackle domestic abuse committed against residents and employees.

**RESOLVED**

that the Housing & Assets Domestic Abuse Policy and the Employee Domestic Violence & Abuse Policy, as presented to Cabinet, be approved.

**Reasons:**

In July 2018, Cabinet approved Council making a commitment to the Make a Stand campaign, which had been developed by the Chartered Institute of Housing in partnership with Women's Aid and the Domestic Abuse Housing Alliance. It was created to encourage social housing providers to make a commitment to support people experiencing domestic abuse.

A requirement of committing to the campaign was to ensure that two policies were put in place:

1. A policy to support residents affected by domestic abuse;
2. A HR policy supporting members of staff who might be experiencing domestic abuse.

**CA.35 Town Centres Funding**

Cabinet were asked to note the progress of the Future High Streets Fund (FHSF) bid and to approve the submission of a bid to the second stage of the Fund including an update on the Towns Funding for Kirkby in Ashfield and Sutton in Ashfield.

Members considered the alternative option of declining to progress a bid to the second stage of the Future High Streets Fund but acknowledged that funding opportunities for town centres were limited and the Council had been awarded a revenue grant of £95k to support preparation of the bid.

In relation to the Town Deals initiative, Members also considered the alternative option of declining to accept the opportunity provided through the Town Deals initiative for Kirkby and Sutton. It was again acknowledged, that funding opportunities for town centres were limited and the Council had been awarded a revenue grant of £162k for each town to support preparation of the Town Investment Plans and business cases.

**RESOLVED that**

- a) the Council's successful first stage bid to the Future High Streets Fund and the acceptance of £95k revenue funding from the Fund, be noted;
- b) the submission of a bid to the second stage of the Future High Streets Fund be supported;
- c) the acceptance of the £324k revenue funding for the Towns Deal for Kirkby and Sutton (£162k per town), be noted;

- d) delegated authority be granted to the Director of Place and Communities, in consultation with the Portfolio Holder for Place, Planning and Regeneration, to oversee the process for setting up a joint board, producing a Joint Town Investment Plan and submitting a business case to access Town Deal funding for Kirkby and Sutton.

Reason:

The Future High Streets and Town Deal funding present a tremendous opportunity to secure investment for Kirkby and Sutton. Transformative regeneration benefits would be realised for the towns, with areas re-purposed, reducing over-reliance on retail and helping to create a sustainable future for the towns, delivering long term economic and productivity growth.

**CA.36 2019/20 Quarter 2 Forecast Outturn for General Fund, Housing Revenue Account (HRA) and Capital Programme and Revised Proposed Capital Programme 2019/20 to 2023/24**

Cabinet were requested to note the current forecast outturns and variances on the General Fund, Housing Revenue Account (HRA) and Capital Programme 2019/20 and approve the amendments and new schemes added to the Capital Programme 2019/20 to 2023/24.

Due to the requirements of the Council's Financial Regulations, Members did not have any alternative options to consider.

RESOLVED that

- a) the current forecast outturn on the General Fund, Housing Revenue Account (HRA) and Capital Programme 2019/20 and the reasons for major variances, as set out in Section 1, 3 and 5 of the report, be noted;
- b) the use of £20k of the forecast General Fund underspend to fund additional staff training in relation to new digital processes introduced through the Digital Transformation Programme and access to the £20k of National Lottery match funding available from Citizens Online (Section 1.10 of the report), be approved;
- c) Council be recommended to approve the amendments and addition of new schemes to the Capital Programme 2019/20 to 2023/24 and the funding of the Capital Programme, as set out in Section 6 of the report.

Reasons:

- 1) In accordance with the Council's Financial Regulations to report to those charged with Governance the financial position to 30 September 2019.
- 2) In accordance with the Council's Financial Regulations, the Capital Programme for 2019/20 to 2023/24 is required to be reported to Cabinet to ensure that the programme meets the corporate priorities.
- 3) In accordance with Council's Financial Regulations Cabinet are required to consider and recommend to Council the Capital Programme 2019/20 to 2023/24.



### **CA.37 Regulation of Investigatory Powers Act 2000 (RIPA) - Update**

Cabinet Members received an update on the use of the Council's Regulation of Investigatory Powers Act (RIPA) policy within the past 12 months and asked to approve the amendments needed to the RIPA Policy.

Members considered the alternative option of declining to receive an update, which could put the Authority at risk of challenge for breach of policy. In addition, it was acknowledged that declining to adopt the changes to the policy would go against recent legislative changes and specific recommendations from the IPCO and would mean that any powers utilised under the policy could be subject to challenge.

RESOLVED that

- a) it be noted that the Council has authorised one Directed Surveillance in the past 12 months pursuant to the RIPA powers;
- b) the minor amendments to the Policy following the Investigatory Powers Commissioner's Office (IPCO) inspection in March 2019, as outlined in report, be approved.

Reasons:

The current Code of Practice and Council Policy requires that Members are updated on RIPA authorisations on an annual basis. This report complies with that requirement. The Policy should also be reviewed regularly to ensure it remains up to date and fit for purpose.

The Policy has been reviewed and amended following the IPCO inspection in March 2019 to reflect legislative changes and recommendations following the inspection since the policy was last adopted. Proposed amendments to the Policy comply with that requirement.

The meeting closed at 10.48 am

Chairman.

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<b>Report To:</b>	<b>CABINET</b>	<b>Date:</b>	<b>27<sup>th</sup> JANUARY, 2020</b>
<b>Heading:</b>	<b>CORPORATE SCORECARD PERFORMANCE –APRIL TO SEPTEMBER 2019 UPDATE</b>		
<b>Portfolio Holder:</b>	<b>COUNCILLOR JASON ZADROZNY – LEADER OF THE COUNCIL</b>		
<b>Ward/s:</b>	<b>ALL</b>		
<b>Key Decision:</b>	<b>NO</b>		
<b>Subject to Call-In:</b>	<b>NO</b>		

## **Purpose of Report**

This report presents to Cabinet the Quarter 2, April to September 2019 update for the new corporate performance scorecard which has recently been refreshed to align with the new Corporate Plan and corporate priorities.

## **Recommendation(s)**

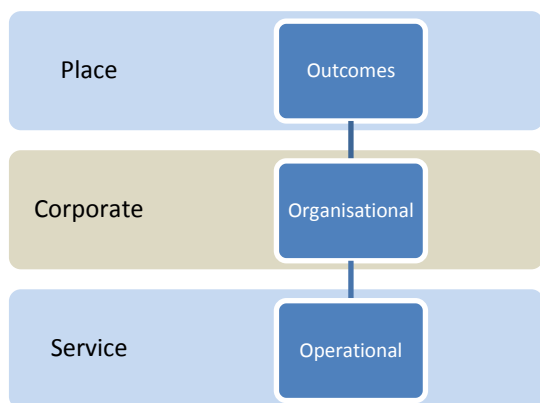
**For Cabinet to consider and proactively review the levels of performance achieved against the Corporate Scorecard, as at Quarter 2 2019/20.**

## **Reasons for Recommendation(s)**

The Corporate Plan sets out our priorities for the future and the key projects and initiatives we intend to deliver, which are then translated and cascaded, through our Performance and Strategic Planning Framework, into specific Service Plans to facilitate focussed delivery.

The corporate plan sits above a wider strategic context which includes the Corporate Project Management Framework, Corporate Performance Indicators and a range of strategic documents relating to the organisation and its services.

Our performance framework incorporates balanced performance scorecards on three separate levels as indicated below.



Our Corporate Scorecard measures organisational performance, and as such typical perspectives of a balanced scorecard have been adopted including Community and Customer, Funding the Future, Organisational Effectiveness and Our People. The current Corporate Scorecard is aligned to our new Corporate Priorities and key initiatives identified in the new Corporate Plan 2019-2023.

Every three to four years we undertake a Place Customer Satisfaction Survey in order to understand satisfaction with council service delivery, informing measures within our Corporate Scorecard, and also perception of Ashfield as a place, informing measures within our Place Scorecard. Our approach to understanding resident perception is currently being reviewed, utilising supported methodologies which can be accessed through our existing membership with Institute of Customer Services, aligned with recently commissioned support from the Citizens Online organisation.

Every four years we also undertake a Peer Challenge Review, engaging peers from across the sector through the Local Government Association sector led improvement offer, with an independent evaluation of the organisation which is mostly focussed on leadership, governance, corporate capacity and financial resilience. Our next Peer Challenge Review is scheduled for 29<sup>th</sup> to 31<sup>st</sup> January, 2020.

We are a Values based organisation whose purpose is to create a future where everyone has the chance of a better quality of life, as such we are currently developing our approach to measuring and understanding social value which will be incorporated into our Performance Management and Project Management framework. A Social Value policy has recently been developed and will be presented to Cabinet in the near future along with a social value scorecard which will encompass themes, outcomes and measures.

### **Alternative Options Considered**

None

### **Detailed Information**

Corporate Plan progress is monitored through both the successful delivery of key projects and initiatives and performance achieved against the corporate scorecard.

This is the first report detailing progress against delivery of the new Corporate Plan as measured through our Corporate Scorecard.

Overall, the corporate scorecard position for April 2019 to September 2019 indicates the following:-

- 84% of measures achieving or exceeding target, or within 10% variance of target.

- 75% of measures indicating an improved position compared to the same period in the previous year, or within 5% of previous year's performance levels.

Corporate Plan key successes delivered within the first six months of the plan are:-

### **Health and Happiness Priority**

- The Leisure Transformation Project is progressing well. We are working in partnership with Sport England and the LEP for financial support for the Council's new state of the art £15m Leisure Centre in Kirkby.
- A successful events calendar has been delivered during the year. Highlights include new Christmas lights and tree displays in the 3 Town Centres. The events were supported by local sponsorship, other key events included the cinema screening across the district which attracted hundreds of people to parks and town centres. Feedback from the public was very positive.
- Community Engagement
  - 180 volunteers registered, with 19 new inducted during this period
  - 214 organisations regularly receiving community engagement information
- Health and Wellbeing
  - Active Ashfield has evolved to become the Ashfield Health and Wellbeing Partnership. The partnership is aligned to Mid Notts. Integrated Care Partnership and Nottinghamshire Public Health. Three priority places have been identified and work has begun to create place teams in each area to address health inequalities.
  - The Bronze Armed Forces Covenant was achieved.
- Strategic Leisure
  - Strategic Outcomes Framework completed, which has enabled us to apply to Sport England for up to £2million for the new leisure facility in Kirkby.
- Targeted Health Activities
  - £25,000 secured from Sport England for Sutton Food Environment and Coxmoor Physical Insight work.
  - Feel Good Families launched with 365 families (including 724 children) signing up and taking part in Disney themed trails.
  - 608 people (157 this period) now trained as Dementia Friends
  - 1,695 young people have accessed free leisure centre activities
  - Seven care leavers accessed free memberships at Leisure Centres (launched July 2019)

### **Homes and Housing Priority**

- Only 0.18% of council housing stock is non-decent, comprising of only twelve properties in total of which one is awaiting a decision on disposal, and two are currently void awaiting conversion when the adjacent bedsits become available.
- More households are being prevented from becoming homeless than we expected but the figure is below that achieved in 2018/19. A key issue has been last minute referrals from partner agencies and households themselves, something the team are working on.
- Void relets performance continues to improve and the number of days to repair and re-let a vacant council property is now at an all-time low. Effective management and a lower number of empty homes are key reasons for this.
- We have consistently supported 100% of our tenants to remain in their tenancy for 6 months or more following completion of their support package, through the hard work of the Tenancy Sustainment Officers, both by carrying out pre-tenancy work and by providing comprehensive support during the first few months of their tenancy to vulnerable tenants. This includes proactive partnership working with other external agencies and charities etc.

## **Economic Growth and Place Priority**

- In October 2019, the Council led its annual State of Ashfield Debate with a focus on Place and Regeneration. Live-streamed, the Debate involved presentations from the Council, the LEP and East Midlands Councils on challenges and opportunities for Ashfield including HS2 proposals, legacy of austerity impacts, need to focus on addressing local skills shortages and working with partners.
- The Discover Ashfield brand continued to be promoted, with good support from partners. The Ambassadors scheme was developed and over 60 Ambassadors have signed up.
- A new Christmas lighting contract was procured and we have received very positive feedback from residents and businesses.
- The Kirkby Masterplan was reviewed and a new plan is due for completion in February/ March.
- Kirkby and Sutton were included in the Government's Town Deal funding and will receive up to £25m each of investment for Urban Regeneration, Skills and Enterprise and Digital and Transport Connectivity. The Discover Ashfield Board agreed to act as the Towns Deal board to oversee the funding. The bid for Future High Streets Funding was approved for a full business case application. C.£474k revenue funding has been received from both funds for feasibility work.
- Electric vehicle charging points were installed in public car parks in the three town centres
- Occupancy of Idlewells Indoor Market reached 95% and footfall has increased significantly.
- The HLF funded project for Kings Mill Reservoir progressed with works starting on site for the visitor centre, viaduct restoration and dredging works. A ranger was appointed to facilitate community engagement
- Planning applications continue to be processed well above nationally prescribed standard targets, with all major applications being processed within 13 weeks.
- The Council has undertaken a number of very positive actions which has resulted in 13 premises being taken off the dilapidated buildings list. This is as a result of collaboration across different service areas and using the most appropriate pathways for action. Other cases have also been progressed with interventions but still remain on the list as they are longer term projects. So far this financial year there have been 18 actions taken which include engagement with owners, determination of planning applications and progressing enforcement actions including enforced sales. Work on 3 properties has been completed to our satisfaction and await closure subject to agreement. 2 new derelict properties are proposed for inclusion on the Dilapidated Buildings list.

## **Cleaner and Greener Priority**

- Number of resident generated reports of dog fouling have reduced by 35% in the last year, nearly half of the level two years ago. Over the last 2 years we have engaged in dog fouling campaigns including installation of a scoreboard, new signage and provision of 25 free dog bag dispensers.
- Resident generated service requests for litter, and fly tipping have shown overall decreases since the same time period with a 3% reduction in litter demands and 19% reduction in fly tipping. The Council has led on development of a collaboration of agencies and partners, branded as the Cleaner Nottinghamshire Group the first county wide 'Not in Notts' campaign was launched in this quarter and demonstrated an instant reduction in fly tipping by 10% in the two weeks that followed.
- Recycling levels remain stable with an increase 1.38% in this quarter; this follows a 7% reduction in residual waste generated, and indications are that the year-end position will

remain stable. The Council will be reviewing the outcomes of the Government's waste strategy consultation to fully understand the impact on the service.

- An increase in garden waste subscribers by 7% has taken subscription levels to nearly 21,000 which has generated £620k income and supported the increased recycling rate.
- A new Environment Quality Performance Framework, developed to monitor street cleanliness against a national criteria has been implemented and assessments have taken place across the district. Assessments taken place in this quarter demonstrate an average grade of B; demonstrating the areas assessed were predominantly free from litter and detritus. Aspirations to improve town centres and other high profile zones to achieve an A standard are driving the development of continuous improvements in front line services.

### **Safer and Stronger Priority**

- Anti-social and drug dealing tenants have been dealt with through successful evictions, whilst a multi-agency approach has led to a successful set of actions around support and enforcement and a much improved environment for town centre residents, shoppers and businesses.
- **CCTV Partnership** - The CCTV Shared Service Agreement has been signed. Temporary CCTV hotspot locations have been identified and associated action plan has been developed.
- **Closure order Carsic** - A closure order was issued on a Sutton property following ongoing reports of criminality and anti-social behaviour including violence, drug activity and resident intimidation. The Closure Order prevented tenants and visitors from entering the property for a period of three months. Anyone entering the address during that time without reasonable excuse is committing an offence.
- **Flood Rescue** - Following the heavy rain in November, three Council Community Protection Officers rescued two residents trapped in their cars on Mill Lane. The two cars were submerged up to their windows. Officers acted quickly to rescue the two residents and a baby from the flood water.

### **Innovate and Improve Priority**

- We have successfully acquired £36m of commercial investment property to date, delivering much needed annual (gross) income of £2.3m to support the 2019/20 budget and MTFS.
- Our Customer and Digital Transformation Programme is beginning to show success through increased customer focus with; average call waiting times reducing by nearly half with a corresponding reduction in call abandonment rates month by month; and the number of online payments and direct debit payment levels continuing to significantly increase through the implementation of a new payment solution with wider and easier digital payment choices to suit the customer.

Our new online payment 'e-store' was launched in January 2019. The e-store offers customers the choice of online payment for over 50 of the Council's paid for services. We have realised a 7% reduction in paypoint and post office payments over the last year (over 8,000 transactions), saving the Council over £3,000 in transaction costs. Whilst online payments have shown a significant 13% increase. We expect a further significant increase in online payments when we roll out 'recurring card payments' functionality for Council Tax in the New Year (this payment option was not available in 2018/19), whilst also promoting our new 'e-store' again for 2020 Council Tax payments. The benefit of recurring card payments is that the customer can pay by pre-arranged instalments. Our communication and engagement plan is currently being reviewed to agree how and when our suite of new payment options will be promoted to our customers.

- Sickness absence levels are indicating a 14% reduction compared to the same period last year. HR are working with managers and CLT on absence intervention. This includes

reviewing hotspots/high risk areas, common ailments and whether these are area/post specific, reviewing the preventative support offered and looking at alternatives/temporary adjustments that support employees back into work at the earliest opportunity.

The administration is keen to see high levels of performance across all Council services and has identified areas for improvement including but not limited to:-

- Attendances at our leisure centres are slightly lower than predicted. Quarter 2 outturn has seen sales of fitness memberships slowing down and although retention figures remain buoyant, attendances continue to be affected by budget gym competition in the area e.g the recently opened Sports Direct gym offering memberships at £5 per month.

Swim lessons are also showing a decline in numbers, there are now 6 private schemes operating in the area around Sutton and Kirkby. Some of the schemes are slightly cheaper others are £3-£4 more expensive per session.

As part of the Leisure Transformation Programme, plans are now well underway to build a new Leisure Facility in Kirkby, once opened, the business plan outlines attendance figures should double what they currently are at the Festival Hall. Consultation with customer focus groups and residents has taken place, and plans have been altered accordingly to meet the needs and interest of the community.

A new operator contract has been written and the procurement process began in late December 2019. The new contract focusses on developing active communities and reducing inactivity within the District, and asks operators to consider how they would invest in Hucknall and Lammas Leisure Centres to increase attendance. Initial expressions of interest are due 24 January 2020. The timetable outlines that we will look to notify the successful bidder in early August 2020, with the contract starting 01 April 2021.

- Current rent collection rates are 4% lower than previous year, being significantly impacted by the wider roll out of Universal Credit full service within the district, which is not only causing tenants to experience issues with budgeting and financial hardship, but also has resulted in changes to the way the DWP pay managed/arrears payments to us directly. Additional resources and new ways of working have been adopted in an attempt to mitigate this. As at week 38 (16th December 2019), there were 962 tenant's claiming Universal credit. Of these 621 or 65% had rent arrears. The total debt for the 621 cases = £273k, with the average rent arrears case value = £440. The average case value for a non-Universal Credit rent arrears = £192. We expect performance to improve towards year end based on a similar trend from previous years.

## **Implications**

### **Corporate Plan:**

The report relates to delivery of the Corporate Plan Priorities. It covers performance for the period April to September 2019. The Corporate Scorecard has recently been reviewed and refreshed to align with the new Corporate Plan and associated corporate priorities as a means of identifying their successful delivery.

### **Legal:**

No direct legal implications



**Finance:**

Budget Area	Implication
General Fund – Revenue Budget	Financial performance is included within a detailed corporate scorecard reported to CLT and Scrutiny. Financial PI's form a key element of the balanced scorecard approach, reviewed to reflect future priorities in alignment with the new Corporate Plan 2019-2023.
General Fund – Capital Programme	
Housing Revenue Account – Revenue Budget	
Housing Revenue Account – Capital Programme	

**Risk:**

Risk	Mitigation
Poor performance would potentially result in inability to deliver the corporate priorities as specified in the corporate plan	Regular monitoring of performance and robust performance management through the authority's performance management framework.

**Human Resources:**

High levels of performance can have a positive impact upon employee engagement and retention which in turn can enhance performance further.

**Equalities:**

No direct equalities implications

**Other Implications:****Reason(s) for Urgency****Reason(s) for Exemption****Background Papers**

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**Carol Cooper-Smith**  
**CHIEF EXECUTIVE**

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<b>Report To:</b>	<b>CABINET</b>	<b>DATE:</b>	<b>27<sup>TH</sup> JANUARY 2020</b>
<b>Heading:</b>	<b>ELECTRONIC PAYMENT OPTIONS FOR CAR PARKING</b>		
<b>Portfolio Holder:</b>	<b>CLLR HELEN-ANN SMITH, STREETS, PARKS AND TOWN CENTRES</b>		
<b>Ward/s:</b>	<b>ALL WARDS</b>		
<b>Key Decision:</b>	<b>NO</b>		
<b>Subject to Call-In:</b>	<b>YES</b>		

### **Purpose of Report**

To provide information regarding the potential introduction of a parking app. for use in the Council's car parks.

### **Recommendation(s)**

1. Include the option of introducing electronic payment for car parking in the new parking order.
2. Delegate authority to the portfolio holder for Streets, Parks and Town Centres to determine the most appropriate parking app. for Ashfield and oversee its introduction.

### **Reasons for Recommendation(s)**

Paying car parking fees through an app. is increasingly popular as people carry less cash and more transactions are carried out by card payments. Inclusion of this facility within the new parking order would allow for a parking app. to be introduced.

### **Alternative Options Considered**

Not to include the option of introducing electronic payment for car parking in the new parking order – increasing methods of payment for users will be beneficial and there is no cost to the Council. **Not recommended.**

### **Detailed Information**

The Council is considering introducing a parking app. for the Council's public car parks. One provider being considered is PaybyPhone (PBP) which is owned by Volkswagen and is one of the largest operators in the UK. PBP had more than 28.3 million transactions in 2018 and 8.7 million registered users. The app. is being introduced by at least two district/ borough councils in Nottinghamshire. Both councils are currently using the RingGo app. but are intending to change due to the lower fees and rebate offered by PaybyPhone.

There would be no charge to the Council for providing the app. The user would be charged a 10p fee when paying for parking, of this 7p would go to PBP and 3p to the Council. Users can choose an Optional SMS Reminder/Confirmation which would cost an additional 10p (A confirmation email is automatically sent at no charge). No charge would be incurred for one and two hour free parking tickets issued. This compares favourably to other parking apps. RingGo charge 20p per transaction; AppyParking 30p and Phone and Pay 20p-30p. Some providers also make operational charges such as monthly management fees and fees for tariff changes etc.

**Parking app. use**

To use the app. it should only take 10 seconds to pay and 25 seconds to register using a smartphone app. and users can pay through Visa, Google Pay and Apple Pay. The apps rating is 4.7/5 (across more than 100k reviews). Phone line support for users is available at all times. PBP also offer a unique cash payment service, delivered in partnership with PayPoint which is available in a number of small shops in the District.

Management reports can be generated which include total income received (overall/by location), average parking durations (overall/by location), and the volume of first-time users (overall/by location).

**Advertising/ promotion**

The background of the app. can be used to run Council promotional campaigns, this service is free and the image can be changed as often as required.

Given that more and more transactions are being paid via apps and other electronic methods, it would seem prudent to provide a parking app. facility for the Council's car parks.

**Implications**

**Corporate Plan:**

Economic Growth and Place priority, through providing enhanced services for visitors/ businesses.

**Legal:**

Provision for a parking app. would need to be included in the proposed new parking order.

**Finance:**

Budget Area	Implication
General Fund – Revenue Budget	There would be a small increase in revenue from car parking through use of the app. at 3p per transaction. Over time there may be a reduction in cash taken which may allow for less frequent cash collections, potentially leading to cashable savings.
General Fund – Capital Programme	None
Housing Revenue Account – Revenue Budget	None
Housing Revenue Account – Capital Programme	None

**Risk:**

Risk	Mitigation
No risks identified – there is no cost to the Council of providing a parking app.	

**Human Resources:**

No HR issues identified.

**Equalities:**

Payment machines will continue to be available at existing sites. At new sites, machines may not be provided which could affect older people/ people on lower incomes who are less likely to use apps. and use mobile phones. This app. allows for payments to be made through making a telephone call or text. It is considered that the majority of people using car parks have access to a mobile phone. An Equalities Impact Assessment (EIA) has been undertaken and it has been concluded that at Kings Mill Reservoir, a ticket machine should be provided at the existing car park but not at the new car park which will be provided in 2020. This will mean that people who don't have access to a mobile phone when they visit will be able to obtain a ticket. EIA included as an appendix.

**Other Implications:**

None identified.

**Reason(s) for Urgency**

Not applicable.

**Reason(s) for Exemption**

Not applicable.

**Background Papers**

Cabinet 25<sup>th</sup> November 2019: Revision of Parking Order.

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## Full Equality Impact Assessment (EIA)

Impact assessment should be considered in the full range of functions, activities and decisions that the organisation is responsible for. Their purpose is to analyse policies and practices to ensure that they do not discriminate or disadvantage people. They must be relevant and proportionate to the level of changes and impact and where potential for disadvantage is identified they should demonstrate plans to eliminate.

Complete a full equality impact assessment where there is a potential risk of disadvantage to groups/individuals representative of the protected characteristics.

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### 1. Which Function/policy are you assessing?

Potential introduction of a parking app. for Council car parks which will provide an electronic payment system for users. Ticket machines will continue to be available in all car parks, with the exception of the new car park at Kings Mill Reservoir, the construction of which is due for completion in 2020. The existing car park will have a ticket machine installed.

### 2. Who is responsible for this Function/policy? (Manager and Section)

Sarah Daniel, Place and Wellbeing

### 3. What changes are you proposing to this service?

The new car park will not have a ticket machine, all existing car parks have ticket machines. (A ticket machine will be installed in the existing car park prior to when the new parking order comes into force – subject to the process, expected to be in May 2020). This will mean that all users of the new car park (except Blue Badge holders) will need to pay using the parking app. or walk to the existing car park to use the ticket machine (the maximum distance from the position of the ticket machine in the existing car park and a bay in the new car park is 110 metres). Users could also drive to the ticket machine, before parking in the new car park if necessary. The app. allows for payment by phone and text and therefore users would not require a smartphone.

### 4. What potential impact will these changes have on each equality strand?

Equality Strand	Positive (Please provide evidence)	Negative (Please provide evidence)	Unmet Need (please provide evidence)
-----------------	---------------------------------------	---------------------------------------	---

Age	Older people	Older people are less likely to use mobile phones and less likely to have smartphones. The app. can be accessed using a text or phone call from any mobile phone,	None identified
Disability	Blue Badge holders are not required to display a ticket and therefore will not be affected by the parking app./ no ticket machine being provided in the new car park	None identified	None identified
Gender	None identified	None identified	None identified
Race	None identified	None identified	None identified
Religion or Belief	None identified	None identified	None identified
Sexual Orientation	None identified	None identified	None identified
Socio Economic (Deprivation)	None identified	People may be less likely to have a mobile phone due to cost.	None identified

**What evidence or data do you have that supports your assessment? For example usage, customer feedback, consultation, comparative information etc.**

The assessment is based on the average ownership of mobile phones.

**Action plan**

- 5. If you have found a negative impact, what are the concerns?**
- 6. What action do you plan to take to mitigate this impact? This could involve consultation with those affected.**
- 7. What is the target date for these actions?**
- 8. Who is responsible?**

<b>5. Concern</b>	<b>6. Action</b>	<b>7. Target Date</b>	<b>8. Responsible</b>
Older people are less likely to use mobile phones and less likely to have smartphones. The app. can be accessed using a text or phone call from any mobile phone,	Provision of a ticket machine in the existing car park will mean that users of the new car park can purchase a ticket if they do not have access to a mobile phone.	May 2020 – when charges are introduced.	Place team
People on lower incomes may be	Provision of a ticket machine in the existing car park will mean	May 2020 – when	Place team



less likely to have a mobile phone due to cost.	that users of the new car park can purchase a ticket if they do not have access to a mobile phone.	charges are introduced.	
<b>9. Explain how you have included these actions to mitigate within your service plan</b>			
Not applicable – the ticket machine will be installed following the introduction of the new parking order.			
Date: 16.1.20	Sarah Daniel, Place Team Leader		

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<b>Report To:</b>	<b>Cabinet</b>	<b>Date:</b>	<b>27<sup>th</sup> January 2020</b>
<b>Heading:</b>	<b>RE- DESIGNATION OF THE TEVERSAL, STANTON HILL AND SKEGBY NEIGHBOURHOOD FORUM</b>		
<b>Portfolio Holder:</b>	<b>CLLR.M.RELF, PORTFOLIO HOLDER FOR PLACE, PLANNING AND REGENERATION</b>		
<b>Ward/s:</b>	<b>STANTON HILL &amp; TEVERSAL, SKEGBY, THE DALES AND CARSIC</b>		
<b>Key Decision:</b>	<b>YES</b>		
<b>Subject to Call-In:</b>	<b>YES</b>		

## **Purpose of Report**

To consider the application for the re-designation of the Teversal, Stanton Hill and Skegby Neighbourhood Forum.

## **Recommendation(s)**

Cabinet is recommended, in accordance with the Town & Country Planning Act 1990 and the Neighbourhood Planning (General) Regulations 2012, as amended, to re-designate the Teversal, Stanton Hill and Neighbourhood Forum in relation to the Teversal, Stanton Hill and Skegby Neighbourhood Area.

## **Reasons for Recommendation(s)**

National planning policy places an emphasis on neighbourhood planning and local councils facilitating neighbourhood planning. The Forum has brought forward the Teversal, Stanton Hill and Skegby Neighbourhood Plan 2017, which forms part of the Council Local Development Plan. They are an active Forum, which sets out to represent the view of the local community. Based on the information submitted, it is considered that the application meets the legislative requirements and the Council should re-designate the Neighbourhood Forum.

## **Alternative Options Considered**

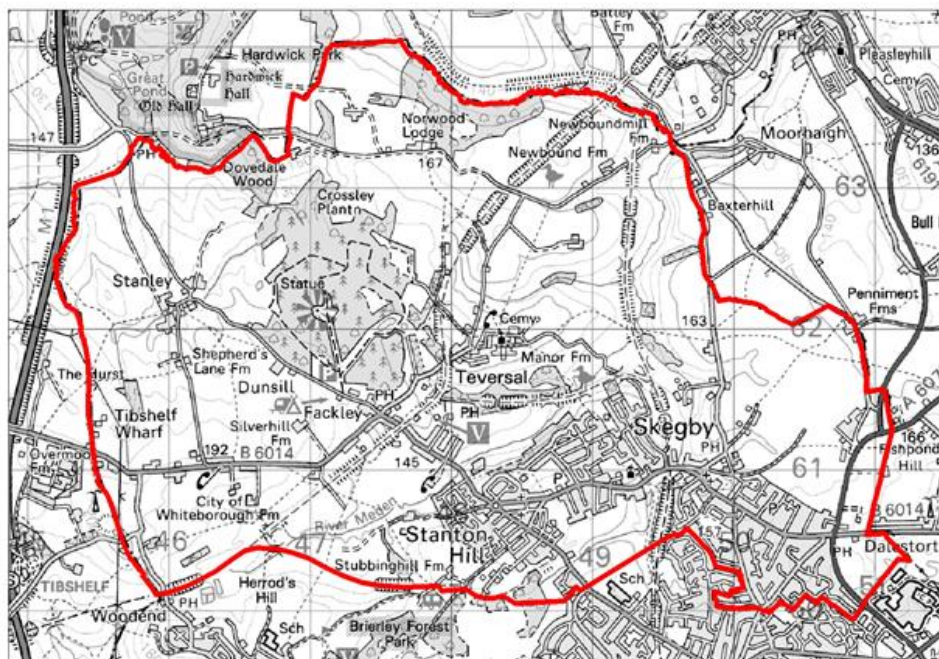
*(with reasons why not adopted)*

Not to re-designated the Forum. However, in compiling its recommendations, the Council has considered the evidence submitted by the Forum as well as the representations received on the consultation. Subject to their being a “relevant body” and meeting the legislation requirements, the Council must exercise its power of designation of a Neighbourhood Forum.

### Detailed Information

The Localism Act 2011 introduced the right for the community to come together to draw up a Neighbourhood Development Plan (commonly called a neighbourhood plan). The Council designated the Teversal, Stanton Hill and Skegby Neighbourhood Forum in February 2015. It relates to the Neighbourhood Plan Area of the same name and covers the area to the north of Sutton in Ashfield including the settlements of Teversal, Stanton Hill, Skegby, Fackley, and Stanley, see plan set out below. The Forum has brought forward the Teversal Stanton Hill and Skegby Neighbourhood Plan, which was made on 7<sup>th</sup> November 2017.

The Town and Country Planning Act 1990 Section 61F (8) sets out that the designation of a forum ‘ceases to have effect at the end of the period of 5 years beginning with the day on which it is made’. Consequently, the Forum has to applied to the Council to renew its designation for a further 5 years in accordance with the provisions of the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and The Neighbourhood Planning (General) Regulations 2012 as amended. Re-designation will enable the Neighbourhood Forum to act under the relevant legislation in relation to the designated Neighbourhood Plan Area, which remains unchanged.



A valid application for the re-designation of the Forum was received on 25<sup>th</sup> November 2019, comprising:

- a) the name of the neighbourhood forum;
- b) a copy of the written constitution of the neighbourhood forum;
- c) the name of the neighbourhood area to which the application relates and a map which identifies the area;

- d) the contact details of at least one member of the proposed neighbourhood forum to be made public;
- e) a statement which explains how the proposed neighbourhood forum meets the conditions contained in section 61F (5) of the 1990 Ac; and
- f) A list of the names and address of 24 members of the Forum.

The Regulations state that a neighbourhood forum application should be publicised for a period of not less than six weeks (the formal period for representations) before the Council can consider the respective designations. The application for the Forum was open to representations for the period from 27<sup>th</sup> November 2019 to 9<sup>th</sup> January 2020. No responses were received. This is not considered unusual based on other council's consultations on the designation of neighbourhood forums.

The Town and Country Planning Act 1990 Section 61F(5) states that local planning authorities may designate an organisation or body as a neighbourhood forum if the following conditions are met:

- a) It is established for the express purpose of promoting or improving the social, economic and environmental well-being of an area that consists of or includes the neighbourhood area concerned.
- b) Its membership is open to-
  - i. Individuals who live in the neighbourhood area concerned,
  - ii. Individuals who work there, and
  - iii. Individuals who are elected members of a county council, or district council any of whose area falls within the neighbourhood area concerned.
- c) Its membership includes a minimum of 21 individuals, each of whom lives or works or is an elected member any of whose area falls within the neighbourhood area.

The Statement submitted with the application identifies that the Forum has been established to promote or improve the social, economic and environmental wellbeing of the area. Clearly, the Forum has brought forward a made Neighbourhood Plan. It has been verified by officers that it has more than 21 members who live or work or are members of the District Council covering the area including parties who live and/or work in the area and members would be elected councillors. A written constitution has been submitted with the application. It is reflective of the Statement. The Council is satisfied from the information provided that the Forum has met the following elements of the Act, (Section 61F (7) ) which it must consider when determining the designation, that is:

- The organisation or body has secured (or taken reasonable steps to attempt to secure) that its membership includes at least one individual falling within each of the sub-paragraphs of living, working or are council members any of whose area falls within the neighbourhood area.
- The membership is drawn from different places in the neighbourhood area concerned and from different sections of the community in that area, and
- The organisation's purpose reflects (in general terms) the character of the neighbourhood area.

Should the Council approve the application for the renewal of the Forum, no other organisation can be designated as a neighbourhood forum for the Teversal, Stanton Hill and Skegby Neighbourhood Area until the designation is withdrawn or expires. This will only affect the ability to use neighbourhood planning powers. It will not affect the establishment or existence of any other community, charitable, neighbourhood or voluntary organisations in the area.

## **Implications**

### **Corporate Plan:**

The designation of the Forum will contribute towards the Corporate Plan's purposes including working more closely with our communities in delivering the changes we all want to see in Ashfield.

### **Legal:**

An application for the designation of a neighbourhood forum can be made by a "relevant body" under the provisions of The Neighbourhood Planning Regulations 2012, as amended. Once a valid application is made, the Council is required to consider whether or not to designate the neighbourhood forum. The Regulations require that the Council determine the application within 13 weeks beginning with the day immediately following that on which the application is first publicised in accordance with regulation 9.

### **Finance:**

There are limited direct costs associated with the consultation of the Neighbourhood Forum under regulation 9. However, for the financial year 2019/2020, local planning authorities (lpa) can claim £5,000 for the first five neighbourhood forums they designate. The limit of five forums applies to the total number of areas designated in the lpa (i.e. it includes claims made in the past for forums designated) and includes the re-designation of forums. As the Council has only designated one forum to date, if the forum is re-designated the Council will be able to claim the sum of £5,000.

<b>Budget Area</b>	<b>Implication</b>
General Fund – Revenue Budget	None
General Fund – Capital Programme	None
Housing Revenue Account – Revenue Budget	None
Housing Revenue Account – Capital Programme	None

### **Risk:**

<b>Risk</b>	<b>Mitigation</b>
Legal challenge to the designation of the Forum. This is considered to be minimal	The Council has followed the requirements of relevant legislation for the designation of the forum.

### **Human Resources:**

There are no direct HR implications contained within this report.

### **Equalities:**

The equalities impacts of designating the Neighbourhood Forum have been considered and it is concluded that there are none.

**Other Implications:**  
(if applicable)

**Reason(s) for Urgency**  
(if applicable)

**Reason(s) for Exemption**  
(if applicable)

**Background Papers**

The following background papers are available on the Council's website:

The application for the Neighbourhood Forum including:

- A copy of the written constitution;
- Map of the identified area;
- A statement explaining how the proposed neighbourhood forum meets the conditions set out in Section 61(F) The Act.

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<b>Report To:</b>	<b>CABINET</b>	<b>DATE:</b>	<b>27 JANUARY 2020</b>
<b>Heading:</b>	<b>PLANNING COMPLIANCE AND ENFORCEMENT PLAN</b>		
<b>Portfolio Holder:</b>	<b>COUNCILLOR M. RELF PORTFOLIO HOLDER FOR PLACE, PLANNING AND REGENERATION</b>		
<b>Ward/s:</b>	<b>ALL</b>		
<b>Key Decision:</b>	<b>YES</b>		
<b>Subject to Call-In:</b>	<b>YES</b>		

## **Purpose of Report**

To seek agreement to the adoption of the Planning Compliance and Enforcement Plan following consultation with regular customers of the planning service.

## **Recommendation(s)**

**Cabinet is asked to:**

- 1. Approve the draft Planning Compliance and Enforcement Plan ahead of consultation;**
- 2. Agree to the commencement of consultation with stakeholders and regular customers of the planning service as set out in the report;**
- 3. Authorise the Portfolio Holder for Place, Planning and Regeneration to approve the adoption of the final version of the Planning Compliance and Enforcement Plan following consultation.**

## **Reasons for Recommendation(s)**

The plan explains how Ashfield District Council carries out its planning compliance and enforcement activities and what customers can expect from the service. The National Planning Policy Framework recommends publishing a plan to manage enforcement proactively, in a way that is appropriate to the area.

## **Alternative Options Considered**

Not to approve the plan. Would not provide customers with guidance on how and why the service operates and would not meet government guidance. **Not Recommended.**

## **Detailed Information**

The National Planning Policy Framework states that effective enforcement is important to maintain public confidence in the planning system. Enforcement action is discretionary and any formal action should be proportionate to respond to suspected breaches of planning control. A published plan which sets out how the authority monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and where appropriate take action ensures the service is transparent, efficient and effective.

The plan provides information on the purpose of planning enforcement action, what is a breach, who can and how to complain and what action can be taken. It also provides information to those being complained about and what options are open to them to resolve the issue.

The draft Planning Compliance and Enforcement Plan is attached as an appendix to the report. It is proposed to consult all members, Parish Councils, recognised voluntary groups, consultees, neighbouring authorities and regular planning agents over a 21 day time period in February 2020.

## **Implications**

**Corporate Plan:** The adoption of the plan supports communities and businesses to deliver good quality development. Effective enforcement action maintains public confidence in the planning system. It will improve the customer experience and satisfaction because they will know what to expect and when. This is a document which provides clear information on the quality of the Council's Planning Compliance and Enforcement service and that the service is consistent, reliable and puts the customer at the heart of everything we do.

### **Legal:**

Powers in relation to planning enforcement derive from the Town and Country Planning Act 1990 (as amended). Detailed legal enforcement powers and considerations are set out in detail in the draft Plan.

### **Finance:**

<b>Budget Area</b>	<b>Implication</b>
General Fund – Revenue Budget	None
General Fund – Capital Programme	None
Housing Revenue Account – Revenue Budget	None
Housing Revenue Account – Capital Programme	None

### **Risk:**

<b>Risk</b>	<b>Mitigation</b>
No known risks	N/A

### **Human Resources:**

There are no direct HR implications contained within this report.

### **Equalities:**

This report will not have any positive or negative impacts on people in any of the groups of protected characteristics.

**Other Implications:**

No other implications

**Reason(s) for Urgency**

Not applicable.

**Reason(s) for Exemption**

The report is not exempt

**Background Papers**

Planning Compliance and Enforcement Plan 2020

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# PLANNING COMPLIANCE AND ENFORCEMENT PLAN 2020



**Ashfield**  
DISTRICT COUNCIL

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# 1 Introduction

- 1.1 This plan aims to help you get the best out of our Planning Compliance and Enforcement Service. It sets out the main service areas and explains how Ashfield District Council carries out its planning compliance and enforcement activities.
- 1.2 Ashfield District comprises three main towns of Hucknall, Kirkby in Ashfield and Sutton in Ashfield with rural areas and villages around. There is pressure for residential and economic development, so the Council has to take great care in balancing the need to protect the environment from the harmful effects of unauthorised uses and development while promoting growth.
- 1.3 It is the Council's policy to provide a reliable, efficient and good quality Planning Compliance and Enforcement Service, maximising the use of the resources available. The Compliance and Enforcement Team will respond to complaints received, investigate, and take appropriate action having regard to material planning considerations and the development plan. When resources allow, the Planning Compliance and Enforcement Team will also take a pro-active approach and use enforcement powers to seek environmental improvements.
- 1.4 The Council is not responsible for waste and minerals. We will pass complaints regarding these activities to Nottinghamshire County Council for their action.
- 1.5 National guidance on planning enforcement is given in the National Planning Policy Framework ("NPPF") and National Planning Practice Guidance ("NPPG").

Paragraph 58 of the NPPF (2019) states:

'Effective enforcement is important to maintain public confidence in the planning system. Enforcement action is **discretionary**, and local planning authorities should act proportionately in responding to suspected breaches of planning control. They should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where appropriate.'

- 1.6 More detailed advice is provided in the NPPG which has a chapter on enforcement that can be accessed here <https://www.gov.uk/guidance/ensuring-effective-enforcement>. The document is regularly updated to ensure it complies with any changes in planning law and its interpretation.
- 1.7 To paraphrase the NPPG, action should be taken by the Local Planning Authority only when it is **expedient** to do so and that enforcement action should not be taken simply to remedy the absence of a planning permission. Where development is acceptable on its planning merits it advises that planning permission may be granted retrospectively to regularise development already carried out. For it to be expedient to take action it ultimately means the Council has to be satisfied that harm (see section 4.7) is being caused by the breach of planning control.
- 1.8 In taking enforcement action for breaches of planning control, the Council must have regard to the Government's Enforcement Concordat and the Regulatory Compliance Code. The Council must also act within the principles of the Human Rights Act 1998

and The Equality Act 2010 and ensure that unlawful discrimination is eliminated, and all action is taken in a fair and consistent manner.

- 1.9 The Council's Planning Compliance and Enforcement Team operates within the Government guidance and tries to resolve problems through negotiation under most circumstances. It will only consider formal enforcement action, including prosecution and/or taking direct action as a last resort. However, the Council will use the powers of formal enforcement action where it considers it expedient to do so.
- 1.10 Although we aim to deal with and close the majority of enforcement cases as soon as possible, some cases can take a considerable time to resolve. For example due to full investigation, negotiation or formal enforcement action. There is also a right of appeal against an Enforcement Notice, the outcome of which may take time to be known and during this time the terms in the notice will be suspended.
- 1.11 The Council aims to raise the profile of Planning Compliance and Enforcement because an effective enforcement function is essential to a credible planning service.
- 1.12 Planning Compliance and Enforcement is part of the Council's Development Management service, promoting quality buildings and environments in accordance with Government policies and the Council's development policies as detailed in the Ashfield Local Plan. The Council seeks to take a pro-active approach and to use enforcement powers as part of co-ordinating environmental improvements. This pro-active approach will be taken when resources allow.

### **What we aim to do**

- 1.13 Ashfield District Council aims to provide a high quality reactive and proactive approach to planning enforcement within the resources available. The Council currently receives approximately 250 complaints a year requiring a reactive response. The Council aims to provide the principles of good enforcement as follows:
  - Investigate reported breaches of planning control and monitor development for compliance in accordance with this document.
  - Investigations will be carried out proportionately in relation to the breach of planning control identified;
  - Keep all parties personal details confidential at all times, unless required to disclose as part of court proceedings;
  - Actively pursue a complaint to a satisfactory conclusion.

We will provide owners/developers with an opportunity to alleviate the breach where it is not causing immediate harm, allowing them the opportunity to resolve the matters of concern before pursuing the matter through formal action, the courts or by direct action.

In cases where it is considered that there is a technical breach of planning control, but the public harm caused is insufficient to warrant formal action we will notify all parties of the reason for not taking formal action and close the case.

Where it is considered appropriate and expedient, having regard to the provisions of the development plan and any other material considerations, consideration will be given to take formal action and will be followed up by legal action where necessary.



## **Building Control**

- 1.14 Building control is dealt with separately to planning control and is not included in this plan. Building control operates under its own legislation, the Building Control Act and Approved Documents. Building Control also check that dangerous structures are made safe and that demolitions are carried out in a safe a manner. Checks can be made between the plans submitted for building control and the approved plans for planning permission, to ensure that there are no major discrepancies between the proposals on the plans. We will work closely with our colleagues to resolve any matters.
- 1.15 If you have any queries that relate to Building Control then please contact our Building Control department at [building.control@ashfield.gov.uk](mailto:building.control@ashfield.gov.uk).

## **2 What is a Breach of Planning Control?**

- 2.1 Planning enforcement is when we investigate complaints alleging 'a breach of planning control' which is defined under Section 171A of the Town and Country Planning Act 1990;

'the carrying out development without the required planning permission; or failing to comply with any condition or limitation subject to which planning permission has been granted'

- 2.2 Most building/engineering work and changes in the use of land or buildings need planning permission from the Council. Sometimes development is carried out without planning permission or does not properly follow the detailed plans, or comply with conditions which have been approved by the Council. Cases such as these can cause serious harm to the way in which people live. Residents and businesses have a right to expect that harmful activities are dealt with effectively.

- 2.3 Other situations that can be considered to be a breach of planning control for planning enforcement include:

- Land that is in a poor condition and appearance that has a negative impact on the surrounding area (Untidy Land);
- Unauthorised display of advertisements;
- Unauthorised works to protected trees;
- Unauthorised work to buildings listed as being of special architectural or historic interest;
- Unauthorised demolition of buildings especially listed buildings or buildings located within a conservation area.

### 3 Is Planning Permission Required?

- 3.1 Planning enforcement can only be considered in most instances where the building work or material change of use being undertaken requires planning permission. An initial investigation by a planning enforcement officer will determine this.
- 3.2 Certain types of building works or changes of use are defined as 'permitted development' meaning that an application for planning permission is not required. Whether or not an application for planning permission is required depends on several factors and these are detailed in the Town and Country Planning [General Permitted Development] Order 2015.
- 3.3 If our help is required in establishing whether a proposed building project requires planning permission or not, then we provide a planning advice service that gives written advice on whether works require planning permission and if required, whether planning permission would be forthcoming if an application was submitted. For more information please visit <https://www.ashfield.gov.uk/residents/planning-building-control-and-land-charges/pre-application-advice/>

### 4 What is the purpose of planning enforcement action?

- 4.1 Planning laws are designed to control development and uses of land and buildings in the public interest. They are not meant to protect the private interests of one person against the activities of another.
- 4.2 Carrying out work or changing the use of land or buildings without planning permission is not a criminal offence. In most instances the Council will provide owners/developers with an opportunity to alleviate a breach of planning control over a set period of time, where the breach is not causing immediate harm. This will provide developers/owners an opportunity to attempt to resolve the matter by either applying for retrospective planning permission or reducing the harm caused by the breach. After a set period of time if the breach has not been resolved the Council will make a decision on whether to take formal enforcement action and what action, if any, that will entail.
- 4.3 However when serious harm is being caused, the Council will take firm action and there will be little opportunity for the owner/developer to alleviate a breach before formal enforcement action commences.
- 4.4 If formal action is required by the Council it will be proportionate to the actual breach of planning control.
- 4.5 The Council must operate its planning compliance and enforcement activities in accordance with this policy and the wider Council Planning Policies and national planning policy. This means that in most instances:
  - The Council must decide whether the breach of planning control unacceptably affects the amenity of the area;
  - Action should not be taken **just** because development has started without planning permission;
  - The Council does not always have to take action but the particular circumstances of the case **must** always be considered;
  - It is not normal to take formal action against a minor breach of control that causes no real harm.

But:

- Enforcement action will be taken quickly when it is necessary.

### What is 'harm?'

- 4.6 Harm resulting from a breach of planning control could concern amenity or highway safety issues and could include noise nuisance, loss of daylight or privacy or danger from increased traffic flows. Harm to the visual amenity of an area could occur for example through unauthorised work to; a listed building, demolition within a Conservation Area or work to a protected tree. If there is not enough harm being caused then it is not in the public interest for the Council to pursue a breach of planning control further in most instances. In assessing any harm officers will refer to the development plan and any other material planning considerations. If the breach is unlikely to be granted planning permission, or would only be acceptable if subject to planning conditions, then it is likely to be considered harmful and planning enforcement action will be taken.
- 4.8 Once the alleged breach has been investigated and it has been established that harm is being caused, action may then be taken. However, harm would **not**, for example include:
- Loss of value to a neighbouring property;
  - Competition to another business;
  - Loss of an individual's view or trespass onto someone else's land;
  - Violation of other legislation that is not part of planning law legislation;
  - Personal issues with neighbours;
  - Private property rights and covenants.
- 4.9 It may be possible to address issues such as these by way of civil action although this is a matter for the individual to pursue and is not an area where the Council would be involved.
- 4.10 Where a breach involves a criminal offence, such as the display of an advert, the Council will first write to advertiser to require the removal of the advert and they will be given a short period of time to do so. A failure to remove the advert may result in the Council prosecuting them for the display of the advert and they will have to attend the Magistrates Court to answer a summons. If this is not the first time the Council have had to contact the advertiser regarding the offence they may not be provided with the opportunity to remove the advert before formal action is taken.

## 5 Who can report a breach?

- 5.1 The Council relies on members of the public to bring to our attention the majority of breaches of planning control. Anyone who believes that a breach of planning control has occurred can make a complaint to the Council. All complaints should be made in writing and the easiest way to do this is to use our online form at <https://www.ashfield.gov.uk/residents/planning-building-control-and-land-charges/planning-applications/planning-monitoring-and-enforcement/>

If the complainant prefers to write a letter it should be addressed to Planning Enforcement, Ashfield District Council, Council Offices, Urban Road, Kirkby in Ashfield,

Nottingham, NG17 8DA or e-mail us at [planning.admin@ashfield.gov.uk](mailto:planning.admin@ashfield.gov.uk). In all cases the following information will be required:

- Full details of the address of the alleged breach of planning control
- Full details of the nature of the alleged breach and the harm that it is causing
- Name, address and contact details of the complainant

We will need all the information included in the online form, otherwise we may have to contact the complainant for further information before the investigation commences. The Enforcement team can also be contacted by telephone on 01623 457388 between 8.30am and 5pm Monday to Thursday and 4.30pm on Friday, and especially if the alleged breach is urgent, for example relating to a listed building or a protected tree(s). The complainant will be asked for the same information so the matter can be investigated.

5.2 The information that we will require includes:-

- Location of the alleged breach
- Details of the alleged breach / unauthorised activity
- Date the alleged breach/unauthorised activity first commenced
- Name and address of the person/company carrying out the alleged breach/unauthorised activity (if known)
- Name Address, Telephone number and email address of complainant (to remain confidential)
- An explanation of the harm that it is causing the complainant specifically, and the area generally (photographs can be included to show what is meant)
- Any other relevant information e.g. previous complaints made on this site (attach further details if necessary)

5.3 Please note that the Council does not investigate anonymous complaints unless there are exceptional circumstances, such as works being carried out to demolish a listed building or unauthorised works to a protected tree.

5.4 Where a retrospective application for planning permission is made to regularise unauthorised development, publicity and consultation will be carried out. People will be given the opportunity to comment before a decision is taken, as per any other planning application.

### **PLEASE NOTE**

All initial complaints are dealt with in confidence and details of the complainants will not be made known without their agreement. However, the substance of the complaints themselves is not confidential. In some cases it may be necessary to rely on evidence from complainants in order to take action and the complainant will need to consider whether they are willing to actively assist the Council by collecting evidence and acting as a witness at an appeal or in Court. The Council's officer will explain what may be required in these cases.

## 6 What action can the Council take?

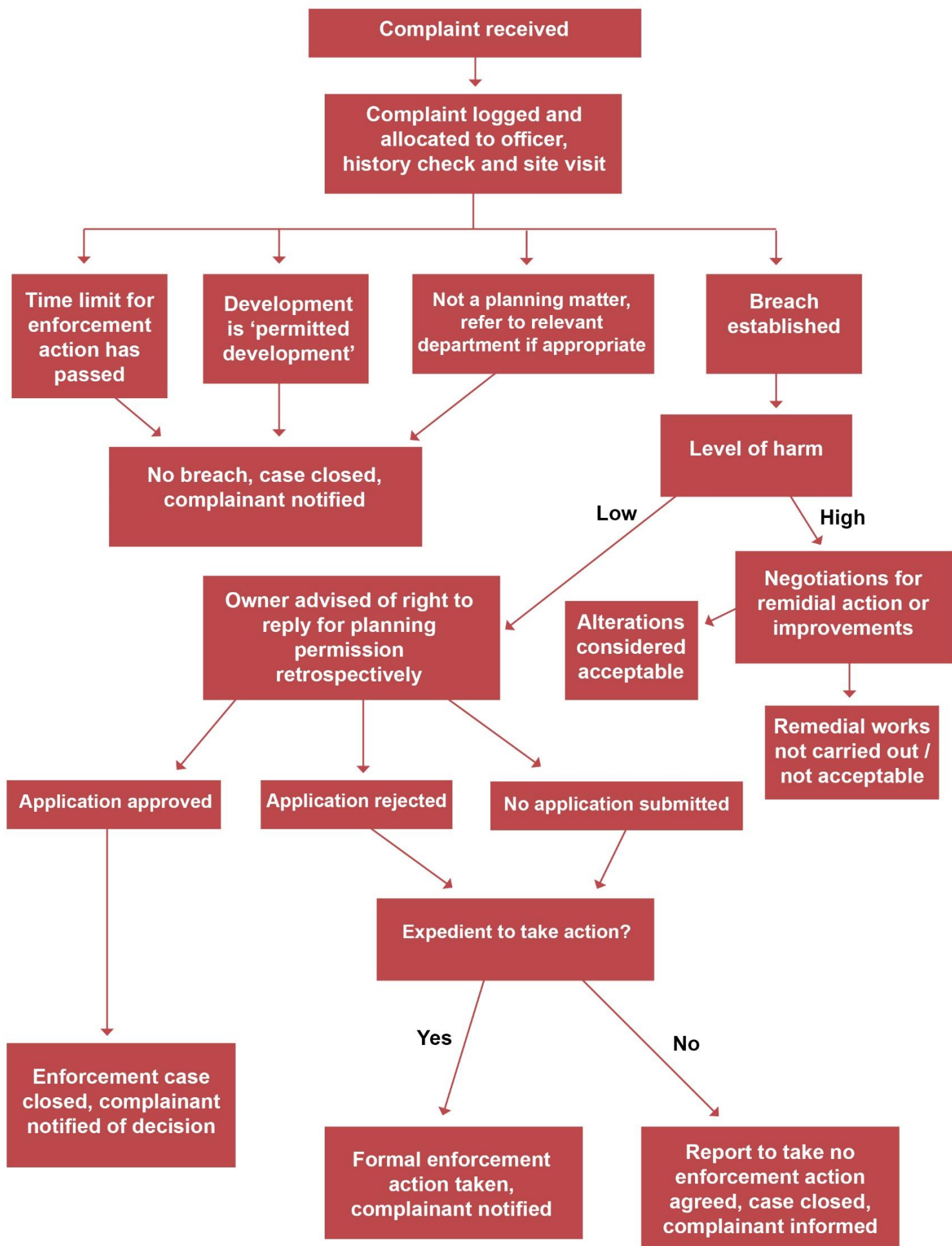
- 6.1 The Council will first determine whether it is appropriate to take enforcement action by establishing whether a breach of control has occurred. In cases where the situation is unclear a 'Planning Contravention Notice' will be served on the owner and/or occupier of the property to obtain the facts.
- 6.2 Where a breach of control has taken place the Council will then make an assessment of the harm caused by the breach of control.
- 6.3 The developer or owner of the property that is in breach of planning control will, in most circumstances, receive correspondence from the Council setting out the breach and setting out the period of time to remedy the breach.
- 6.4 If the developer or land owner seeks retrospective planning permission or pre application advice through our planning advice service any decision on whether formal enforcement action should be taken or any deadline that has been imposed on them to remedy the breach may be deferred until they have received the advice or decision notice in most circumstances. This is because the advice provided or decision given will impact on what the owner wishes to do next or whether a breach still exists. However where immediate harm is being caused enforcement action might be taken regardless of any planning application or request for pre application advice.
- 6.5 If the owner/developer fails to remedy the breach the Council will then make a decision as to whether to take formal enforcement action. Whether action is taken depends on the type of breach and any tests that need to be satisfied before taken action. The table below set out our common planning enforcement powers, the test that is applied, what the effect of the action is and whether there is a right of appeal. Please note this table is not an exhaustive list of the powers that the Council has in dealing with planning enforcement matters.
- 6.6 In the most serious of cases, the Council may also consider serving a Stop Notice or may apply to Court for an Injunction to prevent further harm being caused. This action requires the people responsible to stop specified activities.
- 6.7 Appeals to the planning inspectorate are normally dealt with by an exchange of letters known as written representations. More serious or complex cases can be dealt with by an informal hearing in front of an Inspector or at a Public Inquiry.
- 6.8 It should be noted that as well as investigating reported breaches of planning control we also actively undertake certain specific projects, when resources allow. For example untidy properties in town centres and taking action to promote environmental improvements. Such projects are also prioritised in accordance with the severity of their environmental impact.

## Summary of enforcement powers

Type of breach	Legal notice	Test as to whether action to be taken	Result of legal notice	Right of appeal
Unauthorised development or material change of use	Enforcement Notice	Is it expedient to take action? (expediency is judged in reference to both local and national planning policies and any other material planning considerations)	Recipients must comply with the requirements of the notice within a set period of time after which if the notice has not been complied a criminal offence is committed and Council may prosecute and/or carry out direct action	Yes Appeal must be made to the Planning Inspectorate prior to the notice coming into effect. A period of at least 28 days is provided
	Temporary Stop Notice	Is the breach causing immediate harm or likely to cause immediate harm and it is expedient to take action	Recipients must comply with the notice immediately or criminal offence is committed	No
Non-compliance with planning condition	Breach of Condition Notice	Has there been a breach of the planning condition (it does not need to be assessed whether it is expedient but it is the Council's discretion whether a notice is issued)	Must comply with the notice within a set period of time (at least 28 days) or the recipients commit a criminal offence	No
Untidy Land	Section 215 notice	Does the condition and appearance of the land have a negative impact on the local amenity	Recipients must comply with the requirements of the notice within a set period of time after which if the notice has not been complied a criminal offence is committed and Council may prosecute and/or carry out direct action	Yes Appeal must be to the Magistrates Court prior to the notice coming into effect. A period of at least 28 days is provided
Unauthorised work to listed buildings.	Immediate Prosecution or Listed Building Enforcement Notice	Have works being carried out to a listed building that impacts on its character and appearance of a building of architectural and historical interest	Unauthorised works are already a criminal offence but if the notice is not complied with it also provides the Council with the option of carrying out direct action as well	Yes Appeal must be made to the Planning Inspectorate prior to the notice coming into effect. A period of at least 28 days is provided
Unauthorised display of advertisements.	Prosecution or Section 225A Notice	Have advertisements being erected that should have first received advertisement consent	Displaying unauthorised adverts is already a criminal offence but notice gives the Council the powers to remove the advert too.	Yes Appeal must be to the Magistrates Court prior to the notice coming into effect. A period of at least 22 days is provided

## 7 What the complainant can expect

- 7.1 Written complaints will normally be acknowledged by letter within 3 working days of receipt. The letter will set out which officer is dealing with the complaint and their contact details.
- 7.2 Where necessary the officer will visit the site within 10 working days.
- 7.3 The complainant will be notified of the initial findings within 15 working days which may include confirmation as to whether or not a breach of planning control has been detected.
- 7.4 If a decision to serve a formal notice is made the complainant will be informed within 5 working days of the notice being served
- 7.5 Once a formal notice is served and the period of compliance a check to ensure that the notice has been complied with will be carried out within 5 working days.
- 7.6 Whilst processing a complaint the officer will have checked the Council's records, visited the site and checked planning legislation to establish whether a breach exists or not. If there is no breach there will be an explanation as to why this is the case and the file will be closed. If there is a breach the complainant will be informed what happens next and provided with approximate timescales of any planned action.
- 7.7 As set out earlier we cannot take action just because there is a breach and if this is the case the complainant will be informed of the reasons why the Council cannot take action prior to the file being closed.
- 7.8 Where action can be taken the owner/developer will be initially contacted in writing and the officer will explain the breach and provide them with a set period of time to remedy the breach of planning control. This period of time will depend on the nature of the breach and at the end of this period if the breach has not been remedied the Council will decide what action needs to be taken, if any. Any set time that the owner/developer has been given to remedy the breach will normally be paused if during this period they seek either pre application advice or apply for planning permission retrospectively as set out in paragraphs **2.3** and **6.4** above.
- 7.9 If this approach fails, the Council will then consider taking planning enforcement action. The Council is committed to using all powers it has under planning law when necessary and therefore will consider serving legal notices, prosecutions, entering land and taking direct action, seeking injunctions and any other powers available so long as those powers are proportionate to the breach of planning control that has been established.





## **How long will it take?**

- 7.10 Dealing with enforcement cases can be a lengthy and complex process. The different types of enforcement cases vary considerably in complexity as does the time taken for their resolution. If a person decides to appeal against an enforcement notice; this will add to the time taken to resolve the case. As a consequence it is not possible to give a standard time for dealing with enforcement cases. However it is expected most cases should be closed within 6 months of being opened and all but a few should remain open after 12 months.
- 7.11 Under the Town and Country Planning legislation there are time limits with regard to when enforcement action can be taken. Development involving the erection of a building or structure or the change of use of a building to a dwelling is immune from enforcement action after four years from when the breach of planning control first occurred. All other changes of use of land or buildings and breaches of conditions are immune from enforcement action after ten years from the breach of planning control (where continuous). There are no time restrictions to the issue of Section 215 (untidy land) Notices or action against unauthorised works to a listed building or works to trees.
- 7.12 However where it is found that a breach of planning control has been concealed the Localism Act 2011 introduced new powers by inserting Section 171BA into the Town and Country Planning Act. This gives the Council the opportunity to apply to the magistrate's court for a planning enforcement order. If granted this allows the Council an additional 12 months in which to take enforcement action.
- 7.12 The officer will provide the complainant with updates at the key stages of the file progressing which can include:-
- Whether a breach has been established
  - Whether the Council can take action
  - If an owner/developer has been told to voluntarily remedy the breach within a set period of time
  - If a legal notice has been issued and the dates relating to that notice
  - If an owner/developer has appealed any notice served
  - The outcome of any appeal
  - If the Council has issued a summons to prosecute an owner/developer
  - The outcome of any prosecution
  - If the Council decides to take direct action against the owner/developer
  - When a breach has been remedied
  - When the file has been closed

## **What to do if something goes wrong**

- 7.13 If it is considered that there is unreasonable delay, or an error in the way in which an enforcement investigation is being carried out, the complainant should contact the Development Team Manager who will investigate the matter, review the circumstances and provide advice within 14 days about what action, if any, will be taken. If a matter requires further investigation, the complainant will be advised of this at the time.

- 7.14 If the complainant is still dissatisfied with the service, then they can make a formal complaint – details of the procedure will be provided on request and information is available on our website: <https://www.ashfield.gov.uk/your-council/about-the-council/compliments-and-complaints/>. Please note that the complaints procedure does not apply to matters which are directly related to a Council or committee decision and where there is a legal remedy or appeals process. For example if there is disagreement with a Council decision not to take further action against a breach of planning control as the breach is not considered harmful then a formal complaint would be the incorrect way to challenge this decision. The legal remedy in this instance would be a Judicial Review. However if the concern is with the speed of any investigation or that relevant factors have not been taken into account when reaching a decision then a formal complaint would be appropriate.
- 7.15 If a formal complaint is made but the outcome of any investigation is not considered to be satisfactory, a complaint to the Local Government Ombudsman can be lodged and information on how to do this will be given on request by the Council and is available to view on our website: <https://www.ashfield.gov.uk/your-council/about-the-council/compliments-and-complaints/> . The Ombudsman will not normally deal with a complaint unless it has first been through the Council's own complaint procedures and deals only with aspects concerning the conduct of the investigation.
- 7.16 The Council always welcome constructive criticism and any ideas on how we can improve Council services and at the outcome of our planning enforcement investigation we will encourage you to provide us with honest anonymous feedback. Any feedback is greatly appreciated and assists us improving the service we provide.

## **8 What if someone complains about you?**

- 8.1 If you are contacted about an alleged breach of planning control you are entitled to know what the allegation is (but not who made it), and will have the opportunity to explain your side of the case.
- 8.2 If you are not involved, no action will be taken against you. If you are involved, the Compliance and Enforcement Officer will, in most circumstances, advise you of the details of the breach and provide you with the opportunity to put it right.
- 8.3 Please note that if you want advice about which is the best way to remedy the breach or whether a retrospective planning permission could be granted you must seek advice through the Council's planning advice service <https://www.ashfield.gov.uk/residents/planning-building-control-and-land-charges/pre-application-advice/>. This is because it is deemed to be unfair for you to receive advice that other members of the public have to pay for just because you have breached planning control.
- 8.4 Our advice can be tailored to your needs which could range from:-
- providing an informal opinion as to whether the breach is likely to gain retrospective planning permission
  - Detailing any elements of the breach which may need to be changed to increase the chances of the breach gaining retrospective planning permission.
  - Actions required to remove and/or resolve the breach of planning control .Is there an alternative solution which would suit all parties.

- 8.5 Your co-operation will be sought to correct the breach and a reasonable period of time will be allowed for you to do this so long as the breach is not causing immediate harm.
- 8.6 In some circumstances you may decide to submit a retrospective planning application, as an attempt to regularise the breach of planning control
- 8.7 If you are issued with an Enforcement Notice you will be given the precise details of the breach, the reasons for the action, the steps required to overcome the problem and the time period for compliance.
- 8.8 You may be served with a 'Planning Contravention Notice' that requires information concerning the development carried out. This Notice is used to establish the facts of what has occurred so that the Council can determine whether a breach of control has taken place, and whether formal enforcement action is appropriate. The implications of not completing and returning the Notice will be explained to you within the notice.
- 8.9 If you are in any doubt about what is expected of you and decide not to accept the advice from the Council then we strongly recommend that you seek independent legal advice as to do nothing could result in you receiving a criminal record, a fine or a bill for works that the Council had to carry out on your behalf.

## **9 Prosecutions and Direct Action**

- 9.1 We can commence Court proceedings if a legal notice has not been complied with or works have been carried out to listed buildings, protected trees or the illegal display of advertisements. We will apply two tests in cases where a prosecution appears likely, consideration of which will be done in consultation with our legal advisors: -
- The evidential test. We will not start a prosecution unless there is sufficient, admissible and reliable evidence that the offence has been committed, and that there is a reasonable prospect of conviction.
  - The public interest test. We will only bring a prosecution where this is in the public interest, and other methods of seeking compliance with a Notice have failed. Court proceedings can take a considerable time, and further action may still be required to seek compliance with a Notice. A prosecution may be the Council's last resort, as the Council aims to resolve the breach of planning control and the harm this has caused to the neighbourhood, and not just to seek to punish those responsible for the breach of control.
- 9.2 Direct Action will be used to ensure remedial works are undertaken to secure satisfactory compliance with an enforcement notice. When we decide to take direct action the Council, or contractors on our behalf, enter the land and carry out the requirements that were stated in the notice. Following the completion of the works we will seek to recover our reasonable costs from the landowner and where this cannot be done immediately we will register a charge on the land.

## 10 Monitoring Planning Conditions and Planning Obligations (section 106 agreements)

### Conditions on Planning Permissions

- 10.1 Planning permission may be granted subject to certain conditions. Some of these may require that details or action be taken before any development takes place. These are pre-development conditions. Others may require action at a later stage during development or when development is complete. It is important that these conditions are complied with and discharged at the appropriate time in order that the permitted development proceeds in accordance with the approved plans and details. The reason the Council does this is because if planning conditions are not complied at the correct time then when a property is sold in the future the non-compliance of a planning condition can at best lead to delays in the sale of the property and, at worst, lead to the collapse of the sale if it is discovered that old planning permissions have become null and void.
- 10.2 The Council's Compliance and Enforcement Team will pro-actively monitor pre-development conditions on residential developments. Other conditions will be monitored re-actively, that is when we receive complaints that a condition may have been breached. The Council will monitor compliance with conditions as follows:

### Pre-development conditions

- 10.3 These conditions require details or action before any work commences on the development. Failure to comply with pre-development conditions before development commences may invalidate the planning permission and/or lead to enforcement action. Case law has defined two types of pre-development conditions:
- Conditions Precedent: where failure to discharge these conditions before starting development means that they can never be discharged, e.g. demolishing a building before undertaking a bat survey and devising appropriate mitigation if necessary; and
  - Ordinary Conditions: which may state that details should be submitted before commencement but can still be discharged after commencement, e.g. submission of landscaping details and those approved details to be implemented in the first planting season after completion of the building works.
- 10.4 If there are outstanding pre-development conditions then we will take action as follows:
- If the outstanding details can be approved without invalidating the whole planning permission, then we will require that these be submitted within a certain time. The developer will be informed that any further work would be at risk until these details are approved. If no details are submitted then we may serve a formal notice, usually a Breach of Condition Notice or Temporary Stop Notice, to ensure compliance.
  - If it is considered that the pre-development condition is a Condition Precedent, then it cannot be discharged retrospectively; this means that the planning permission does not authorise the works and we may require all further works to cease on site until a new planning application is received, granted and appropriate conditions discharged. A Temporary Stop Notice followed by an

Enforcement Notice and Stop Notice may also be served to ensure that no further work takes place, if it is considered expedient to do so.

- 10.5 Usually developments require building regulation approval as well as planning permission. From building control records we can check when certain developments have started, where the Council is carrying out the Building Control Service. Where an Approved Inspector is used for the Building Control Service we would check on site for works commencing. We will check that all pre-development conditions attached to the planning permission have been discharged and complied.

#### **Conditions to be discharged during development**

- 10.6 Compliance with conditions will be monitored as development progresses either by the Planning Officer or the Compliance and Enforcement Team to ensure that work progresses in accordance with approved plans and details. For example approval of materials and landscaping schemes.

#### **Conditions following completion**

- 10.7 Once the development is complete, monitoring of conditions would usually be as a result of a complaint received, for example that hours of operation of the approved business are not in accordance with the hours permitted by a condition to the planning permission. This would be investigated as an alleged breach of planning control and may lead to a Temporary Stop Notice, Breach of Condition Notice or Enforcement Notice being served.
- 10.8 If a decision is required as to whether a development is lawful, and has been built in accordance with a planning permission, an owner or occupier can apply for a Certificate of Lawful Development, which if granted would prove lawfulness.

#### **Planning Obligations (section 106 agreements)**

- 10.9 Planning obligations are Planning Agreements or Unilateral Undertakings that relate to a development and aim to make the development acceptable in planning terms. These are also known as Section 106 Agreements and are made between the Local Planning Authority and a developer. Unilateral undertakings are made by the developer. Both aim to make proposed development acceptable and accord with planning policies. Such obligations may restrict development or use of land, may require certain operations to be carried out, or may require payments to be made to the Authority.
- 10.10 The Council monitors the planning obligations to ensure that operations are carried out and payments made within the required timescales. Planning obligations run with the land so if the terms of an obligation are not complied with any enforcement action may be taken against persons acquiring an interest in the land.
- 10.11 Should there be a breach of a formal obligation there are three methods of enforcement open to the Council:
- We can apply to the Court for an Injunction. The Council must prepare a high level of evidence to convince a judge that an injunction is necessary. Failure to comply with an injunction can lead to an unlimited fine and/or imprisonment. However please note that if the legal agreement was to provide a contribution towards affordable housing our only remedy will be to seek an injunction and therefore if

you do not pay any instalments once prompted the Council will have little choice but to seek an injunction.

- We can enter the land to complete works and will seek to recover costs where certain operations or works have not been carried out, but must give at least 21 days' notice of our intention.
- We may place a charge on the land in order to assist the Council in proceedings to recover costs incurred.

## **11 Enforcement of Advertisements, Listed Buildings and Protected Trees**

### **Advertisements**

- 11.1 The display of advertisements is controlled under the Town and Country Planning (Control of Advertisements) Regulations 2007. Advertisements are divided into three main groups:
- Those advertisements that the regulations exclude from local planning authority direct control.
  - Those that have 'deemed consent' so that the planning authority's consent is not required provided the advertisement meets certain criteria.
  - Those for which the local planning authority's 'express consent' is needed.
- 11.2 The rules seek to control amongst other things the height, size and illumination of advertisements; advertisers should seek professional advice before displaying their adverts. This advice can be provided from our planners through our planning advice service <https://www.ashfield.gov.uk/residents/planning-building-control-and-land-charges/pre-application-advice/>. Our advice can confirm whether consent is required, whether consent is likely to be granted and liaise with other bodies where necessary such as Nottinghamshire County Council as the Highways Authority.
- 11.3 It is an offence to display an advert without the proper consent required and it is open to the Council to take a prosecution in the Magistrates Court for an offence under Section 207 of the Town and Country Planning (Display of Advertisements) Regulations 2007. An advert that has been displayed for more than ten years is immune from enforcement action but could be subject to a discontinuance notice.
- 11.4 The Planning Compliance and Enforcement Team will pro-actively target unauthorised roadside advertising, where we will seek to remove unauthorised advertisements adjoining the roads within Ashfield District and which are causing harm to the amenity or public safety of the area and have a significant adverse visual impact.
- 11.5 The Council will in most instances provide the business with the opportunity to remedy the breach if it is a first offence. The business might seek pre application advice or apply for advertisement consent during any set period provided to them in an attempt to remedy the breach. An application to display an advertisement is decided in the interests of amenity and public safety. The continued display of an advertisement without consent, or after consent has been refused, may well result in prosecution, although a right to appeal against any refusal exists. On conviction a fine may be imposed by the Court with an additional daily fine on conviction of a continuing offence.

- 11.6 The Council can remove or obliterate any placard or poster displayed illegally. We are required to give at least two days' notice in writing, or other appropriate format, to anyone we can identify as being responsible for displaying unauthorised placards or posters that it is our intention to do this. The Council can also remove advertisement display structures providing it has first served a section 225A Notice ("Removal Notice").

### Listed Buildings

- 11.7 The Council attaches particular importance to ensuring that any alterations to listed buildings are properly authorised. The statutory provisions for the preservation of buildings of special architectural or historic interest are contained in the Listed Buildings and Conservation Areas legislation.
- 11.8 It is an offence under the legislation to carry out unauthorised works to a listed building which would affect its character. The owner of a listed building or those who have an interest in the property or who have carried out the works may be prosecuted by the Council irrespective of whether consent is later obtained retrospectively or the unauthorised works later made satisfactory. A person found guilty of an offence may be liable to a **substantial fine**, and/or a term of **imprisonment**. There is no time limit upon the Council to pursue Listed Building Enforcement Action.
- 11.9 A Listed Building Enforcement Notice may also be served requiring remedial works to the building within a certain time scale. There is a right of appeal to the Planning Inspectorate but failure to comply with the Notice is an offence, which is liable to a substantial fine on summary conviction.
- 11.10 Often people can get confused whether certain types of building works require listed building consent or whether the land that they are considering carrying out works is listed due to its close proximity to listed buildings. We always recommend to seek advice using our planning advice service to avoid inadvertently committing a criminal offence <https://www.ashfield.gov.uk/residents/planning-building-control-and-land-charges/pre-application-advice/>.

### Protected Trees

- 11.11 Under the Town and Country Planning legislation the local planning authority has the right to make provision for the preservation of trees in their area by making Tree Preservation Orders. Any unauthorised works to such protected trees is an offence, which is liable, on summary conviction, to a substantial fine under the legislation.
- 11.12 Trees in Conservation Areas are also afforded a degree of protection under the planning legislation. Unauthorised work to and/or removal of such trees constitutes an offence. However the Council will exercise discretion in deciding whether or not it is appropriate to pursue prosecution.
- 11.13 In addition to the criminal penalties for unauthorised works to protected trees, the landowner is also under a duty to replace a protected tree that has been removed. If this is not complied with the Council may serve a Tree Replacement Notice requiring a new tree to be planted or the Council may do the work and recover costs from the landowner.

## **12 Contact details**

- 12.1 The Compliance and Enforcement Team can be contacted at the Council Offices, Urban Road, Kirkby in Ashfield, Nottingham NG17 8DA, telephone 01623 457388 or email [planning.admin@ashfield.gov.uk](mailto:planning.admin@ashfield.gov.uk).



# Agenda Item 8



<b>Report To:</b>	<b>CABINET</b>	<b>Date:</b>	<b>27th JANUARY 2020</b>
<b>Heading:</b>	<b>FEES AND CHARGES 2020/21</b>		
<b>Portfolio Holder:</b>	<b>COUNCILLOR DAVID MARTIN – PORTFOLIO HOLDER FOR FINANCE</b>		
<b>Ward/s:</b>	<b>ALL WARDS</b>		
<b>Key Decision:</b>	<b>YES</b>		
<b>Subject to Call-In:</b>	<b>YES</b>		

## **Purpose of Report**

Each year the Council reviews its Fees and Charges as part of setting its Annual Budget. In doing so it considers levels of service demand, inflation and how fees and charges in Ashfield compare with neighbouring Councils. Any increases aim to cover, as a minimum, the inflationary cost of service provision. Increases in fees and charges also contribute to closing the funding gap (the planned expenditure for the year less the resources available to fund that expenditure).

The Council has also adopted a Commercial Enterprise Strategy for Ashfield, of which one of the aims is to 'develop and grow business initiatives and maximise the return from our trading services.' The income from this is to support the Council as it continues to face funding pressures and increasing service demand.

Provisional Fees & Charges proposals have been included in the draft Budget currently being prepared for 2020/21.

All fees and charges discussed in the report are contained within the Council's Fees and Charges booklet.

## **Recommendation(s)**

Agree the revised Fees & Charges proposals for 2020/21 with all applicable increases taking effect as soon as practically possible after 1 April 2020.

## **Reasons for Recommendation(s)**

Additional income generated will meet the inflationary costs of service provision and contribute towards the Council's saving targets and continue to support the financing of a range of services to Ashfield residents and businesses. In addition, an annual review of fees and charges is part of sound financial management practise and a requirement of the Council's Financial Regulations.

## **Alternative Options Considered (With Reasons Why Not Adopted)**

Where applicable, alternative options are presented for consideration.

## **Detailed Information**

### **INTRODUCTION**

In accordance with sound financial practice, it is already a requirement to undertake an annual review of fees and charges. This exercise is carried out as part of the budget process each year.

### **APPROACH**

Managers have been asked to consider and propose revised fees and charges taking into account the following factors.

- i) Market conditions;
- ii) Increases in costs incurred by the Council in delivering the service;
- iii) Charges levied by the private sector where applicable;
- iv) Restrictions due to any contractual arrangement.

Some fees and charges are set by the Government. As the Council is unable to amend these charges they are excluded from the review.

### **PROPOSALS BY DIRECTORATE**

Proposed fee revisions are shown in the remainder of the report by Directorate. These are summarised in the 2020/21 fees and charges booklet attached to this report as Appendix 1.

### **PLACES AND COMMUNITIES DIRECTORATE**

#### **Planning**

Planning fees are set by legislation so cannot be varied as part of this review.

#### **Land Charges**

These charges are discretionary but have to remain competitive with the market as a similar (but generally satisfactory for most needs) service can be obtained from personal search companies.

Following the previous review when the Council revised commercial fees in line with the residential product, fees are now split into two categories:

- 1) Full search – which comprises an LLC1 and CON29R.
- 2) Individual enquiries – The price for these has been individually set to take into account the work required to prepare the response.

Some increases are proposed for individual CON29 enquiries (+10%).

### **Commercial Rents**

There are individual agreements for all commercial premises and these agreements dictate when a rent review is due. The rent proposed for each unit is dependent upon the current market values for comparable premises in similar areas and there is only scope for an increase if at the point of rent review or lease renewal, market values are higher than those currently being paid.

### **Street naming and Numbering**

There are no plans to raise charges for 2020/21.

### **Markets**

Price resistance continues to be a significant issue for Markets, with occupancy levels fluctuating and traders seeking towns offering the greatest footfall.

The Authority continues to offer a number of initiatives to improve occupancy at our markets and use our added value events to promote our towns to new traders, and shoppers alike. Nationally Market traders are reducing, and the Council is not immune to this trend.

### **Indoor Markets**

Indoor Market charges are set on a commercial basis and current charges have been developed in parallel with the capital investment in the Sutton Indoor Market.

### **Licences, Registrations, Permits and Consents**

A large proportion of the licences, registrations and permits issued are statutory so pricing structures are prescribed. For licences, registrations and permits that are discretionary, fees are set to cover the costs of providing the service. Such licence fees are monitored with the aim of achieving full cost recovery. This includes reviewing processes to reduce processing time, increasing fees if necessary and looking at charging for activity that is not currently charged for where it is appropriate to levy a charge for this activity.

A number of licences relating to Animal Boarding establishments have been revised from one year to three year licences.

### **Pest Control Fees and Charges**

The Pest Control service has had notable success in attracting business from outside of the District. In order for the service to become self-financing a two tier increase is proposed, 5% within Ashfield, and 10% outside of the District, reflecting the additional costs of travelling.

### **Dog Control Fees**

Part of the Dog Control fee is statutory, and the rest of the charge is set by the Council. A previous review showed that an increase in fees was likely to result in the loss of fee paying customers. No rise is planned for 2020/21.

### **Penalty Notices**

These are fees associated with the Clean Neighbourhoods and Environment Act 2005. Fees are mostly set by the Government although the Council does have some discretion in respect of early fee payment. The fee is in line with that charged by neighbouring authorities so there are no proposals to change the early payment fee at this point. Details of these charges can be found in the attached booklet.

### **Cemeteries**

Cemetery fees and charges were reviewed and increased accordingly in 2017/18 to bring them closer in line with neighbouring Authorities. The proposed changes for 2020/21 will see Ashfield maintain this position. A number of miscellaneous charges in respect of such things as late arrival on site and transfer of exclusive rights have been included. Ashfield is one of the few Councils that has not previously imposed such charges, and the proposed fees are low compared to other Authorities.

### **Leisure Centres**

The fees for the Leisure Centres are set by the contractor Sports and Leisure Management Ltd (SLM), as long as they remain within the parameters of the overall contract and the Council is consulted on proposals.

SLM are free to set prices within the parameters of the prevailing Consumer Price Inflation (CPI) % rate (September of the previous year for all CPI %), however, if they wish to exceed CPI, the Authority's consent is required.

### **MOT tests**

The price is currently £40 for a class IV test, £45 for a class VII test and £10 for a retest. These prices are comparable with local competition and it is not intended to increase them.

### **Trade Waste**

Under the Environmental Protection Act, the Council is obliged to provide a commercial waste collection service if requested by local businesses and can make a 'reasonable' charge for the service. The Council aims to provide a quality and reliable service which is efficient and highly valued by our commercial customers. The Trade Waste prices for 2020/21 have been proposed, including a charge for a recycling service. As Trade Waste charges are commercially sensitive these have been excluded from the Appendix to this report.

### **Special Collections (Bulky /domestic items)**

Small increases are proposed for the collection and disposal of Bulky waste items.

### **Garden Waste**

For 2020/21 it is proposed to retain these at the same levels as for 2019/20, i.e. £28 for the subscription, and £14 for each additional bin.

### **Parks and Outdoor Recreation charges**

Various rises are proposed. These are detailed in the attached Appendix.

## **HOUSING AND ASSETS**

### **Car Parking Fees**

Revised parking charges are due to be implemented on 18<sup>th</sup> May 2020, when the new Parking Order becomes effective. The proposed increases for Parking permits fall outside of the Parking Order.

### **Community Centres**

The facilities provided by Community Centres are well received by the community groups that utilise them but occupancy rates do vary from centre to centre and are low in some cases, therefore affecting income levels. Some small increases are planned for 2020/21.

### **Private Sector Call Monitoring Service**

This is a non-statutory service, first established by Ashfield Homes, and run on a commercial basis. It is not proposed to increase these charges.

### **RESOURCES AND BUSINESS TRANSFORMATION DIRECTORATE**

Council Tax and Business Rates court costs for summons and liability orders. If a charge payer does not pay their Council Tax or Business Rates despite an issue of a final notice, the next stage of recovery is Magistrates' Court action to summons and seek a liability order so that further recovery action can be taken.

Councils are allowed to add their costs to this process which is recoverable from the charge payer. There are no plans to increase these costs in 2020/21.

### **Mansfield and District Joint Crematorium Committee**

The above Joint Crematorium is owned jointly by Ashfield, Mansfield and Newark & Sherwood District Councils. For the purposes of profit sharing, Ashfield's share stands at around 40%.

The proposed fees for 2020/21 have not yet been determined by the Joint Committee.

### **LEGAL AND GOVERNANCE DIRECTORATE**

S106 agreement fees are proposed at £1,000. A number of new legal fees are proposed. These are detailed in the attached Appendix. These minimum recovery and charge out rates will apply in all cases unless an exception applies. Where a particular case is complex and the time spent on the matter exceeds the minimum charge set, the Council will charge the hourly rate of the Fee Earner working on the case. All costs associated with litigation matters will be recovered using the hourly rates of the Fee Earners set out in the Appendix. Unless itemised in the Appendix or otherwise agreed in advance, all other external or third party work, excepting those areas where there are charging prohibitions or protocols in force, will be charged on an hourly basis at the rates given in the Appendix.

The fees relating to providing copies of Electoral Registers are proposed to remain at current levels.

### **Corporate Plan:**

Income from fees and charges support delivery of priorities in the Corporate Plan.

### **Legal:**

All fees need to be set within the constraints of any relevant legislation.

### **Finance:**

<b>Budget Area</b>	<b>Implication</b>
General Fund – Revenue Budget	The impact of the revised fees and charges will be reflected in the update to the Medium Term Financial Strategy and the Budgets set for 2020/21.
General Fund – Capital Programme	N/A
Housing Revenue Account – Revenue Budget	The impact of the revised fees and charges will be reflected in the update to the HRA Business Plan and the HRA Budgets set for 2020/21.

Housing Revenue Account – Capital Programme	N/A
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**Risk:**

Risk	Mitigation
Where fees and charges have increased there is a possibility of an adverse impact on demand.	Any proposed increase in fees and charges is deemed reasonable and the potential impact on demand has been considered when determining the proposed revised fees. Performance against 2020/21 budgeted fees and charges income targets will be monitored throughout the year with any variations to budget being reported to CLT and Cabinet.

**Human Resources:**

No direct HR implications arising from the report.

**Equalities** *(to be completed by the author):*

No direct equalities implications arising from the report.

**Other Implications:**

None

**Reason(s) for Urgency (if applicable):**

N/A

**Background Papers**

N/A

**Report Author and Contact Officer**

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**APPENDIX 1**

**ASHFIELD DISTRICT COUNCIL**  
**FEES AND CHARGES 2020/21 (PROPOSED)**

**Legal & Governance**

<b>Electoral Registration</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
Sale of Full Register - Data (£20 plus £1.50/1000 electors)	161.00	0.00	161.00	NB
Sale of Full Register - Printed (£10 plus £5.00/1000 electors)	480.00	0.00	480.00	NB
Sale of Edited Register - Data	87.50	0.00	87.50	NB
Sale of Edited Register - Printed	235.00	0.00	235.00	NB
Monthly update of Full Register for a year - Data	193.50	0.00	193.50	NB
Monthly update of Full Register for a year - Printed	135.00	0.00	135.00	NB
Sale of Overseas Register - Data (£20 plus £1.50/100 electors)	23.00	0.00	23.00	NB
Sale of Overseas Register - Printed (£10 plus £5.00/100 electors)	20.00	0.00	20.00	NB
Marked copies of the Polling station/Absent voter Register - Initial Charge	10.00	0.00	10.00	NB
Marked copies - Additional charge / 1000 electors - Data	1.00	0.00	1.00	NB
Marked copies - Additional charge / 1000 electors - Printed	2.00	0.00	2.00	NB

<b>Legal</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
<b>Planning matters</b>				
Section 106 Agreements	1,000.00	0.00	1,000.00	NB
Deeds of Variation/Modification	800.00	0.00	800.00	NB
Stopping up/diversion orders (non-contentious only)	400.00	0.00	400.00	NB

<b>Hourly charge out rates - NEW</b>				
Service manager, Legal Services	100.00	20.00	120.00	SR
Senior Solicitor	90.00	18.00	108.00	SR
Assistant Solicitor	85.00	17.00	102.00	SR
Legal Executive	70.00	14.00	84.00	SR
Information Officers/Administration Officer	30.00	6.00	36.00	SR

<b>Contracts - NEW</b>				
Deeds of Variation and/or Novation	350.00	70.00	420.00	SR
Sealing and Administration Fee	100.00	20.00	120.00	SR

All other contracts for third party matters	350.00	70.00	420.00	SR
Sealing and Administration Fee	100.00	20.00	120.00	SR

<b>Conveyancing Transactions - NEW</b>				
<b>Commercial and Shop Lettings - Large Commercial premises</b>				
Assignments	600.00	120.00	720.00	SR
New Lettings	700.00	140.00	840.00	SR

**APPENDIX 1**

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Variations	700.00	140.00	840.00	SR
Lease Notice	70.00	14.00	84.00	SR
<b>Commercial and Shop Lettings - Small Units</b>				
Assignments	300.00	60.00	360.00	SR
New Lettings	350.00	70.00	420.00	SR
Variations	350.00	70.00	420.00	SR
Lease Notice	70.00	14.00	84.00	SR

<b>Other Conveyancing Transactions - NEW</b>				
Sale of land and/or property	1.5% of sale price subject to a minimum charge of £350. Transactions of over £1 million to be agreed separately.			
Purchase of land and/or property	1.5% of purchase price subject to a minimum charge of £350. Transactions of over £1 million to be agreed separately.			
Development agreements	Minimum of £1,000 or Hourly Rate of Fee Earner depending upon complexity			
Freehold reversions	350.00 - 750.00	70.00 - 150.00	420.00 - 900.00	SR
Release of covenants	350.00 - 750.00	70.00 - 150.00	420.00 - 900.00	SR
Lease extensions	350.00 - 750.00	70.00 - 150.00	420.00 - 900.00	SR
Deed of variation	350.00 - 750.00	70.00 - 150.00	420.00 - 900.00	SR
Licences	350.00 - 750.00	70.00 - 150.00	420.00 - 900.00	SR
Easements	350.00 - 750.00	70.00 - 150.00	420.00 - 900.00	SR
Surrenders	350.00 - 750.00	70.00 - 150.00	420.00 - 900.00	SR
Grant of sub - lease	350.00 - 750.00	70.00 - 150.00	420.00 - 900.00	SR
Epitome of title/certificate of title	120.00	24.00	144.00	SR

<b>Right to Buy matters - NEW</b>				
Sale of House	325.00	0.00	325.00	NB
Sale of Flat	325.00	0.00	325.00	NB
Deed of variation	325.00	0.00	325.00	NB
Letters of Postponement	125.00	0.00	125.00	NB
Lease Notice	70.00	0.00	70.00	NB

<b>Information Requests - NEW</b>				
CCTV Requests from third parties for legal purposes:	50.00	0.00	50.00	NB
FOI requests (where compliance exceeds £450): Costs of communicating the information (where estimated total cost exceeds £5.00): Charged in line with disbursements (see below)	£20.00 per hour			

<b>Pension Signings / Certifying or Signing documents NEW</b>				
Pension signings £25 plus VAT	25.00	5.00	30.00	SR

**Disbursements**



## APPENDIX 1

### ASHFIELD DISTRICT COUNCIL FEES AND CHARGES 2020/21 (PROPOSED)

All disbursements will be charged for in the usual way and will include ( but are not limited to ) :-  
counsel's fees, enquiry agents and process servers fees, expert's fees, advertising costs, court  
fees, photocopying charges\*.

\*Copying charges for third parties (unless bound by statutory provision) are discretionary  
dependent upon the number of pages copied and whether any large or complex plans are  
included.

As a guide - each A4 sheet will incur a copy charge of 0.10 pence. Other sizes or specialised  
requests will vary.

Information sent via CDR / DVDR will be charged at £3 per disc. Postage charges for all items  
will be at the prevailing Royal Mail rate based on the weight of the item posted.

#### Housing & Assets

##### Car Parking - Off Street

Motorcycles and disabled persons' vehicles may park within appropriately marked bays free of charge. Taxis may wait for fares in the taxi ranks free of charge.
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<b>Parking Permits (season tickets)</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
Parking permits- per quarter	116.67	23.33	140.00	SR
Parking permits- per annum	416.67	83.33	500.00	SR

<b>Short Stay Car Parks</b>					
<b>Hucknall - Market Place</b>	<b>Kirkby-in-Ashfield, Ellis Street</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
8am to 6pm Monday to Saturday inclusive, excluding Bank Holidays but including Good Friday. No continuous parking to exceed 2 hours. Return prohibited within 4 hours.					
Up to 1 hour		0.00	0.00	0.00	SR
Up to 2 hours		0.50	0.10	0.60	SR

<b>Medium Stay Car Parks</b>					
<b>Hucknall - Piggins Croft</b>	<b>Sutton-in-Ashfield - Sutton Market (North and South)</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
8am to 6pm Monday to Saturday inclusive, excluding Bank Holidays but including Good Friday. No continuous parking to exceed 4 hours. Return prohibited within 2 hours.					
Up to 1 hour		0.00	0.00	0.00	SR
Up to 2 hours		0.50	0.10	0.60	SR
Up to 4 hours		1.67	0.33	2.00	SR

<b>Long Stay Car Parks</b>					
<b>Hucknall - Yorke Street, Kirkby-in-Ashfield - Hodgkinson Road, Festival Hall and Sutton-in-Ashfield - Stoney Street and New Street</b>		<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
8am to 6pm Monday to Saturday inclusive, excluding Bank Holidays but including Good Friday. No continuous parking to exceed 12 hours.					
Up to 1 hour		0.00	0.00	0.00	SR
Up to 2 hours		0.50	0.10	0.60	SR
Up to 4 hours		1.67	0.33	2.00	SR
Over 4 hours		3.33	0.67	4.00	SR

<b>Kings Mill Reservoir Car Park - NEW</b>					
		<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
Up to 1 hour		0.00	0.00	0.00	SR

**APPENDIX 1**

**ASHFIELD DISTRICT COUNCIL**  
**FEES AND CHARGES 2020/21 (PROPOSED)**

For every 2 hours thereafter	0.83	0.17	1.00	SR
<b>Penalty Charge Notices</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
Car Park Contravention - HIGHER	70.00	0.00	70.00	NB
If paid within 14 Days	35.00	0.00	35.00	NB
Car Park Contravention - LOWER	50.00	0.00	50.00	NB
If paid within 14 Days	25.00	0.00	25.00	NB

**Community Centres**

	Net (£)	VAT (£)	Total (£)	VAT Rate
Music Supplement for any group that play live or recorded music. Price per session	5.83	1.17	7.00	SR

**Healdswood, Harwood Court, The Homesteads Main Room, Watnall Road Ballroom, Willetts Court Main Room**

<b>Monday - Friday up to 6pm</b>	Net (£)	VAT (£)	Total (£)	VAT Rate
Community Rate per Hour	7.50	0.00	7.50	E
Social Rate per Hour	14.00	0.00	14.00	E
Commercial Rate per Hour	19.00	0.00	19.00	E

<b>Monday - Friday after 6pm</b>	Net (£)	VAT (£)	Total (£)	VAT Rate
Community Rate per Hour	7.50	0.00	7.50	E
Social Rate per Hour	15.50	0.00	15.50	E
Commercial Rate per Hour	20.00	0.00	20.00	E

<b>Saturday, Sunday, Bank Holidays &amp; A.D.C Concessionary Holidays up to 6pm</b>	Net (£)	VAT (£)	Total (£)	VAT Rate
Community Rate per Hour	7.50	0.00	7.50	E
Social Rate per Hour	19.00	0.00	19.00	E
Commercial Rate per Hour	33.00	0.00	33.00	E

<b>Saturday, Sunday, Bank Holidays &amp; A.D.C Concessionary Holidays after 6pm</b>	Net (£)	VAT (£)	Total (£)	VAT Rate
Community Rate per Hour	7.50	0.00	7.50	E
Social Rate per Hour	23.50	0.00	23.50	E
Commercial Rate per Hour	38.00	0.00	38.00	E

**The Beeches, Brierley House, Healdswood Small Room, The Homesteads Small Room, Mill House, The Poplars, Watnall Road Games room, Willetts Court Small Room**

<b>Monday - Friday up to 6pm</b>	Net (£)	VAT (£)	Total (£)	VAT Rate
Community Rate per Hour	5.00	0.00	5.00	E
Social Rate per Hour	9.00	0.00	9.00	E
Commercial Rate per Hour	12.50	0.00	12.50	E

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<b>Monday - Friday after 6pm</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
Community Rate per Hour	5.00	0.00	5.00	E
Social Rate per Hour	11.00	0.00	11.00	E
Commercial Rate per Hour	14.00	0.00	14.00	E

<b>Saturday, Sunday, Bank Holidays &amp; A.D.C Concessionary Holidays up to 6pm</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
Community Rate per Hour	5.00	0.00	5.00	E
Social Rate per Hour	16.00	0.00	16.00	E
Commercial Rate per Hour	24.00	0.00	24.00	E

<b>Saturday, Sunday, Bank Holidays &amp; A.D.C Concessionary Holidays after 6pm</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
Community Rate per Hour	5.00	0.00	5.00	E
Social Rate per Hour	18.50	0.00	18.50	E
Commercial Rate per Hour	33.00	0.00	33.00	E

**Private Sector Call Monitoring Service**

<b>Call Monitoring</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
Call Monitoring Charge	3.85	0.77	4.62	SR
Telecare Monitoring Charge	2.00	0.40	2.40	SR
Installation Charge	9.99	2.00	11.99	SR

**Private Sector Licensing**

	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
<b>Selective Licensing</b>	350.00	0.00	350.00	NB
<b>Houses of Multiple Occupation (HMO)</b>				
HMO Pre Licence advice visit	250.00	0.00	250.00	NB
Initial Basic licence fee (covering premises of up to 6 persons maximum permitted occupancy)	700.00	0.00	700.00	NB
For each additional person (maximum permitted occupancy)	50.00	0.00	50.00	NB
Basic License Renewal (up to 6 persons)	450.00	0.00	450.00	NB
Renewal charge for each additional person	50.00	0.00	50.00	NB
Variation to a licence (simple)	100.00	0.00	100.00	NB
Replacement licence	100.00	0.00	100.00	NB
Issue of first Temporary Exemption Notice	250.00	0.00	250.00	NB
Issue of second Temporary Exemption Notice	100.00	0.00	100.00	NB

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**FEES AND CHARGES 2020/21 (PROPOSED)**

**Street Naming and Numbering**

<b>New Addresses</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
Assign Number/naming of new properties		Free		
Notification number/name of new address (first 5 plots) per plot	35.00	0.00	35.00	NB
Notification number/name of new address (additional plots) per plot	15.00	0.00	15.00	NB
Additional charge for the naming of a street	115.00	0.00	115.00	NB
Additional charge for the naming of a building (block of flats)	115.00	0.00	115.00	NB

<b>Existing Addresses</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
Individual House Name including notification - per plot	65.00	0.00	65.00	NB
Re-name or Re-number including notification - per plot	65.00	0.00	65.00	NB
Rename of Street requested by residents including notification	200.00	0.00	200.00	NB
Additional charge per property for rename of street	65.00	0.00	65.00	NB

<b>Geographic Information Services</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
Local Street Maps	1.25	0.00	1.25	NB
Local Street Maps - set of 5	5.00	0.00	5.00	NB

**Place & Communities**

**Pest Control Service**

<b>Domestic Pest Control Charges</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
Rats - up to 3 visits - <b>In District</b>	58.63	11.73	70.35	SR
Rats - up to 3 visits - <b>Out of District</b>	61.42	12.28	73.70	SR
Rats - additional visits (each) - <b>In District</b>	30.63	6.13	36.75	SR
Rats - additional visits (each) - <b>Out of District</b>	32.08	6.42	38.50	SR
Mice - up to 3 visits - <b>In District</b>	58.63	11.73	70.35	SR
Mice - up to 3 visits - <b>Out of District</b>	61.42	12.28	73.70	SR
Mice - additional visits (each) - <b>In District</b>	30.63	6.13	36.75	SR
Mice - additional visits (each) - <b>Out of District</b>	32.08	6.42	38.50	SR
Bedbugs - up to 2 visits - <b>In District</b>	120.75	24.15	144.90	SR
Bedbugs - up to 2 visits - <b>Out of District</b>	126.50	25.30	151.80	SR
Bedbugs - additional visits (each) - <b>In District</b>	65.63	13.13	78.75	SR
Bedbugs - additional visits (each) - <b>Out of District</b>	68.75	13.75	82.50	SR
Fleas - up to 2 visits - <b>In District</b>	70.00	14.00	84.00	SR
Fleas - up to 2 visits - <b>Out of District</b>	73.33	14.67	88.00	SR
Fleas - additional visits (each) - <b>In District</b>	35.00	7.00	42.00	SR
Fleas - additional visits (each) - <b>Out of District</b>	36.67	7.33	44.00	SR

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Wasps - <b>In District</b>	50.75	10.15	60.90	SR
Wasps - <b>Out of District</b>	53.17	10.63	63.80	SR
Bees (if treated) - <b>In District</b>	50.75	10.15	60.90	SR
Bees (if treated) - <b>Out of District</b>	53.17	10.63	63.80	SR
Ants - up to 2 visits - <b>In District</b>	74.38	14.88	89.25	SR
Ants - up to 2 visits - <b>Out of District</b>	77.92	15.58	93.50	SR
Ants - additional visits (each) - <b>In District</b>	39.38	7.88	47.25	SR
Ants - additional visits (each) - <b>Out of District</b>	41.25	8.25	49.50	SR
Cockroaches - up to 2 visits - <b>In District</b>	58.63	11.73	70.35	SR
Cockroaches - up to 2 visits - <b>Out of District</b>	61.42	12.28	73.70	SR
Cockroaches - additional visits (each) - <b>In District</b>	30.63	6.13	36.75	SR
Cockroaches - additional visits (each) - <b>Out of District</b>	32.08	6.42	38.50	SR
Other insect pests - up to 2 visits - <b>In District</b>	74.38	14.88	89.25	SR
Other insect pests - up to 2 visits - <b>Out of District</b>	77.92	15.58	93.50	SR
Other insect pests - additional visits (each) - <b>In District</b>	39.38	7.88	47.25	SR
Other insect pests - additional visits (each) - <b>Out of District</b>	41.25	8.25	49.50	SR
Moles assessment - <b>In District</b>	21.88	4.38	26.25	SR
Moles assessment - <b>Out of District</b>	22.92	4.58	27.50	SR
Pigeons assessment - <b>In District</b>	21.88	4.38	26.25	SR
Pigeons assessment - <b>Out of District</b>	22.92	4.58	27.50	SR
Squirrels assessment - <b>In District</b>	21.88	4.38	26.25	SR
Squirrels assessment - <b>Out of District</b>	22.92	4.58	27.50	SR
Initial assessment visit / Cancellation fee (credited against subsequent treatment) - <b>In District</b>	21.88	4.38	26.25	SR
Initial assessment visit / Cancellation fee (credited against subsequent treatment) - <b>Out of District</b>	22.92	4.58	27.50	SR

<b>Commercial Pest Control Charges</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
Rats - up to 3 visits - In District	129.17	25.83	155.00	SR
Rats - up to 3 visits - Out of District	135.00	27.00	162.00	SR
Rats - additional visits (each) - In District	30.63	6.13	36.75	SR
Rats - additional visits (each) - Out of District	32.08	6.42	38.50	SR
Mice - up to 3 visits - In District	129.17	25.83	155.00	SR
Mice - up to 3 visits - Out of District	135.00	27.00	162.00	SR
Mice - additional visits (each) - In District	30.63	6.13	36.75	SR
Mice - additional visits (each) - Out of District	32.08	6.42	38.50	SR
Bedbugs - up to 2 visits - In District	150.83	30.17	181.00	SR
Bedbugs - up to 2 visits - Out of District	157.50	31.50	189.00	SR
Bedbugs - additional visits (each) - In District	65.63	13.13	78.75	SR
Bedbugs - additional visits (each) - Out of District	68.75	13.75	82.50	SR
Fleas - up to 2 visits - In District	92.50	18.50	111.00	SR
Fleas - up to 2 visits - Out of District	96.67	19.33	116.00	SR

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Fleas - additional visits (each) - In District	35.00	7.00	42.00	SR
Fleas - additional visits (each) - Out of District	36.67	7.33	44.00	SR
Wasps - In District	63.33	12.67	76.00	SR
Wasps - Out of District	66.67	13.33	80.00	SR
Bees (if treated) - In District	63.33	12.67	76.00	SR
Bees (if treated) - Out of District	66.67	13.33	80.00	SR
Ants - up to 2 visits - In District	92.50	18.50	111.00	SR
Ants - up to 2 visits - Out of District	96.67	19.33	116.00	SR
Ants - additional visits (each) - In District	39.38	7.88	47.25	SR
Ants - additional visits (each) - Out of District	41.25	8.25	49.50	SR
Cockroaches - up to 2 visits - In District	92.50	18.50	111.00	SR
Cockroaches - up to 2 visits - Out of District	96.67	19.33	116.00	SR
Cockroaches - additional visits (each) - In District	30.63	6.13	36.75	SR
Cockroaches - additional visits (each) - Out of District	32.08	6.42	38.50	SR
Other insect pests - up to 2 visits - In District	92.50	18.50	111.00	SR
Other insect pests - up to 2 visits - Out of District	96.67	19.33	116.00	SR
Other insect pests - additional visits (each) - In District	39.38	7.88	47.25	SR
Other insect pests - additional visits (each) - Out of District	41.25	8.25	49.50	SR
Moles assessment - In District	21.88	4.38	26.25	SR
Moles assessment - Out of District	22.92	4.58	27.50	SR
Pigeons assessment - In District	21.88	4.38	26.25	SR
Pigeons assessment - Out of District	22.92	4.58	27.50	SR
Squirrels assessment - In District	21.88	4.38	26.25	SR
Squirrels assessment - Out of District	22.92	4.58	27.50	SR
Initial assessment visit / Cancellation fee (credited against subsequent treatment) - In District	21.88	4.38	26.25	SR
Initial assessment visit / Cancellation fee (credited against subsequent treatment) - Out of District	22.92	4.58	27.50	SR

**Licensing, Permits, Registration & Consents**

<b>Hackney Carriage and Private Hire Licences</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
New Hackney Carriage & Private Hire (Dual) Driver Licence - three years *	247.20	0.00	247.20	NB
Renewal of Hackney Carriage & Private Hire (Dual) Driver Licence - three years *	212.80	0.00	212.80	NB
Deposit	0.00	0.00	0.00	NB
DVLA Check	5.00	0.00	5.00	NB
Disclosure and Barring Service (DBS) Check	44.00	0.00	44.00	NB
Replacement of lost/damaged badge	15.00	0.00	15.00	NB
Badge and bracket replacement (lost or stolen)	0.00	0.00	0.00	NB
Change of name/address on licences	15.00	0.00	15.00	NB
Driver Knowledge Test Resit Fee	44.00	0.00	44.00	NB
Safeguarding Test Resit Fee	30.00	0.00	30.00	NB

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* There is a refundable element of £48.95 should the licence not be granted.
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<b>Hackney Carriage Vehicles</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
Licence New/Renewal **	359.90	0.00	359.90	NB
Replacement	359.90	0.00	359.90	NB
Transfer (Change of Proprietor)	0.00	0.00	0.00	NB
Plate Replacement	29.00	0.00	29.00	NB
Bracket	10.00	0.00	10.00	NB

<b>Private Hire Vehicles</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
Licence New/Renewal **	344.10	0.00	344.10	NB
Replacement	344.10	0.00	344.10	NB
Plate Replacement	29.00	0.00	29.00	NB
Bracket	10.00	0.00	10.00	NB
Private Hire Vehicle Exemption Notice (from displaying plate and livery)	25.00	0.00	25.00	NB
** There is a refundable element of £34.40 should the licence not be granted.				

<b>Private Hire Vehicles Operator Fees</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
5 year licence	600.14	0.00	600.14	NB
+ Fee Per Vehicle Operated	30.00	0.00	30.00	NB

<b>Hackney Carriage/Private Hire Reinspection &amp; Other Costs</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
Vehicle retest fee	65.00	0.00	65.00	NB
Re-instate plate after prohibition at VOSA inspection plus £5 per defect with max. £65	65.00	0.00	65.00	NB
Duplicate vehicle, driver or operator licence when lost or stolen	5.00	0.00	5.00	NB
Amended vehicle, driver or operator licence change of address	15.00	0.00	15.00	NB

<b>Licensing Act 2003</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
Premises Licences and Club Premises Certificates - Initial Application	100.00 - 1,905.00	0.00	100.00 - 1,905.00	NB
Premises Licences and Club Premises Certificates - Annual Charge	70.00 - 1,050.00	0.00	70.00 - 1,050.00	NB
Application for a provisional statement where premises being built etc.	315.00	0.00	315.00	NB
Application for transfer of premises licence	23.00	0.00	23.00	NB
Replacement of stolen, lost, etc. premises licence or summary	10.50	0.00	10.50	NB
Theft, loss etc. of certificate or summary	10.50	0.00	10.50	NB
Change of relevant registered address of club	10.50	0.00	10.50	NB
Notification of change of name or alteration of rules of club	10.50	0.00	10.50	NB
Application to vary licence to specify individual as premises supervisor	23.00	0.00	23.00	NB
Application for the grant or renewal of a personal licence	37.00	0.00	37.00	NB
Temporary event notice	21.00	0.00	21.00	NB
Theft, loss etc. of temporary event notice	10.50	0.00	10.50	NB

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Notification of change of name or address	10.50	0.00	10.50	NB
Replacement of stolen, lost or damaged licences/certificates/notices/summaries	10.50	0.00	10.50	NB
Interim authority notice following death etc. of licence holder	23.00	0.00	23.00	NB
Right of freeholder etc. to be notified of licensing matters	21.00	0.00	21.00	NB

<b>Gambling Act 2005</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
Bingo New (S159) (NON TRANSITION)	1,315.00	0.00	1,315.00	NB
Bingo Provisional Statement (S159) (s204)	1,315.00	0.00	1,315.00	NB
Conversion of Provisional Statement (s159)	660.00	0.00	660.00	NB
Bingo Annual Fee (sS184)	620.00	0.00	620.00	NB
Bingo Variation of Licence (s159) (s187)	1,315.00	0.00	1,315.00	NB
Bingo Transfer of Licence (s159) (s188)	660.00	0.00	660.00	NB
Reinstatement of Licence (s159) (s195)	660.00	0.00	660.00	NB
Bingo Copy of licence (s190)	19.00	0.00	19.00	NB
Bingo Change of Circumstances (s186)	32.00	0.00	32.00	NB
Bingo Transition (s159) (Fast Track)	0.00	0.00	0.00	NB
Bingo Transition (s159) (Non Fast Track)	0.00	0.00	0.00	NB
Betting (Track) New (s159) Non transition	1,315.00	0.00	1,315.00	NB
Betting Track Provisional Statement (S159) (s204)	1,315.00	0.00	1,315.00	NB
Conversion of Provisional Statement (s159)	660.00	0.00	660.00	NB
Betting (Track) Annual Fee (s184)	620.00	0.00	620.00	NB
Betting Track Variation of Licence (s159) (s187)	1,250.00	0.00	1,250.00	NB
Betting Track Transfer of Licence (s159) (s188)	660.00	0.00	660.00	NB
Betting Reinstatement of Licence (s159) (s195)	660.00	0.00	660.00	NB
Betting Copy of licence (s190)	19.00	0.00	19.00	NB
Betting Change of Circumstances (s186)	32.00	0.00	32.00	NB
Betting Transition (s159) (Fast Track)	0.00	0.00	0.00	NB
Betting Transition (s159) (Non Fast Track)	0.00	0.00	0.00	NB
Betting Off-Course New (s159) Non transition	1,315.00	0.00	1,315.00	NB
Betting Off-Course Provisional Statement (S159) (s204)	1,315.00	0.00	1,315.00	NB
Betting Off-Course Conversion of Provisional Statement (s159)	660.00	0.00	660.00	NB
Betting Off-Course Annual Fee (s184) - <b>adjusted to maximum permitted charge</b>	600.00	0.00	620.00	NB
Betting Off-Course Variation of Licence (s159) (s187)	1,250.00	0.00	1,250.00	NB
Betting Off-Course Transfer of Licence (s159) (s188)	660.00	0.00	660.00	NB
Betting Off Course Reinstatement of Licence (s159) (s195)	660.00	0.00	660.00	NB
Betting Off-Course Copy of licence (s190)	19.00	0.00	19.00	NB
Betting Off-Course Change of Circumstances (s186)	32.00	0.00	32.00	NB
Betting Off-Course Transition (s159) (Fast Track)	0.00	0.00	0.00	NB
Betting Off-Course Transition (s159) (Non Fast Track)	0.00	0.00	0.00	NB
Adult Gaming Centre / Family Entertainment Centre (FEC) New (s159) Non transition	1,315.00	0.00	1,315.00	NB
Adult Gaming Centre / FEC Provisional Statement (S159) (s204)	1,315.00	0.00	1,315.00	NB



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Adult Gaming Centre / FEC Conversion of Provisional Statement (s159)	660.00	0.00	660.00	NB
Adult Gaming Centre / FEC Annual Fee (s184)	620.00	0.00	620.00	NB
Adult Gaming Centre / FEC Variation of Licence (s159) (s187) - <b>adjusted to maximum permitted charge</b>	1,000.00	0.00	1,000.00	NB
Adult Gaming Centre / FEC Transfer of Licence (s159) (s188)	660.00	0.00	660.00	NB
Adult Gaming Centre / FEC Reinstatement of Licence (s159) (s195)	660.00	0.00	660.00	NB
Adult Gaming Centre / FEC Copy of licence (s190)	19.00	0.00	19.00	NB
Adult Gaming Centre / FEC Change of Circumstances (s186)	32.00	0.00	32.00	NB
Adult Gaming Centre / FEC Transition (s159) (Fast Track)	0.00	0.00	0.00	NB
Adult Gaming Centre / FEC Transition (s159) (Non Fast Track)	0.00	0.00	0.00	NB

<b>Consents &amp; Registration</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
Consent Street Trading - New & Existing 12 month	1,294.00	0.00	1,294.00	NB
Consent Street Trading Standard Site - New & Existing 6mth	697.00	0.00	697.00	NB
Consent Street Trading Market Site - New & Existing 12mth	970.50	0.00	970.50	NB
Consent Street Trading Market Site - New & Existing 6mth	485.25	0.00	485.25	NB
Mobile Trading Consent - New & Existing 12mth	750.00	0.00	750.00	NB
Mobile Trading Consent - New & Existing 6mth	375.00	0.00	375.00	NB
Special Event Trading Consent (per event - per stall - max 4 stalls)	30.00	0.00	30.00	NB
Community & Charity Event Trading Consent - per event - per stall - max 4 stalls)	0.00	0.00	0.00	NB
Societies Lotteries Registration Initial	40.00	0.00	40.00	NB
Societies Lotteries Registration Renewal	20.00	0.00	20.00	NB
Copy / Replacement of lost / stolen licence	5.00	0.00	5.00	NB

<b>Other Licences</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
Control of sex establishments	3,606.00	0.00	3,606.00	NB
Massage and Special Treatment	200.00	0.00	200.00	NB
Additional Charge on first application where LASERs used	180.00	0.00	180.00	NB
Additional Charge on renewal where LASERs used	90.00	0.00	90.00	NB
Dangerous wild animals	945.00	0.00	945.00	NB
Pet shop licences	400.00	0.00	400.00	NB
Dog breeding establishments	400.00	0.00	400.00	NB
Animal boarding establishments	400.00	0.00	400.00	NB
Animal home boarding establishments	330.00	0.00	330.00	NB
Boarding (Franchisee – per Host premises)	280.00	0.00	280.00	NB
Riding establishments	450.00	0.00	450.00	NB
Animal Activity Licence - Exhibition of Animals New / Renew (3 Year Licence) <b>NEW</b>	400.00	0.00	400.00	NB
Copy / Replacement of lost / stolen licence	5.00	0.00	5.00	NB
Reassessment of Star Rating	105.00	0.00	105.00	NB
Minor Amendment of Licence	25.00	0.00	25.00	NB

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Variation to Licence	175.00	0.00	175.00	NB
Combined Animal Activities (i.e. more than 1 type of licence applied for)	145.00 plus Licence fee for highest priced activity	0.00	145.00 plus Licence fee for highest priced activity	NB
Duplicate copy of Licence	15.00	0.00	15.00	NB

Registrations	Net (£)	VAT (£)	Total (£)	VAT Rate
<b>Acupuncture, tattooing, ear piercing and electrolysis:</b>				
- Registration of persons	97.00	0.00	97.00	NB
- Registration of premises	147.00	0.00	147.00	NB
Scrap metal site licence - <b>NEW</b>	195.00	0.00	195.00	NB
Scrap metal collectors licence - <b>NEW</b>	132.00	0.00	132.00	NB
Scrap metal site licence - renewal	195.00	0.00	195.00	NB
Scrap metal collectors licence - renewal	132.00	0.00	132.00	NB
Scrap metal site licence - variation	62.00	0.00	62.00	NB
Scrap metal collectors licence - variation	68.00	0.00	68.00	NB
Copy / Replacement of lost / stolen licence	5.00	0.00	5.00	NB

**Dog Control**

Release of seized dog - initial release fee:	Net (£)	VAT (£)	Total (£)	VAT Rate
Day one	60.00	0.00	60.00	NB
Day two	70.00	0.00	70.00	NB
Day three	85.00	0.00	85.00	NB
Day four	95.00	0.00	95.00	NB
Day five	110.00	0.00	110.00	NB
Day six	120.00	0.00	120.00	NB
Day seven	130.00	0.00	130.00	NB

**Environmental Protection**

Environmental Permitting Regulation Part B: Processes	Net (£)	VAT (£)	Total (£)	VAT Rate
<b>Permit Application Fees:</b>				
Standard process	1,650.00	0.00	1,650.00	NB
Additional fee for operating without a permit	1,188.00	0.00	1,188.00	NB
Reduced fee activities - except Vehicle Refinishers	155.00	0.00	155.00	NB
Vehicle Refinishers	362.00	0.00	362.00	NB
Reduced fee activities: Additional fee for operating without a permit	99.00	0.00	99.00	NB
Petrol Vapour Recovery I and II combined	257.00	0.00	257.00	NB
Mobile screening and crushing plant	1,650.00	0.00	1,650.00	NB
For the 3rd to 7th applications:	985.00	0.00	985.00	NB

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For the 8th and subsequent applications:	498.00	0.00	498.00	NB
Provide Environmental Information	0.00	0.00	0.00	NB

<b>Air Pollution Prevention</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
Annual Subsistence Charge Low	772 (+ £103)*	0.00	772 (+ £103)*	NB
Annual Subsistence Charge Medium	1161 (+ £156)*	0.00	1161 (+ £156)*	NB
Annual Subsistence Charge High	1747 (+ £207)*	0.00	1747 (+ £207)*	NB
Reduced Fee Activities	201.00	0.00	201.00	NB
PVR 1 & 2 Combined	£113/£226/£341	0.00	£113/£226/£341	NB
Mobile Screening and Crushing Plant Low	646.00	0.00	646.00	NB
Mobile Screening and Crushing Plant Medium	1,034.00	0.00	1,034.00	NB
Mobile Screening and Crushing Plant High	1,506.00	0.00	1,506.00	NB
Late Payment Fee	52.00	0.00	52.00	NB

\* Not using simplified permits

**Clean Neighbourhoods and Environment Act 2005**

<b>Fixed Penalty Notices</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
Nuisance Parking	100.00	0.00	100.00	NB
Abandoning a vehicle	200.00	0.00	200.00	NB
Litter	75.00	0.00	75.00	NB
Unauthorised distribution of litter on designated land	75.00	0.00	75.00	NB
Graffiti and fly posting	75.00	0.00	75.00	NB
Fly tipping	400.00	0.00	400.00	NB
Failure to produce authority (eg waste carriers licence)	300.00	0.00	300.00	NB
Failure to furnish documentation (eg waste transfer notes)	300.00	0.00	300.00	NB
Public Space Protection Orders	100.00	0.00	100.00	NB
Community Protection Notice	100.00	0.00	100.00	NB

<b>Fixed Penalty Notices - Early Payment (within 10 days)</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
Nuisance Parking	60.00	0.00	60.00	NB
Abandoning a vehicle	120.00	0.00	120.00	NB
Litter	50.00	0.00	50.00	NB
Unauthorised distribution of litter on designated land	50.00	0.00	50.00	NB
Graffiti and fly posting	50.00	0.00	50.00	NB
Failure to produce authority (eg waste carriers licence)	180.00	0.00	180.00	NB
Failure to Furnish Documentation (Waste Transfer Note)	180.00	0.00	180.00	NB
Public Space Protection Orders	60.00	0.00	60.00	NB
Community Protection Notice	60.00	0.00	60.00	NB

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<b>Transport &amp; Depot Services</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
MOT Test Class IV - ADC Employee, General Public & Trade	40.00	0.00	40.00	NB
MOT Test Class VII - ADC Employee, General Public & Trade	45.00	0.00	45.00	NB
MOT Retest (within 10 working days)	10.00	0.00	10.00	NB
MOT Retest after 10 working days - <b>As full test</b>				
Vehicle engineers report	65.00	13.00	78.00	SR
Use of Weighbridge	3.75	0.75	4.50	SR

**Cemeteries**

<b>Interment of Bodies in a Grave</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
Still born child up to 1 month	Free			
Child grave 1 month to 16 years (Children's section only)	Free			
Cremated Remains	200.00	0.00	200.00	NB
Scattering of Ashes	80.00	0.00	80.00	E
Adult Depth for one	700.00	0.00	700.00	NB
Adult Depth for two	730.00	0.00	730.00	NB
Adult Depth for three	800.00	0.00	800.00	NB

<b>Purchase of Exclusive Right of Burial Fees (75 years)</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
Adult grave	900.00	0.00	900.00	E
Child's grave (Childs Section Only)	0.00	0.00	0.00	E
Cremated Remains Area	500.00	0.00	500.00	E

<b>Miscellaneous Fees</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
Chapel Use	200.00	0.00	200.00	E
Late arrival on site (after first 30min) - <b>NEW</b>	100.00	0.00	100.00	E
Transfer of exclusive rights of burial without internment - <b>NEW</b>	25.00	0.00	25.00	E
Family tree and genealogy searches per name/per grave - <b>NEW</b>	25.00	0.00	25.00	E
Late arrival of paperwork (after first 30min) - <b>NEW</b>	25.00	0.00	25.00	E

<b>Memorial Charges - Permit fee</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
Headstone (Not exceeding 3ft x 2ft 6in)	230.00	0.00	230.00	NB
8in x 8in Vase/Tablet	140.00	0.00	140.00	NB
Vase over 8in	180.00	0.00	180.00	NB
Additional Inscription	90.00	0.00	90.00	NB
Memorial Tree	150.00	0.00	150.00	NB

**Waste Management & Recycling**

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<b>Bulky items (including fridges/freezers)</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
<b>Price reduced by half if a resident is in receipt of a qualifying income-based benefit</b>				
First item	14.00	0.00	14.00	NB
Each additional item	7.50	0.00	7.50	NB
Domestic fridge/freezers	18.00	0.00	18.00	NB

<b>New and replacement wheeled bins</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
New home wheeled bin set for developer	200.00	0.00	200.00	NB
Replacement red lidded bin (delivery and administration)	25.00	0.00	25.00	NB

<b>Garden Waste (Rates frozen for 2 years)</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
Subscription	28.00	0.00	28.00	NB
Additional garden waste bin	14.00	0.00	14.00	NB

<b>Trade Waste (Residual &amp; Recyclable)</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
Trade Bags (50 bags)	125.00	0.00	125.00	E
80l Trade Bin	2.75	0.00	14.00	E
180l Trade Bin	6.49	0.00	6.49	E
240l Trade Bin	6.49	0.00	6.49	E
360l Trade Bin	8.42	0.00	8.42	E
770l Trade Bin	14.30	0.00	14.30	E
1100l Trade Bin	19.00	0.00	19.00	E
Trade Duty of Care (per annum)	20.00	0.00	20.00	Z

**Parks & Outdoor Recreation**

<b>Parks/Open spaces land booking day rates</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
Boot camp up to 20 people	16.67	3.33	20.00	SR
Boot camp 20 to 40 people	29.17	5.83	35.00	SR
Boot camp 40+ people	41.67	8.33	50.00	SR
Charity/Not for profit events *fee applied if staff & changing rooms required	0.00	0.00	0.00	N/A
Children's rides inflatable (single ride)*does not include food	50.00	10.00	60.00	SR
Children's rides inflatable (2, maximum limits)* does not include food. See fun fair guidance for larger events	75.00	15.00	90.00	SR
Children's rides inflatable (single ride), annual pass (10 sessions paid upfront)	416.67	83.33	500.00	SR
Children's rides inflatable (2, maximum limits)*, annual pass (10 sessions paid upfront)	583.33	116.67	700.00	SR
Commercial Events including training courses (small approx. football pitch size)	150.00 - 500.00			SR
Fun fairs	1,000.00	200.00	1,200.00	SR
<b>Food serving vehicles or stalls</b>				
Hot food/catering van	91.67	18.33	110.00	SR

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**ASHFIELD DISTRICT COUNCIL**  
**FEES AND CHARGES 2020/21 (PROPOSED)**

Ice cream van or fun fair sweet stalls	58.33	11.67	70.00	SR
<b>*All food operations require Environmental Health approval</b>				
Football training ½ day (not pitch use)	13.33	2.62	16.00	SR

<b>Bowls</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
Adult per hour	3.33	0.67	4.00	SR
Concessionary per hour	2.50	0.50	3.00	SR
Family Ticket	4.75	0.95	5.70	SR
Season Ticket (10+ sessions)	62.00	0.00	62.00	E
Concession Season Ticket (10+ sessions)	43.00	0.00	43.00	E
Club Match Fee	23.33	4.67	28.00	SR
Competition Fee	30.00	6.00	36.00	SR
Veterans Ticket (midweek)	7.92	1.58	9.50	SR

<b>Tennis (per person)</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
Hourly rate (adult)	0.00	0.00	0.00	SR
Club Exclusive Use	1,250.00	0.00	1,250.00	E

<b>Cricket - Titchfield Park only</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
Cricket - Day, Standard	51.67	10.33	62.00	SR
Cricket - Day, Juniors	45.00	9.00	54.00	SR
Cricket - Season Hire Adult	556.00	0.00	556.00	E
Cricket - Season Hire Junior	390.00	0.00	390.00	E

<b>Football</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
Annual Fee - Standard (10+ games)	400.00	0.00	400.00	E
Annual Fee - Level 7 (10+ games)	520.00	0.00	520.00	E
Annual Fee -Juniors (10+ games)	270.00	0.00	270.00	E
Additional Matches- Standard	49.17	9.83	59.00	SR
Additional Matches - Level 7	64.17	12.83	77.00	SR
Additional Matches - Junior	36.67	7.33	44.00	SR
Additional Matches- Mini	22.50	4.50	27.00	SR
Annual Fee -Mini (10+ games)	146.00	0.00	146.00	E

<b>Netball</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
Per Court - Standard (per 2 hour session)	30.00	6.00	36.00	SR
Per Court - Juniors (per 2 hour session)	23.33	4.67	28.00	SR
Floodlights per Hour (per 2 hour session)	23.33	4.67	28.00	SR

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<b>Astroturf (Kingsway Park, Kirkby)</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
Full Pitch (per 2 hour session) Standard	51.67	10.33	62.00	SR
Full Pitch (per 2 hour session) Juniors	42.50	8.50	51.00	SR
Half Pitch Standard (per 2 hour session)	30.00	6.00	36.00	SR
Half Pitch Juniors (per 2 hour session)	23.33	4.67	28.00	SR
Floodlights (per 2 hour session)	23.33	4.67	28.00	SR

<b>Astroturf (Titchfield Park, Hucknall)</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
Full Pitch (per 2 hour session) Standard	25.00	5.00	30.00	SR
Full Pitch (per 2 hour session) Juniors	17.50	3.50	21.00	SR
Floodlights (per 2 hour session)	21.67	4.33	26.00	SR

<b>Allotments</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
With water supply - Per Annum	18.88	0.00	18.88	E
Without water supply Per Annum	13.63	0.00	13.63	E

**LEISURE CENTRES - These are managed by Everyone Active on behalf of ADC. Fees & charges are set by Everyone Active and agreed by the Council.**

**Lammas**

	<b>Total (£)</b>
<b>ACTIVE ANTZ</b>	2.60

<b>AEROBICS / FITNESS CLASS</b>	
Virtual	3.00
BTS / LBT's / Circuits / Boot Camps etc	5.15
Group Cycling / Zumba etc	5.60

<b>AQUA AEROBICS</b>	
Full price	4.90
Concession price	4.20

<b>BADMINTON</b>	
Full price	7.90
Of peak	4.80
Concession Price	4.70

<b>BOWLS</b>	
Adult 1 hour	2.40
Concession	2.20

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Adult 2 hours	4.30
Concession Price (to apply pre 5pm)	3.85
Hire of woods	1.80
Hire of shoes	1.80
Hire of locker (year)	18.00

<b>EQUIPMENT HIRE</b>	
Racquets / bats each	1.40
Football - deposit of £10.00	

<b>GYM / FITNESS ROOM</b>	
Personal trainer - 30mins	19.55
Personal trainer - 60mins	28.75
Full price	6.15
Junior Gym	3.00
Concession Price	3.10
Off Peak Price	3.75

<b>HOLIDAY ACTIVITIES</b>	
Holiday activities - Day Camp	16.75

<b>ICE RINK</b>	
Full price	4.15
Concession Price	3.85
School Per Pupil (including skates)	1.75
Skate UK lessons	4.85
Artistic Ice	4.10
Happy hour	2.90
Polar Bears	2.90
Polar Cubs 1 adult & 1 child	3.80
Skate hire	2.00
Helmet Hire FREE on request	
Penguin Aid Hire per 1/2 hour	1.60
Family Ticket up to 4 at least one adult and one child	17.75
Junior Ice Membership - monthly	26.50
Ice Disco	3.95
Ice Rink Hire	67.00

<b>INDOOR COURT HIRE (Main Hall)</b>	
Whole Hall Full price	40.00
Concession	22.50



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Basketball practice	16.00
Concession price/off peak	12.60

<b>PARTIES</b>	
Bouncy Castle whole hall 1 hour	65.00
Bouncy Castle half hall 1 hour	57.50
Ice Rink	157.00
Pool Party - main pool	75.00
Pool party - learner pool	69.00
Pool Party - Inflatable	79.00
Theme party from	81.00
Sports party from	46.00

<b>POOL HIRE</b>	
Club	66.00
Additional Lifeguard - per session	22.00
Private	78.00

<b>SPORT / ACTIVITY COURSES</b>	
Max Whitlock Gymnastics	5.10
Skate Uk	4.85

<b>SQUASH &amp; RACKETBALL 40mins</b>	
Full price	6.75
Concession Price	4.15
Off Peak Price	4.35

<b>SWIMMING</b>	
Full price	3.90
Concession Price	2.05
FAMILY SWIM (up to 2 Adults and 3 Children)	8.70
PARENT & TODDLER SWIM 1 adult/ 2 children	4.00
Senior Swim	2.40
Wet & Wild	4.00
Adult Swimming lessons DD	23.60
Junior Swimming lessons DD	23.60
Adult & Child lessons DD	23.60
Young @ Heart	1.65
SWIMMING LESSONS ADULT (Per lesson)	5.55
SWIMMING LESSONS JUNIOR	5.55

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<b>TABLE TENNIS</b>	
Full price	3.55
Concession price	2.55

**Hucknall**

	<b>Total (£)</b>
<b>ACTIVE ANTZ</b>	2.15

<b>AEROBICS / FITNESS CLASS</b>	
Virtual	3.00
BTS / LBT's / Circuits / Boot Camps	5.15
Group Cycling / Zumba	5.60

<b>AQUA AEROBICS</b>	
Full price	4.90
Concession price	4.20

<b>BADMINTON</b>	
Full price	7.90
Off peak	4.80
Concession Price	4.70

<b>CRECHE</b>	
1st child	2.00
2nd Child	1.25

<b>EQUIPMENT HIRE</b>	
Racquets / bats each	1.40
Football - deposit of £10.00	

<b>GYM / FITNESS ROOM</b>	
Personal training	28.75
Personal trainer - 30mins	19.55
Full price	6.15
Junior Gym	3.00
Concession Price	3.10
Off Peak Price	3.75

<b>HOLIDAY ACTIVITIES</b>	
Holiday activities - Day Camp	16.75

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<b>INDOOR COURT HIRE (Main Hall)</b>	
Full price	40.00
Concession price	22.50

<b>PARTIES</b>	
Bouncy Castle 1 hour	77.00
Bouncy Castle 2 hour	88.00
Pool Party - main pool	75.00
Pool Party - Inflatable	80.00
Roller Skating - 1 hour	85.00
Sports party	56.00

<b>POOL HIRE</b>	
Club	70.00
Additional Lifeguard - per session (£ / hour)	22.00
Private	78.00

<b>ROLLER SKATING (£1.00 skate hire)</b>	2.80
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<b>SPORT / ACTIVITY COURSES</b>	
Boccia	2.60
Max Whitlock Gymnastics	5.10

<b>SQUASH &amp; Racketball 40mins</b>	
Full price	6.75
Concession Price	4.15
Off Peak Price	4.35

<b>SWIMMING</b>	
Full price	3.90
Concession Price	2.05
Splash happy FAMILY SWIM (up to 2 Adults and 3 Children)	8.70
PARENT & TODDLER SWIM	4.00
MOONLIGHT SWIM	4.35
Swimming lessons DD Adult	23.60
Adult & Child lessons DD	23.60
Swimming lessons DD junior	23.60
SWIMMING LESSONS ADULT (Per lesson)	5.55
SWIMMING LESSONS JUNIOR	5.55

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<b>TABLE TENNIS</b>	
Full price	3.55
Concession price	2.55

<b>50+ ACTIVITIES</b>	
50+ Swim Session	1.65
Walking football/cricket	3.25

**Edgewood**

	<b>Total (£)</b>
<b>AEROBICS / FITNESS CLASS</b>	
BTS / LBT's / Circuits / Boot Camps	4.35

<b>BADMINTON</b>	
Full price	5.00
Off peak	3.15
Concession Price	3.00

<b>EQUIPMENT HIRE</b>	
Racquets / bats each	1.40
Football - deposit of £10.00	

<b>HOLIDAY ACTIVITIES</b>	
Holiday activities - Day Camp	8.50
Fun factory Edgewood	4.25

<b>INDOOR COURT HIRE (Main Hall)</b>	
Full price	16.35
Concession price	9.70

<b>PARTIES</b>	
Bouncy Castle	58.00
Pool 1 hour/ 2 hour Bouncy castle	78.50
Pool 1 hour/ 1 hour club room	40.00

<b>POOL HIRE</b>	
Club	26.50
Private	30.50

<b>SWIMMING</b>	
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Full price	2.60
Concession Price	2.00
FAMILY SWIM (up to 2 Adults and 3 Children)	6.60
PARENT & TODDLER SWIM 1 adult 2 children	2.35
Swimming Lesson DD Junior	16.15
SWIMMING LESSONS JUNIOR	3.80

<b>TABLE TENNIS</b>	
Full price	2.15
Concession price	2.05

<b>ROOM HIRE</b>	
Edgewood Club Room	10.00

**Festival Hall**

	<b>Total (£)</b>
<b>ACTIVE ANTZ</b>	2.25

<b>AEROBICS / FITNESS CLASS</b>	
BTS / LBT's / Circuits / Boot Camps	4.65
Group Cycling / Zumba	4.75

<b>BADMINTON</b>	
Full price	6.90
Off peak	4.30
Concession Price	4.30

<b>BOWLS</b>	
Adult	2.25
Concession Price (to apply pre 5pm)	2.25

<b>EQUIPMENT HIRE</b>	
Racquets / bats each	1.40
Football - deposit of £10.00	

<b>GYM / FITNESS ROOM</b>	
Personal trainer	26.50
Junior Active	3.10
11-15 parental supervision	3.10
Full price	6.10

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**ASHFIELD DISTRICT COUNCIL**  
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Concession Price	3.10
Off Peak Price	3.50

<b>HOLIDAY ACTIVITIES</b>	
Holiday activities - Day Camp	12.80

<b>PARTIES</b>	
Bouncy Castle 2 hours	73.00
Roller Skating - 2 hours	85.00
Roller Skate and Bounce	122.00
Active Antz party	85.00

<b>ROLLER SKATING (£1.00 skate hire)</b>	2.80
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<b>SPORT / ACTIVITY COURSES</b>	
Max Whitlock Gymnastics	5.10

<b>SQUASH 40mins</b>	
Full price	6.50
Concession Price	3.20
Off Peak Price	4.45

<b>TABLE TENNIS</b>	
Full price	3.55
Concession price	2.55

<b>ROOM HIRE - BY NEGOTIATION</b>
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**Property Rents**

Price per annum	£	VAT Rate
Industrial Units	2,400 - 17,000	E *
Offices	970 - 6,000	E *
Shops	1,600 - 70,000	E *
Ground Leases	18- 50,000	E *
Grazing Land	100 - 850	E *

Planning Policy Charges	Net (£)	VAT (£)	Total (£)	VAT Rate
Pre-application Advice	40.00	0.00	40.00	NB

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ADC Local Plan (Adopted) Collected	45.00	0.00	45.00	NB
ADC Local Plan (Adopted) including postage and packing	45.00	0.00	45.00	NB

Land Charges	Net (£)	VAT (£)	Total (£)	VAT Rate
Full Search (LLC1 & CON29)				
LLC1	31.30	0.00		NB
CON29	77.20	15.44	123.94	SR
Each additional parcel of land (full search)				
LLC1	1.00			NB
CON29R	16.25	3.25	20.50	SR
Con29O Enquiries - Question 22	35.00	7.00	42.00	SR
Con29O Enquiries - Questions 4, 5, 9, 16 & 20	16.25	3.25	19.50	SR
Con29O Enquiries - Questions 8, 10, 11, 12, 13, 14, 15, 17, 18 & 19	16.25	3.25	19.50	SR
Con29O Enquiries - Questions 6 & 7	16.25	3.25	19.50	SR
Con29O Enquiries - Question 21	The District Council is unable to respond to this enquiry, therefore please contact the Environment Agency ( <a href="https://www.gov.uk/topic/environmental-management/flooding-coastal-change">https://www.gov.uk/topic/environmental-management/flooding-coastal-change</a> ) and/or Nottinghamshire County Council ( <a href="mailto:flood.team@nottscc.gov.uk">flood.team@nottscc.gov.uk</a> )			
Applicants own questions (each)	16.25	3.25	19.50	SR
An additional charge of £3.00 will be added where a request is received for reports to be posted out				

Additional Searches	Net (£)	VAT (£)	Total (£)	VAT Rate
Coal Authority Search - Residential	36.33	7.27	43.60	SR
Coal Authority Search - Commercial	83.43	16.69	100.12	SR
Drainage and Water Enquiry (CON29DW) - Residential	47.00	9.40	56.40	SR
Drainage and Water Enquiry (CON29DW) - Commercial	131.00	26.20	157.20	SR
Chancel Check	20.00	4.00	24.00	SR

<b>CON29 Information</b>				
In some instances, interested parties will be able to access the required information via public The provision of Individual Enquiry Reports is to enhance the number of access channels available and not limit access.				
CON29 Individual Enquiries	Net (£)	VAT (£)	Total (£)	VAT Rate
Questions 1.1. (a) to (i)	8.25	1.65	9.90	SR
Questions 1.1. (j) to (l)	8.25	1.65	9.90	SR
Question 1.2.	8.25	1.65	9.90	SR
Questions 2.1. (a) to (d) and 2.2. to 2.5. - Please contact Highway Searches Via East Midlands Ltd. Tel 0115 9773143 or Email <a href="mailto:highwaysearches@viaem.co.uk">highwaysearches@viaem.co.uk</a>				
Question 3.1.	3.85	0.77	4.62	SR
Questions 3.2., 3.3. (a) to (c), 3.4. (a) to (f), 3.5. (a) & (b), 3.6. (a) to (l) and 3.7. (e) - Please contact Highway Searches Via East Midlands Ltd. Tel 0115 9773143 or Email <a href="mailto:highwaysearches@viaem.co.uk">highwaysearches@viaem.co.uk</a>				
Questions 3.7. (a) to (d) & (f)	8.25	1.65	9.90	SR
Question 3.7. (g) - The District Council is unable to respond to this enquiry, therefore please contact the Environment Agency ( <a href="https://www.gov.uk/topic/environmental-management/flooding-coastal-change">https://www.gov.uk/topic/environmental-management/flooding-coastal-change</a> ) and/or Nottinghamshire County Council ( <a href="mailto:flood.team@nottscc.gov.uk">flood.team@nottscc.gov.uk</a> )				

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**FEES AND CHARGES 2020/21 (PROPOSED)**

Question 3.8.	3.85	0.77	4.62	SR
Questions 3.9. (a) to (n)	8.25	1.65	9.90	SR
Questions 3.10. (a) to (h)	3.85	0.77	4.62	SR
Questions 3.11. (a) & (b)	3.85	0.77	4.62	SR
Question 3.12	3.85	0.77	4.62	SR
Questions 3.13. (a) to (c )	3.85	0.77	4.62	SR
Question 3.14.	3.85	0.77	4.62	SR
Questions 3.15. (a) and (b)	8.25	1.65	9.90	SR

**Markets**

Indoor Market - per pitch based on floor space - price range			POA*	E
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**Outdoor Markets**

<b>Kirkby in Ashfield</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
Tuesday/Thursday/Friday/Saturday: first stall	12.20	0.00	12.20	E
Extra stall each up to 3 extra	8.70	0.00	8.70	E
Extra stall above 4 stall each	5.60	0.00	5.60	E

<b>Hucknall</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
Friday Traditional Market: first stall	12.20	0.00	12.20	E
Extra stall each up to 3 extra	8.70	0.00	8.70	E
Extra stall above 4 stall each	5.60	0.00	5.60	E

<b>Sutton in Ashfield</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
Monday/Wednesday/Friday/Saturday: first stall	12.20	0.00	12.20	E
Extra stall each up to 3 extra	8.70	0.00	8.70	E
Extra stall above 4 stall each	5.60	0.00	5.60	E

<b>All Markets</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
Designated special event markets through the year - individual stalls from £15.55 tables from £5	16.40	0.00	16.40	E
Catering stalls	28.10	0.00	28.10	E
Catering stalls with Electricity	34.70	0.00	34.70	E
Self erect market stall	20.90	0.00	20.90	E
Trailer Unit	21.40	0.00	21.40	E

<b>Catering and Similar Vans</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
All Markets	21.40	0.00	21.40	E
Extra with electrical supply	6.60	0.00	6.60	E
Promotional Vehicle	16.80	0.00	16.80	E



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<b>Promotional Space</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
All areas	POA*	0.00	POA*	E

<b>Sunday Markets</b>	<b>Net (£)</b>	<b>VAT (£)</b>	<b>Total (£)</b>	<b>VAT Rate</b>
Christmas and Sunday markets	21.40	0.00	21.40	E
Subsequent stalls (each)	15.30	0.00	15.30	E
Catering Vans/Trailers	28.10	0.00	28.10	E
Connection to electric supply	6.60	0.00	6.60	E

POA\* - Price on application and determined through ODR at commercial rates

**VAT Key:**

SR = standard rated

E = exempt

NB = non business / Outside scope

Z = zero rated

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# Agenda Item 9



<b>Report To:</b>	<b>CABINET</b>	<b>Date:</b>	<b>27<sup>TH</sup> JANUARY 2020</b>
<b>Heading:</b>	<b>TREASURY MANAGEMENT MID YEAR REPORT 2019/20</b>		
<b>Portfolio Holder:</b>	<b>COUNCILLOR DAVID MARTIN – CABINET MEMBER (INWARD)</b>		
<b>Ward/s:</b>	<b>ALL</b>		
<b>Key Decision:</b>	<b>NO</b>		
<b>Subject to Call-In:</b>	<b>NO</b>		

## **Purpose of Report**

This mid-year report has been written to comply with the Chartered Institute of Public Finance and Accountancy (CIPFA) Treasury Management Code of Practice and covers the following:

- An economic update for the 2019/20 financial year as at 30 September 2019;
- The Council's capital position (prudential indicators);
- The Council's investment portfolio for 2019/20;
- The Council's borrowing position for 2019/20.

## **Recommendation(s)**

- For Cabinet to note the contents of the report;
- For Cabinet to approve the changes to the 2019/20 Prudential Indicators for the Capital Financing Requirement, the Operational Boundary and the Authorised Limit, to reflect the impact of in-year changes to the 2019/20 Capital Programme.

## **Reasons for Recommendation(s)**

In accordance with Council's Financial Regulations the Audit Committee is responsible for ensuring effective scrutiny of the Treasury Management Strategy and policies.

In accordance with the Council's Financial Regulations Cabinet are responsible for the implementation and regular monitoring of Treasury Management policies and practices and are to receive, as a minimum, each year reports setting out the Annual Treasury Management Strategy and Plan for the coming year; a mid-year review and an annual Treasury Management Performance Report.

## **Alternative Options Considered**

None

## **Detailed Information**

### **1 Background**

- 1.1 The Council aims to operate a balanced budget, which broadly means cash raised during the year will meet its cash expenditure. Part of the treasury management operations ensure this cash flow is adequately planned, with surplus monies being invested in low risk counterparties, providing adequate liquidity initially before considering optimising investment return.
- 1.2 The second main function of the treasury management service is the funding of the Council's capital plans. These capital plans provide a guide to the borrowing need of the Council, essentially the longer-term cash flow planning to ensure the Council can meet its capital spending commitments. This management of longer-term cash may involve arranging long or short-term loans, or the use of longer-term cash flow surpluses, and on occasion, any debt previously drawn may be restructured to meet Council risk or cost objectives.
- 1.3 Accordingly, treasury management is defined as:

“The management of the local authority’s borrowing, investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.”

### **2 Economics and interest rates to date in 2019/20**

- 2.1 In the UK, the first half of the year continued to be impacted by the on-going Brexit uncertainties along with the change in Prime Minister and the uncertainty over when the next general election would be held.
- 2.2 The Monetary Policy Committee (MPC) of the Bank of England maintained the Bank Rate at 0.75%, which has been in effect since 2nd August 2018. It is expected that the MPC will hold off on changes until beyond the December General Election and some clarity on Brexit.
- 2.3 Public Works Loans Board (PWLB) has been the main source of borrowing for the Council. PWLB rates have been on a falling trend during the first six months of the year reaching historic lows. The 50 year PWLB (certainty) rate for new long term borrowing fell from 2.44% on the 1 April to 1.87% by 30 September 2019.
- 2.4 PWLB rates had been based on gilt yields plus 0.80% (80 basis points). On 9 October 2019 the Treasury and PWLB announced an increase in the margin over gilt yields of an additional 1% (100 basis points) on top of the current margin of 0.80% (80 basis points) increasing the cost of borrowing from this source. There was no prior warning that this would happen.
- 2.5 The UK's economy is influenced by UK and worldwide events. A full economic update and interest rate forecast provided by Link Asset Services is included at Appendix 1.

### **3 The Council's Capital Position (including Prudential Indicators)**

#### **3.1 Prudential Indicator for Capital Expenditure**

3.1.1 Table 1 below shows the original capital programme for 2019/20 approved by Full Council on the 5<sup>th</sup> March 2019, the 2019/20 current approved estimates reflecting changes approved to 30 September 2019 and 2019/20 revised estimate.

**Table 1 – 2019/20 Capital Expenditure by Service**

<b>Capital Expenditure by Service</b>	<b>2019/20 Original Estimate £m</b>	<b>2019/20 Current Approved Estimate £m</b>	<b>2019/20 Revised Estimate £m</b>
General Fund	26.394	53.671	53.473
Area Schemes	0.486	1.363	1.116
HRA - Decent Homes	9.195	9.999	7.207
HRA – Other	1.457	2.069	2.025
<b>Total capital expenditure</b>	<b>37.532</b>	<b>67.102</b>	<b>63.821</b>

3.1.2 The main reason for the increase in General Fund capital expenditure is due to the re-profiling of future years approved investment property expenditure, the 2019/20 planned expenditure has been increased by bringing forward planned 2022/23 expenditure. In addition there was slippage on the 2018/19 capital expenditure which resulted in additional capital expenditure now likely to be incurred in 2019/20.

### 3.2 Changes to the Financing of the Capital Expenditure

3.2.1 Table 2 below draws together the main strategy elements of the capital expenditure plans (above), highlighting the expected financing arrangements of this capital expenditure. This shows the amounts directly financed (from capital receipts, capital grants and capital reserves) and the unfinanced amount to be met from borrowing. The borrowing element of the table increases the underlying indebtedness of the Council by way of the Capital Financing Requirement (CFR), although this will be reduced in part by revenue charges for the repayment of debt (the Minimum Revenue Provision). This direct borrowing need may also be supplemented by maturing debt and other treasury requirements.

**Table 2 – 2019/20 Financing of the Capital Expenditure**

<b>Capital Expenditure</b>	<b>2019/20 Original Estimate £m</b>	<b>2019/20 Revised Estimate £m</b>
<b>Total capital expenditure</b>	<b>37.532</b>	<b>63.821</b>
Financed by:		
Capital receipts	1.180	1.299
Capital grants	2.473	3.167
Capital reserves	9.597	8.166
<b>Total financing</b>	<b>13.250</b>	<b>12.632</b>
<b>Borrowing requirement</b>	<b>24.282</b>	<b>51.189</b>

3.2.2 The 2019/20 borrowing requirement has increased as a result of bringing forward investment property expenditure from 2022/23 to 2019/20 and due to the slippage on capital expenditure in 2018/19 to 2019/20.

### 3.3 Capital Financing Requirement, Operational Boundary and Authorised Limit

3.3.1 Table 3 below shows the original and revised estimate for the CFR, Operational Boundary and Authorised Limit. The CFR represents the Council's underlying need to borrow for capital expenditure. The Operational Boundary is set to monitor the Council's actual borrowing against it; it is set as a warning for if debt should approach the boundary. The Authorised Limit sets the maximum level of external borrowing that the Council can incur. It reflects the level of borrowing which, while not desired, could be afforded in the short-term, but is not sustainable. It is the Council's expected maximum borrowing need with headroom for unexpected cashflow.

3.3.2 The revised 2019/20 CFR includes the additional capital expenditure for Investment Properties as well as slippage brought forward on schemes from 2018/19. The Operational Boundary has been revised upward to reflect the change in CFR and to include an amount for working capital payments. The Authorised Limit has been increased in line with changes to the Operational Boundary. The difference between the Authorised Limit and the Operational Boundary reflects the worst case scenario of having to borrow to finance the capital programme that is not proposed to be financed through borrowing.

**Table 3 – 2019/20 Capital Financing Requirement, Operational Boundary and Authorised Limit**

	<b>2019/20 Original Estimate £m</b>	<b>2019/20 Revised Estimate (Adjusted for Slippage) £m</b>
<b>Prudential Indicator – Capital Financing Requirement</b>		
CFR Non-Housing	58.215	88.259
CFR – Housing	80.081	80.081
<b>Total CFR</b>	<b>138.296</b>	<b>168.340</b>
<b>Prudential Indicator – the Operational Boundary for external debt</b>		
Borrowing	140.000	170.000
Other Long Term Liabilities	0.000	0.000
<b>Total debt 31<sup>st</sup> March</b>	<b>140.000</b>	<b>170.000</b>
<b>Prudential Indicator – the Authorised Limit for external debt</b>		
Borrowing	150.000	180.000
Other Long Term Liabilities	0.000	0.000
<b>Total debt 31<sup>st</sup> March</b>	<b>150.000</b>	<b>180.000</b>

### 3.4 2019/20 Estimate of the Ratio of Financial Cost to Net Revenue Stream

3.4.1 Table 4 shows the estimate of ratio of financial cost to net revenue stream for 2019/20 for the Housing Revenue Account and General Fund. Financing costs are Minimum Revenue Provision (MRP) charges and external interest payable.

**Table 4 – 2019/20 20 Estimate of the Ratio of Financial Cost to Net Revenue Stream**

	Original 2019/20 Estimate %	Revised 2019/20 Estimate %
Housing Revenue Account	13.99	14.21
General Fund	12.33	11.08

3.4.2 The change to the General Fund estimate is mainly due to slippage on the 2018/19 capital programme which has resulted in lower Minimum Revenue Provision charges in 2019/20.

### 3.5 2019/20 Estimate of the Incremental Impact of Financial Cost to Net Revenue Stream

3.5.1 Table 5 shows the estimate of the incremental impact of capital investment decisions on the Council Tax and Rent Levels

**Table 5 – 2019/20 Estimate of the Incremental Impact of Financial Cost to Net Revenue Stream**

	Original 2019/20 Estimate £	Revised 2019/20 Estimate £
General Fund (Band D)	27.42	45.78
HRA (52 Weeks)	0	0

3.5.2 The change to the General Fund estimate is mainly due to the inclusion of the additional £20m for Investment Properties that was previously scheduled to be included in 2022/23 and slippage from the 2018/19 Capital Programme.

## 4. Investment Portfolio 2019/20

4.1 In accordance with the Code, it is the Council's priority to ensure security of Capital and liquidity to obtain an appropriate level of return, which is consistent with the Council's risk appetite. It is a very difficult investment market in terms of earning the level of interest rates commonly seen in previous decades as rates are still very low and in line with the 0.75% Bank of England Base Rate. The average investment portfolio yield for all investments in the first six months of the year is 0.65%.

### 4.2 Call Accounts

4.2.1 Table 6 below shows the Council held £3.719m of call account investments as at 30 September 2019 (£0.300m at 31 March 2019), the movement is due to higher cash balances in year compared to at year end, this is a result of council tax being collected over 10 months, so cash receipts falls in the final two months of the year. The average interest rate achieved across all call account counterparties in the first six months of the year is 0.51%.

**Table 6 – Call Accounts as at 30/09/2019**

Borrower	Balance at 30/09/19 £m
Barclays Bank	0.169

Handelsbanken	3.550
<b>Total Call Accounts</b>	<b>3.719</b>

#### 4.3 Money Market Funds (MMF)

4.3.1 The Council currently has two Low Volatility Net Asset Value (LVNAV) Money Market Funds. This means that the value of the shares that the Council holds in these funds may go down as well as up. However, it is unlikely that there will be a change in the price of the MMF shares between the prices paid and monies received when the shares are sold. Table 7 below shows the Council held £6.450m of MMF investments as at 30 September 2019 (£2.084m at 31 March 2019) the movement is due to higher cash balances in year compared to at year end, this is a result of council tax being collected over 10 months, so cash receipts falls in the final two months of the year. The average interest rate achieved across MMF in the first six months of the year is 0.69%.

**Table 7 – MMF's as at 30/09/2019**

<b>Borrower</b>	<b>Balance at 30/09/19 £m</b>
Aberdeen Standard Liquidity – Money Market Fund	5.000
Insight Investments – Money Market Fund	1.450
<b>Total Call Accounts</b>	<b>6.450</b>

#### 4.4 Fixed Term Deposits

4.4.1 Table 8 below shows the activity for fixed term deposits to 30<sup>th</sup> September 2019. The average interest rate achieved across Fixed Term Deposits in the first six months of the year is 0.76%. At the end of September, the Council had two fixed term deposits, one with Thurrock Council for 364 days and one with Suffolk Council for 3 months.

**Table 8 - Fixed Term Deposits 30/09/2019**

<b>Opening Balance 01/04/19 £m</b>	<b>No. of investments</b>	<b>New Investments Apr-Sept £m</b>	<b>No. of investments</b>	<b>Repayments Apr-Sept £m</b>	<b>No. of investments</b>	<b>Closing Balance 30/09/19 £m</b>	<b>No. of investments</b>
5.000	1	9.000	5	10.000	4	4.000	2

4.5 The Council's budgeted investment return for 2019/20 is £35k and performance for the half year to 30 September 2019 is £40k, which comprises £7k from call accounts, £25k from MMF and £8k from fixed term deposits. The estimated full year outturn is £63k. (£28k additional interest above budget).

4.6 The Chief Financial Officer confirms that the approved limits within the Annual Investment Strategy were not breached during the first six months of 2019/20. The current investment counterparty criteria selection, approved in the Treasury Management Strategy, is meeting the requirement of the treasury management function.

### 5 Borrowing Position



- 5.1 The borrowing activities undertaken during the year to 30 September 2019 are summarised below:

Type of Loan	As at 31 March 2019 £m	Borrowed £m	Repaid £m	As at 30 Sept 2019 £m
Fixed PWLB	41.248	6.000	7.012	40.236
Mortgage Loans – LOBO	25.500	0	0	25.500
Fixed Market Loans -	15.000	0	0	15.000
<b>Total External Debt</b>	<b>81.748</b>	<b>6.000</b>	<b>7.012</b>	<b>80.736</b>

## 6 Investment Properties

- 6.1 As at the 1<sup>st</sup> April 2019 the Council had spent £23.749m on investment properties. During 2019/20 it disposed of one property, initially purchased for £4.334m and purchased two other properties for £16.828m. The total net expenditure to date on investment properties is £36.243m. These investment properties are expected to generate £2.851m gross rental income per annum which is a gross yield of 7.9%. The CFR and therefore MRP charges have increased as result of activity in investment properties.

## 7 Glossary of Terms

### Call Accounts

A bank account for investment funds it has no fixed deposit period, provides instant access to funds and allows unlimited withdrawals and deposits.

### Consumer Price Index (CPI)

The official measure of inflation of consumer prices of the United Kingdom.

### Fixed Tern Deposits

This is where an agreed monetary amount is placed with a counterparty for an agreed fixed period.

### Gross Domestic Product (GDP)

This is the monetary value of all the finished goods and services produced by a country within its borders in a specific time period, usually a year.

### LIBID

The London Interbank Bid Rate, that is, the interest rate at which banks bid to take short-term deposits from other banks.

### Monetary Policy Committee (MPC)

This is a committee of the Bank of England which decides the official interest rate in the UK (the Bank of England Base Rate) and also directs other monetary policy such as quantitative easing and forward guidance.

### Money Market Fund (MMF)

Pooled funds which invest in a range of short term assets providing high credit quality and high liquidity.

### Public Works Loan Board (PWLB)

The PWLB is a statutory body operating within the UK Debt Management Office to lend money from the National Loan Fund to local authorities and to collect the repayments.

**Quantitative Easing (QE)**

An unconventional form of monetary policy where a Central Bank creates new money electronically to buy financial assets, like government bonds. This process aims to directly increase private sector spending in the economy and return inflation to target.

**Retail Price Index (RPI)**

A measure of inflation by measuring changes in the price levels of a sample of representative goods and services purchased by households. They use different items and different formulae for the calculations which means that CPI is often lower than RPI.

**y/y**

Year on year is a method of evaluating two or more measured events to compare the results of one time period with those of a comparable time period on an annualised basis.

**Implications**

**Corporate Plan:**

Corporate Plan: Effective treasury management and investment in properties is providing an income stream to support delivery of the key services within the Corporate Plan to our residents.

**Legal:**

Requirement to adhere to the CIPFA Prudential Code. Ensures compliance with Financial Regulations.

**Finance:**

Budget Area	Implication
General Fund – Revenue Budget	The General Fund Investment Income is expected to be £28k greater than budget
General Fund – Capital Programme	No significant implications
Housing Revenue Account – Revenue Budget	No significant implications
Housing Revenue Account – Capital Programme	No significant implications

**Risk:**

Risk	Mitigation
Loss of invested funds	Spread of investments within portfolio and adherence to Treasury Management Strategy including limits and Prudential Indicators
Risk that the investment properties become void or fall in value	Spread of assets within the portfolio and a reserve to cushion any void periods.

**Human Resources:**

Not applicable

**Equalities:**

Not applicable

**Other Implications:**

Not applicable

**Reason(s) for Urgency**

Not applicable

**Reason(s) for Exemption**

Not applicable

**Background Papers**

Link Asset Services – Treasury Management Strategy Statement and Annual Investment Strategy  
Mid-Year Review Report 2019/20.

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## Economic Update provided by Link Asset Services

The United Kingdom (UK) is part of a global economy and, as a result, is affected not only by events at home but also by events overseas. The information below provides a brief update on the UK economy and the wider global economy.

**UK.** This first half year has been a time of upheaval on the political front as Theresa May resigned as Prime Minister to be replaced by Boris Johnson on a platform of the UK leaving the EU on or before 31 October, with or without a deal. MPs rejected the fast tracked timetable for the Brexit Bill on 22<sup>nd</sup> October 2019 which is likely to lead to a further extension.

The first half of 2019/20 has seen UK **economic growth fall** as Brexit uncertainty took a toll. In its Inflation Report of 1 August, the Bank of England was notably downbeat about the outlook for both the UK and major world economies. This mirrored investor confidence around the world which is now expecting a significant downturn or possibly even a recession in some developed economies. It was therefore no surprise that the Monetary Policy Committee (MPC) left the Bank Rate unchanged at 0.75% throughout 2019, so far, and is expected to hold off on changes until there is some clarity on what is going to happen over Brexit.

As for **inflation** itself, CPI has been hovering around the Bank of England's target of 2% during 2019, (July 2.1%), and is likely to shift only a little upwards over the rest of 2019/20. It does not therefore pose any immediate concern to the MPC at the current time.

With regard to the **labour market**, despite the contraction in quarterly GDP growth of -0.2%q/q, (+1.2% y/y), in quarter 2, employment rose by 115,000 in the same quarter: this suggests that firms are preparing to expand output and suggests there could be a return to positive growth in quarter 3. Wage inflation picked up to a high point of 3.9%, (3 month average regular pay, excluding bonuses). This meant that in real terms, (i.e. wage rates higher than CPI inflation), earnings grew by about 1.8%. As the UK economy is very much services sector driven, an increase in household spending power is likely to feed through into providing some support to the overall rate of economic growth in the coming months. This could mean that the MPC will need to take action to raise Bank Rate if there is an agreed Brexit deal as it views wage inflation in excess of 3% as increasing inflationary pressures within the UK economy.

**USA.** President Trump's massive easing of fiscal policy in 2018 fuelled a temporary boost in consumption in that year which generated an upturn in the rate of strong growth to 2.9% y/y. Growth in 2019 has been falling back after a strong start in quarter 1 at 3.1%, (annualised rate), to 2.0% in quarter 2. Quarter 3 is expected to fall further. The Fed finished its series of increases in rates to 2.25 – 2.50% in December 2018. In July 2019, it cut rates by 0.25% as a 'midterm adjustment' but flagged up that this was not to be seen as the start of a series of cuts to ward off a downturn in growth. Rates were further cut in September by 0.25%.

Investor confidence has been badly rattled by the progressive ramping up of increases in tariffs President Trump has made on Chinese imports and China has responded with increases in tariffs on American imports. This trade war is seen as depressing US, Chinese and world growth. In the EU, it is also particularly impacting Germany as exports of goods and services are equivalent to 46% of total GDP. It will also impact developing countries dependent on exporting commodities to China.

**EUROZONE.** Growth has been slowing from +1.9% during 2018 to +0.4% q/q (+1.2% y/y) in quarter 1 and then to +0.2% q/q (+1.0% y/y) in quarter 2; there appears to be little upside potential to the growth rate in the rest of 2019. German GDP growth fell to -0.1% in quarter 2; industrial production was down 5.2% y/y in June with car production especially being hit. Germany would be particularly vulnerable to a no deal Brexit depressing exports further and if President Trump imposes tariffs on EU produced cars.

The European Central Bank (ECB) meeting in July expressed concern as to the weak outlook for growth and how low inflation was despite all the monetary stimulus the bank still has in place. The ECB is therefore expected to take action to cut its main rate of -0.4% further, but only marginally, and to look at the potential for more quantitative easing and/or other instruments of monetary policy to provide further stimulus to economic growth. On the political front, Spain and Italy are in the throes of trying to form coalition governments while the very recent results of two German state elections will put further pressure on the frail German CDU/SDP coalition government.

**CHINA.** Economic growth has been weakening over successive years, despite repeated rounds of central bank stimulus; medium term risks are increasing. Major progress still needs to be made to eliminate excess industrial capacity and the stock of unsold property, and to address the level of non-performing loans in the banking and credit systems. The trade war with the US does not appear to have had a significant effect on GDP growth as yet as some of the impact of tariffs has been offset by falls in the exchange rate and by transshipping exports through other countries, rather than directly to the US.

**JAPAN** - has been struggling to stimulate consistent significant GDP growth and to get inflation up to its target of 2%, despite huge monetary and fiscal stimulus. It is also making little progress on fundamental reform of the economy.

### 1.1.2 Interest Rate Forecasts

The Council's treasury advisor, Link Asset Services, has provided the following forecast:

Link Asset Services Interest Rate View											
	Sep-19	Dec-19	Mar-20	Jun-20	Sep-20	Dec-20	Mar-21	Jun-21	Sep-21	Dec-21	Mar-22
Bank Rate View	0.75	0.75	0.75	0.75	0.75	1.00	1.00	1.00	1.00	1.00	1.25
3 Month LIBID	0.70	0.70	0.70	0.70	0.80	0.90	1.00	1.00	1.00	1.10	1.20
6 Month LIBID	0.80	0.80	0.80	0.80	0.90	1.00	1.10	1.10	1.20	1.30	1.40
12 Month LIBID	1.00	1.00	1.00	1.00	1.10	1.20	1.30	1.30	1.40	1.50	1.60
5yr PWLB Rate	1.20	1.30	1.50	1.60	1.70	1.70	1.80	1.90	2.00	2.00	2.10
10yr PWLB Rate	1.50	1.60	1.80	1.90	2.00	2.00	2.10	2.20	2.30	2.30	2.40
25yr PWLB Rate	2.10	2.30	2.40	2.50	2.60	2.70	2.70	2.80	2.90	3.00	3.00
50yr PWLB Rate	2.00	2.20	2.30	2.40	2.50	2.60	2.60	2.70	2.80	2.90	2.90

It has been little surprise that the Monetary Policy Committee (MPC) has left the Bank Rate unchanged at 0.75% so far in 2019 due to the ongoing uncertainty over Brexit. In its last meeting on 1 August, the MPC became more dovish as it was more concerned about the outlook for both the global and domestic economies. That is shown in the policy statement, based on an assumption that there is an agreed deal on Brexit, where the suggestion that rates would need to rise at a “gradual pace and to a limited extent” is now also conditional on “some recovery in global growth”. Brexit uncertainty has had a dampening effect on UK GDP growth in 2019, especially around mid-year. If there were a no deal Brexit, then it is likely that there will be a cut or cuts in Bank Rate to help support economic growth.

The above forecasts have been based on an assumption that there is some sort of muddle through to an agreed deal on Brexit. Given the current level of uncertainties, this is a huge assumption and so forecasts may need to be materially reassessed in the light of events over the next few weeks or months.

#### 1.13 The balance of risks to the UK

- The overall balance of risks to economic growth in the UK is probably to the downside due to the weight of all the uncertainties over Brexit, as well as a softening global economic picture.
- The balance of risks to increases in Bank Rate and shorter term PWLB rates are currently a little below those to the downside.

#### Downside risks to current forecasts for UK gilt yields and PWLB rates currently include:

- **Brexit** – if it were to cause significant economic disruption and a major downturn in the rate of growth.
- **Bank of England** takes action too quickly, or too far, over the next three years to raise Bank Rate and causes UK economic growth, and increases in inflation, to be weaker than we currently anticipate.
- A resurgence of the **Eurozone sovereign debt crisis**, possibly **Italy**, due to its high level of government debt, low rate of economic growth and vulnerable banking system, and due to the election in March 2018 of a government which has made a lot of anti-austerity noise.
- Weak capitalisation of some **European banks**, particularly Italian banks.
- **German minority government and Other minority EU governments.** Germany, Sweden, Spain, Portugal, Netherlands and Belgium all have vulnerable minority governments dependent on coalitions, which could prove fragile.
- **Italy, Austria, the Czech Republic and Hungary** now form a strongly anti-immigration bloc within the EU. There has also been rising anti-immigration sentiment in Germany and France.
- The increases in interest rates in the US during 2018, combined with a trade war between the USA and China, sparked major volatility in equity markets during the final quarter of 2018 and into 2019. In mid-2019, investor fears of a looming recession have again sparked moves by investors out of riskier assets i.e. equities, into safe havens of government bonds of major western countries. Some **emerging market countries**, which have borrowed heavily in dollar denominated debt, could be particularly exposed to investor flight from equities to safe havens, typically US treasuries, German bunds and UK gilts.
- There are concerns around the level of **US corporate debt**, which has swollen massively during the period of low borrowing rates in order to finance mergers and acquisitions. This has resulted in the debt of many large corporations being downgraded to a BBB credit rating, close to junk status. Indeed, 48% of total investment grade corporate debt is rated at BBB. If such corporations fail to generate profits and cash flow to reduce their debt levels as expected, this could tip their debt into junk ratings, which will increase their cost of financing and further negatively impact profits and cash flow.
- **Geopolitical risks**, for example in North Korea, but also in Europe and the Middle East, which could lead to increasing safe haven flows.

## Upside risks to current forecasts for UK gilt yields and PWLB rates

- **Brexit** – If the revised Withdrawal Agreement is successful, this could remove some threats of economic and political disruption between the EU and the UK.
- The **Bank of England is too slow** in its pace and strength of increases in Bank Rate and, therefore, allows inflationary pressures to build up too strongly within the UK economy, which then necessitates a later rapid series of increases in Bank Rate faster than we currently expect.
- **UK inflation**, whether domestically generated or imported, returning to sustained significantly higher levels causing an increase in the inflation premium inherent to gilt yields

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<b>Report To:</b>	<b>CABINET</b>	<b>Date:</b>	<b>27 JANUARY 2020</b>
<b>Heading:</b>	<b>HOUSING RENT SETTING 2020/21</b>		
<b>Portfolio Holder:</b>	<b>CABINET MEMBER HOUSING (INWARD FOCUS), COUNCILLOR KIER BARSBY</b>		
<b>Ward/s:</b>	<b>ALL</b>		
<b>Key Decision:</b>	<b>YES</b>		
<b>Subject to Call-In:</b>	<b>YES</b>		

## **Purpose of Report**

This report provides information on the proposed rent level and other Council accommodation related charges for Council tenants for the financial year 2020/21.

## **Recommendation(s)**

1. To set an average rent increase of the September Consumer Price Index (CPI) (1.7%) + 1% for all Council house rents for 2020/21.
2. To set a garage average rent increase of CPI (1.7%) for 2020/21.
3. To set an amenity charge of £1.35 per week (an increase of £0.04p) for all relevant Council house properties for 2020/21.
4. To set an increase to the communal heating charges of CPI (1.7%) for 2020/21.
5. To set an increase for water charges at Brook Street Court of 2.36% for 2020/21.
6. To set an increase for service charges for the properties at Hawkers Place of Retail Price Index (RPI) at December 2019 for 2020/21.

## **Reasons for Recommendation(s)**

To set a 2.7% (CPI+1%) rent increase in line with the Ministry of Housing, Communities & Local Government policy statement on rents for social housing 2020/21.

To set an increase of CPI on garage rents to continue covering the increasing costs of maintenance and rental collection for the Council garage sites, consistent with the approach in previous years.

To increase the amenity charge by £0.04p per week to continue covering the costs of providing the services which do not fall within the provision of the rent charge.

To set an increase to the communal heating service charges. This is to cover the increase in price from the utility company to the Council for providing the communal heating in the applicable housing court schemes.

To set an increase to the service charge for water at Brook Street Court, Sutton in Ashfield to cover the increase in prices from Severn Trent to the Council for providing water at Brook Street Court.

To set an increase of RPI for the service fee for the properties at Hawkers Place estate, Hucknall, in line with the legal agreement between the Council and the Housing Development Company. This is to cover the annual increase set out in the legal agreement of the development.

### **Alternative Options Considered**

*(with reasons why not adopted)*

A lower percentage increase was considered for the housing rent option but this would have a detrimental effect on the HRA in the long term leading to an unsustainable HRA. The proposed increase is the first for four years. For each of the last 4 years council dwelling rents have reduced by 1% per year (and foregone any inflationary pressures) in accordance with legislation.

A lower percentage increase was considered for the garage rent option but this would have a detrimental effect on the HRA in terms of covering the cost of repair and equally not cover the inflationary increase in costs incurred in 2020/21. A higher percentage increase is not justified as garage costs are not increasing above CPI.

To not increase the amenity charge to the proposed level would mean that the service would continue to not have full cost recovery of the additional services provided and this would adversely impact the HRA balances.

The increase in the communal heating service charge is calculated to cover the costs of providing the heating to the housing court schemes. To not increase the service charge would mean the costs are inappropriately subsidised by the HRA i.e. the other rent payers.

The increase in the water service charge to Brook Street Court is calculated to cover the costs only of providing the water to the Brook Street Court tenants. This follows strict guidance from OFWAT and no other option is available.

The increase in the service fee is increased in line with the legal agreement between the Council and the Housing Development Company. To not increase the service charge would mean the costs are inappropriately subsidised by the HRA i.e. the other rent payers.

## **1. Detailed Information**

### **1.1 Rent Setting**

1.1.1 Under the self-financing regime, operational since 1 April 2012, landlord services are funded almost entirely from rents collected. The amount to be collected in rents has been impacted by legislation introduced under the Welfare Reform and Work Act 2016. With effect from April 2016 Sections 23 – 33 of the Act requires social housing rents to be reduced by 1% a year for 4 years from a frozen 2015/16 base line, 2019/20 was the 4th year of the reduction, which includes both social rents and affordable rents. It has been calculated that this has led to a reduction of £8m worth of income to Ashfield's HRA over the 4 year period.

1.1.2 From 2020/21 the Government has announced that future rent increases to social housing rents will be limited to September's Consumer Price Index (CPI) plus 1% for 5 years from 2020/21. This new policy recognises the need for a stable financial environment to support the delivery of new homes and to enable registered providers to plan ahead incorporating additional standards such as in the area of fire safety and thermal efficiency.

## 1.2 Garage Rents

1.2.1 Occupancy in garages has remained constant over the last 12 months. The Housing Lettings team will continue to market the available garages. There is little demand for those garages that are currently empty. The garages that are currently occupied have a higher demand, with some areas operating a waiting list. It is recommended that the garage rents are increased by 1.7% (September 2019 CPI) for 2020/21 which will generate an additional income of £2.7k on the occupied garages. It is proposed that there is no increase to rents for garage plots.

1.2.2 Table 1 below shows the current 2019/20 and the proposed 2020/21 weekly garage rents.

**Table 1 – Garage Rents 2019/20 and 2020/21**

	Rents 2019/20 £	Rents 2020/21 £	Increase £
Garages			
Band A	6.34	6.45	0.11
Band B	7.09	7.21	0.12
Band C	7.84	7.97	0.13
Plots			
Band A	0.85	0.85	0.00
Band B	1.00	1.00	0.00

## 1.3 Amenity Charge

1.3.1 This charge contributes to the cost of providing the following existing services which do not fall within the provision of the rent:

- Grounds Maintenance/Estate Management of housing open space
- Enhanced Community Safety

1.3.2 The current annual amenity charge is £1.31 per week and it is proposed that this will increase by four pence to £1.35 per week. The charge is still below a full cost recovery level and is not applicable to those tenants on affordable rent (which is an 'inclusive' rent).

## 1.4 Communal Heating Charges (District Heating)

1.4.1 Users of communal heating pay a weekly charge designed to cover the cost to the Council for providing this heating. An analysis of forecast costs for the scheme show that it is likely to be slightly under recovered for 2019/20 and in 2020/21 shows that an increase is required in order to cover the increasing energy costs of the scheme. It is recommended that the charges for 2020/21 would need to increase by 1.7% to cover the increase in costs of the service in 2020/21.

1.4.2 Table 2 below shows the current 2019/20 and the proposed 2020/21 weekly heating charges.

**Table 2 – Heating Charges 2019/20 and 2020/21**

	<b>Heating Charge</b>	<b>Heating Charge</b>	<b>Increase</b>
	<b>2019/20</b>	<b>2020/21</b>	
	<b>£</b>	<b>£</b>	<b>£</b>
Band A	10.88	11.06	0.18
Band B	11.71	11.91	0.20
Band C	12.30	12.51	0.21
Band D	13.05	13.27	0.22
Band E	13.55	13.78	0.23
Band F	14.11	14.35	0.24

**1.5 Water Charges at Brook Street Court, Sutton In Ashfield**

1.5.1 There is a weekly service charge payable along with the rent, to cover water charges. The charge relates to the 22 apartments only and the charge depends on whether they are tenants of a 1 or 2 bed unit. This is only for cost recovery against strict guidance from Office of Water Services (OFWAT) with the Council being forbidden to make any surplus or profit on the provision of water. As water charges and water usage changes over time, the service charge will be reviewed each year to ensure it accurately reflects the costs being incurred. It is recommended that the charge for 2020/21 be increased by 2.36% in line with the increase levied by Severn Trent for 2019/20.

**1.6 Service Fee at Hawkers Place, Hucknall (9 properties purchased in 2018)**

1.6.1 This is an annual charge payable by all residents to cover the maintenance costs (provided by a private contractor) of the wider estate. The Service Fee is subject to an inflation-linked annual increase (in line with the Retail Prices Index **RPI**) each year and the Service Fee is not linked to or dependent on the number of houses on the estate.

1.6.2 The service fee funds the upkeep and maintenance of all open areas and landscaped parts of the estate that are for common use, primarily:

- The strips of trees / woodland areas along Watnall Road
- The ecology bund on the former runway
- The play area
- The footpaths and cycle ways
- The drainage swale
- All fencing, boundaries, street furniture etc.

**Implications**

**Corporate Plan:**

The financial position of the HRA has a direct impact on delivery of key objectives in the Corporate Plan. Sustainability of the HRA will assist in maintaining existing homes and increase the supply of affordable homes in the district in the future.

**Legal:**

The Council is required by the Local Government Housing Act (LGHA) 1989 to have a separate Housing Revenue Account.

The Council is required to comply with the Direction on the Rent Standard 2019. The Secretary of State set Direction in exercise of the powers conferred by section 197 of the Housing and Regeneration Act 2008.

The Council is required to comply with the Ministry of Housing, Communities and Local Government Policy statement on rents for social housing February 2019.

**Finance:**

Budget Area	Implication
General Fund – Revenue Budget	None
General Fund – Capital Programme	None
Housing Revenue Account – Revenue Budget	As outlined in the report
Housing Revenue Account – Capital Programme	None

**Risk:**

Risk	Mitigation
Rents, fees and charges increases do not cover the cost increases in delivering the services.	Rents, fees and charges are reviewed annually.

**Human Resources: None**

**Equalities:**

Equalities implications are considered as part of the process in developing individual policy or budget changes.

**Other Implications:**

*Not applicable*

**Reason(s) for Urgency**

*Not applicable*

## **Reason(s) for Exemption**

*Not applicable*

## **Background Papers**

*(if applicable)*

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## **Glossary of Terms**

CPI - The Consumer Price Index (CPI) is a measure that examines the weighted average of prices of a basket of consumer goods and services, such as transportation, food, and medical care. It is calculated by taking price changes for each item in the predetermined basket of goods and averaging them. Changes in the CPI are used to assess price changes associated with the cost of living.

RPI - The RPI is also a measure that examines the weighted average of prices but includes an element of housing costs, whereas the following items are not included in the CPI: Council tax, mortgage interest payments, house depreciation, buildings insurance, ground rent, solar PV feed in tariffs and other house purchase cost such as estate agents' and conveyancing fees.

Affordable Rent – this is a rent set at up to 80% of the local market value and is a rent inclusive of all general/overarching service charges. Affordable rents are set on newly built or acquired properties in line with regulation.

<b>Report To:</b>	<b>CABINET</b>	<b>Date:</b>	<b>27<sup>TH</sup> JANUARY 2020</b>
<b>Heading:</b>	<b>TEMPORARY ACCOMMODATION POLICY</b>		
<b>Portfolio Holder:</b>	<b>CLLR KIER BARSBY, PORTFOLIO HOLDER FOR HOUSING</b>		
<b>Ward/s:</b>	<b>ALL</b>		
<b>Key Decision:</b>	<b>YES</b>		
<b>Subject to Call-In:</b>	<b>YES</b>		

## **Purpose of Report**

To advise Members of the Council's obligation to produce and maintain a Policy relating to how units of temporary accommodation for homeless households are procured and let and to seek approval of said Policy.

## **Recommendation(s)**

**To approve the Temporary Accommodation Policy attached at Appendix A.**

## **Reasons for Recommendation(s)**

A Supreme Court ruling in 2015 made a number of recommendations to local authorities in respect of temporary accommodation provided for homeless households.

In light of the ruling there is an expectation that local authorities will have policies in place that set out how temporary accommodation is procured and let.

Such policies will be of benefit to both officers and those households who are being placed in temporary accommodation.

The homelessness service returned in-house in July 2019, when the need for an ADC Policy was identified.

## **Alternative Options Considered**

Not to introduce a Temporary Accommodation Policy. This was rejected as the Supreme Court ruling established a need for local authorities to produce and publish such policies.

To have separate policies relating to procuring and letting Temporary Accommodation. This was rejected as the 2 elements overlap and it makes sense to combine them in a single document.

## **Detailed Information**

The Council is duty bound to provide temporary accommodation to eligible households who are homeless and who the Council believes may have a priority need. The accommodation is short-term, whilst the Council investigates and seeks to relieve the occupant's homelessness.

Whilst in temporary accommodation there is an expectation the occupant will pay rent and service charges, adhere to the licence conditions and work with the Housing Options Team on a long term solution to their needs.

The units of temporary accommodation come from the Council's housing stock, 30 properties are used for this purpose, equating to approximately 0.4% of the Council's stock. The units are located throughout the District and are of differing property types and sizes to reflect the needs of those accessing the service.

The procedures and processes in respect of temporary accommodation are well-established and effective. Elements of the processes and procedures have been in the public domain but the bulk of them have been for internal use.

In April 2015 a Supreme Court ruling in respect of placing homeless households in temporary accommodation out of the area (*Nzolameso vs Westminster City Council [2015] UKSC 22*) included a number of recommendations, some of which were immediate steps local authorities should take, others more long term requirements. The latter included the need to;

- Produce and keep up to date a publically available policy for procuring sufficient units of temporary accommodation to meet the anticipated demand during the coming 12 months.
- Produce and keep up to date a publically available policy for allocating temporary accommodation units, which would be used to explain the individual factors that have been taken into account when offering such accommodation to households.

The above policies were deemed to have the advantage of:

- Guiding temporary accommodation letting teams in their daily business, and helping ensure that the right accommodation is procured for a household.
- Informing homeless households, and their supporting agencies of local housing pressures and what to expect from an offer of temporary accommodation.
- Assisting reviewing officers in ensuring that policies were applied correctly to an individual case.
- Assisting both homeless households and local authorities in disputes around the offer of temporary accommodation.

Although not a legal requirement as such, in light of the ruling it is deemed good practice to have the above policies in place and the Council could be criticised if it was subject to legal action and they were absent.



The Temporary Accommodation Policy, attached at Appendix A, sets out the Council’s approach to procuring and letting temporary accommodation, including matters such as the standard and suitability of temporary accommodation. The Policy adheres to the requirements of the Supreme Court ruling and will prove a good guide to those households who find themselves in need of temporary accommodation.

**Implications**

**Corporate Plan:**

The Policy helps achieve the following Corporate Plan priority;

Enhance Ashfield’s homelessness service to meet the needs of residents within the district through delivery of the homelessness and rough sleeping strategy.

**Legal:**

Relevant legislation and case law are detailed in the report and in the draft policy.

**Finance:**

<b>Budget Area</b>	<b>Implication</b>
General Fund – Revenue Budget	No direct financial implications
General Fund – Capital Programme	No direct financial implications
Housing Revenue Account – Revenue Budget	No direct financial implications
Housing Revenue Account – Capital Programme	No direct financial implications

**Risk:**

<b>Risk</b>	<b>Mitigation</b>
The Council being unable to meet the promises made in the Policy in respect of procurement and letting.	<p>In respect of procurement, the Council can increase, decrease or change the number of temporary accommodation units quickly and easily as these are obtained from the housing stock.</p> <p>In respect of letting, the placing of households and the management of occupants in temporary accommodation is monitored on a daily basis. There is sufficient flexibility in respect of units and their availability to meet the needs of most households within a reasonable period of time.</p>

**Human Resources:**

No human resources implications

**Equalities:**

There are no equality issues resulting from this Policy. The Policy reflects existing practices and prioritises the needs of families, older and vulnerable applicants.

Groups with protected characteristics such as pregnancy, (old) age, disability, sex (women), are disproportionately affected by homelessness and therefore more likely to access temporary accommodation. The policy takes into account their needs such as meeting needs of families/children regarding schooling, adapted properties and being close to support.

**Other Implications:**

None

**Reason(s) for Urgency**

N/A

**Reason(s) for Exemption**

N/A

**Background Papers****Report Author and Contact Officer**

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# Temporary Accommodation Policy

2020

## Contents

1	Introduction
2	Procurement of temporary accommodation <ul style="list-style-type: none"><li>• Bed and Breakfast hotel accommodation</li><li>• Standard of temporary accommodation</li><li>• Physical standards</li><li>• Out of area accommodation</li></ul>
3	Temporary accommodation allocations <ul style="list-style-type: none"><li>• Types of accommodation</li><li>• Out of area placements</li><li>• Offers and refusals</li></ul>
4	Review of Policy

## **1. Introduction**

- 1.1 The Council has a duty to provide interim or temporary accommodation for certain households who approach the Council as homeless and who meet the criteria as set out in Part VII of the Housing Act 1996 (as amended) (HA96).
- 1.2 This document sets out the Council's policy for the following;
- The procurement of temporary accommodation. This is defined as the act of acquiring or buying residential dwellings from a local authority's own housing stock or from an external source. The accommodation will be appropriate for its intended purpose and will be procured at the best possible cost to meet the needs of the Council in terms of quality and quantity, time, and location.
  - The allocation or placement of households in temporary accommodation. It covers both interim placements under Section 188 Housing Act 1996 (as amended), while homelessness enquiries are undertaken, and longer-term temporary accommodation placements for households accepted as homeless under Section 193 of the aforementioned Act.
- 1.3 This Policy does not cover the placement into permanent social housing as a secure or assured tenant, which is covered by the Housing Allocations Policy.
- 1.4 In certain instances, households may require emergency assistance to source accommodation; therefore, the Council must have options in place to deal with this type of situation. Households may have been asked to leave their previous accommodation for a variety of reasons.
- 1.5 This Policy has regard to the statutory framework including:
- Housing Act 1985
  - Housing Act 1996
  - Localism Act 2011
  - Homelessness (Suitability of Accommodation) Order 2012
  - Homelessness Reduction Act 2017

It also has regard to the Homelessness Code Of Guidance (2018)

- 1.6 Whilst the Council will have regard to this Policy when allocating temporary accommodation to applicants, the Council retains the discretion

to take into account any particular personal circumstances of an applicant or the household when allocating accommodation.

## **2. Procurement of Temporary Accommodation**

- 2.1 The Council will procure the provision of temporary accommodation in the following ways:
- The Council itself will provide units of accommodation from its own stock, and/or
  - Social landlords will provide units of accommodation from their own stock, and/or
  - Private landlords will provide units of accommodation from their own stock, and/or
  - A mixture of the above arrangements.
- 2.2 The Council will manage the temporary accommodation by entering into the following arrangements:
- The Council itself will manage the temporary accommodation portfolio, and/or
  - A social landlord will manage the temporary accommodation portfolio, and/or
  - A private company will manage the temporary accommodation portfolio, and/or
  - A mixture of the above arrangements
- 2.3 The Council will endeavour to ensure that it uses homelessness data to determine the number, type and location of temporary accommodation. The Council will aim to ensure that temporary accommodation is convenient to the applicant, being as close as possible to main services such as GP's, dentists and schools.
- 2.5 The suitability of the Council's provision of temporary accommodation will be reviewed as part of future homelessness strategy adopted by the local authority, or when any new statute comes into force.
- 2.6 Local circumstances and stock options available and any constraints this poses will be recognised by the Council when procuring temporary accommodation.

## **Bed & Breakfast Hotel Accommodation**

- 2.7 Bed & Breakfast accommodation will not be used except in an emergency.
- 2.8 Where this does become necessary the Council will aim to have a list of premises within the local area. These Bed & Breakfast premises, where relevant and appropriate, will be inspected by the Council to ensure that they meet the minimum standards as set out within this policy.
- 2.10 It is recognised that in certain circumstances Bed & Breakfast premises that are not on the approved premises list will have to be used. Where an applicant and their household remains within this accommodation for longer than a week the Council will endeavour to inspect this premise providing that it does not place an undue strain on resources. However where an applicant is pregnant and/or has dependent children residing with them, or the applicant is a child aged 16 or 17, the property will be inspected within a week.

## **Standards of Temporary Accommodation**

### 2.11 Minimum standards

1. Be where possible within the Ashfield local authority area; and
2. Have adequate and exclusive toilet and personal washing facilities; and
3. Have adequate bedrooms, cooking facilities and access to a living room;  
and
4. Be useable by the applicant household 24 hours a day.
5. The accommodation should have accessible facilities and services for health and education in the locality, taking account of the distance of travel, access to public transport.
6. The accommodation should be suitable for occupation by an applicant whom is pregnant and/or has dependent children residing with them, or the applicant is a child aged 16 or 17
7. No pets will be allowed, except assistance dogs for the disabled. Applicant households will be supported to re-home any pets prior to occupation of temporary accommodation.
8. Will satisfy any public sector equality duty owed under Equality Act 2010
9. Will satisfy any safeguarding or welfare duty owed under Children Act 2004
10. Will satisfy any inspection carried out by local authority private sector housing teams or environmental health officers

## **Physical Standards**

- 2.12 All temporary accommodation will, where practically possible:-

1. Meet the physical or sensory disability requirements of any member of the household.
2. Comply with relevant housing quality standards including health and safety, hygiene and fire legislation and regulations.
3. Provide units that are secure with individual locks so people feel they and their belongings are safe.
4. Have sufficient bedroom space to meet the needs of the household as far as possible.
5. Have adequate communal living space, which includes, for example, space for children to play or do homework.
6. Have individual bathroom / toilet facilities for an applicant and their household.
7. Have access to on-site laundry facilities whenever possible.
8. Have a suitable standard of furniture to meet the applicant and their households' needs.
9. Have a minimum standard of cleanliness and decoration.
10. Have sufficient and affordable heating systems at an acceptable efficiency rating.
11. Be accessible 24 hours a day.

### **Out of area accommodation**

- 2.13 The Council will endeavour to procure all of its temporary accommodation within the local authority area, however where this is not possible due to a lack of appropriate accommodation, the Council may at times need to procure accommodation outside of the local authority area. Where this happens the Council will ensure that any accommodation it procures is as close to the local authority area as possible.

## **3. Temporary Accommodation Allocations**

- 3.1 This Policy takes into account the statutory requirements on Local Authorities in respect of the suitability of accommodation, including the Suitability of Accommodation Order 2012 and has regard to the need to safeguard and promote the welfare of children, as required by Section 11 of the Children Act 2004. When deciding if a temporary accommodation placement is suitable, consideration will be given to Chapter 17 of the Homelessness Code of Guidance for Local Authorities which states that the following factors need to be taken into account:



- 3.2 The needs, requirements and circumstances of each household member will be considered, this includes any identified health or mobility issues, any care or support provided by agencies or the need to access specialist medical services. The key factor to consider when assessing medical issues is whether the condition itself would make the accommodation unsuitable, for example offering an upper floor flat to a household member without the ability to climb stairs. Consideration will be given to whether the accommodation is affordable for the applicant and their household.
- 3.3 Other factors to consider include the ability to access the workplace if in paid employment, avoiding disruption to the education of young people, especially those at critical points in time such as being close to taking GCSE examinations. Where possible the Council would avoid placing applicants in isolated accommodation away from public transport, shops and other facilities in order for them to maintain established links with schools, doctors, key services etc. and to ensure the wellbeing of the household.
- 3.4 The accommodation provided should have adequate space for the household and this would be assessed by taking into account the needs, requirements and circumstances of the household as outlined above. Accommodation provided on a temporary basis may not have the same number of bedrooms that would be considered reasonable for longer-term accommodation.
- 3.5 Consideration will be given to any potential risks posed to the applicant and that an applicant may pose to existing residents or members of the public.
- 3.6 Applicants will be advised of the costs associated with temporary accommodation including eligible and ineligible costs. The Council will aim to ensure all temporary accommodation is affordable.
- 3.7 Any change of circumstances that affects an applicant's needs in relation to temporary accommodation will be considered on a case-by-case basis. If their new circumstances mean their current temporary accommodation is unsuitable a move to more suitable accommodation will be prioritised.

### **Types of Accommodation**

- 3.8 Wherever possible households will be placed in flats or houses from the Council's own stock. These properties are located throughout the district.

- 3.9 The Council will seek to ensure households are not placed into accommodation of such a size that it would result in statutory overcrowding.
- 3.10 The Council will ensure that all of its temporary accommodation is of a good standard and complies with relevant housing quality standards including health and safety, hygiene and fire legislation and regulations.
- 3.11 Circumstances may arise which require short notice placements of households into emergency temporary accommodation. In addition the properties within the Council's stock may all be occupied. In such cases the use of Bed and Breakfast accommodation may be the only option available to fulfil the Council's temporary accommodation duty. If an applicant contacts the Housing Options team outside of office hours and requires emergency accommodation, Bed and Breakfast accommodation is often the only option. Consideration is given to the Code of Guidance which states that Bed and Breakfast accommodation is not to be regarded as suitable for 16 and 17 year olds or applicants with dependent children residing with them, therefore Bed and Breakfast placements for households of this type are only to be used if no other accommodation is available. The Council aims for all Bed and Breakfast placements not to exceed a period of 6 weeks, however there may be exceptions to this if no other suitable accommodation options can be identified within the 6 week period. Whenever an applicant is accommodated in a Bed and Breakfast, attempts will be made to identify alternative temporary accommodation as soon as possible.

### **Out of area placements**

- 3.12 There are circumstances in which the Council needs to place households outside of Ashfield, for example, if there is no available accommodation within the district or for the safety of the applicant or others. Under such circumstances this is likely to be bed and breakfast accommodation.
- 3.13 Whenever an applicant and their household is accommodated outside of the local authority area, attempts will be made to identify alternative temporary accommodation within Ashfield as soon as possible.

### **Offers and refusals**

- 3.14 Where the Council decides that households need to be accommodated, they will be given one offer of suitable interim or longer-term temporary accommodation, which should be accepted.

- 3.15 In making an offer, the household's individual circumstances will be considered, taking into account the factors set out in this policy.
- 3.16 If an applicant rejects an offer, they will be asked to provide reasons for the refusal. The Council will consider these reasons and undertake further enquiries as appropriate. If the Council accepts the reasons for refusal, the offer will be withdrawn and a further offer will be made.
- 3.17 Where there is an interim duty to accommodate under Section 188 HA96 applicants will be provided with temporary accommodation until either:
- i) The investigation into their homelessness application is complete,
  - ii) The outcome of any review is known (if accommodation is provided pending the outcome of the review), or
  - iii) The applicant or a member of their household breaches the terms of their occupation agreement.

Where applicants refuse suitable interim accommodation under Section 188 (which may include out of district placements) and the Council does not accept their reasons for refusal, applicants will not be offered further accommodation. There is no right of appeal against the suitability of accommodation offered to applicants under Section 188 HA96 other than by way of a judicial review through the courts.

- 3.18 Where there is a main duty to secure accommodation (as described in Section 193 (2) HA96) applicants will be provided with temporary accommodation until either:
- i) They cease to be eligible for assistance
  - ii) They become intentionally homeless from the accommodation provided
  - iii) They otherwise voluntarily cease to occupy the accommodation provided as his/her only or principal home
  - iv) If they accept or reject a final offer of suitable social housing made through the Council's Housing Register or a suitable final offer of private rented accommodation where the offer has been made to end this duty, or
  - v) They accept an offer of an assured tenancy

In cases where the applicant refuses a suitable offer of temporary accommodation under Section 193 HA96 the homelessness duty will be discharged. They will be advised that no further assistance will be provided. For applicants where the Council has accepted a rehousing duty under

Section 193 HA96 there is a right to request a review of the suitability of the temporary accommodation offered pursuant to Section 202 HA96.

Where the Council has accepted a Section 193 duty and the applicant refuses a suitable offer, e.g. a council tenancy, in discharge of this duty and the applicant submits a review request, the Council has a power, but not a duty, to offer further accommodation. Each case will be considered on an individual basis, taking into account the overall merits of the review request, any new information or evidence that may affect the original decision and the personal circumstances of the applicant and the potential impact of the loss of accommodation.

- 3.19 Where the Council has decided that no duty is owed under Section 193 HA96 then a household will be given reasonable notice to leave the interim accommodation. If they submit a review request, the Council has a power, but not a duty, to offer further accommodation. Each case will be considered on an individual basis, taking into account the overall merits of the review request, any new information or evidence that may affect the original decision and the personal circumstances of the applicant and the potential impact of the loss of accommodation.
- 3.20 Where the Council decides that it does not have a duty under Section 188 of the HA96 to provide accommodation to applicants who have been placed in emergency accommodation, they will be asked to leave, usually within fourteen days of receiving their decision letter. If a review request is submitted, the Council has a power, but not a duty, to offer further accommodation and this will be considered on the merits of the case as above.
- 3.21 An applicant's temporary accommodation will also be brought to an end when they source their own alternative accommodation.
- 3.22 Where the Council is satisfied that they are under no further duty to secure interim accommodation or where this duty has ended, the Council will terminate the applicant's right of occupation.

#### **4. Review of Policy**

Ashfield District Council will review this policy as often as needed, on an annual basis, or when new legislation is enacted to ensure that its provision of temporary accommodation continues to meet current and anticipated demand.