

**Guildhall Gainsborough
Lincolnshire DN21 2NA**

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AGENDA

This meeting will be recorded and the video archive published on our website

Corporate Policy and Resources Committee

Thursday, 14th December, 2017 at 6.30 pm

Council Chamber - The Guildhall, Marshall's Yard, Gainsborough, DN21 2NA

Members:

- Councillor Jeff Summers (Chairman)
- Councillor Owen Bierley (Vice-Chairman)
- Councillor Mrs Sheila Bibb
- Councillor Matthew Boles
- Councillor David Cotton
- Councillor Michael Devine
- Councillor Steve England
- Councillor Ian Fleetwood
- Councillor Stuart Kinch
- Councillor John McNeill
- Councillor Tom Regis
- Councillor Trevor Young

1. Apologies for Absence

2. Public Participation Period

Up to 15 minutes are allowed for public participation. Participants are restricted to 3 minutes each.

3. Minutes of Previous Meeting/s

To confirm as a correct record the Minutes of the previous meeting.

i) For Approval

Corporate Policy and Resources Committee meeting 9 November. (PAGES 5 - 16)

ii) For Noting

Joint Staff Consultative Committee meeting on 23 November. (PAGES 17 - 20)

Agendas, Reports and Minutes will be provided upon request in the following formats:

Large Clear Print: Braille: Audio: Native Language

4. **Declarations of Interest**
Members may make declarations of Interest at this point or may make them at any point in the meeting.

5. **Matters Arising Schedule** (PAGES 21 - 22)
Setting out current position of previously agreed actions as at 6 December.

6. **Public Reports for Approval:**
 - i) Annual subscription for the collection of garden waste (PAGES 23 - 46)
 - ii) Review of the Disciplinary Rules (PAGES 47 - 58)
 - iii) Review of the Relocation Allowances Policy (PAGES 59 - 68)
 - iv) Council Tax Support Scheme (PAGES 69 - 82)

7. **Committee Work Plan** (PAGES 83 - 84)

8. **Change of meeting date - July 2018**
To propose a change to the date of the meeting in July 2018, from Thursday 26 July, to Thursday 19th July.

9. **Exclusion of Public and Press**
To resolve that under Section 100 (A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1,2 and 3 of Part 1 of Schedule 12A of the Act.
 - i) Annual subscription for the collection of garden waste - Exempt Appendix (PAGES 85 - 90)
 - ii) National Non Domestic Rates, Council Tax and Housing Benefit Over Payments Write Offs (PAGES 91 - 118)
 - iii) Hemswell Cliff Stabilisation and Normalisation Strategy 2017 - Estate Management Programme (PAGES 119 - 128)
 - iv) Lincolnshire Wellbeing Service Procurement (PAGES 129 - 150)
 - v) Managed Workspace: Revised Proposal (PAGES 151 - 166)
 - vi) MSRL - Secured Borrowing (TO FOLLOW)

Mark Sturgess
Interim Head of Paid Services
The Guildhall
Gainsborough

Wednesday, 6 December 2017

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Corporate Policy and Resources Committee- 9 November 2017
Subject to Call-in. Call-in will expire at 5pm on 22 November 2017

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Corporate Policy and Resources Committee held in the Council Chamber - The Guildhall, Marshall's Yard, Gainsborough, DN21 2NA on 9 November 2017 commencing at 6.30 pm.

Present: Councillor Jeff Summers (Chairman)
Councillor Owen Bierley (Vice-Chairman)

Councillor Mrs Sheila Bibb
Councillor Matthew Boles
Councillor David Cotton
Councillor Michael Devine
Councillor Ian Fleetwood
Councillor Giles McNeill
Councillor John McNeill
Councillor Tom Regis
Councillor Trevor Young

In Attendance:
Ian Knowles Director of Resources and S151 Officer
Eve Fawcett-Moralee Director of Economic & Commercial Growth
Tracey Bircumshaw Financial Services Manager
Andy Gray Housing and Communities Team Manager
Alison McCulloch Revenues Team Manager
James Welbourn Democratic and Civic Officer

Apologies: Councillor Steve England
Councillor Stuart Kinch

Membership: Councillor Giles McNeill substituted for Councillor Steve England.

52 PUBLIC PARTICIPATION PERIOD

There was no public participation.

53 FOR APPROVAL

The minutes of the meeting held on 21 September were agreed as a correct record.

54 FOR NOTING

The minutes of the Joint Staff Consultative Committee on 5 October were noted.

55 DECLARATIONS OF INTEREST

Councillor Owen Bierley declared an interest in item 60 as a trustee of Keelby Sports Association, and the Keelby Village Hall Committee.

56 MATTERS ARISING SCHEDULE

Members gave consideration to the Matters Arising Schedule which set out the current position of all previously agreed actions as at 9 November 2017.

RESOLVED that progress on the Matters Arising Schedule, as set out in the report be received and noted.

57 MARKET RASEN CAR PARK REVIEW

Members considered a report on the review of the impact of car parking charges in Market Rasen, in terms of ease of car parking and town centre viability over the last 8 months.

The Economic Growth and Commercial Director highlighted that there had been a perception locally in Market Rasen that car parking charges had been detrimental to the town centre, but that the evidence had been inconclusive on this point.

The following points were raised following discussion with members:

- Having two hours free parking should encourage people to visit Market Rasen during the day;
- The loss of revenue was £11,000;
- The statutory consultation on Gainsborough was completing week beginning 13 November;
- When the car parks in Market Rasen are used a ticket will still be required, displayed in the car windscreen.

RESOLVED to:

- (1) To agree to amend the car parking charging regime as follows:**
 - a. Cessation of the free after 3pm, in favour of the introduction of a free two hours, at any time;**
 - b. Maintain car parking charges between the hours of 8am and 6pm Monday to Saturday, and;**
 - c. Continuation of the no charge policy for Blue Badge holders;**
- (2) To agree that the loss of revenue arising from the above is regarded as 'match funding' to support the evolving regeneration plans for the town over a 12 month period;**
- (3) To agree that this amendment to the car parking charging regime is**

reviewed in 12 months and options to secure cost recovery are developed and consulted on in October 2018, for implementation in April 2019.

58 BODY WORN CAMERAS - POLICY

Consideration was given to a report on a policy for Body Worn Cameras; these cameras are to be utilised by officers in set circumstances to carry out specific duties, as well as aiming for increased effectiveness when dealing with enforcement matters.

There had been some internal consultation with staff members who are the potential users of the equipment. There had also been consultation with the Joint Staff Consultative Committee.

The feedback from staff had been positive. The ability to defuse situations by having the recording function was seen as key.

Following comments and questions from members, the following points were provided:

- Officers will need to notify individuals that they are recording;
- The Policy attached to the agenda reports pack had been through the Unions, as well as the staff consultation;
- Any officer that has enforcement powers will have the ability use a camera. If there are specific areas of concern outside of enforcement where evidence collection is required then they can be looked at on a case by case basis; fly tipping could be one such example;
- The use of the devices in public was in line with CCTV usage, and the recording of audio was a valid capability;
- It was believed that you could delete footage from the body worn camera, and that a record of this deletion would be kept. The units have playback displayed on their front so that the individuals being questioned can see what was being recorded;
- If a site being investigated has a range of issues, there may be a requirement to send multiple officers. One officer can record the information gathered, rather than having two officers both wearing the equipment;
- The 'Lone Working Procedure' was there to protect staff; the camera was not a replacement for a person;
- The Policy attached to the reports pack had been developed around data protection; this was in line with the overall deployment for CCTV.

RESOLVED to approve the policy as shown in Appendix 1 of the agenda reports pack.

59 NON-DOMESTIC RATE (NNDR) - WLDC DISCRETIONARY RATE RELIEF SCHEME

Consideration was given to a report on the Council's policy on Non-Domestic Rate (NNDR) (Business Rates) Discretionary Rate Relief. The report also set out the details of the proposed guidelines for determining applications for reductions in business rates in individual cases.

The Revenue Manager informed Members that this scheme replaced the current discretionary rate relief policy, and included Village Halls.

Following questions and comments from Members, further points were highlighted:

- The application form was an improvement on what was in place before;
- Should somebody make an appeal, then an appeals board would be convened by the Strategic lead for Democratic Services;
- Charitable shops were included in this rate relief. Members raised concerns that some charitable shops stock new goods and would compete with retail stores. However, the Revenue Manager informed the Committee that the majority of charitable shops don't qualify under this scheme as there were regulations applicable to them;
- The financial figures in the report (40% cost to the West Lindsey District Council (WLDC) Collection Fund, 10% cost to Lincolnshire County Council, 50% cost to Central Government) were based on 50% retention of the business rates. If 100% retention was gained, then the additional 50% would be shared. The main benefit of 100% retention of business rates was the retention by WLDC of 100% of any growth;

Note: Councillor Owen Bierley declared a non-pecuniary interest as a trustee of Age UK Lindsey.

RESOLVED to:

- (1) Approve the Discretionary Rate Relief Policy;**
- (2) Approve that individual applications for Discretionary Rate Relief are determined by the Director of Resources/Section 151 Officer under delegated powers;**
- (3) Approve that, in the event of an appeal, it be heard by the Appeals Board. The governance arrangements of the Appeals Board are to be referred to the Governance and Audit Committee for consideration as part of the Constitution Review;**
- (4) Approve that minor amendments to the application form are determined by the Director of Resources/Section 151 Officer under delegated powers.**

60 NON-DOMESTIC RATE (NDR) - GOVERNMENT NEW DISCRETIONARY RATE RELIEF SCHEME

Consideration was given to a report by the Revenues Manager on the Council's position with regard to the new Government Discretionary Business Rate Relief Scheme for the financial year 1 April 2017 to 31 March 2018.

The Government announced that all local authorities would get a portion of £300 million towards helping support businesses in their area over the next four years.

The scheme was designed with Customer First principles in mind and in line with the Corporate Plan principles of 'People First' and 'Open for Business'. The options suggested have been taken into account alongside two other schemes that have already been implemented – these were:

- 1) Public houses – up to £1000 relief;
- 2) Cap the rise for small business to a maximum of £600 per annum.

RESOLVED to:

(1) Agree option 1 (in part 3 of the report) as the preference for the new Discretionary Rate Relief Scheme for West Lindsey District Council for 2017/18;

(2) Delegate any decisions to award additional relief to the Director of Resources, in the event of any surplus during the year 2017/18.

61 PROGRESS AND DELIVERY (PERFORMANCE) PERIOD 2 - 2017/18

Consideration was given to a report on Progress and Delivery, for Period 2 in 2017/18.

The report was about the services the council has delivered in order to meet the objectives it has set itself in the corporate plan.

The Director of Resources highlighted the following positives from the report:

- Local land charges are down an average of 5.8 days;
- Trinity Arts Centre has had audience figures exceeding the average;

Areas of risk are:

- Enforcement – additional resources have been put into this department;
- Gainsborough Market is still not performing as it should be;
- Home Choices; demand has led to the use of Bed and Breakfasts;
- There was a low spend against community grants. There had been a recent meeting

targeting this situation;

Following questions and comments from Members, further information was provided:

- High standards should be maintained across the Council. Reviews should be undertaken where there are dips in performance;
- There was a low assurance for the audit of Progress and Delivery, in part because there were levels of monitoring and reporting, but no managing;
- Some Members took the opportunity to visit the CCTV room at West Lindsey District Council (WLDC);
- Weed spraying was the responsibility of Lincolnshire County Council; WLDC does undertake some spraying under contract. There were some places in the district where visibility on the road was impaired by the weeds;
- Any contracts for weed spraying offered by WLDC would need to be income generating;
- Coordination with Lincolnshire County Council would be helpful on issues such as weed spraying and road cleansing;

Note: The Chairman asked for an update on projects which, due to the commercial sensitivity, was answered in private session with the agreement of the Committee.

RESOLVED to accept the report, with the above comments.

62 BUDGET AND TREASURY MANAGEMENT MONITORING - PERIOD 2 2017/18 INCLUDING TREASURY MID-YEAR REPORT

Consideration was given to a report on Budget and Treasury Management Monitoring for Period 2 2017/18, including the Treasury Mid-Year report. The report set out the revenue, capital and treasury management activity from 1 April 2017 to 30 September 2017.

Note: The Deputy Section 151 Officer informed Members that recommendation 'b' in the report was to be struck from the list of recommendations, and that a full review paper on earmarked reserves was to go to Prosperous Communities.

The highlights from this report were as follows:

Revenue Forecasting

- Currently forecasting an outturn position of £34,000. There were volatility reserves available should WLDC be in the unfortunate position of being in deficit at the year-end;
- Progress against the commercial plan target of £1 million - £384,000 of ongoing savings have already been generated against this target;

Fees and Charges

- The consortia bid for WLDC's Wellbeing service was led by East Lindsey District Council. Prosperous Communities have supported the bid proposals;

Capital Programme

- There were a number of updates in terms of recommendations of increasing budgets on access to transport, the delivery of the wider heritage scheme and a transfer of £30,000 to the Shop Front Improvement Scheme, and an additional £58,000 for the Gainsborough Growth Programme that will be funded from S106 monies;
- The carryover of £13.380 million was mostly related to larger projects taking place over a number of years;

Treasury Management

- Current investments totalled £22.8 million. More than the benchmarked average was achieved in terms of investment interest (at 1.17%). Treasury prudential indicators were complied with;

Following questions and comments from Members, further information was provided:

- The direction of travel indicated the movement from the last quarter. The example of salary savings was used – the direction of travel in this case was downward because there were less savings than had been reported previously;
- The costs of the by-elections in Scotter and Blyton and Sudbrooke have been provided by the Elections Team at £8,000 per election;

Note: Councillor Giles McNeill declared an interest at this point as a party agent.

RESOLVED to:

- (a) Accept the forecast out-turn position of a £34k net contribution to reserves as at 30 September 2017 (Paragraph 1.1 of the report);**
- (b) Note the use of Earmarked Reserves during the quarter approved by the Director of Resources using delegated powers (Paragraph 1.5.1 of the report);**
- (c) Accept the recommendation of the Prosperous Communities Committee in participating in the Lincolnshire consortia bid for the Wellbeing Services contract (Paragraph 1.11 of the report);**
- (d) Approve the Capital budget carry forwards of £13,380k (Paragraph 2.2 of the report);**
- (e) Approve additional expenditure of £58k for land acquisition as part of the Gainsborough Growth Programme – funding will be from Section**

106 (Paragraph 2.2.5 of the report);

- (f) Approve a £40k capital budget for expending on grants to be issued above £10k for capital investment as part of the Access to Transport project, previously approved. This is being funded from the Connectivity Reserve (Paragraph 2.2.6 of the report);**
- (g) Approve the transfer of £30k from the yet to be developed Wider Heritage Scheme to the Shop Front Improvement Scheme, thereby increasing the budget to £80k, in addition to agreeing expenditure (Paragraph 2.2.7 of the report);**
- (h) Approve the Revised Capital Budget of £13,253k (Paragraph 2.1 of the report);**
- (i) Accept the Commercial Income position;**
- (j) Accept the Treasury position to 30 September 2017.**

63 MID YEAR MEDIUM TERM FINANCIAL PLAN (MTFP) UPDATE

Consideration was given to an update on the Mid-year Medium Term Financial Plan (MTFP).

The following points were highlighted:

- Those projects that WLDC considered as risks were identified in the report. There was a target of £2 million of savings set to ensure a balanced and sustainable budget;
- There were a number of proposals within the report that would inform the MTFP for 2018/19, one of which was the proposal to create a £200k commercial contingency budget, which would act as a buffer should some projects not generate their anticipated income;
- There was a funding gap position of £159k for 2018/19. It was anticipated that this funding gap would be met from a number of sources including business plan savings, increased tax base on Council Tax, and non-domestic rates;
- New income was being generated from trade waste commercialisation;
- Planning fee income has been variable. Now the Local Plan has been improved this was likely to decrease in the near future. However, the Government were expected to propose a 20% increase in planning fee charges in the Autumn Statement. This was expected to be a benefit to WLDC, although wasn't included in the MTFP;
- The assumption of green waste charging for April 2018 was still included in the MTFP figures within the report. This was still subject to consultation;

- The underlying principle of Council tax rising by £4.95 was not changed in the MTFP;
- WLDC have committed to be part of the 100% Business Rates Retention pilot under the Greater Lincolnshire bid, which was expected to provide £500k of additional income;
- Borrowing for investment in commercial opportunities was expected to continue;
- Pay award assumption was currently 1%;
- The Budget Consultation events have been successful, and the outcomes were being drafted;

Following comments and questions from Members, further information was provided:

- Congratulations went to WLDC about the additional income gathered;
- WLDC was not making offshore investments with its available resources;
- Promoting the awareness of the Rural Services Network was welcome.

RESOLVED to:

- (1) Accept the current MTFP position and latest funding gap projection;**
- (2) Approve the inclusion of a £200k Commercial Contingency Budget within the MTFP 2018/19;**
- (3) Approve the proposals in relation to Earmarked Reserves, including the creation of a Valuation Volatility Reserve of £250k;**
- (4) Approve the integration of the Commercial Strategy and Action Plan into the Executive Business Plan and to monitor as individual budgets within Performance Reporting;**
- (5) Approve the underlying principles and assumptions to be contained within the MTFP 2018/19.**

64 PROPOSED FEES AND CHARGES 2018/19

Note: Councillor David Cotton declared an interest in the paper on Fees and Charges as Springthorpe and its burial ground was within his ecclesiastical parish. He took no part in proceedings.

Consideration was given to an annual report proposing revised fees and charges to take effect from 1 April 2018.

RESOLVED to:

- (1) Recommend to Council for approval the proposed Fees and Charges**

as detailed in Appendices 1-5 of the agenda pack;

- (2) Recommend to Council for approval the proposed Fees and Charges as recommended by Prosperous Communities Committee and detailed at Appendices 6-17;**
- (3) Approve the introduction of a fee for the inclusion of a self-build and custom building housing register at £50.**

65 COMMITTEE WORK PLAN

Members noted that there looked to be a heavy schedule for December's Committee, but were reassured by comments from the Director of Resources that the papers were not all necessarily of a lengthy nature.

The Workplan was noted.

66 EXCLUSION OF PUBLIC AND PRESS

RESOLVED that under Section 100 (A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.

The Proper Officer determined that paragraph 3 should apply. The view on the public interest test was that while he was mindful of the need to ensure the transparency and accountability of public authority for decisions taken by them in relation to the spending of public money. Disclosure of the information would give an unfair advantage to tenderers for commercial contracts.

This information is not affected by any other statutory provision which requires the information to be publicly registered.

On that basis it was felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

67 PROPOSED FEES AND CHARGES - EXEMPT APPENDIX

Members considered an exempt appendix related to the Fees and Charges report.

RESOLVED to note the appendix.

68 PROGRESS AND DELIVERY PERIOD 2 - EXEMPT INFORMATION

Members received an update on projects that were commercially sensitive.

Corporate Policy and Resources Committee- 9 November 2017
Subject to Call-in. Call-in will expire at 5pm on 22 November 2017

The meeting concluded at 8.24 pm.

Chairman

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WEST LINDSEY DISTRICT COUNCIL

MINUTES of a Meeting of the Joint Staff Consultative Committee held in the Council Chamber - The Guildhall, Marshall's Yard, Gainsborough, DN21 2NA on Thursday, 23 November 2017 commencing at 4.00 pm.

Members: Councillor Mrs Jessie Milne
Councillor Matthew Boles

Representatives of Union members: James Deacon

Representatives of Non-union staff: Rachel Parkin (Vice Chairman, in the Chair)
Kathryn Hearn

In attendance: Alan Robinson, Monitoring Officer
Emma Redwood, Team Manager People and Organisational Development
Ele Durrant, Democratic and Civic Officer

Apologies: Councillor David Cotton (Chairman)

20 CHAIRMAN'S WELCOME AND ADJOURNMENT OF MEETING

The Chairman welcomed all present and acknowledged the difficulties with parking in the town as a result of the Coca Cola Truck in the area. It was explained that this was why Councillor Cotton had been unable to attend.

The Chairman noted that Councillor Boles had informed Committee that he would be arriving 10 minutes late. As the Committee would not be quorate until his arrival, the meeting was adjourned at 16:01.

On the arrival of Councillor Boles, the Committee was reconvened at 16:07.

21 MEMBERS' DECLARATION OF INTEREST

There were no declarations of interest made at this point in the meeting.

22 MINUTES OF THE JOINT STAFF CONSULTATIVE COMMITTEE HELD ON 5 OCTOBER 2017

RESOLVED that the Minutes of the meeting of the Joint Staff Consultative Committee held on 5 October 2017 be confirmed and signed as a correct record.

23 MATTERS ARISING SCHEDULE

The Committee gave consideration to the Matters Arising Schedule, setting out the current position of previously agreed actions, as at 15 November 2017.

RESOLVED that the Matters Arising Schedule as at 15 November 2017 be received and noted.

24 REVIEW OF DISCIPLINARY RULES PROCEDURE

Members gave consideration to a report regarding the review of the Disciplinary Rules Procedure and were asked to support and recommend the procedure to the Corporate Policy & Resources Committee for formal adoption. The Committee were advised that permission was being sought for delegated authority to be granted to the Director of Resources to make minor housekeeping amendments to the policy in future, in consultation with the Chairman of the Corporate Policy & Resources Committee and the Chairman of the Joint Staff Consultative Committee.

The People and Organisational Development Manager provided a summary sheet of the changes within the document and explained that the purpose of most changes was to emphasise the severity of actions to be classed as gross misconduct. It was explained that there was a new section included regarding the behaviour of Officers outside of the workplace but that this was standard procedure for most organisations.

There was discussion regarding the acceptance of gifts and hospitality and it was explained that this was covered within the Officer Code of Conduct and there was no longer a separate procedure for this matter.

All present agreed that the amended Disciplinary Rules Procedure was very clear and easy to read and made the distinction of what was considered to be gross misconduct.

RESOLVED that it be **RECOMMENDED** to the Corporate Policy and Resources Committee that

- a) the review of the Disciplinary Rules Procedure be supported and approved for formal adoption; and
- b) delegated authority be granted to the Director of Resources to make minor housekeeping amendments to the policy in future, in consultation with the Chairman of the Corporate Policy and Resources Committee and the Chairman of the Joint Staff Consultative Committee.

25 **REVIEW OF FLEXI-TIME POLICY**

The Committee was asked to give consideration to a report regarding amendments made to the Flexi-Time Policy. It was explained that the changes within the report were minor corrections only, such as typing errors or amended job titles, and that the terms of the policy remained the same. The People and Organisational Development Manager explained that Members were asked to note and accept the minor housekeeping amendments in view of the fact that delegated authority had been granted to the Director of Resources to make this level of amendments, in consultation with the Chairman of the Corporate Policy & Resources committee and the Chairman of the Joint Staff Consultative Committee.

RESOLVED that the amendments to the Flexi-Time Policy be **noted and accepted**.

26 **DISCUSSION ITEM - MENTAL HEALTH IN THE WORKPLACE**

The People and Organisational Development Manager introduced an item for discussion regarding mental health in the workplace and the council's current and future approach to this subject. She explained the paper had been produced for the Joint Staff Consultative Committee following recent news coverage of the "Thriving at Work" report, an independent review of mental health and employers by Lord Dennis Stevenson and Paul Farmer presented in October 2017.

The Committee discussed how important it was to provide a supportive environment for employees whilst acknowledging that people did not always want to talk to colleagues or managers about mental health issues and that, in some circumstances, an individual may not realise there were issues to be addressed. It was noted that modern day working patterns, such as flexi-time, working from home and out-of-office meetings meant that colleagues could go significant time without having contact with each other and this could make it difficult to notice if there were problems.

The People and Organisational Development Manager acknowledged this and explained that there had recently been training provided for Team Managers regarding mental health awareness and how to manage change within the workplace. The Employee Assistance Programme was also discussed as a valuable resource for employees to access and she noted plans for a section on the staff website to be created as a resource area with links to self-help options and other possibilities.

Members agreed that, as this was an important area and subject to national scrutiny, there would possibly be further work required in the future. Committee was minded to hold the information for possible changes or initiatives that may arise at a later date.

27 **WORK PLAN**

The Work Plan for the business of the Joint Staff Consultative Committee was presented. Members were advised that, as the January meeting had been cancelled, it appeared there was a significant amount of planned business for the subsequent meeting in March 2018. However, given the very recent recruitment into the role of Health and Safety Advisor, it was likely that some scheduled items would be postponed.

RESOLVED that the Work Plan be noted.

28 **TO NOTE THE DATE OF THE NEXT MEETING**

Members were advised that, as previously circulated, the January meeting had been cancelled. Therefore, it was

NOTED that the next meeting of the JSCC be held on Thursday 29 March 2018, 4.00pm in the Council Chamber, Guildhall.

The Chairman noted there were no further meetings in 2017 and wished all present best wishes until the next meeting.

The meeting closed at 4.35 pm.

Chairman

Corporate Policy & Resources Committee Matters Arising Schedule

Purpose:

To consider progress on the matters arising from previous Corporate Policy & Resources Committee meetings.

Recommendation: That members note progress on the matters arising and request corrective action if necessary.

Matters arising Schedule

Status	Title	Action Require	Comments	Due Date	Allocated To
Green	The Customer First Programme	Minute extract 04/04/17, following presentation on Quality Customer Service. "A report would then be submitted to each Committee with a Chief Executive report. A report on the new procedure would be submitted to the July Corporate Policy and Resources Committee, and a workshop would be organised with Parish Councils."	A brief and scope for this work will be considered by the Prosperous Communities Committee at their October meeting. Any financial implications emerging from that report will be brought through to Corporate Policy and Resources Committee for approval.	11/01/18	Mark Sturgess
	By election costs	Cllr G McNeill requested a breakdown of costs for by elections as there seemed to be a standard cost of £8000 from Elections.	The costs for Scotter, and the Sudbrooke by-election seem to be the same - could a breakdown be submitted to Cllr G McNeill?	14/12/17	Tracey Bircumshaw
Grand Total					



**Corporate Policy and
resources Committee**

14th December 2017

Subject: Annual subscription for collection of garden waste

Report by:

Head of Paid Service

Contact Officer:

Adrian Selby
Strategic Manager Services
01427 675154
Ady.selby@west-lindsey.gov.uk

Purpose / Summary:

For Members to set the annual subscription for kerbside garden waste collections from April 1st 2018

RECOMMENDATION(S):

- (1) Members accept the recommendation from Prosperous Communities Committee on 5 December 2017, and approve that the annual subscription for receiving the Kerbside Chargeable Garden Waste Service be set at £35 per year;**
- (2) Subject to recommendation 1 being agreed, Members agree that the charge should be reviewed in December 2018.**

IMPLICATIONS

Legal: Under Controlled Waste Regulations (2012) it is statutory for the Council to arrange for the collection of garden waste, but a charge for this service can be applied.

(N.B.) Where there are legal implications the report MUST be seen by the Monitoring Officer.

Financial : FIN/120/18/TJB

The proposed charge of £35 has been calculated in line with the Fees and Charges Policy and is based on a cost recovery model. Sensitivity analysis has been undertaken on likely take up levels and a benchmarking exercise has been undertaken which identified £35 as the average charge of our near neighbours.

It is also proposed that the charge is reviewed in December 2018, at which time actual take up will be known.

The Medium Term Financial Plan includes a prudent £502k of additional net income from the introduction of charges, which will contribute to a funding gap of circa £2m.

Staffing : HR ref is HR042-11-17

There are no immediate implications for the Council's workforce as a result of these proposed changes.

(N.B.) Where there are staffing implications the report MUST have a HR Ref

Equality and Diversity including Human Rights: An Equalities Impact Assessment can be found at **Appendix 1**.

Risk Assessment: A Project Risk Assessment can be found at **Appendix 3**.

Climate Related Risks and Opportunities :

Risk-

- Introducing a charged service may also increase the amount of resident visits to Household Waste Recycling Centres.

Opportunities-

- There would be an increased usage of compost bins, this is the most environmentally friendly disposal route for garden waste;
- Introducing a charged service could reduce the total amount of fleet miles.

Title and Location of any Background Papers used in the preparation of this report:

None.

Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

No

x

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

No

x

1. Executive Summary

- 1.01** On December 5th 2017, Prosperous Communities Committee resolved the following;
- To suspend free kerbside collections of garden waste and agree the principle of introducing a charge for the service.
 - That Operational Services should deliver Option B, eighteen fortnightly collections between the beginning of April and the end of November.
 - Recommended to Corporate Policy and Resources Committee an annual subscription of £35 per annum for all garden waste subscriptions.
- 1.02** This report will reflect on the current financial position of the Council.
- 1.03** It will consider current legislation and also the national and local position with regards to charging residents for this service.
- 1.04** It considers the current and proposed service and includes a detailed financial appraisal; it goes on to look at the proposed pricing methodology.
- 1.05** A charge should be set to achieve cost recovery. There are two amounts to consider here; the operational cost of delivering the proposed service is £676k and full cost recovery would be £853k. Officers recommend implementing a charge to achieve somewhere between these two amounts for the following reasons:
- Underachievement would result in non-subscribing Council Tax payers indirectly funding the service;
 - Overachievement would result in the service delivering a profit; this is not permissible under current legislation. Officers are proposing a charge of £35 per bin per year.
- 1.06** Officers are therefore proposing a charge of £35 per bin per year for the following reasons;
- If predicted 50% take up is achieved, income would be £757k and a contribution to the Council of £681k would be achieved;
 - £35 is the current average charge in Lincolnshire;
 - £35 is well below the national mean price for authorities who charge, this is currently £42.

2. The Financial Position

- 2.01** Since 2013/14 West Lindsey District Council (WLDC) has delivered £3.4m of savings and efficiencies to meet the cost of growth and Government funding reductions. In 2015/16 the Government announced it will continue to reduce the Revenue Support Grant to WLDC from £2.5m to nil by 2019/20.
- 2.02** To ensure that services have continued, WLDC has embarked on a strategy of increased efficiency and income generation whilst continuing to deliver quality services.
- 2.03** Part of this strategy is to consider charging for services which are currently provided for free. The service which provides the most potential for the authority to raise income is the kerbside garden waste collection service.

3. Legislation

- 3.01** Legislation demands that residual and dry recycling collections are provided to residents without a charge
- 3.02** Under the Controlled Waste Regulations (2012) and Environmental Protection Act (1990), it is statutory for WLDC to arrange collection of garden waste, but a charge for collection can be made.

4. Current Service

- 4.01** The current garden waste collection service has been free to most residents since the introduction of the Triple Bin Scheme in 2009.
- 4.02** Around 2,000 households, mainly in the South West Ward of Gainsborough but also including some remote properties, cannot receive the service. This is either because the properties are unsuitable for wheeled bins or because the garden waste freighters are too big to service the properties.
- 4.03** The service runs from the first week in April until the last week in November, residents receive eighteen collections each year. Members resolved to suspend collections during four winter months in July 2012 following analysis showing comparatively little material was collected in those months.
- 4.04** Residents can subscribe to additional garden waste bins at a cost of £30 per year. In 2016/17 there were around 1,767 subscribers bringing in £51k income to the Council.
- 4.05** The current service costs £776k; Table 1 below identifies how this budget is made up.

Table 1

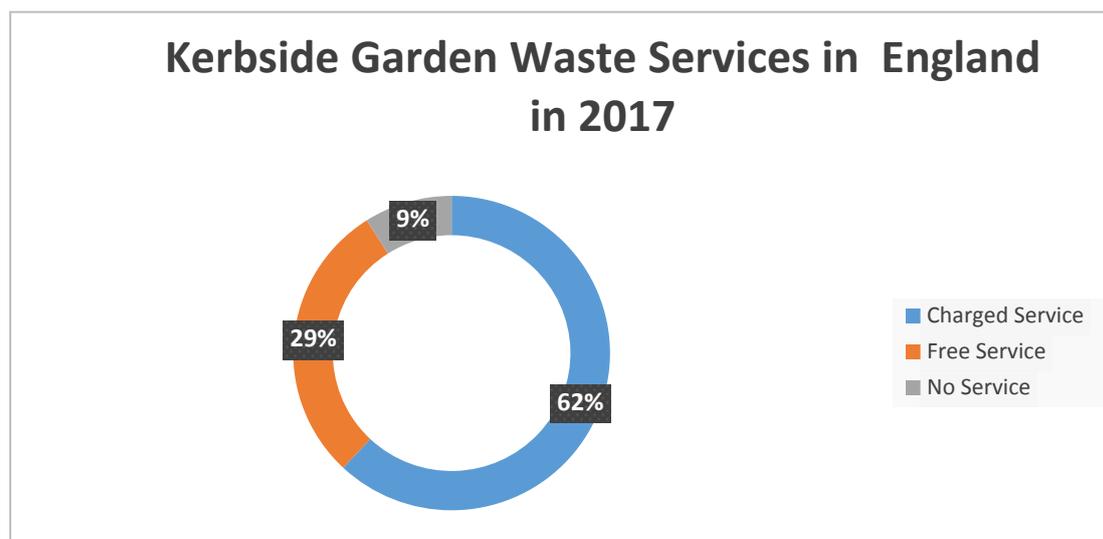
Direct Costs	
Operational Costs	£318,890
Vehicles	£200,850
Management	£80,470
Total Direct Costs	£600,210
In Direct Costs	
Depots	£14,350
Support Services	£62,740
Depreciation	£99,100
Total Indirect Costs	£176,190
Full cost of service	£776,400

- 4.06** The Waste Services provided by the Council's in-house team are very popular with residents and regularly receive satisfaction ratings of over 90% (source-Citizens Panel).
- 4.07** The service benchmarks itself against other authorities through the Association of Public Service Excellence. It has been nominated for awards on the national stage in each of the last six years and won the Best Performer for Refuse Collection for two of those years.
- 4.08** The garden waste service consists of four collection rounds and five crews. Staff work four days per week, vehicles work for five days each week to ensure that best value is achieved from these expensive resources.
- 4.09** In 2016/17, operatives collected almost 12,000 tonnes of garden waste which accounted for well over half of the 51.5% recycling rate achieved last year.
- 4.10** Neither WLDC as the Waste Collection Authority or Lincolnshire County Council (LCC) as the Waste Disposal Authority achieve any income from the sale of this material, in fact the WDA pays a 'per tonne' gate fee to dispose of it.

5. The National Picture

- 5.01** Desktop research has revealed that 62% of local authorities in England currently charge an annual fee for kerbside garden waste collections; more are considering introducing a charge for this service in coming years. Chart 1 shows the percentage of Local Authorities in England which charge for garden waste collections.

Chart 1



5.02 Of the 9% that offer no service, almost all collect garden waste with another recycling stream such as food waste or cardboard. In these cases it is not legislatively possible to charge.

5.03 Findings show that the introduction of annual garden bin fees has recently rocketed, as Councils look for ways to cope with ever-tightening budgets. A record number introduced charges in 2016/17.

5.04 The lowest subscription for a 240 litre bin is £20 per year, the most expensive is £96. The mean price for collections in England is £41.36 per year.

6. The Local Position

6.01 Table 2 below shows the situation in Lincolnshire and Bassetlaw with regard to the provision of garden waste collections, the cost, take up, year of implementation and take up of the service:

Table 2

Authority	Current Charge 1st bin	Additional bins	Year introduced	Winter service	Take up
Boston Borough Council	£30	£15	2016	No service Dec-Feb	47%
City of Lincoln Council	£33	£15	2013	All year	38%
East Lindsey DC	£40	£40	2013	Monthly in winter	47%
North Kesteven DC	£30	£12	2012	Reduced service Dec-Jan	52%
South Holland DC	£49	£30	2016	No Xmas collections	Still being piloted
South Kesteven DC	£33	£16.50	2011	Monthly Dec/Jan/Feb	52%
North Lincs Council	Free		N/A		
North East Lincs Council	£35	£35	2015	No service December to February	Unknown
Bassetlaw Council	£30	£30	2017	No collection Dec/Jan/Feb	Unknown

6.02 Apart from the unitary North Lincs Council, West Lindsey is the only authority in Greater Lincolnshire and Bassetlaw which is providing garden waste collections free of charge.

6.03 The average charge in Lincolnshire and Bassetlaw is £35.

7. The Proposed Service

7.01 The existing free green bin service will cease immediately and will be replaced with a new chargeable garden waste service. When collections resume in April 2018, only 'paid for' green bins would be emptied.

7.02 Introduction of a charged service will mean an increase in cost of service as additional administrative, operational and promotional services will be required. This cost has been included in budget projections.

7.03 It will be an opt-in service; only residents who wish to benefit from the service will pay for it.

7.04 Service policies for the garden waste service will be refreshed and brought to Prosperous Communities Committee for approval in January 2018.

- 7.05** Residents would be able to share bins with neighbours if they have low usage.
- 7.06** Residents who choose not to subscribe would have other options to dispose of their garden waste. This could be done through the subsidised home composting scheme or by delivering the waste to one of a network of Household Waste recycling Centres in Lincolnshire.
- 7.07** Prosperous Communities Committee resolved to task officers with delivering Option B; this would mean subscribers would receive eighteen fortnightly collections between the beginning of April and the end of November.
- 7.08** Terms and Conditions have been developed and can be found at Appendix 3.
- 7.09** In-cab technology may be fitted into collection vehicles in order that crews will be able to easily identify who has paid for the service.

8. Financial Appraisal

- 8.01** Table 4 below shows the cost and projected income for the service delivery option B. The tables presumes the following principles:
- Income generated should be somewhere between the operational cost and the cost including recharges. Any shortfall below operational cost would mean council tax payers would pick up the burden; anything above the cost including recharges could attract accusations of profiteering;
 - Assumes uptake of 50%, this is in line with other similar authorities and consultation feedback;
 - Assumes 75% of current second bin subscribers will continue to pay for second bins;
 - The cost of a charged service is higher than a free one as additional administration, communication and operational budgets are required.

Table 4

Narrative	Apr - Nov - "Current offer"
Direct Costs - Minimum costs to recover	£676,980
Full Cost recovery (Includes support & depreciation)	£853,170
*Charge Range	£31 - £39
Charge	£35
Percentage take up to achieve minimum cost recovery	44%
Percentage take up to achieve full cost recovery	57%
Income received	£757,785
Total Contribution Achieved - On-going	£681,015

9.02 A full financial appraisal can be found at (restricted) Appendix 4

9. Pricing

9.01 The proposed new service is based on a reasonable subscription per bin to cover collection costs only. The objective is to deliver a self-funding garden waste service in West Lindsey and to achieve this it is proposed to charge £35 per bin per year. It is intended that this charge is reviewed annually to reflect ongoing running costs and customer take up.

9.02 Throughout the project, officers have used a principle of unit pricing, i.e. how much it costs to empty each bin. The emphasis has been on reducing this unit price as much as possible to ensure the best possible price to the subscriber.

9.03 Therefore, Officers propose to have one standard price for each bin and have a policy of no concessions or discounts for any group of customers including pensioners, second bin subscribers, disability groups or benefit applicants.

9.04 Discounting for any purpose will result in increased costs, for example it is predicted that having a policy of half price second bins would result in a loss in income of £17,800 plus additional administration costs and would push the price of a first bin up by £1.

9.05 Some Councils offer a discount for second bins, the principle being that the vehicle is passing anyway so a multi buy discount should apply. Having calculated the cost per bin at a unit price level, the principle is the cost should be the same for every bin. Ultimately, if enough residents subscribe to the second bin option another vehicle and crew would be required; these would not come at half price to the Council so that potential saving could not be passed on to subscribers using this pricing model. Prosperous Communities Committee made the policy decision that all subscriptions should cost £35 per year.

9.06 £35 is the average price in Lincolnshire and Bassetlaw, the average in English Authorities is over £41.

10. Conclusion

10.01 The subscription price should be set to achieve cost recovery. Given the uncertainty around the number of residents who will take up the service it would seem prudent to propose a price which would deliver a contribution between the operational cost recovery level and the full cost recovery rate.

10.02 Failure to achieve the operational cost recovery rate would mean non-subscribers would pick up some of the cost of the service through their Council Tax contributions.

10.03 Achieving income above the full cost recovery rate would mean the council would be making a profit; this is allowed in current legislation.

Recommendations

- **The annual subscription for receiving the Kerbside Chargeable Garden Waste Service should be set at £35 per year.**
- **The charge should be reviewed in December 2018.**

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Appendix 1: Equality Impact Assessments

Part 1: Equality Impact Screening/Pre-Assessment¹

Name of Policy/Function/Strategy to be assessed: Garden Waste Subscription Service from April 2018.	Section/Directorate: Operational Services
Name of person(s) responsible for assessment: Ady Selby / Steve Leary / Elaine Bilton / Katy Allen David Kirkup, Lyn Marlow	Date of Screening: 10 September 2017

Policy Aims

What is the purpose of the policy/function/strategy? What are its intended outcomes?

The service would replace the free green bin service which has been in place since September 2009.

The implementation of this service would see the Council take up the legal right to charge for the collection of organic garden waste in line with other wastes already charged for, such as Bulky Waste.

The service raises a charge for those who wish to take up the 2 weekly collection of garden waste. Other options are available and will be advertised. Those who use the service will pay for the service and the cost of this service will no longer be borne by those who do not use the service and allows the Council to continue to offer a collection of Garden Waste to customers who choose to use the service.

Who are the main stakeholders in relation to the policy/function/strategy?

- Residents in the district who currently use the service to dispose of their garden waste.
- Residents in the district who currently don't use the service to dispose of garden waste.
- Staff responsible for collection of waste.
- Staff responsible for administration of the service.
- Local compost site operators
- Lincolnshire County Council (as the Waste Disposal Authority.)
- Elected members, district and parish councils (as representatives of West Lindsey residents.)

Do the identified stakeholders stand to be positively or negatively affected by the policy/function/strategy?

It is expected that most residents will be positively affected by the changes in comparison to a scenario where a subscription charge is not introduced. A direct charge so that only those that use the garden waste collection service pay for it will prevent a scenario where a large increase in council tax for all residents is required for the service to continue. The current service is unaffordable and unsustainable within current budgets.

A consultation document and information about the proposed changes will be sent to all properties in West Lindsey along with publicity via press release, social media and the

Council's website. The intention of this is to further examine the impact of a charge on all stakeholders and help inform service design. The consultation runs from 19 September – 19 November. The impact on other stakeholders will be assessed during this time through further research, dialogue and face-to-face

¹ Part 1 should be completed by the Lead Officer and signed by the Service Manager. Refer to the [Internal EIA Guidance](#) for more information on what EIAs are, why they are important, when they should be completed, who should be involved, and how they should be done.

events.

Does this policy/function/strategy support the Council's stated equality objectives? (see overleaf.) Does it serve to impede them? Please explain.

A consultation is taking place which will support the Council's stated equality objective to: "Ensure participation and community engagement from all sectors of society for an accessible and connected district."

A self-garden waste service is designed to ensure the future of the collection service and ensure the shrinking council budget is best used to "improve access to public services and basic amenities for elderly and disabled people through more efficient provision of Council services to sustain and improve their quality of life."

Preliminary Impact Assessment

1. Will this policy or function have an impact on:

a. How services are delivered to the public? Yes

b. Human Resources Policies? No

2. Have any aspects of your policy/strategy already been covered by other EIAs?

Yes

a. If yes, please indicate which ones and the dates. Also indicate which new/additional aspects would be covered under this EIA.

Overarching Waste Service Policies were covered by an EIA when they were introduced in support of the triple bin collection scheme in September 2009. These included such things as an EIA for assisted collections (which will remain unchanged.) Subsequent updates to waste policies such as charges for bulky waste collections have been supported by EIA's. This assessment is specifically to look at potential equality issues stemming from an introduction a chargeable waste collection service.

Due to potential impacts identified in stage 1, part 2 of the EIA, will be completed with a small team of people following the completion of the garden waste consultation period.

Manager's Signature:



This document may be published on the website

Part 2: Equality Impact Assessment²

Identifying Potential Equality Issues

Use the information in Part 1, any other supporting documents, and the questions below to aid the group's discussion on the presence of potential equality issues.

- What do you know already about equality impact or need?
- Is there any indication that particular features of this policy/function will create problems for specific groups?
- Is there any indication that particular features of this policy/function will benefit specific groups or advance equality between different groups of people?

Evidence³

It is difficult to achieve an effective EIA without good evidence. Answer the questions below about the evidence relating to the project/policy/function.

What are the existing sources of evidence and mechanisms for gathering data?

The main source of evidence was the consultation with members of the public, stakeholder groups and other authorities that have previously introduced a charge for garden waste collections.

Consultation:

A consultation document was sent to all 42,350 properties in West Lindsey along with publicity via press releases, social media and the Council's website.

The Council received 4031 responses from customers along with feedback from parish councils, and members.

The analysis of the consultation responses shows that customers above the age of 60 are somewhat over represented compared to the overall demographics of the area, with under 45s under represented.

The consultation feedback has been carefully analysed and a full analysis is published as part of the committee report. Overall, customers understand the reason for a direct charge for garden waste and 71% who responded agree with the principle of the charge "given the circumstances." Many recognise the quality of the current service, but concerns ranged across several themes: 'already pay via Council Tax'; 'fly-tipping will increase'; 'elderly people on pensions cannot afford it' to 'good service, happy to pay'.

Overall the number of customers who responded that they would take up the new service if introduced was 62% (3,111) with a further 10% suggesting they would pay for more than one bin.

Information obtained from a number of other similar authorities where charges have been introduced for existing garden waste schemes, indicates that between 40 - 60% typically sign up. This is reflected in the responses received from West Lindsey customers.

Importantly, other authorities found that these customers are those that are making good use of the

² Part 2 should be completed by the Policy/Project Lead with the help of a team of people invited to assist.

³ See the "Evidence Collection and Data Use" section of the [Internal EIA Guidance](#).

service at present and can be expected to still produce around 70%-80% of the waste that is presently collected.

This also indicates that a significant number of customers were not using the previous scheme to any significant extent, and reflects the 0.8% of customers who have reported that they do not use the service on a regular basis. It should be noted that there are large parts of Gainsborough (around 2000 properties without significant garden space) that do not have access to the scheme. There are many other properties in the district who similarly don't have gardens but currently pay for the garden waste collection service indirectly through their Council Tax.

Feedback from the 4031 people who responded to our Garden Waste Consultation Survey, which was available to complete between 19 September and 19 November 2017 showed 60% of customers responding said that they would take up the service if introduced and pay for the subscription, but concerns were raised about 'costs' from some residents. In a meeting with the disabilities network group as part of the consultation, a view was expressed that those on low incomes who require the service might be disproportionately affected – particularly as they are less likely to have their own transport available.

As a result of customer feedback and the EIA the following key elements of the service are being proposed:

- To ensure only those who pay for the service receive it, bins will be clearly identified as paid for via a subscription sticker. This sticker will last the year and will display the address of the property. Additionally, the Council's collection crews and back office systems will keep a record of valid subscriptions.
- Properties will be able to have more than 1 wheeled bin, providing that an additional annual subscription fee is paid for each bin and that there is a suitable location for collection. No concessions are proposed for 2nd bins as the cost of collecting and disposing of the waste is not significantly different. A universal charge will reduce administration costs and lower the overall charge per bin for all customers.
- Customers will be encouraged to share bins where this is a good solution for properties with small gardens.
- Alongside the offer of the West Lindsey Garden Waste Service we will promote subsidised home composters along with supplying information on home composting to allow customers a choice about what they do with their organic waste in future.
- As the most popular options in the consultation, there will be a focus on electronic payments and telephone payments. Wherever possible, adjustments will be made for customers having particular difficulties with these payment methods.
- Assisted collections will continue to be offered to customers where they are unable to move the bin themselves and there is no one else in the household to do so. This service can also be made available on a short-term basis where this might allow the customer to live more comfortably in their own home whilst recovering from or awaiting treatment or similar.

Is there any evidence that different groups have different needs, experiences, issues and priorities in relation to the particular policy or function?

From the consultation results and from evidence collected from other authorities, there is no evidence to suggest this. There is some suggestion from the consultation comments that low income may find a higher charge difficult to pay in one instalment. To help mitigate this WLDC will advertise other means of free garden waste disposal such as Household Waste Recycling Centres and home composting. Officers have looked at opportunity for customers to prepay for the service using direct debit instalments. It was concluded that this is not a function that can be reliably delivered at this time. To do so would increase the administration cost of the service significantly and potentially increase

Given the alternatives, this is not a service that customers are dependent upon. It is still not available to all customers and prior to 2005 it was not available to any of our residents.

Is there any evidence, or other reason to believe, that there is a higher or lower level of participation or uptake among different groups?

There is no reliable evidence to suggest this.

The consultation responses show that customers above the age of 60 are somewhat over represented compared to the overall demographics of the area, with under 45s under represented.

Does this policy/project impact a particular area of the District? Have there been any demographic changes or trends locally?

As well as home composting, WLDC will promote usage of Household Waste Recycling centres. Lincolnshire County Council as the Waste Disposal Authority are responsible for the provision of Household Waste Recycling Facilities. They have a non-statutory policy of ensuring that 95% of Lincolnshire residents should be within 12 miles distance of an HWRC.

A small part in the north of the district is outside of this limit This affects households mainly in the Keelby area.

Officers have lobbied disposal authorities to find a solution to this apparent anomaly and will continue to do so. This is discussed fully in the main committee report.

Is there any informal feedback from managers, staff or voluntary organisations?

Disability Network Group-The Council hosts regular meetings with this group, officers attended in order to describe the proposed service and understand concerns of the group. The issues raised included the affordability of the service, the ability to pay through a variety of means and the reduction in choice as disabled residents are less able to take garden waste to Household Waste Recycling Centres. The Group was highly complementary of the current level of service received.

Discussions with managers and staff were included as part of the consultation and no new equalities implications were identified

Are there gaps in the data or our knowledge? What further evidence is needed to understand the impact upon equality?

An extensive community consultation was carried out, but we'll continue to monitor take up and impacts at a local level following the introduction of a chargeable garden waste collection scheme.

Impact

Based on the identification of potential equality issues and the supporting evidence, the team can try to determine the impact of the policy/project/service/function on different groups.

Does the data show different impact upon different groups?

Yes No

If yes, which groups are affected?

Group	May particularly benefit	May adversely impact	No impact anticipated
People from different ethnic groups	<input type="checkbox"/>	<input type="checkbox"/>	x
Women	<input type="checkbox"/>	<input type="checkbox"/>	x
Men	<input type="checkbox"/>	<input type="checkbox"/>	x
Maternity/pregnancy impact	<input type="checkbox"/>	<input type="checkbox"/>	x
Disabled people or carers	<input type="checkbox"/>	<input type="checkbox"/>	x
People from different faith groups	<input type="checkbox"/>	<input type="checkbox"/>	x
Lesbian, gay or bisexual people	<input type="checkbox"/>	<input type="checkbox"/>	x
Older or younger people	<input type="checkbox"/>	<input type="checkbox"/>	x
People in rural locations	<input type="checkbox"/>	<input type="checkbox"/>	x
Married people or people in civil partnerships	<input type="checkbox"/>	<input type="checkbox"/>	x
Group cont'd	May particularly benefit	May adversely impact	No impact anticipated
Other	<input type="checkbox"/>	<input type="checkbox"/>	x

Please explain the potential benefits or adverse impacts listed above.

Recommendations

Please select a recommended course of action and, where appropriate, explain your choice.

The suggested policy introduces a charge for those who wish to receive a regular garden waste collection service. Other options are available and will be advertised. Those who use the service will pay for the service and the cost of an expensive service will no longer be borne by those who do not use the service. Details of service design considerations affected by consultation are outlined above as outlined in terms and conditions and the overall waste service standards.

No major change needed x

Adjust the policy

Adverse impact but continue

Stop and remove the policy

Future actions:

Continue to monitor take up and impacts at a local level following the introduction of a chargeable garden waste collection scheme. Look to find a solution to the issue raised during the consultation of inequitable access to Lincolnshire County Council's network of recycling centres.

Monitor the levels of flytipping and amounts of garden waste in the residual waste stream and in resident's black bins. Take proportionate education and enforcement action where appropriate, in line with existing corporate policies.

Lead Signature:



Date⁴:27-11-2017

⁴ What happens next? – See the “Understanding the EIA process” section of the [Internal EIA Guidance](#).

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Appendix 2					
Description	Likelihood	Impact	Risk Rating	Revised risk score	Update
Risk 1: Current IT/Finance systems not fit-for-purpose	2	4	8		* ICT involvement in scoping and testing of potential solutions
Risk 2: Not having effective systems in place	2	4	8		* Use of project team * Staff engagement * Escalation of issues to project sponsor
Risk 3: Reputational damage	3	3	9		* Robust communications plan * Engagement with residents * Marketing
Risk 5: Increase in bin contamination	4	2	8		* Enforcement policy * Collaboration with LCC
Risk 6: Payment system isn't customer fit-for-purpose	2	4	8		* Debtor's service included within project team and involvement in project scoping. * IT Service involved within project scoping
Risk 7: Failure to meet income target	2	3	6		* Marketing * Financial analysis during scoping process * On-tracking of performance
Risk 8: Operational failure	1	4	4		* Staff engagement * In-cab technology
Risk 9: Increased Household Waste Recycling Centre costs	4	1	4		* On-going engagement with LCC
Risk 10: Increase in fly-tipping	2	2	4		* Enforcement Policy * On-going communications /additional resource
Risk 12: Delay in delivery of project if called into the Full Council	1	4	4		* Member and resident consultation through project scoping process
Risk 13: Failure to deliver an efficient and customer friendly service	1	4	4		* Identify resources as part of project scoping

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Appendix 3

West Lindsey District Council Kerbside Garden Waste Service

Terms and Conditions

Description

The service is a subscription based 2 weekly service collecting organic garden waste only between the month of April and November (inclusive). Collection calendars are available by visiting

<https://www.west-lindsey.gov.uk/my-services/refuse-recycling-and-your-environment/find-my-bin-collection-day/>

Each subscriber will receive eighteen collections per year subject to the Terms and Conditions as set out below.

Collections only take place from bins presented on the advertised collection day as outlined and defined by these Terms and Conditions of use.

This service replaces the Green Bin service, offered previously to all suitable properties without charge prior to December 2017 which has now stopped.

Terms & Conditions

The green wheeled bin remains the property of West Lindsey District Council and could be reclaimed if you no longer pay for the garden waste collection service.

Not all properties are suitable for this service due to access restrictions for our collection vehicles, or lack of space to either store the bin or place them out for collection. Residents who don't currently receive the service but wish to apply should contact the Council on 01427 676676, an assessment will be made by a representative from Operational Services and their decision will be final.

Neighbours may choose to share a subscription. In these cases, payment and adherence with Terms and Conditions will be the responsibility of one named address. Other arrangements are informal and the Council will not enter into and dispute management process.

Residents are responsible for the security of the wheeled bin as we will charge to replace lost, stolen or damaged bins. Should bins have been damaged by the crew or deposited in the freighter, the Council will provide a replacement or arrange for a repair to take place. Replacement bins may not necessarily be new.

Residents should write their address on the sticker provided in indelible ink. Residents are encouraged to write their house number or other identifier on their bin to reduce the risk of theft.

Bins will not be emptied if they are presented for collection at an alternative property to which it is registered.

Bins will not be emptied unless an up to date subscription is applicable and a current, correctly placed sticker is displayed. Payments are due in advance of receiving the service, the Council will inform you when it is time to pay.

Subscriptions can be transferred to new properties within West Lindsey if customers move house, in these cases residents should contact the Council and a new sticker will be despatched. Residents

should not take the wheeled bin with them, if no bin is present at the new property, operational services will provide a replacement, this may not be new.

No refunds will be given where customers move out of West Lindsey or for cancelled subscriptions.

Serious incidents or significant weather events could cause the service to be cancelled without return or refund. Details will be posted on the Council website. In all other circumstances, genuine missed collection will be collected within 5 working days of being reported.

Only put the following into the green bins:

- Garden weeds
- Hedge trimmings
- Small twigs and branches less than 2.5cm (1") diameter
- Grass cuttings
- Flowers, plants and vegetable waste
- Leaves

Important:

Any bin containing material other than garden waste will not be emptied and will not be returned for as a 'missed' collection

Bins should be presented by 7am on the specified collection day. Crews will not return for bins which have not been presented.

Any bins which are considered by the collection team to be too heavy for safe handling will also not be emptied.

If your bin is missed please contact us on <https://www.west-lindsey.gov.uk/my-services/refuse-recycling-and-your-environment/waste-services-information/report-a-missed-bin-collection/>

Please note: The information provided in 'Garden Waste Service FAQs' forms part of the Terms and Conditions for the garden waste collections service.



**Corporate Policy and
Resources Committee**

14 December 2017

Subject: Review of the Disciplinary Rules

Report by:

Emma Redwood
People & Organisational Development Team
Manager

Contact Officer:

Emma Redwood
People and Organisational Development Team
Manager
01427 676591
Emma.redwood@west-lindsey.gov.uk

Purpose / Summary:

To review the Disciplinary Rules and recommend
changes to be adopted.

RECOMMENDATION(S):

That members of the Corporate Policy and Resources Committee adopt the
attached Disciplinary Rules.

Delegated authority be granted to the Director of Resources to make minor
housekeeping amendments to the policy in future, in consultation with the
chairman of the Corporate Policy & Resources Committee and Chairman of the
Joint Staff Consultative Committee.

IMPLICATIONS

Legal: Good practice is for the council to have clear rules displayed for staff.

Financial: There are no changes to the policy which impact the finances of the council.

Staffing : None.

Equality and Diversity including Human Rights :

West Lindsey District Council has a commitment to equal opportunities. It seeks to ensure that no potential or current employee receives less favourable treatment than another on the grounds of age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

Risk Assessment :

Climate Related Risks and Opportunities :

Title and Location of any Background Papers used in the preparation of this report:

None.

Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

No

x

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

No

x

1. Introduction

The council has a Disciplinary Rules document which supports the Discipline at Work Guidance document. In line with good practice and capturing internal learning the Disciplinary Rules document has been reviewed.

2. Purpose

The Council recognises the importance of providing staff and managers with clear guidance around the standards of behaviour which are expected by the council.

3. Consultation

The reviewed policy has been fully supported by Joint Staff Consultative Committee on 27th November 2017.

4. Scope

This policy applies to all employees within the council.

5. Main Changes

A separate sheet has been included to clearly show the changes that have been recommended.

6. Engagement

The policy has been reviewed by the HR team and views have been sought from managers, Unison and staff representatives. Legal services have also reviewed and signed off the amended document. Feedback has been incorporated into the updated document.

7. Training and Awareness

This policy will be made available to view on the Minerva site and hard copies available at the depots once formally agreed.

A clear communication will be sent to Managers to make them aware that the policy has been reviewed and to update them on their responsibilities. Training and support will also be offered by HR in the implementation and application of this policy.

8. Recommendation

That members of the Corporate Policy and Resources Committee adopt the attached Disciplinary Rules.

Delegated authority be granted to the Director of Resources to make minor housekeeping amendments to the policy in future, in consultation with the chairman of the Corporate Policy & Resources Committee and Chairman of the Joint Staff Consultative Committee.

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Disciplinary Rules Guidance

JSCC Approved –

P&R Approved –

1. Guidance for Managers and Employees

It is the policy of the Council to help and encourage all employees to achieve and maintain acceptable standards of conduct in relation to their employment with the Council. To achieve this a procedure has been developed to be followed when dealing with potential or actual misconduct, to ensure that all employees receive consistent, fair and equal treatment. In addition a set of rules, as detailed within this guidance, have been established to help managers/employees to understand the standards required of them.

2. What are disciplinary rules?

They are examples of employee behaviour which are regarded by the Council as misconduct, warranting disciplinary action.

3. Why have disciplinary rules?

So that managers/employees know and understand:

- the standards of behaviour and conduct expected of them
- what is likely to happen to them if they break any of the rules
- that they can expect fair and consistent treatment in the application of the rules.

4. Who do they apply to?

All employees of West Lindsey District Council.

5. Are they a complete list?

No. It is not possible to list every type of action which could be recognised as a breach of discipline within the Council. The most obvious acts of misconduct, and their consequences, are identified, so that there is an understanding of the types of offence which will result in disciplinary action, and the type of disciplinary action that is likely to follow.

6. What if I break a rule?

6.1 The rules are divided into two broad types:

- a) those which are normally regarded as gross misconduct, a single breach of which will normally lead to an employee's dismissal; and
- b) those which are normally regarded as other misconduct, a single breach of which would usually result in disciplinary action, but not normally dismissal. If misconduct is repeated, however, this may ultimately lead to dismissal.

6.2 However, it is important to understand that on occasions offences listed as gross misconduct may sometimes be treated as other misconduct and certain offences listed as other misconduct may because of the gravity of the situation be considered to be gross misconduct.

7. What action is regarded as Gross Misconduct?

The following is a guide to conduct that is likely to be regarded as gross misconduct and lead to summary dismissal (without notice) for a first offence, unless there are clear and mitigating circumstances and as such each case will be decided upon its own merits.

Examples include:

- Behaviour /action capable of bringing the Council into serious disrepute whether during work or outside work
- Refusal to carry out a reasonable management instruction following a warning (which could be verbally given) that to continue to do so may lead to dismissal
- Sleeping on duty
- Misuse of confidential information (including reports to members), unauthorised disclosure, destruction, alteration, addition to or erasure of official documents/records
- Failure to disclose a driving offence/disqualification when a driving licence is required for employment
- Serious breaches of the council's Safeguarding procedures
- Deliberately accessing internet sites containing pornographic, racist or other offensive or obscene material
- Failure to divulge information regarding your health which could compromise your ability to carry out substantive duties e.g. continuing to drive with a condition which could impair ability
- Unauthorised acceptance of or request for gifts, entertainment, hospitality or benefits of any kind, in contravention of the Council's Officer Code of Conduct
- Misuse of your official position with the Council for personal gain, or the gain of some other party
- Failure to declare a personal interest in contravention with Council Procedures (e.g. beneficial interest in a client's will or a council contract)
- Engaging in activities or outside work which is seriously prejudicial or in conflict with your own or the Councils function (e.g. privately working on planning applications to be submitted to the Council).
- Criminal conduct outside the workplace, which reflects adversely upon the Council, or on the employee's suitability for the job
- Deliberately providing false information or being party to concealing information which leads to dishonest or fraudulent behaviour (e.g. deliberate falsification of expense claims, timesheets, flexi-time recording, overtime, bonus claims, information on application forms, claims for benefits, grants, allowances, aids, adaptations or other services provided or paid for by the Council).
- Reporting sick (verbally or in writing) or remaining on sick leave when fit to undertake your duties and responsibilities at work
- Undertaking paid employment elsewhere whilst certified unfit to perform your substantive duties or during hours when contracted to work
- Drinking alcohol at work or during working hours, unless appropriately authorised to do so (e.g. a toast at an official retirement/Christmas party)
- Incapacity at work (or whilst on standby duty) due to the effects of alcohol, prohibited drugs, misuse of non prohibited drugs or other substances
- Use of Council equipment or premises to access, use, store or distribute explicit sexual or offensive material.

- Loss or damage to Council property or equipment through negligent or deliberate behaviour, whether during or outside of the working day.
- Any act or omission which is grossly negligent and which seriously endangers the health and safety of yourself or others
- Serious and deliberate violation of Health and Safety rules and standards which cause or could cause risk to the individual, other employees or the public
- Gross negligence which causes unacceptable loss, damage or injury
- Violent behaviour, including physical violence such as assault at work
- Serious verbal abuse, threatening or intimidating behaviour.
- Bullying, harassment, discrimination and / or victimisation of others
- Serious misuse of social networking sites and/or a disregard for the Social Media Policy
- Wilful and deliberate failure to adhere to the policies, procedures and code of conduct for the council
- Serious breach of trust and confidence, for example, deliberately telling untruths or misleading fellow officers or elected members
- Stealing from the Council, its employees or service users or the unauthorised removal of monies or property belonging to them.

8.0 What action is regarded as Misconduct?

The following list indicates the type of offence normally regarded as misconduct. Such breaches of discipline will not normally result in dismissal for a first offence, but may result in dismissal if the employee has previously committed an act or acts of misconduct for which a warning or warnings have been issued.

- Unauthorised absence from duty
- Unjustified and repeated lateness for work
- Unjustified failure to comply with absence reporting procedures
- Failure to comply with prescribed working hours (e.g. lunch breaks and flexitime regulations)
- Undertaking activities detrimental to your recovery whilst on sick leave (i.e. playing rugby whilst suffering with a bad back).
- Refusal / failure to carry out a reasonable and lawful instruction
- Smoking in a prohibited area
- Knowingly encouraging/assisting others to commit a disciplinary offence
- Failure to maintain appropriate standards of dress
- Failing to divulge relationships, including those of a private and domestic nature with contractors or potential contractors. Depending on the circumstances this could be construed as gross misconduct
- Failure to make use of protective equipment and clothing
- Disregard of safety practices, procedures and rules.
- Failure to comply with and observe operational policies and procedures which you would reasonably be expected to be aware of
- Unauthorised personal use of Council facilities or equipment (e.g. photocopiers or fax machines)
- Excessive personal use of the telephone as stated in the telecommunications policy

- Wilful failure to produce work of an acceptable standard both in terms of quality and levels of output.

9.0 Offences committed outside the workplace

- 9.1 Any member of staff who is, arrested, charged with an offence or who is convicted by a Court of any criminal offence (except a traffic offence for which the penalty has not included imprisonment or disqualification from driving) must report the facts immediately to their manager or Human Resources.
- 9.2 Examples of the types of offences committed outside of the workplace and working hours which must be notified include:
- theft
 - fraud
 - offences against children or vulnerable adults
 - physical assaults
 - corruptly receiving or giving any gift, loan, fee, reward or advantage for doing or not doing anything or showing favour or disfavour to any person in their official capacity
 - drunk and disorderly
 - driving offences which may have an effect on employment – operational policies/procedures will apply if driving is a requirement of the job
- 9.3 The discovery of a conviction which is not spent under the Rehabilitation of Offenders Act 1974, and which was not disclosed at the time of engagement will normally be regarded as gross misconduct on the basis of a breach of trust and confidence. (This does not include driving offences, unless driving is relevant to the employee's duties).
- 9.4 Where an employee is charged with a criminal offence, the fact that the criminal offence has not yet been tried in the Courts will not prevent disciplinary action being taken, arising from the same events. The council will normally liaise with the police prior to commencing investigation, although a failure to liaise will not invalidate any investigation conducted.
- 9.5 A decision will be made as to whether any criminal conduct inside or outside of the council reflects adversely upon the council, or on the employee's suitability for the job. If so, the employee may be dismissed for gross misconduct or illegality.
- 9.6 In cases where an employee is banned or legally prevented from driving the following factors should be taken into consideration (every case should be considered on its individual merits):
- length of ban
 - proportion of driving duties
 - ill health re-deployment / reasonable adjustments
 - temporary re-deployment for the duration of the ban (this will depend on suitable alternative employment being available)

This document should be read in conjunction with the Discipline at Work Guidance and the Officer Code of Conduct

Policy Statement

West Lindsey District Council has a commitment to equal opportunities.

It seeks to ensure that no potential or current employee receives less favourable treatment than another on the grounds of age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

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Committee CP&R

Date 14 December 2017

Subject: Reviewed Relocation Allowances Policy

Report by:

Alan Robinson
Strategic Lead – Governance and People

Contact Officer:

Emma Redwood
People & OD Team Manager
Emma.redwood@west-lindsey.gov.uk

Purpose / Summary:

To review and amend the Relocation Allowances Policy

RECOMMENDATION(S):

That the Corporate Policy and Resources Committee approve the reviewed Relocation Allowances Policy, and agree that the policy is adopted for all employees of the Council.

Delegated authority be granted to the Director of Resources to make minor housekeeping amendments to the policy in future, in consultation with the chairman of the Corporate Policy & Resources Committee and the Chairman of the Joint Staff Consultative Committee.

IMPLICATIONS

Legal: None

Financial : None FIN/106/18

Staffing : None

Equality and Diversity including Human Rights :

West Lindsey District Council has a commitment to equal opportunities. It seeks to ensure that no potential or current employee receives less favourable treatment than another on the grounds of age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

Risk Assessment :

Climate Related Risks and Opportunities :

Title and Location of any Background Papers used in the preparation of this report:

None.

Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

No

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

No

1. Introduction

The current Relocation Allowances Policy has been in place at the council since 2006. The Policy has been reviewed and updated and the key changes have been outlined within this report.

2. Key Changes

Section 1 – added details around approval for offering relocation expenses being considered and agreed at approval stage of recruitment considering budget and need. This will mostly be applied to senior jobs where there have been difficulties recruiting and jobs which are part of a national recruitment campaign.

Section 3 – added details for clarity regarding the calculation of repayment of relocation expenses when an employee leaves the council within 3 years including an example calculation.

Section 4 – added a Director as well as Head of Paid Service for discretion of applying the policy (not the maximum financial amount).

Relocation Agreement Form – logo updated and changed

The maximum relocation expenses amount which can be claimed is £8,000 this has not changed from the original policy and this is in line with HMRC as expenses up to £8,000 are exempt from reporting and paying tax and national insurance.

3. Consultation

The reviewed policy has been fully supported by Joint Staff Consultative Committee on 5th October 2017.

4. Recommendation

That the Corporate Policy and Resources Committee approve the reviewed Relocation Allowances Policy, and agree that the policy is adopted for all employees of the Council.

Delegated authority be granted to the Director of Resources to make minor housekeeping amendments to the policy in future, in consultation with the chairman of the Corporate Policy & Resources Committee and the Chairman of the Joint Staff Consultative Committee.

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Relocation Allowances Policy

JSCC Approved – 5 October 2017

P&R Approved –

Relocation Allowances

1. Eligible Employees

All newly appointed employees having established and fully furnished homes of their own situated elsewhere outside West Lindsey, whose terms and conditions of service come within the purview of the NJC for Local Authorities' Services and JNC for Chief Executives and Chief Officers, provided that:

- i) Relocation is necessary for the efficient discharge of the employee's duties with the Council;
- ii) They take up residence within a guideline of twenty miles from their new place of employment/or within the district of West Lindsey.
- iii) Proof of expenditure is provided and all claims are made, based on the lowest of three competitive quotes;
- iv) Removal takes place within twelve months of taking up employment with the Council, or such longer period as the Director may approve;
- v) The employee has formally agreed to repay the whole of the sum received from the Council if they leave the Council's paid service for any reason within two years of taking up the appointment. If they leave in the third year, then reimbursement to be at the rate of the number of months of completed service;
- vi) A sum of £8,000 to meet claims under paragraphs 3(i)-(vi) set out below is not exceeded.

The manager responsible for recruitment needs to consider whether assistance with relocation expenses will be available to potential new employees. The manager will need to seek approval with regards to the budget and need for relocation. If it is agreed that relocation assistance may be available:

- The recruitment forms submitted for the job should indicate this; and
- The advert or recruitment information pack should let potential applicants know this.

It is likely that relocation will be most commonly applied to:

- Senior jobs where there have been significant recruitment difficulties; and
- Jobs which are part of a national recruitment campaign.

For further advice on eligibility for relocation please speak to Human Resources.

Before any claims can be made under the Scheme, the manager will ensure that a signed copy of the Relocation Agreement is returned and placed in the employee's personal file.

2. The Council will consider claims for expenditure under the following heads:

- i) legal, mortgage and related fees wholly and properly incurred in buying and selling a home including stamp duties and survey fees;
- ii) actual removal expenses, which means the cost of removing normal household effects to the new home, including the cost of insurance in transit, but only for one move;

- iii) in the case of a newly appointed officer, who is unable to find accommodation in the district and is, therefore, compelled to live separately from his/her family or to maintain a household elsewhere, pay a housing allowance for up to 26 weeks, together with a second class return rail fare home, once every month;
- iv) as an alternative to (iii) and at the discretion of the Director, a daily travelling allowance for a period of not more than 26 weeks and only if the Director certifies that daily travel is consistent with the officer's ability to do the job;
- v) granting two days' removal leave;
- vi) two second class return rail fares and meal allowances for the employee and his or her partner to view the area.

3. **Employees who leave the Council after receiving relocation expenses**

If an employee leaves the Council within 2 years, they will be required to reimburse the Council in full for any relocation allowances received. If the employee leaves the Council within year 3 they will be required to repay the Council based on the calculation below:

$$\frac{\text{Amount of expenses received} \times (36 - \text{completed months of service})}{36}$$

An example:

Joe receives relocation expenses of £8,000 he resigns from the council after 28 months of service, he will need to repay:

$$\frac{£8,000 \times (36-28)}{36} \quad \text{Amount to repay} = £1,777.78$$

Once the employee has completed three years employment with West Lindsey District Council no repayment is required.

4. **Discretion**

All payments under the scheme are discretionary and any differences will be decided by the Head of Paid Service or Director whose decision will be final. In special cases, variations to the scheme (but not the overall financial limit) may be approved by the Head of Paid Service or Director after consulting the Chairman of the Resources Committee.

5. **Review of Allowances**

Any revision to the scale of allowances to be discussed at the Joint Consultative Committee and a recommendation placed before the Corporate Policy and Resources Committee for determination.

Policy Statement

West Lindsey District Council has a commitment to equal opportunities. It seeks to ensure that no potential or current employee receives less favourable treatment than another on the grounds of age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.



Relocation Allowances Agreement Form

I confirm that if I terminate my employment voluntarily or am dismissed for reason of improper conduct, I will refund to the Council forthwith, the amount outstanding under the Scheme of Relocation Allowances at the date of termination as follows:-

- a) less than two years' service repayment in full
- b) completed two but less than three years service repayment proportionate to the months not served in the third year

If my services are terminated on the grounds of compulsory redundancy, permanent ill-health, retirement or death in service, no refund or financial assistance granted, will be required.

I accept that the Council will retain the amount of refund that I am due to make under the conditions governing the granting of Financial Assistance for Relocation Allowance from any monies owing to me by way of salary, emoluments or other expenses.

Name: _____

Signature: _____ Date: _____

Witness: _____ Date: _____

NB:

This form must be completed and forwarded to Human Resources before any payments under the above Scheme can be processed.

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**Corporate Policy and Resources
Committee**

Date 14 December 2017

Subject: Local Council Tax Support Scheme for 2018/19

Report by:

Director of Resources

Contact Officer:

Alison McCulloch
Revenues Team Manager
Alison.mcculloch@west-lindsey.gov.uk
01427 676508

Purpose / Summary:

For Council to agree the Local Council Tax Support Scheme for West Lindsey DC for 2018/19.

RECOMMENDATION(S): That members;

1. Note the contents of the report; and
2. **Recommend to Full Council** the adoption of Option 3 of the report for the Local Council Tax Support Scheme for West Lindsey District Council for 2018/19.

IMPLICATIONS

Legal:

The Council has to determine a local scheme for Council Tax reduction by 31 January 2018.

Financial : FIN/100/18

The cost of the Local Council Tax Support scheme is shared between Lincolnshire County Council (71%), West Lindsey District Council (WLDC) (16%) and Lincolnshire Police (12%).

- To comply with the Council budget guiding principles, a scheme has to be designed that aims to fit the level of available government grant. The Local Council Tax Support Grant has now been rolled into the Revenue Support Grant and it is no longer possible to identify the funding which directly relates to this area. It is therefore desirable that the financial impact is cost neutral or can demonstrate financial savings.
- The scheme that is chosen by the Council will need to be monitored to ensure the level of council tax collection remains comparable with previous years.

Staffing :

The changes are minimal and therefore should not impact on staff.

Equality and Diversity including Human Rights :**Risk Assessment :**

- a. If Council Tax Support caseloads rise or fall then WLDC and the other major precepting authorities will have to absorb those expenditure variations through the Collection Fund. It is therefore vital that the financial implications of the scheme decisions made are realistic in terms of bridging the funding gap.
- b. If there is a downturn in the local economy, or where there has been major redundancies if a major company ceases trading, Council Tax Support caseloads could rise significantly.
- c. Each Council must approve their local Council Tax Support scheme by 31st January otherwise a default scheme similar to the current Council Tax Benefit scheme will be imposed which will cause funding gaps between the amount of grant received and the amount of council tax support entitlement.
- d. The amount of council tax support awarded last year was just over £6 million but forecasts indicate this will be slightly lower this year. Whilst this is not a budget saving it will contribute towards the savings required by 2020.

Climate Related Risks and Opportunities :

None arising from this report.

Title and Location of any Background Papers used in the preparation of this report:

Local Government Finance Act 2012

Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

Yes

No

Key Decision:

Yes

No

Executive Summary

Council Tax Benefit was a national scheme providing means-tested financial help to households to pay their Council Tax liability. This was abolished on 31 March 2013 and every Local Authority was tasked with designing a local scheme of financial support to replace Council Tax Benefit.

West Lindsey District Council consulted with the residents of the district and the precepting authorities and adopted a local scheme approved by full Council in January 2013. This scheme was re-adopted for 2014/15 and for 2015/16 and, following further consultations in 2015, minor amendments to the scheme were agreed for 2016/17. The scheme did not change in 2017/18 and the amount of Council Tax collected from claimants last year was just over 70%.

Following changes in legislation which replaced some Department for Work and Pensions benefits to Universal Credit there has been an increase in the number of reported claimants' changes in circumstances received by the council each month. Each change to a person's income or capital changes their entitlement to Universal Credit which, in turn, changes their Council Tax Reduction entitlement. This results in a change in their council tax instalments payable every month. Currently within West Lindsey only single claimants can claim Universal Credit but from March 2018 the Department for Works and Pensions will roll out new claims for Universal Credit to couples and families meaning that there will be a much greater percentage of the population (and the Local Council Tax Support caseload) claiming Universal Credit. The Gainsborough job centre roll out date was scheduled for May 2018 but it has recently been announced that this has changed to September 2018.

Re-modelling of the scheme has taken place and a consultation with suggestions for possible amendments to the scheme, which would reduce the amount of changes to a person's Council Tax Reduction entitlement has been conducted. The consultation took place between 4 September 2017 and 13 October 2017 with residents, voluntary groups, stakeholders and citizen panel members taking part. The consultation was available both as an on-line consultation and hard copies were also available.

In order to help inform the decision-making process the results of the consultation are included in this report along with the expected costs or savings of each option.

The finalised local council tax support scheme must be approved and adopted by Full Council by 31st January 2018 at the very latest.

1. Background

- 1.1 The Local Government Finance Act 2012 replaced Council Tax Benefit with a Council Tax support scheme. Unlike Council Tax Benefit (CTB) which is set by Central Government, the new Council Tax support scheme must be defined by individual Local Authorities (albeit with much central prescription).
- 1.2 Pensioners are protected by Government which means 'local schemes' must give the same level of assistance to pensioners awarded to them under then old Council Tax Benefit scheme. West Lindsey District Council also made the decision since 2013/14 to protect those in receipt of a War Pension and those claimants receiving a Disability Benefit and the proposal is not to change this decision.
- 1.3 Recent changes in legislation, which replaced some Department for Work and Pensions benefits with Universal Credit has seen an increase in the amount of changes of claimants circumstances received by the Council each month. Every change to a person's income or capital changes their entitlement to Universal Credit which, in turn, changes their Council Tax Reduction entitlement. This results in a change in their Council Tax instalments every month. As Universal Credit will be rolled out for new claimants in all client groups (couples and families) from March 2018 WLDC are expecting a greater proportion of the Council Tax Support caseload to be Universal Credit claimants.
- 1.4 In order to avoid multiple changes for those people in receipt of Universal Credit and to make the scheme clearer and simpler two options were suggested. The first being to fix periods of assessment for 4 months meaning no reassessment of claims during the fixed period and the second being to apply a tolerance which would mean only changes resulting in an alteration of entitlement greater/less than £2.50 per week would be recalculated. To qualify for the reassessment the claimant would need to show a £12.50 change (plus or minus) in their weekly income.
- 1.5 It was also noted that from 6 April 2017 the Department for Works and Pensions introduced a new benefit for working age applicants whose partner had died. This benefit called Bereavement Support Payment replaced Bereavement Payment, Bereavement Allowance and Widowed Parents Allowance. Due to this change being announced after 31st January 2017 it was unable to incorporate it into the current Council Tax support scheme. Therefore it was included in the consultation as a possible change to the scheme which would, if adopted, enable any Bereavement Support Payments to be disregarded which would bring it into line with how the payment is treated in the current Housing Benefit Scheme.

- 1.6 The changes suggested in the consultation for the Council Tax support scheme for 2018/19 were:

	Change
1	Fixed period assessments
2	Apply a tolerance to Universal Credit claimants for Council Tax Reduction to avoid multiple changes
3	Disregard Bereavement Support payments in line with Housing Benefit regulations
4	Make no changes to the current scheme

- 1.7 Consultation took place over a 6 week period from 4 September 2017 to 13 October 2017. The consultation questionnaire was available on the West Lindsey website and in paper format at both West Lindsey offices at Gainsborough and Market Rasen. It was also sent to all members of the Citizens' Panel and all Parish Councils.
- 1.8 Benefit Officers who attend benefit surgeries across the District and officers working at the Guildhall and Market Rasen promoted the consultation offering assistance to residents to complete the survey.

2. Results of the Consultation

A total of 1,288 consultation questionnaires were issued to the Citizens' Panel. This Panel consists of residents from all areas of the District who experience differing financial and personal circumstances, some of whom are currently in receipt of Council Tax support.

The Benefits team also issued approximately 12 hard copy questionnaires to Council Tax support claimants who visited the offices at Gainsborough and Market Rasen. Claimants were also offered the opportunity to complete the consultation on-line via the West Lindsey digital hub or via a Benefit Assessor but claimants were reluctant to participate.

A total of 444 replies were received in response to the consultation, 224 of which were electronic and 220 hard copies. This equates to a 34% response rate.

The descriptions of the households completing the consultation were broken down as below:

- 14.3% of respondents are families with one or more dependent children
- 67.3% are single person households or couple without children.
- 12% are households that include someone who is disabled
- 1.6% are lone parent households with one or more dependent children
- 3.4% are a carer in a household with one or more dependent children

- 1.4% are households that include someone entitled to a war pension

Three quarters of the responders (75.7%) agreed that fixing the assessment period for universal credit claimants would avoid multiple changes, be less confusing, avoid constant recalculations of council tax instalments and would allow claimants to budget over longer periods.

Slightly less responders (68.7%) agreed that applying a tolerance to universal credit claimants so that only alterations plus/minus £2.50 would result in a recalculation to council tax support.

Less than a quarter of responders (23.6%) felt that it was not necessary to make any changes to the current scheme.

With regard to disregarding Bereavement Support 78.3% of responders agreed that the scheme.

Some of the comments received in relation to the consultation were:

- Making the payments simpler for families and easing admin costs for the council, MUST be beneficial.
- Stable payments which do not alter every month must be a better option than those that alter regularly. Claimants know where they stand administrative costs are reduced.
- I would like to see all benefits being as closely linked to good citizenship as possible.
- Is there any scope for increasing the tolerance?
- I would support a 3 monthly fixed period.
- WLDC should opt for a system that is as fair as possible.
- Adopt whichever system is most cost effective but continues to support those most in need.
- The tolerance of £2.50 is a little too high – would £1.50 be kinder?
- The tolerance of £2.50 should be higher otherwise the cost of administration may outweigh the income being received.
- The new plans will reduce admin work and claimants will know their outgoings and be able to budget in advance without the fear of increased CT monthly.

In order to engage more council tax support claimants in future consultations relating to the council tax support scheme this particular consultation will be used as a learning tool and other means of engagement will be considered and trialled.

3. Options

There are 4 options for consideration for the 2018/19 scheme and appendix A details the cost savings in full and to each precepting authority:

3.1 Option 1

To make no change to the current scheme, adapted from the scheme applied to people of pension age, for another 12 months but to apply any new legislative requirements and the uprating of the non-dependent charges, applicable amounts and household allowances and deductions, used in the calculation of the reduction in accordance with the Department for Works and Pensions (DWP) annual up-ratings.

Costs/Savings

- Increase the non-dependent deductions (up-rating) to the amount stipulated by the Department for Works and Pensions for 2018/19. The current amounts are listed in column 1 and are, based on last years increases likely to increase to the figures listed in column 2.

2017/18	2018/19
£11.55	£11.65
£ 9.65	£ 9.74
£ 7.65	£ 7.72
£ 3.80	£ 3.83

This would provide a small saving to West Lindsey District Council of £64.

- Disregard any Bereavement Support Payments in the calculation of Council Tax Support which will help those who have been bereaved.

Advantages	Disadvantages
<p>There has been a slight reduction in the number of households claiming council tax support which has reduced the costs of the scheme.</p> <p>In September 2016 we had 7,129 claimants and in September 2017 there were 6,892 claimants.</p>	Very small saving to the council
Collection rates are being maintained under the current scheme.	
This option ensures the council tax support rules stay consistent with the Department for Work and Pensions rules which avoids confusion for claimants.	
<p>There are currently no claimants in receipt of Bereavement Support Payment.</p> <p>Whilst not a large expense to the council it would ensure funds are directed towards the vulnerable during a difficult period in their lives.</p>	Very limited cost to the council.

3.2 Option 2

To make no changes to the current scheme for 2018/19 ie: do not apply the up-rate household allowances and deductions

Costs/Savings

There would be no direct saving to the council under this option.

Advantages	Disadvantages
	<p>The Council would have three sets of rules to apply for households applying for financial help, this would cause confusion for the claimants, will lead to increased modification to IT and training for the Benefits Team and an additional set of regulations.</p>

3.3 Option 3

- to introduce fixed period assessments for Universal credit claimants of 4 months
- to apply any new legislative requirements and the uprating of the non-dependent charges, applicable amounts and household allowances and deductions, used in the calculation of the reduction in accordance with the Department for Works and Pensions (DWP) annual up-ratings
- to disregard any Bereavement Support Payments in the calculation of Council Tax Support which will help those who have been bereaved.

Costs/Savings

There will be an administrative saving in this option but the effect will not be known until all new claims transfer to Universal Credit starting in March 2018. In postage alone for every 100 claims that move to Universal Credit there would be an approximate postage saving of £60 per month and eventually it is expected that up to 1500 families will move to Universal Credit by 2022.

Advantages	Disadvantages
It is a clear and simple change to the current scheme.	Some claimants may be disadvantaged in the short term as changes that may increase entitlement to Council Tax Support would not be taken into account until the new assessment period.
It is administratively simple.	
It will enable claimants to budget over longer periods.	
It may benefit some claimants in the short term as changes that may increase entitlement to Council Tax Support would not be taken into account until the new assessment period.	
This option ensures the council tax support rules stay consistent with the Department for Work and Pensions rules in terms of Bereavement Payments and annual up-ratings which avoids confusion for claimants.	

3.4 Option 4

- to apply a tolerance for Universal credit claimants in receipt of council tax support – only make changes to entitlement where the net difference is plus/minus £2.50 per week.
- to apply any new legislative requirements and the uprating of the non-dependent charges, applicable amounts and household allowances and deductions, used in the calculation of the reduction in accordance with the Department for Works and Pensions (DWP) annual up-ratings
- to disregard any Bereavement Support Payments in the calculation of Council Tax Support which will help those who have been bereaved.

Costs/Savings

There will be an administrative saving in this option but the effect will not be known until all new claims transfer to Universal Credit starting in March 2018. From limited experience of Universal Credit to date, many claims have the possibility of a £12.50 per week change in income and therefore the savings are unlikely to be in excess of the Fixed Benefit period option (option 3)

Advantages	Disadvantages
It is a clear and simple change to the current scheme.	Some claimants may be disadvantaged in the short term as changes that may increase entitlement to Council Tax Support would not be taken into account until the change in income reaches £12.50 per week.
It is administratively simple.	
It will enable claimants to budget over longer periods.	
It may benefit some claimants in the short term as changes that may increase entitlement to Council Tax Support would not be taken into account until the change in income reaches £12.50 per week.	
This option ensures the council tax support rules stay consistent with the Department for Work and Pensions rules in terms of Bereavement Payments and annual up-ratings which avoids confusion for claimants.	

4. Recommendations

It is recommended that the Members consider the 4 options and agree Option 3, being to adopt the scheme based on the 2017/18 scheme.

Option 3 is considered the more stable option with more predictable administration savings and more of the consultation replies agreed that a fixed period scheme would be preferable to a scheme applying a tolerance to income levels. The comments from the consultation prove that a fixed period scheme is a more understandable to the customers and will be easier for customers to adopt. Some existing customers will remember the fixed period assessments applied to Family Credit in the past which will enable us to demonstrate its effectiveness.

5. Local Council Tax Support Scheme 2018/19

It is recognised that whatever decision is reached this would only be a scheme for 2018/19. A review of the scheme is undertaken annually when more knowledge of the impact of that year's scheme and collection rates are available. Monitoring will also take place to analyse the impact and any unintended consequences it has had on council taxpayers and benefit recipients.

Appendix A – Options Calculation Table

	Total Cost	LCC – 75%	WLDC-12.5%	LPA -12.5%
Total cost of 2016/17 LCTS scheme	£6,120,456	£4,590,342	£ 765,057	£ 765,057
Total cost of 2017/18 LCTS scheme before any changes are implemented	£6,078,906	£4,559,179	£ 759,863	£ 759,863
Total saving	£ 41,550	£ 31,163	£ 5,194	£ 5,194

Possible Options		Total Saving	LCC - 75% Saving	WLDC – 12.5% saving	LPA – 12.5% saving
Total annual cost before charges	£6,078,906				
Estimated Change to Non Dependent Deductions	£6,078,394	£ 512	£ 384	£ 64	£ 64
£11.55 to £11.65					
£9.65 to £9.74					
£7.65 to £7.72					
£3.80 to £3.83					
Disregard Bereavement Support payments (cost neutral)					

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Corporate Policy & Resources Committee Work Plan

Purpose:

This report provides a summary of reports that are due on the Forward Plan over the next 12 months for the Corporate Policy & Resources Committee.

Recommendation:

1. That members note the schedule of reports.

Active/Closed	Active		
Date	Title	Lead Officer	Purpose of the report
Being scoped	Community Funding Programme 2018-2021	Grant White	To update on the Council's Community Funding Programme 2015-2018 and recommend options on how the programme can continue.
11/01/2018	Gainsborough Green Corridor	Elaine Poon	After the unsuccessful bid to ERDF for the Gainsborough Blue Green Corridor (including the marina) as DCLG is not supportive of a commercial marina, officers have packaged up the green elements of the bid and resubmitted it for the same funding. The outline application was submitted on 31/10/17 and officers now await decision on whether the project should progress as a full application.
	Leisure Contract Procurement	Karen Whitfield	To update Members on the conclusion of the leisure contract procurement exercise and to approve the preferred contractor
08/02/2018	p and d period 3	Mark Sturgess	to present p and d position as at end of q3
	Period 3 Budget and Treasury Monitoring	Tracey Bircumshaw	To update members on forecast out-turn position and request approval for new budgets or approval to spend capital
	Medium Term Financial Strategy 2018/19 to 2022/23	Tracey Bircumshaw	To approve the Medium Term Financial Strategy and the 2018/19 Revenue and Capital Budget and Treasury Management Strategy
	The Customer First Programme	Mark Sturgess	To set out the new procedures
12/04/2018	West Lindsey Commercial Loan Policy and Framework	Marina Di Salvatore	to consider the viability of a Commercial Loan Policy and Framework that would allow the local authority to lend money to third party organisations

10/05/2018	p and d - period 4	Mark Sturgess	to present the year end position for p and d
	Review of Discipline at Work Procedure	Emma Redwood	To review and update the discipline at work procedure
	Review of Career Break Scheme	Emma Redwood	To review the Career Break Scheme
14/06/2018	Period 4 Budget and Treasury Monitoring	Tracey Bircumshaw	To update members on forecast out-turn and to gain approval of new budgets and capital expenditure
	Review of Equality Policy	Emma Redwood	To review the Equality Policy
26/07/2018	Review of Recruitment & Selection Policy	Emma Redwood	Review of the recruitment and selection policy.

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