



Hinckley & Bosworth  
Borough Council

*A Borough to be proud of*

Date: 12 April 2016

To: All Members of Council

Copy to all other Members of the Council

(other recipients for information)

Dear Councillor,

Please see overleaf a Supplementary Agenda for the meeting of the **COUNCIL** on **TUESDAY, 12 APRIL 2016 at 6.30 pm.**

Yours sincerely

A handwritten signature in black ink, appearing to read 'R Owen'.

Rebecca Owen  
Democratic Services Officer

**SUPPLEMENTARY AGENDA**

6. **QUESTIONS**

Question from Councillor Nichols to the Executive member for Neighbourhood Services:

“At the beginning of March, I received my Council Tax Demand Notice and in with it was another piece of paper, headed Garden Waste Collection Service. Upon reading that document I was extremely shocked and amazed to see on page 2 a **STEALTH INCREASE in charges**, under the heading “What is the cost?”, the words “**£24 per brown garden waste bin**”.

- 1 Where was it stated in any of the documents issued to Councillors at the Budget Meeting of the Council, that the cost of a second Brown Bin would be going up to £24, or that the cost would be £24.00 **per bin**, and how can you justify a 60% rise in the cost of a second bin, from £15 to £24, when there are no additional transport costs or personnel costs, as the vehicle and men are already there collecting the first bin? The £24.00 charge equates to a 16.86% increase in the Borough Council’s Council Tax, so for both bins this equates to a 33.72% increase
- 2 Have you any figures to show the number of times in a year that the second bin is collected?
- 3 In view of the above comments, will this Council now review the additional charge for the second Brown Bin and bring it back to a more affordable and representative cost and could a report be brought to the next available Scrutiny Commission with :-
  - a) The number of single Brown Garden Waste Bins issued to householders up to 1<sup>st</sup> March 2016, since the original scheme began.
  - b) The number of second Brown Bins issued in the same period.
  - c) The number of single Brown Bins issued under the new charging scheme.
  - d) The number of second Brown Bins issued under the new charging scheme.
  - e) The expected cost of collecting the Brown Bins not paid for.
  - f) The expected cost of storage, if any.
  - g) The expected cost of disposal.”

Response from the Executive Member for Neighbourhood Services:

“May I thank Cllr Nichols for his questions,

1. I would refer him to Page 8 of the Scale of Fees and Charges 2016-17 agreed by Council on 18 February 2016 which details £24 per bin as a new charge. The costs of servicing additional bins either from the same or adjacent premises is not significantly different and is still very good value as demonstrated by the 20,881 households already signed up (6.4.16) for over 21,800 bins, including 913 households who have signed up for more than one bin. One has even signed up for 7. Where other authorities have reduced charges for a second bin, the initial charge is often higher for example Rushcliffe BC at £30 along with higher district council tax charges than with this Council. Many also charge the same for additional bins e.g. Harborough £40 for fewer collections per year.

2. No details are collected relating to second bin emptying as it will depend on whether residents choose to present the second bin and varies wildly throughout the year due to seasons and weather.
3. This Council has recently set the fees and charges for this year and sees no need to revise them for this year. The fees and charges for next year will be reviewed and presented to Council in February 2017. I understand Scrutiny has already included in their timetable a report on waste and I am sure officers would be happy to report on the success of the scheme which as of 6 April has 43% of the borough's households signed up to continue receiving the valued service."

#### 8. LEADER OF THE COUNCIL'S POSITION STATEMENT

At its budget meeting in February, this Administration approved a balanced budget for 2016/17 and set out an MTF5 which will provide a balanced budget for the next four years. Because of our actions, this Council is now in much better shape than a year ago and can now concentrate on making further efficiency savings, and delivering improvements to our services.

Today we are putting before members a number of key papers, firstly we publish a strategy which sets out our priorities for rural communities. Secondly, we propose changes to planning fees and charges which will allow us to recover the cost of providing advice to our customers. We also propose a new schedule of meetings and changes which will see the Overview & Scrutiny function, Council and Executive meetings aligned in a better sequence. There is also a late paper to seek members' support for our contribution towards the protection and resettlement of Syrian refugees.

This Administration has in the past few months made improvements to give members more information about evolving planning policy. Regular updates to planning committee on enforcements and major new developments are a help to members wanting to understand progress on key developments once approval has been granted. We have recently introduced a liaison group for a sensitive development in Earl Shilton. This comprises officers and members, working with the developer and the local community to deliver what has been approved. Introduced after the granting of permission and to continue during development, we will implement more of these as new developments come on stream.

Council's draft response to Government's consultation on possible changes to the planning system has been circulated to members today for comment prior to submission. In May we will be holding a planning for growth workshop for Parish Councils and members. We are also continuing to provide updates to members on policy developments and links with other authorities, through the planning policy forum. These are just some of the changes that are giving members better control over planning decisions and will give us better control over where new homes are built.

Regeneration continues in Hinckley with the Crescent seeing regular new additions, plans are in place to demolish and redevelop the old leisure centre site, and officers are investigating other sites in the Town Centre that would benefit from redevelopment.

In the next few weeks we shall see the opening of the new leisure centre, celebrate the 90<sup>th</sup> birthday of Her Majesty Queen Elizabeth II and commemorate St George's Day. I also hope to be celebrating a Premier League title win for Leicester City, a club I have supported from the days of Keith Weller in his white tights, through all of the ups and downs of the years in between, and now into the Champions League.

13. PLANNING PRE-APPLICATION CHARGING REGIME (Pages 1 - 8)

To recommend a new charging regime for planning pre-application advice.

14. BUILDING CONTROL FEES & CHARGES (Pages 9 - 12)

To seek approval for calculation, publicising and setting of fees for chargeable building control work for 2016/17 to be delegated to the Chief Planning and Development Officer.

15. SYRIAN VULNERABLE PERSONS RELOCATION SCHEME (Pages 13 - 18)

To obtain Council approval to participate in the Syrian Vulnerable Persons Relocation scheme.



**COUNCIL – 12 APRIL 2016**

**PLANNING PRE-APPLICATION CHARGING REGIME**

**REPORT OF DEPUTY CHIEF EXECUTIVE (COMMUNITY DIRECTION)**

**WARDS AFFECTED: ALL WARDS**

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1. PURPOSE OF REPORT

1.1 To seek approval to implement a new planning pre-application charging regime.

2. RECOMMENDATION

2.1 That Council approves the new pre-application charging regime as set out in section 4 of the report below.

3. BACKGROUND TO THE REPORT

3.1 Although pre-application advice is a discretionary/non-statutory service, it is an important part of the development management process, as it adds value to the quality of planning application submissions, as well as encouraging the delivery of high quality and appropriate development. Early, collaborative discussions between developers, the local planning authority and communities can help shape better quality, more accepted schemes. As a result such developments can be brought forward more quickly and deliver improved outcomes for the community and the council as local planning authority. Effective pre-application discussions can result in the avoidance of wasted effort and cost for both the developer and the council in dealing with withdrawn or refused planning applications and appeals.

3.2 In addition, the Government's 'Planning Guarantee' sets out that no planning application should spend more than a year with decision-makers, including any appeal. In practice, notwithstanding statutory 8 and 13 week targets, this means that planning applications should be decided in no more than 26 weeks, allowing a similar period for any appeal. For the council, this means that if a planning application is not determined within 26 weeks, the authority may have to reimburse the planning application fee. For major development proposals this can run into many thousands of pounds and due to the scale of such developments these are often the ones that can take the longest to determine. An effective pre-application service would in effect 'front load' discussions with applicants and developers potentially resolving issues and offering guidance prior to a formal planning application being issued which would help speed up the determination of a planning application once submitted.

3.3 The council currently offers two forms of pre-application advice to developers and homeowners. The first is for major developments of over 10 dwellings and is charged at £1700 + VAT. This service was introduced in 2012. The second is for householder pre-application advice where a charge of £75 + VAT is made. This was introduced by Full Council in February 2015 and implemented in June 2015. The council has received feedback and complaints from developers, and in particular smaller local housebuilders, that the council does not offer any form of pre-application engagement for schemes larger than a domestic extension or smaller than 10 dwellings. It is therefore considered timely to review the current fees and charges but also comprehensively the pre-application service that the council offers.

#### 4. PROPOSALS

4.1 In 2014 a cross sector group of councils, the development industry and statutory consultees worked with the Local Government Association Planning Advisory Service to establish 10 commitments that would improve the contribution of pre-application discussions to good planning. These commitments are seen as best practice guidance and have been used in the development of the new pre-application charging regime:-

- 1) **Enable sustainable development to proceed efficiently from proposal to completion.** How? Via open and integrated working with all parties. Adopt a positive approach to find solutions to enable a clear path through the planning system.
- 2) **Offer a range of pre-application services to developers, making sure that each choice can be delivered in a timely, effective manner proportionate to the size of the proposal.** How? Make choices available, including setting out the process, costs, timetable and output for each level and make this information clear and available on the council's website.
- 3) **Help potential applicants? to select the level of engagement necessary to deal with the issues raised by the proposal.** How? Recognise that potential applicants will only opt to use a pre-application service that offers them good value for business and provides an effective service.
- 4) **Demonstrate that pre-application services are good value for money.** How? Pre-application engagement costs both the council and the developer and therefore the service will be efficiently run and effective with costs charged justified and related to the service offered.
- 5) **Co-operate to bring together the right people to address all of the development issues.** How? Processes will be established to ensure the right people both internally within the council and externally with statutory consultees to ensure the advice given and the commitments made are carried through into a planning application.
- 6) **Have an open exchange of information.** How? We will ensure that all information pertinent to the decision making is freely available to all interested parties prior to the submission of an application.
- 7) **Be collaborative; the requirements of all parties should be given consideration.** How? The Development Plan will be the starting point, but to ensure delivery is possible, the needs of other parties will be taken into consideration. Planning Performance Agreements will be used on the most major and significant schemes to provide a shared project management schedule.
- 8) **Provide an opportunity for councillors to be actively involved in pre-application discussions.** How? Councillors will be closely involved in key proposals that affect their wards bringing developers and elected members together to produce a scheme that meets the area's needs.
- 9) **Engage with local communities about development proposals as early as possible.** How? Developers will be encouraged to discuss proposals with parish councils, neighbourhood forums, stakeholder groups and local residents by providing key contacts and sharing the community's aspirations

- 10) **Maintain an agreed record of information submitted, advice given and any agreements reached.** We will follow up all meetings in writing, providing written responses to advice given in a timely manner.

#### Benchmarking

- 4.2 Councils can choose to recover the cost of pre-application work by making a charge under s93 of the Local Government Act 2003 for providing a discretionary service. When making a charge, councils must set the charge at a level that does not generate a surplus. For this reason it is important when setting a new pre-application charging regime that the charges set should be justifiable against the costs of delivering that service, principally in relation to officer time but also associated on-costs.
- 4.3 The Planning Advisory Service (PAS) and Chartered Institute of Public Finance and Accountancy (CIPFA) conducted a national benchmarking exercise in 2012 with 250 participating planning authorities (including HBBC) and more than 8,500 planning officers taking part. Following individual planning officers and support staff recording their time on an average basis it was calculated that the average hourly rate of development management staff is £20.12 an hour. For HBBC the average cost for development management staff was higher at £29.60 an hour. Allowing for inflation over this period since 2012 of 2.1% a year this figure in 2016 equates to £31.52. This figure includes the range of staff involved in the development management process – managers, planning officers and support staff.

The total on-cost including accommodation, corporate costs, annual leave, training and sickness is an average of 135%. Therefore the average composite hourly rate is £74.07 an hour. This would be higher for more senior planning officers and managers and lower for junior officers and support staff.

- 4.4 Some degree of estimation and averaging is therefore inevitable and reasonable in order to establish such a charging regime. This will be kept under review to ensure that charges are reflective of the service offered and particularly in relation to officer time.
- 4.5 A number of local planning authorities throughout the country have been/are charging for pre-application advice for some time now. Further to a review of other local planning authorities in Leicestershire and that bound Hinckley and Bosworth in Warwickshire, it is noted that all charge for pre-application advice in some form or another. The charges levied by the various authorities are set locally and therefore there is a significant degree of variation from authority to authority. A table showing the schedule of pre-application charges levied in nearby authorities is attached at **Appendix 1**.

#### Proposed Charging Regime

- 4.6 A proposed schedule of pre-application charges for is set out below. The proposed fees have been devised having regard to legislation (that charges must be on a not-for-profit basis); the unit/hourly costs normally involved in dealing with pre-application enquiries, as identified by the PAS benchmarking exercise; the existing charges levied by other nearby authorities; and, the actual planning application fee for the type of development. It is therefore considered that such charges would be both reasonable and sustainable, whilst ensuring that an appropriate level of income is received to support the level of resource needed to respond to such pre-application enquiries.

For a more complex and larger development the greater the cost that is incurred to process in relation to time spent dealing with the pre-application request by

potentially more than one officer and undertaking meetings and providing a written response, whereas a minor development proposal that is likely to be more straightforward in nature and can be dealt with by a junior officer will have less costs incurred in processing.

<b>Development Type</b>	<b>Fee</b>
Major strategic developments where a Planning Performance Agreement is required	To be negotiated on a case by case basis
Large scale residential, retail, leisure or employment sites, 100 + dwellings or 9,999 + m <sup>2</sup> floor space (Planning Performance Agreement)	£3,000 + VAT (£3,600)
50 - 99 dwellings or 5,000 – 9,999 m <sup>2</sup> floor space	£1,200 + VAT (£1,440)
10 – 49 dwellings or 1,000 – 1,499 m <sup>2</sup> floor space	£800 + VAT (£960)
5 – 9 dwellings or 500 – 999 m <sup>2</sup> floor space	£500 + VAT (£600)
1 – 4 dwellings, agricultural, change of use or other minor development proposals	£300 + VAT (£360)
Householder extensions or outbuildings	£75 + VAT (£90)

4.7 The proposed categories reflect the scale of development and estimated costs for processing such pre-application queries. For the larger developments statutory consultees are likely to need to be consulted, the policy position established, heads of terms for S106 agreements established and site visits and meetings which will usually be undertaken by a senior officers which equates on average to either £1,200 or £3,000 depending on the scale of the proposal. For a smaller proposal of a single dwelling which may be relatively straightforward with a site visit, research of the site history and written response only it may take an officer 4 hours in total which would equate to £300.

4.8 Proposed exemptions:

- Planning discussions following enforcement investigations.
- Where the enquiry is made by a local authority or the county council.
- Where the enquiry is made by a parish, town council or neighbourhood forum.
- Where the proposal is for extensions/alterations for the direct benefit of a disabled person/s (and as such there would be no fee incurred to make a planning application).
- Works in respect of Tree Preservation Orders.
- Works to a listed building or in a conservation area, where no planning application fee would be required.
- Advice about how to submit a planning application or a fee enquiry.
- Any other pre-application discussion which the Chief Planning & Development Officer considers is in the council's or public interest to exempt from a charge.

#### Confidentiality

4.9 The Environmental Information Regulations 2004 include a presumption in favour of disclosure of information, including pre-application advice, unless such disclosure would cause an adverse impact. Whilst the pre-application proposal would not be subject to any publicity, if it includes any confidential or commercially sensitive information then applicants will be advised to clearly mark this as such. The council



retains discretion in regard to any disclosure of information and prior to disclosing any information marked confidential or commercially sensitive then this will be done in collaboration with the applicant before release wherever possible. Once a planning application has been submitted there is an expectation that the pre-application advice will come into the public domain for the sake of transparency.

#### Conclusion

- 4.10 Therefore, in view of the above, Members are asked to endorse the new pre-application charging regime in order to recoup the majority of the costs in officer time of providing such advice to developers and consequently off-setting the cost attributed to the local tax payer for providing this non-statutory service. Subject to approval of the new charging regime a detailed protocol will be prepared and it is likely that the new regime will be introduced in May 2016.

#### 5. FINANCIAL IMPLICATIONS (TF)

- 5.1 There is an income budget of £30,000 for pre-application advice and as at February 2016 it is anticipated that this budget will under achieve by £20,000. It is anticipated that the updating of the pre-application advice charge will assist in achieving the income budget of £30,000 for the financial year 2016/17.
- 5.2 The charges set out in paragraph 4.5 are set using estimates of costs from the national bench marking exercise which was performed in 2012, as mentioned in paragraph 4.3, and the benchmarking against the charges made by other local authorities in the area.

#### 6. LEGAL IMPLICATIONS (MR)

- 6.1 The section 93 charging power is not intended to provide a new income stream. The Council is under a general duty to secure that from one financial year to the next the income from charges does not exceed the costs of provision and must offset any surplus or deficit in income as a result of any over or under recovery of charges when setting future charges.
- 6.2 There are no provisions in section 93 for calculating income and expenditure. That is left to the Council's discretion. 2003 government guidance suggests how income and expenditure should be calculated and suggests that it might be helpful to draw on CIPFA's Best value Accounting Code of Practice.
- 6.3 The Council can set the level of charge as long as income from charges does not exceed the cost of its provision.

#### 7. CORPORATE PLAN IMPLICATIONS

- 8.1 The recommendations relate to all the aims of the Corporate Plan. The posts are essential to help to deliver economic growth, protect open spaces and provide decent and affordable homes. Through planning decisions, the posts also works to improve the health and well-being of residents.

#### 9. CONSULTATION

- 9.1 None

#### 10. RISK IMPLICATIONS

- 10.1 It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

10.2 It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.

10.3 The following significant risks associated with this report / decisions were identified from this assessment:

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
Raised expectations from developers in providing improved pre-application advice, potentially leading to increased complaints if the service is not delivered.	Ensure staff adequately resourced and trained and that the pre-application protocols, including the timescales set therein are met.	Nic Thomas

11. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

11.1 A well-managed and appropriately resourced planning service would ensure that resources are in place to provide a high quality planning applications and enforcement service for the whole borough.

12. CORPORATE IMPLICATIONS

12.1 By submitting this report, the report author has taken the following into account:

- Community Safety implications
- Environmental implications
- ICT implications
- Asset Management implications
- Human Resources implications
- Planning Implications
- Voluntary Sector

Background papers: Schedule of current pre-application charges levied at other Local Planning Authorities (Appendix 1)

Contact Officer: Simon Atha, Principal Planning Officer Ext. 5919

Executive Member: Councillor Mike Hall

**Appendix 1 - Schedule of current pre-application charges levied at other Local Planning Authorities**

<b>Local Planning Authority</b>	<b>Charge for strategic development</b>	<b>Charge for major development</b>	<b>Charge for minor development</b>	<b>Charge for other</b>	<b>Charge for householder</b>
North West Leicestershire	£3,400	£1,800	Free	Free	Free
Blaby	£240 - £360	£180 - £300	£90 - £120	£50	Free
Charnwood	£4320	£1440 - £2880	£360 - £735	£144	Free
Melton	£1476	£615 - £922	£123 - £246	£49 - £98	Free
Harborough	£290 - £420	£200 - £360	£141 - £200	N/A	£40 - £80
Rutland	£360 - £489	£240 - £360	£183 - £120	Free	£61
Nuneaton	£3000	£1000 - £2000	£200 - £400	£40 - £80	Free
North Warwickshire	Free	Free	Free	Free	Free
<b>HBBC (Proposed Charges)</b>	<b>£3,000</b>	<b>£800 - £1,200</b>	<b>£300 - £500</b>	<b>£300</b>	<b>£75</b>

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## **COUNCIL – 12 APRIL 2016**

### **BUILDING CONTROL FEES**

#### **REPORT OF DEPUTY CHIEF EXECUTIVE (COMMUNITY DIRECTION)**

#### **WARDS AFFECTED: ALL WARDS**

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##### 1. PURPOSE OF REPORT

- 1.1 To seek approval from Council for delegated powers to be granted to the Executive Member for Planning and the Executive Member for Finance, ICT & Asset Management in conjunction with the Deputy Chief Executive (Community Direction) to set building control fees for 2016 -17.

##### 2. RECOMMENDATION

- 2.1 That Council approves the recommendation to allow the Executive Member for Planning and the Executive Member for Finance, ICT & Asset Management in conjunction with the Deputy Chief Executive (Community Direction) to set fees for chargeable building control work for the year to 31 March 2017 to allow implementation of fees from June 2016. Charges for future years (from 1 April 2017) will be presented to Council as part of the Scale of Fees and Charges.

##### 3. BACKGROUND TO THE REPORT

- 3.1 The council has powers under the Building (Local Authority Charges) Regulations 2010 (formerly the 1998 Building (Local Authority Charges) Regulations) (“The Regulations”) to set its own fees for applications and notices that are submitted under the building regulations. These regulations are based around the principle that a Local Authority should fix its charges by setting out a schedule, which should be based on cost recovery. It is also on the basis that the user should pay for the actual service they receive. An authority is not permitted to make a ‘profit’ from charges. Nor may the service be subsidised by other income.
- 3.2 The Regulations allow an authority to charge for providing advice relating to their building control functions. They also allow the option of setting standard charges or making individual determinations of charges. Local authorities must keep costs to a minimum to make sure that charges are affordable and competitive. They must not be set artificially low to win business from competitors (external Approved Inspectors). Charges should also not be set at a level that would encourage people to circumvent the regulations. Councils have the power to amend, revoke or replace any charging scheme they introduce, subject to providing notice to service users for a minimum of seven days.
- 3.3 Local authority building control services operate functions that are both chargeable and non-chargeable. This report relates specifically to chargeable functions, which comprise:
- Checking plans
  - Carrying out inspections of building work in connection with plans
  - Checking and inspecting work covered by building notices
  - Reversion applications
  - Regularisation applications.

- 3.4 Local authorities are required under the Regulations to review their charges at the end of each financial year. This review should take account of any surpluses and deficits made in earlier years. The intention is that over a reasonable period of time (normally three to five years), income matches costs. Local authorities must not use building regulations surpluses to fund other council services. However, they may use surpluses to invest in improving the quality of the chargeable building control service.
- 3.5 To calculate the charge, local authorities are required to calculate the hourly rate of their building control officers to the time spent carrying out their chargeable functions. The charge becomes the average hourly rate multiplied by the number of hours spent on individual or types of building projects.
- 3.6 Work is currently underway to calculate the hourly rate of officers carrying out chargeable building control work. Task monitoring work is also underway to determine the amount of time spent on each chargeable function. This will allow a charging schedule to be introduced in the summer 2016. While these calculations are still underway, it is likely that there will be a modest increase to the hourly rate compared with the 2011 figure.
- 3.7 To ensure that the service is able to introduce an up to date charge for the 2016-17 financial year, to comply with the 2010 regulations, delegated powers are sought to allow the Chief Planning and Development Officer to calculate, publicise and set fees for chargeable building control work for the year to 31 March 2017. For future years, the chargeable rate will be set out in the council's Scale of Fees and Charges that will be presented to Council before the start of each financial year.

#### 4. FINANCIAL IMPLICATIONS [TF]

- 4.1 The budgeted income for 2016/17 is £224,450 and the updating of the charges will assist in meeting this target.
- 4.2 The anticipated increase to the building control charge can not be accurately ascertained until the task monitoring exercise mentioned in paragraph 3.6 has been completed.
- 4.3 The legal team are planning to clarify whether there are implications from not updating the building control fees yearly. Officers will ensure this is completed before this report is presented to members. Any financial implications will have to be dealt with in line with financial procedure rules.

#### 5. LEGAL IMPLICATIONS [MR]

- 5.1 Section 101 Local Government Act 1972 permits the Council to delegate the carrying out of its functions to an officer.
- 5.2 The Constitution allocates certain functions re building control under the 'Culture Development and Regeneration Portfolio' but doesn't make any specific reference to the setting of fees.
- 5.3 All committees have power to manage their services within the approved budgets and to approve fees and charges.
- 5.4 It would seem acceptable that the Council could in principle delegate to an officer the setting of fees and charges.
- 5.6 The Regulations require the Council to review its charges at the end of each financial year for the purpose of achieving the overall objective. When setting its charges for a

particular financial year the Council must take account of surpluses and deficits made in earlier years.

- 5.7 The overriding objective is to ensure that taking one financial year with another the income from charges as nearly as possible equates to the costs incurred of carrying out the building regulation function.

6. CORPORATE PLAN IMPLICATIONS

- 6.1 Providing Value for Money – the regular review of building control fees will allow the service to remain competitive and respond to changing market conditions.

7. CONSULTATION

- 7.1 When the charges have been calculated, they will be publicised for a minimum of seven days to comply with the 2010 regulations.

8. RISK IMPLICATIONS

- 8.1 It is the Council’s policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

- 8.2 It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer’s opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.

- 8.3 The following significant risks associated with this report / decisions were identified from this assessment:

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
Loss of work to Approved Inspections	Being able to set building control fees at a level that is competitive.	Jonathan Lee

9. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

- 9.1 Introducing a power to set and regularly review building control fees would ensure compliance with the 2010 regulations by ensuring that only the user pays for the service. This ensures that others who are not using the service do not subsidise the cost of dealing with building regulations matters.

- 9.2 The 2010 regulations include provision to allow charges to be waived for building control work relating to applications providing accommodation for disabled people.

10. CORPORATE IMPLICATIONS

- 10.1 By submitting this report, the report author has taken the following into account:

- Community Safety implications
- Environmental implications
- ICT implications
- Asset Management implications
- Procurement implications
- Human Resources implications

- Planning implications
  - Data Protection implications
  - Voluntary Sector
- 

Background papers: Building (Local Authority Charges) Regulations 2010  
Building (Local Authority Charges) Regulations 1998

Contact Officer: Jonathan Lee ext. 5682

Executive Member: Cllr Mike Hall





## COUNCIL – 12 APRIL 2016

### SYRIAN VULNERABLE PERSONS RELOCATION SCHEME

#### REPORT OF DEPUTY CHIEF EXECUTIVE (COMMUNITY DIRECTION)

#### WARDS AFFECTED: ALL WARDS

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#### 1. PURPOSE OF REPORT

- 1.1 To obtain Council approval to participate in the Syrian Vulnerable Persons Relocation scheme.

#### 2. RECOMMENDATION

Council:

- 2.1 Agrees to participation in the Syrian Vulnerable Persons Relocation scheme (SVPR).
- 2.2 Agrees to the provision of two properties a year (10 people) in the private rented sector for the next five years to support the SVPR.
- 2.3 Approves an initial supplementary income and expenditure budget of £85,200. This will be financed from Home Office funding allocated to Charnwood Borough Council, as the recipient authority, and pass ported to the Council.
- 2.4 Agrees to delegate authority to Deputy Chief Executive (Community Direction) for an additional increase in the income budget up to a maximum of £85,200 and matching expenditure budget up to a maximum of £85,200, if there is additional demand for the scheme, funded from the Home Office grant funding.

#### 3. BACKGROUND TO THE REPORT

##### **3.1 Syrian Vulnerable Persons Resettlement programme.**

- 3.1.1 In September 2015 the Prime Minister announced that Britain should resettle up to 20,000 Syrian refugees over the lifetime of this parliament. These refugees will be taken from camps in the countries neighbouring Syria using the established United Nations High Commissioner for Refugees process for identifying and resettling refugees.
- 3.1.2 Phase one saw approximately 1000 refugees coming into Britain with around 10% of these being resettled in the East Midlands. Phase 2 is due to commence on the 1<sup>st</sup> April and local authorities have been asked to assist with accommodating and supporting refugees.
- 3.1.3 Details of the scheme are as follows:
- Refugees will have had their status determined before entering into the country and will be given leave to remain for 5 years with full access to employment and public funds.
  - The Syrian scheme is funded and is provided on the basis of claiming to the Home Office for expenditure after it is incurred. The recipient local authority will receive £8,520 for each person within a family. There will be a separate

budget for education and health. Housing costs will be covered by local housing allowance/housing benefit.

- The funding reduces over the years of the scheme: year 2 £5,000, year 3 £3,700, year 4 £2,300 and year 5 £1,000.
- Charnwood Borough Council will act as the recipient authority on behalf of District Councils in the County and Rutland County Council.
- The Council will need to identify suitable accommodation, considering community cohesion, ASB, crime, school placements etc.
- The £8,520 must be used to fund housing set up (full, basic furniture), transport, English language translation and courses, support services and other necessary services to support the refugees.
- Work will take place with CCGs, DWP, police, education services and the voluntary/faith sector in the development of our local scheme.

3.1.4 In terms of practical considerations, once an authority has agreed to participate in the scheme they will be told 6 weeks in advance of arrival who has been identified to come to their area. Arrivals are due to take place on a quarterly basis. Information will be given on specific needs and requirements. Areas which have accepted refugees in the first phase have set up panels to discuss the refugees allocated, to discuss whether they are able to meet the needs of the refugees. At this point if the local authority, along with partners, feels they cannot accommodate the needs of the identified refugees they can respond accordingly, but the Home Office can overrule any refusal. It is also worth noting that refugees can refuse to come at any point right up to the flight leaving.

### 3.2 **Leicestershire's response.**

3.2.1 Leicester City Council has assisted a number of families in phase 1. The 7 Districts and Rutland have met recently to discuss their response. It has been agreed that there should be a partnership approach, including one conversation with CCGs and the voluntary sector (the Red Cross are a main provider of support) and joint procurement of items such as furniture packages, translation and support services.

3.2.2 Charnwood Borough Council have agreed to be the recipient authority on behalf of the District Councils in the County and Rutland County Council. They will liaise with the Home Office and make the funding claims for refugees. Funding will be passed onto councils depending on the number of refugees supported and expenditure incurred.

3.2.3 It has been agreed that a Coordinator post will be recruited to undertake the work on behalf of the partnership to cover the initial set up of any scheme and ongoing coordination and support. This will be funded out of payments received to support refugees.

### 3.3 **Considerations for Hinckley and Bosworth Borough Council.**

3.3.1 The Council's main responsibility is in the provision of accommodation. The average size of a refugee family is five persons. Whilst the Council does have its own housing stock, there is demand on the Housing Register for properties of the size needed to accommodate families of this size and, therefore, it is proposed that the Council will secure accommodation in the private rented sector to accommodate the refugee families. The Council does work with private landlords through its Housing Options work and will liaise with them over suitable properties in appropriate areas.

3.3.2 Properties would need to be below local housing allowance levels for housing benefit purposes. If properties aren't available at this rent level consideration could be given to using DHP to top up the rent, but this would need discretion to be used around the local policy recently agreed.

#### 4. **ASYLUM DISPERSAL AREA**

4.1 This is a separate scheme to the Syrian Vulnerable Persons Relocation scheme. A report on this issue will be brought forward at a later date, if required.

#### 5. **FINANCIAL IMPLICATIONS (IB)**

5.1 The table below shows the estimated annual income based on 10 refugees.

ESTIMATED BOROUGH INCOME BASED ON 10 CLAIMANTS		
	COST	Allocated per claimant
	£	£
Year 1	85,200	8,520
Year 2	50,000	5,000
Year 3	37,000	3,700
Year 4	23,000	2,300
Year 5	10,000	1,000
Total	205,200	20,520

5.2 If approved, the Council will budget for income and expenditure based on the annual income in the table above. Therefore it is hoped there will be no net additional cost on the General Fund. If costs are incurred over the grant funding limit these will have to approved in accordance with financial procedure rules.

5.3 Based on 10 claimants a supplementary income budget for the grant and expenditure budget for costs is required to the value of £85,200

5.4 The actual number of families that may arrive is currently unknown. Therefore delegated authority is being requested for another additional 10 claimants on the basis the grant funding can be secured.

5.5 For additional claimants from 2017/18, budgets will be included as part of the General Fund budget report that will be presented to Council in February 2017.

## National Grant Funding Scheme

### 5.6 First year costs for Central Government funding as summarised below.

UNIT COST FOR SYRIA VPR SCHEME					
Details of Central Government funding for the first year	Adult Benefit Claimant	Other Adults	Children 5-18	Children 3-4	Children U-3
	£	£	£	£	£
Local Authority Costs *	8,520	8,520	8,520	8,520	8,520
Education	0	0	4,500	2,250	0
Special Educational Needs	0	0	1,000	1,000	0
DWP Benefits	12,700	0	0	0	0
Primary medical care	200	200	200	200	200
Secondary medical care	2,000	2,000	2,000	2,000	2,000
<b>Total</b>	<b>23,420</b>	<b>10,720</b>	<b>16,220</b>	<b>13,970</b>	<b>10,720</b>

\*Anticipated recipient local authority grant

5.7 The Government's intention is that there is no additional cost to the local taxpayer, however the funding settlement does significantly taper from years 2 to 5 and hence could expose the Council to additional costs. Central Government have indicated that year two to five funding will be allocated on a tariff basis over four years, tapering from £5,000 per person in year two to £1,000 per person in year five. This funding could assist with most of the expected costs in year's two to five and funding includes support for integration such as additional English language training as well as social care.

5.8 The particular cost to the Council will be in relation to housing. Housing costs will vary dependant on the size of the family and will be covered by local housing allowance/housing benefit.

5.9 Although the government's intention is that there is no additional cost to the local taxpayer, currently there is no mechanism to reclaim any additional costs. Therefore, unless further direction is given, if any additional costs are incurred, they will have to be met from Council balances.

## 6. LEGAL IMPLICATIONS (AR)

6.1 Participation in the scheme remains voluntary and there is not a statutory duty to offer accommodation to Syrian families, however in participating in the scheme the Council is able to exercise its power in accordance with the General Power of Competence under s.1 of the Localism Act 2011. The Council will be exercising a public function and will therefore also be subject to s149 of the Equalities Act 2010.

6.2 The 1951 United Nations Convention Relating to the Status of Refugees defines a Refugee as:  
 "A person who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it."

6.3 Individuals arriving in the UK through the Syrian Vulnerable Persons Relocation Scheme Selection will have been granted refugee status by the United Nations High Commissioner for Refugees (UNHCR), in advance of arriving in the UK. They will be granted 5 year 'humanitarian leave' to stay in the UK and access to public funds, access to the labour market and the possibility of a family reunion.

7. CORPORATE PLAN IMPLICATIONS

7.1 Contributes to the Corporate Plan priority of supporting vulnerable people.

8. CONSULTATION

8.1 None at this stage. Consultation with the voluntary sector and partner agencies will take place as the scheme develops.

9. RISK IMPLICATIONS

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
Appropriate support and services aren't in place to support refugees.	Ensure a strong partnership approach to the delivery of the scheme involving all key voluntary and public sector services.	Sharon Stacey
Community tensions resulting from negative views and perceptions held by some sectors of the public.	A clear communication strategy will be put in place.	Sharon St/Jaqueline Puffett

10. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

10.1 By their definition the Syrian refugees will be vulnerable and it will be necessary to ensure close partnership working with key statutory and voluntary agencies to enable the appropriate services and support to be provided.

10.2 Consideration will need to be given to where the refugees are accommodated and management of community cohesion around the placements.

11. CORPORATE IMPLICATIONS

11.1 By submitting this report, the report author has taken the following into account:

- Community Safety implications
- Environmental implications
- ICT implications
- Asset Management implications
- Procurement implications
- Human Resources implications
- Planning implications
- Data Protection implications
- Voluntary Sector

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Background papers:

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