

# ADJOURNED COMMUNITIES, HOUSING AND ENVIRONMENT POLICY ADVISORY COMMITTEE MEETING

Date: Monday 19 December 2022  
Time: 6.30 pm  
Venue: Town Hall, High Street, Maidstone

Membership:

Councillors McKenna (Chairman), Newton (Vice-Chairman), Bartlett, Brindle, Fort, Khadka, Rose, R Webb and Young

*The Chairman will assume that all Members will read the reports before attending the meeting. Officers are asked to assume the same when introducing reports.*

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## AGENDA

Page No.

1. Apologies for Absence
2. Notification of Substitute Members
3. Urgent Items
4. Notification of Visiting Members
5. Disclosures by Members and Officers
6. Disclosures of Lobbying
7. To consider whether any item needs to be taken in private because of the possible disclosure of exempt information.
8. Minutes of the Meeting Held on 15 November 2022 1 - 6
9. Presentation of Petitions (if any)
10. Question and Answer Session from Local Residents (if any)
11. Questions from Members to the Chairman (if any)
12. Forward Plan relating to the Committee's Terms of Reference 7 - 14
13. Fees and Charges 2023/24 15 - 46
14. Equalities Policy and Action Plan - Update 47 - 78
15. Mid Kent Waste Collection Contract 79 - 92

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**Issued on 14 December 2022**

**Continued Over/:**

*Alison Broom*

**Alison Broom, Chief Executive**

**PART II**

**To move that the public be excluded for the items set out in Part II of the Agenda because of the likely disclosure of exempt information for the reasons specified having applied the Public Interest Test.**

**Head of Schedule 12A and Brief Description**

17. Exempt Appendix 2 to Item 15 - Mid Kent Waste Collection Contract	Paragraph 3 – Financial/Business Affairs	105
18. Exempt Appendix 1 to Item 16 - Granada House Refurbishment	Paragraph 3 – Financial/Business Affairs	106

**INFORMATION FOR THE PUBLIC**

This meeting is the continuation of the meeting adjourned on 13 December 2022. As such, there is no opportunity to register to ask a question and/or address the Committee, as that deadline has already passed. If you require this information in an alternative format please contact us, call 01622 602899 or email [committee@maidstone.gov.uk](mailto:committee@maidstone.gov.uk). To find out more about the work of the Committee, please visit [www.maidstone.gov.uk](http://www.maidstone.gov.uk)

## **MAIDSTONE BOROUGH COUNCIL**

### **COMMUNITIES, HOUSING AND ENVIRONMENT POLICY ADVISORY COMMITTEE**

#### **MINUTES OF THE MEETING HELD ON TUESDAY 15 NOVEMBER 2022**

##### **Attendees:**

<b>Committee Members:</b>	<b>Councillors McKenna (Chairman), Brindle, English, Fort, Newton, Rose and Young</b>
<b>Lead Members:</b>	<b>Councillor David Burton (Leader of the Council) Councillor Lottie Parfitt-Reid (Lead Member for Communications and Public Engagement) Councillor Martin Round (Lead Member for Environmental Services) Councillor Simon Webb (Lead Member for Housing and Health)</b>
<b>Visiting Members:</b>	<b>Councillors Jeffery and Munford</b>

54. **APOLOGIES FOR ABSENCE**

Apologies of absence were received by Councillors Bartlett, Khadka and R Webb.

55. **NOTIFICATION OF SUBSTITUTE MEMBERS**

Councillor English was present as a Substitute Member for Councillor Khadka.

56. **URGENT ITEMS**

There was one urgent item, which was Item 19 – Council Tax Reduction Scheme 2022-23 and was published as part of an amended agenda on Friday 11 November 2022. The item would be considered after Item 12 – Forward Plan Relating to the Committees terms of reference, to allow the Committee to consider the agenda items relating to the Council’s finances together.

There were three urgent updates to Item 16 – Rural England Prosperity Fund, they were appendices A, B and C and were made available on Thursday 10 November and relate to the Committees consideration of the item.

57. **CHANGE TO THE ORDER OF BUSINESS**

The Chairman stated that Item 18 – Biodiversity and Climate Change Action Plan Update would be presented before Item 15 – Fleet Replacement Programme, due to the related subject matter.

58. **NOTIFICATION OF VISITING MEMBERS**

Councillors Jeffery and Munford were in attendance as Visiting Members for Item 18 – Biodiversity and Climate Change Action Plan Update.

59. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members and Officers.

60. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

61. EXEMPT ITEMS

**RESOLVED:** That all items be taken in public as proposed.

62. MINUTES OF THE MEETING HELD ON 11 OCTOBER 2022

**RESOLVED:** That the Minutes of the Meeting held on 11 October 2022 be approved as a correct record and signed.

63. PRESENTATION OF PETITIONS

There were no petitions.

64. QUESTION AND ANSWER SESSION FROM LOCAL RESIDENTS

There were no questions from local residents.

65. QUESTIONS FROM MEMBERS TO THE CHAIRMAN

There were no questions from Members.

66. FORWARD PLAN RELATING TO THE COMMITTEE'S TERMS OF REFERENCE

**RESOLVED:** That the Forward Plan relating to the Committee's Terms of Reference be noted.

67. COUNCIL TAX REDUCTION SCHEME 2023-24

The Lead Member for Communities and Public Engagement introduced the report and highlighted that the Council Tax Reduction Scheme (CTRS) had been amended to an income banded scheme in 2021. The CTRS provided a maximum support level of 80% to working age claimants and was consistent with other Mid-Kent Authorities. It was advisable for the scheme to be operational for two years before any changes were made.

The Lead Member for Communities and Public Engagement stated that as part of the due diligence to the scheme's review, consideration was given to both reducing and increasing the assistance available through the scheme. The latter would reduce the amount available overall to those residents, which could have unforeseen affects. Given the Councils' ongoing financial pressures, it was recommended that the scheme remain unchanged for 2023-2024.

The Committee supported the proposed recommendation, given the financial pressures being experienced by the Council.

**RESOLVED:** That the Executive be recommended to recommend to Council that no changes be made to the Council Tax Reduction Scheme for the year 2023/24.

68. FINANCIAL UPDATE & PERFORMANCE MONITORING REPORT

The Lead Member for Environmental Services introduced the report and stated that the Council's Housing Service was under increasing pressure. The Lead Member for Housing and Health explained that whilst additional opportunities to progress the 1,000 Affordable Homes Programme were being identified, the Council's existing temporary accommodation (TA) was in high demand with many families unable to move from TA into permanent accommodation. In response, the Council had sourced external TA which had caused a budget deficit to the service. A report would be presented to the Committee in December 2022 on the 1,000 Affordable Homes Programme.

The Head of Finance stated that the Council was expected to achieve a balanced budget for the 2022/23 financial year, due to a combination of delayed expenditure and increased financial recovery within other areas of the Council. There was an underspend against the capital programme, with further opportunities for the 1,000 Affordable Homes Programme to be identified.

During the discussion, the importance of addressing and improving housing provision for the Gypsy & Traveller Community and the overall progression of the 1,000 Affordable Homes Programme, was highlighted.

**RESOLVED:** That

1. The Revenue position as at the end of Quarter 2 for 2022/23, including the actions being taken or proposed to improve the position, where significant variances have been identified, be noted;
2. The Capital position at the end of Quarter 2 be noted; and
3. The Performance position as at Quarter 2 for 2022/23, including the actions being taken or proposed to improve the position, where significant issues have been identified, be noted.

69. MEDIUM TERM FINANCIAL STRATEGY 2023 - 2028

The Lead Member for Environmental Services introduced the report and referenced the importance of the Local Government Finance Settlement which would be announced on 17 November 2022.

The Head of Finance referenced the timeline associated with updating the Medium-Term Financial Strategy (MTFS), with the Committee requested to recommend that the proposed MTFS be approved by the Executive. If approved, detailed proposals would be presented to the Committee in January 2023. Particular attention was drawn to the five scenarios contained within the MTFS attached at appendix 1 to the report, with the fifth scenario having been produced to reflect the possibility of increase inflation over a longer time period, with local government funding likely to be impacted.

The Head of Finance stated that a £2.5 million budget gap had been forecast for across 2023/24 and a £10 million budget gap across 2024/45.

The Leader of the Council highlighted the uncertainty surrounding the increase in inflation and the length of time until its reduction.

**RESOLVED:** That

1. The issues and risks associated with updating the Medium Term Financial Strategic are noted; and
2. The Executive be recommended to approve the Medium-Term Financial Strategy and the proposed approach outlined to development of an updated Medium-Term Financial Strategy for 2023/24 – 2027/28 and a budget for 2023/24 be approved.

70. BIODIVERSITY AND CLIMATE CHANGE ACTION PLAN UPDATE

The Leader of the Council introduced the report and referenced the updated provided at the Committee's previous meeting. Specific attention was drawn to point 2.7 of the report, which outlined the proposed annual review process for the actions within the Biodiversity and Climate Change Action Plan to be separated into those within the Council's direct control and those it can influence. The actions would be aligned to the relevant Lead Member on the Executive and presented to the respective Policy Advisory Committees as part of the annual review process.

The Leader of the Council stated that the proposed approach would be manageable and would ensure that the actions were effectively monitored. Member input into each annual review would be maximised through aligning the actions to the relevant Lead Member, particularly given that the full Council had declared a Biodiversity and Climate Change Emergency. The importance of considering Biodiversity and Climate Change when making decisions was emphasised, alongside some of the plans' achievements including the recent 'Go Green Information Centre'.

The Committee expressed support for the proposed annual review process to increase Member involvement in plan's review.

**RESOLVED:** That

1. The Committee notes the progress made towards delivery of the Biodiversity and Climate Change Action Plan.
2. The timeline for delivering against the targets contained within the Biodiversity and Climate Change Action Plan, and responsible Lead Members on the Executive and Officers be identified.

Note: Councillor English left the meeting during the item's introduction between 6.45 p.m. to 6.56 p.m.

71. FLEET REPLACEMENT PROGRAMME

The Lead Member for Environmental Services introduced the report and stated that the Fleet Replacement Programme outlined how the fleet for street cleaning, grounds maintenance and commercial waste service collections were replaced.

There were 54 vehicles in total with a value of £1.2 million. The vehicles were replaced every 5-7 years, dependent upon their running costs, reliability and mileage with the required funding agreed by the Council as part of its capital programme.

The Lead Member for Environmental Services referenced the Green Fleet Strategy, which acts as a mechanism for managers to determine which vehicles to purchase, with the use of electric vehicles supported provided that they were able to meet the business' need. Five electric vehicles would be purchased in 2023 for street cleansing and grounds maintenance. The introduction of telematics to improve the service's delivery was referenced.

The Committee expressed support for the programme, particularly the Green Replacement Strategy and the efforts made to increase the number of electric vehicles. In response to questions, the Lead Member for Environmental Services stated that further opportunities to increase the use of electric vehicles and other technological improvements had been and would continue to be discussed with the relevant officers. The Public Realm Operations Manager confirmed that purchasing electric vehicles was significantly more expensive than standard vehicles. The Committee were advised to contact the Officer if they wished to suggest a suitable, more efficient vehicle, with the team's working practices able to be changed to suit such a vehicle if required.

**RESOLVED:** That

1. The contents of the report relating to the Fleet Replacement Programme and planned vehicle purchases be noted; and
2. The Green Fleet Strategy contained within Appendix 1 be noted.

72. RURAL ENGLAND PROSPERITY FUND INVESTMENT PLAN

The Leader of the Council introduced the report and stated that the Rural England Prosperity Fund Investment Plan was an extension to the UK Shared Prosperity Funding allocated to the Council earlier this year. Over £500,000 had been allocated for dispersal within the borough's rural communities.

The Leader of the Council emphasised the difficulties in deploying the funding, given the short timescale for the investment plan's submission alongside there being no readily available schemes to implement. The approach proposed was to invite grant applications from rural community services that aimed to support and improve the provision of environmentally friendly energy systems, such as the use of solar panels and electric power batteries. The local economy could be positively impacted through local businesses fitting the facilities required, alongside increasing the local knowledge of green energy solutions.

The Committee were asked to consider the cap level per grant, which could be set at £50,000 per submission. Suitable proposals requiring funding below and above that level could also be considered.

In response to questions, the Director of Strategy, Insight & Governance confirmed that the definition of a rural area for the scheme was in accordance with the Office of National Statistics' definition. The funding had to be allocated between April 2023 to May 2025, with 25% and 75% of the funding allocated

respectively across 2023-24 and 2024-25. It was hoped that the funding could be distributed from February 2023, with further information to be provided to the Council's Members and Parish Councils once available. The Rural Fund Scoring Matrix attached at appendix 2 to the report was highlighted, as the Council had to be confident in a scheme's delivery in allocating the funding, which they had to demonstrate to Central Government.

Several Members of the Committee referenced the report's consideration by the Economic Regeneration and Leisure Committee earlier in November 2022, with the £50,000 cap level felt appropriate provided that proposals above and below that amount were considered flexibly on their merits.

The Committee expressed support for the proposed intervention plan as it would lead to improvements within the rural areas of the borough. It was suggested that a directory of green solution providers should be provided to assist in the submission of the funding bids and completion of any approved works. The interest already expressed from Parish Councils in particular was noted.

**RESOLVED:** That the Leader be recommended to approve the Investment Plan for the Rural England Prosperity Fund, subject to the Committee's comments, and then submitted to Government by the Director of Strategy, Insight and Governance.

73. COUNCIL FIRE & BUILDING SAFETY POLICY

The Lead Member for Housing and Health introduced the report and stated that the draft Council Fire and Building Policy attached at appendix 1 to the report was a technical document, intended for use by the Council's Housing Service.

The Committee expressed support for the draft policy.

**RESOLVED:** That the Executive be recommended to approve the Fire and Building Safety Policy attached as Appendix 1 to the report.

74. DURATION

6:30 p.m. until 7:56 p.m.

# MAIDSTONE BOROUGH COUNCIL FORWARD PLAN FOR THE FOUR MONTH PERIOD 1 JANUARY 2023 TO 30 APRIL 2023

This Forward Plan sets out the details of the key decisions which the Executive or Lead Members expect to take and the non-Key decisions that the Executive or Lead Members expect to take during the next four-month period. The plan will be updated weekly for the relevant period and a new plan for a new four-month period, published monthly on the last Friday of the month.

A Key Decision is defined as one which:

1. Results in the Council incurring expenditure, or making savings, of more than £250,000; or
2. Is significant in terms of its effects on communities living or working in an area comprising two or more Wards in the Borough

The current members of the Executive are:

7	 <b>Councillor David Burton</b> Leader of the Council DavidBurton@maidstone.gov.uk 07590 229910	 <b>Councillor John Perry</b> Deputy Leader and Lead Member for Corporate Services JohnPerry@Maidstone.gov.uk 07770 734741	 <b>Councillor Lottie Parfitt-Reid</b> Lead Member for Communities and Public Engagement LottieParfittReid@Maidstone.gov.uk 07919 360000	 <b>Councillor Martin Round</b> Lead Member for Environmental Services MartinRound@maidstone.gov.uk 07709 263447
	 <b>Councillor Simon Webb</b> Lead Member for Housing and Health SimonWebb@Maidstone.gov.uk 07878 018997	 <b>Councillor Claudine Russell</b> Lead Member for Leisure and Arts ClaudineRussell@Maidstone.gov.uk	 <b>Councillor Paul Cooper</b> Lead Member for Planning and Infrastructure PaulCooper@Maidstone.gov.uk 01622 244070	

Anyone wishing to make representations about any of the matters listed below may do so by contacting the relevant officer listed against each decision, within the time period indicated.

Under the Access to Information Procedure Rules set out in the Council's Constitution, a Key Decision or a Part II decision may not be taken, unless it has been published on the forward plan for 28 days or it is classified as urgent:

The law and the Council's Constitution provide for urgent key and part II decisions to be made, even though they have not been included in the Forward Plan.

Copies of the Council's constitution, forward plan, reports and decisions may be inspected at the Maidstone House, King Street, Maidstone, ME15 6JQ or accessed from the Council's website: [www.maidstone.gov.uk](http://www.maidstone.gov.uk)

Members of the public are welcome to attend meetings of the Executive which are normally held at the Town Hall, High St, Maidstone, ME14 1SY. The dates and times of the meetings are published on [www.maidstone.gov.uk](http://www.maidstone.gov.uk) or you may contact the Democratic Services Team on telephone number 01622 602899 for further details.

**David Burton**  
**Leader of the Council**

<b>Details of the Decision to be taken</b>	<b>Decision to be taken by</b>	<b>Lead Member</b>	<b>Expected Date of Decision</b>	<b>Key</b>	<b>Exempt</b>	<b>Proposed Consultees / Method of Consultation</b>	<b>Documents to be considered by Decision taker</b>	<b>Representations may be made to the following officer by the date stated</b>
<p>Granada House Refurbishment Report on the outcome of the tender process and seeking approval to proceed with the works and the necessary financial commitments</p> <p>6</p>	Executive	Lead Member for Housing and Health	21 Dec 2022	Yes	No Part exempt	<p>Communities, Housing and Environment Policy Advisory Committee 13 Dec 2022</p> <p>Update to Cabinet/Lead Member prior to PAC Meeting, once procurement process is complete.</p>	Granada House Refurbishment	<p><b>Andrew Connors</b></p> <p>Housing Enabling Officer</p> <p>andrewconnors@maidstone.gov.uk</p>
<p>Mid Kent Waste Collection Contract Approval to enter into contract with the successful bidder following a competitive dialogue procurement process.</p>	Executive	Lead Member for Environmental Services	21 Dec 2022	Yes	No Part exempt	Communities, Housing and Environment Policy Advisory Committee 13 Dec 2022	Mid Kent Waste Collection Contract	<p><b>Jennifer Stevens</b></p> <p>Head of Environmental Services &amp; Public Realm</p> <p>jenniferstevens@maidstone.gov.uk</p>
<p>Fees and Charges 2023/24 This report sets out the proposed fees and charges for Fees and charges determined by</p>	Executive	Lead Member for Corporate Services	21 Dec 2022	Yes	No Open	Economic Regeneration and Leisure Policy Advisory Committee 6 Dec 2022	Fees and Charges 2023/24	<p><b>Adrian Lovegrove</b></p> <p>Head of Finance</p> <p>adrianlovegrove@maidstone.gov.uk</p>

<b>Details of the Decision to be taken</b>	<b>Decision to be taken by</b>	<b>Lead Member</b>	<b>Expected Date of Decision</b>	<b>Key</b>	<b>Exempt</b>	<b>Proposed Consultees / Method(s) of Consultation</b>	<b>Documents to be considered by Decision taker</b>	<b>Representations may be made to the following officer by the date stated</b>
10 the council are reviewed annually, and this forms part of the budget setting process. Changes to fees and charges agreed will come into effect on 1 April 2023 unless otherwise stated in the report.						<p>Planning and Infrastructure Policy Advisory Committee 8 Dec 2022</p> <p>Communities, Housing and Environment Policy Advisory Committee 13 Dec 2022</p> <p>Corporate Services Policy Advisory Committee 14 Dec 2022</p>		
Equalities Policy and Action Plan - Update Annual Update report - providing an update on actions taken to meet objections, propose any revisions or changes	Lead Member for Communities and Public Engagement	Lead Member for Communities and Public Engagement	23 Dec 2022	No	No Open	Communities, Housing and Environment Policy Advisory Committee 13 Dec 2022	Equalities Policy and Action Plan - Update	<p><b>Orla Sweeney</b></p> <p>orlasweeney@maidstone.gov.uk</p>

<b>Details of the Decision to be taken</b>	<b>Decision to be taken by</b>	<b>Lead Member</b>	<b>Expected Date of Decision</b>	<b>Key</b>	<b>Exempt</b>	<b>Proposed Consultees / Method(s) of Consultation</b>	<b>Documents to be considered by Decision taker</b>	<b>Representations may be made to the following officer by the date stated</b>
Housing Strategy 2022-27 The proposed themes for the new housing strategy were approved by the CHE Committee in early 2022, and these have since been subject to public consultation. Therefore the new housing strategy, as drafted, takes account of these consultation responses, and is now ready for consideration for adoption.	Executive	Lead Member for Housing and Health	25 Jan 2023	Yes	No Open	Communities, Housing and Environment Policy Advisory Committee 17 Jan 2023	Housing Strategy 2022-27	<b>John Littlemore</b>  Head of Housing & Regulatory Services  johnlittlemore@maidstone.gov.uk
Charges for Replacement Wheeled Bins Proposal to introduce charges for the replacement of damaged refuse and recycling wheeled bins, in line with the Mid Kent Waste Partnership.	Executive	Lead Member for Environmental Services	25 Jan 2023	No	No Open	Communities, Housing and Environment Policy Advisory Committee 17 Jan 2023	Charges for Replacement Wheeled Bins	<b>Jennifer Stevens</b>  Head of Environmental Services & Public Realm  jenniferstevens@maidstone.gov.uk
Property Acquisition for 1000 homes programme Report regarding Acquisition of site for	Executive	Lead Member for Housing and Health	25 Jan 2023	Yes	No Part exempt	Communities, Housing and Environment Policy Advisory	Property Acquisition for 1000 homes programme	<b>Philip Morris</b>

<b>Details of the Decision to be taken</b>	<b>Decision to be taken by</b>	<b>Lead Member</b>	<b>Expected Date of Decision</b>	<b>Key</b>	<b>Exempt</b>	<b>Proposed Consultees / Method(s) of Consultation</b>	<b>Documents to be considered by Decision taker</b>	<b>Representations may be made to the following officer by the date stated</b>
1000 affordable homes programme						Committee 17 Jan 2023  Notification of ward members. Briefing to executive and lead member for PAC		philipmorris@maistone.gov.uk
Review of Housing Assistance Policy (including DFG) This policy addresses a number of services and funding streams delivered from within the Housing and Community Services department, to include the Disabled Facilities Grant and the Help You Home scheme too. The document sets out how these funding streams are utilised to deliver the desired community benefits.	Executive	Lead Member for Housing and Health	25 Jan 2023	Yes	No Open	Communities, Housing and Environment Policy Advisory Committee 17 Jan 2023	Review of Housing Assistance Policy (including DFG)	<b>John Littlemore</b>  Head of Housing & Regulatory Services  johnlittlemore@maidstone.gov.uk

<b>Details of the Decision to be taken</b>	<b>Decision to be taken by</b>	<b>Lead Member</b>	<b>Expected Date of Decision</b>	<b>Key</b>	<b>Exempt</b>	<b>Proposed Consultees / Method(s) of Consultation</b>	<b>Documents to be considered by Decision taker</b>	<b>Representations may be made to the following officer by the date stated</b>
Commissioning Support from the VCS	Lead Member for Communities and Public Engagement	Lead Member for Communities and Public Engagement	30 Jan 2023	No	No Open	Communities, Housing and Environment Policy Advisory Committee 17 Jan 2023	Commissioning Support from the VCS	<b>Anna Collier</b>  annacollier@maidstone.gov.uk
Award of Arboricultural Services Contract Report to advise Committee on the scope of the contract to provide tree pruning, tree safety works, planting and emergency call out service relating to Maidstone Borough Council owned land and tree stock. Committee are asked to endorse the award of contract to the selected company.	Lead Member for Environmental Services	Lead Member for Environmental Services	23 Feb 2023	Yes	No Open	Communities, Housing and Environment Policy Advisory Committee 14 Feb 2023	Award of Arboricultural Services Contract	<b>Andrew Williams</b>  andrewwilliams@maidstone.gov.uk
Property Acquisition for 1,000 Affordable Homes Programme Report regarding acquisition of site for 1,000 Affordable Homes Programme	Executive	Lead Member for Housing and Health	22 Mar 2023	Yes	No Part exempt	Communities, Housing and Environment Policy Advisory Committee 14 Feb 2023	Property Acquisition for 1,000 Affordable Homes Programme	<b>Andrew Connors</b>  Housing Enabling Officer  andrewconnors@maidstone.gov.uk

<b>Details of the Decision to be taken</b>	<b>Decision to be taken by</b>	<b>Lead Member</b>	<b>Expected Date of Decision</b>	<b>Key</b>	<b>Exempt</b>	<b>Proposed Consultees / Method(s) of Consultation</b>	<b>Documents to be considered by Decision taker</b>	<b>Representations may be made to the following officer by the date stated</b>
						Notification to ward member. Briefing to Executive and Lead Member for PAC.		
Heather House and Royal British Legion site A report seeking approval to enter into contract with contractors for proposed works to Heather House and Royal British Legion Buildings.	Executive	Lead Member for Housing and Health	22 Mar 2023	Yes	No Part exempt	Communities, Housing and Environment Policy Advisory Committee 14 Feb 2023	Heather House and Royal British Legion site	<b>Andrew Connors, Alison Elliott</b>  Housing Enabling Officer,  andrewconnors@maidstone.gov.uk, alisonelliott@maidstone.gov.uk

**Communities, Housing and Environment Policy Advisory Committee**

**19 December 2022**

**Fees and Charges 2022-23**

<b>Final Decision-Maker</b>	Communities, Housing and Environment Policy Advisory Committee
<b>Lead Head of Service</b>	Mark Green, Director of Finance and Business Improvement
<b>Lead Officer and Report Author</b>	Adrian Lovegrove, Head of Finance
<b>Classification</b>	Public
<b>Wards affected</b>	All

**Executive Summary**

This report sets out the proposed fees and charges for 2023/24 for the services within the remit of this committee. Fees and charges determined by the council are reviewed annually, and this forms part of the budget setting process. Changes to fees and charges agreed by this committee will come into effect on 1 April 2023 unless otherwise stated in the report.

**Recommendations to Communities, Housing and Environment Policy Advisory Committee:**

1. The Committee is asked to note the contents but may choose to comment on the content.
2. That the Committee recommend to the Executive to approve the Fees and Charges as detailed in Appendix 1.

**Timetable**

<b>Meeting</b>	<b>Date</b>
Executive	21 December 2022

# Fees and Charges 2023-24

## 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	<ul style="list-style-type: none"> <li>We do not expect the recommendations will by themselves materially affect achievement of corporate priorities. However, the Council’s policy on charging has been developed to support corporate priorities as set out in the strategic plan and the proposals within the report have been made with reference to this.</li> </ul>	Adrian Lovegrove, Head of Finance
<b>Cross Cutting Objectives</b>	<ul style="list-style-type: none"> <li>The report recommendations support the achievement of the cross cutting objectives by ensuring that costs of service delivery are recovered where possible, which enables services which support these objectives to be sustained.</li> </ul>	Adrian Lovegrove, Head of Finance
<b>Risk Management</b>	<ul style="list-style-type: none"> <li>This is covered within section 5 of the report.</li> </ul>	Adrian Lovegrove, Head of Finance
<b>Financial</b>	<ul style="list-style-type: none"> <li>Financial implications are set out in the body of the report. If agreed, this income will be incorporated into the Council’s medium term financial strategy for 2023-24 onwards.</li> </ul>	Adrian Lovegrove, Head of Finance
<b>Staffing</b>	<ul style="list-style-type: none"> <li>The recommendations do not have any staffing implications.</li> </ul>	Adrian Lovegrove, Head of Finance
<b>Legal</b>	<ul style="list-style-type: none"> <li>Acting on the recommendations is within the Council’s powers as set out within the Local Government Act 2003 and the Localism Act 2011.</li> <li>Section 93 of the Local Government Act 2003 permits best value authorities to charge for discretionary services provided the authority has the power to</li> </ul>	Interim Team Leader (Contentious and Corporate Governance)

	<p>provide that service and the recipient agrees to take it up on those terms. The authority has a duty to ensure that taking one financial year with another, income does not exceed the costs of providing the service. A number of fees and charges for Council services are set on a cost recovery basis only, with trading accounts used to ensure that the cost of service is clearly related to the charge made. In other cases, the fee is set by statute and the Council must charge the statutory fee. In both cases the proposals in this report meet the Council's legal obligations.</p> <ul style="list-style-type: none"> <li>• Where a customer defaults on the fee or charge for a service, the fee or charge must be defensible, in order to recover it through legal action. Adherence to the MBC Charging Policy on setting fees and charges provides some assurance that appropriate factors have been considered in setting such fees and charges.</li> </ul>	
<b>Privacy and Data Protection</b>	<ul style="list-style-type: none"> <li>• The recommendations do not have any privacy or data protection implications.</li> </ul>	Policy and Information Team
<b>Equalities</b>	The recommendations do not propose a change in service therefore will not require an equalities impact assessment.	Equalities & Communities Officer
<b>Public Health</b>	<ul style="list-style-type: none"> <li>• The recommendations do not have any public health implications.</li> </ul>	[Public Health Officer]
<b>Crime and Disorder</b>	<ul style="list-style-type: none"> <li>• The recommendations do not have any public health implications.</li> </ul>	[Head of Service or Manager]
<b>Procurement</b>	<ul style="list-style-type: none"> <li>• The recommendations do not have any procurement implications.</li> </ul>	Adrian Lovegrove, Head of Finance
<b>Biodiversity and Climate Change</b>	There are no implications on biodiversity and climate change.	Biodiversity and Climate Change Manger

## **2. INTRODUCTION AND BACKGROUND**

- 2.1 The council is able to recover the costs of providing certain services through making a charge to service users. For some services, this is a requirement and charges are set out in statute, and in other areas the council has discretion to determine whether charging is appropriate, and the level at which charges are set.
- 2.2 In recent years, the use of charging has become an increasingly important feature of the council's medium term financial strategy, as pressures on the revenue budget limit the extent to which subsidisation of discretionary services is feasible. Recovering the costs of these services from users where possible helps to ensure sustainability of the council's offer to residents and businesses, beyond the statutory minimum.
- 2.3 A charging policy (attached at Appendix 2 for reference) is in place for charges which are set at the council's discretion and this seeks to ensure that:
- a) Fees and charges are reviewed regularly, and that this review covers existing charges as well services for which there is potential to charge in the future.
  - b) Budget managers are equipped with guidance on the factors which should be considered when reviewing charges.
  - c) Charges are fair, transparent and understandable, and a consistent and sensible approach is taken to setting the criteria for applying concessions or discounted charges.
  - d) Decisions regarding fees and charges are based on relevant and accurate information regarding the service and the impact of any proposed changes to the charge is fully understood.
- 2.4 The policy covers fees and charges that are set at the discretion of the council and does not apply to services where the council is prohibited from charging, e.g. the collection of household waste. Charges currently determined by central government, e.g. planning application fees, are also outside the scope of the policy. However, consideration of any known changes to such fees and charges and any consequence to the medium term financial strategy are included in this report for information.
- 2.5 Managers are asked to consider the following factors when reviewing fees and charges:
- a) The council's strategic plan and values, and how charge supports these;
  - b) The use of subsidies and concessions targeted at certain user groups or to facilitate access to a service;
  - c) The actual or potential impact of competition in terms of price or quality;
  - d) Trends in user demand including an estimate of the effect of price changes on customers;
  - e) Customer survey results;

- f) Impact on users, both directly and on delivering the council's objectives;
- g) Financial constraints including inflationary pressure and service budgets;
- h) The implications of developments such as investment made in a service;
- i) The corporate impact on other service areas of council wide pressures to increase fees and charges;
- j) Alternative charging structures that could be more effective;
- k) Proposals for targeting promotions during the year and the evaluation
- l) of any that took place in previous periods.

#### **Discretionary Charges for 2023-24**

- 2.6 It is important that charges are reviewed on a regular basis to ensure that they remain appropriate and keep pace with the costs associated with service delivery as they increase over time.
- 2.7 Charges for services which fall within the remit of this committee have been reviewed by budget managers in line with the policy, as part of the development of the medium term financial strategy for 2023/24 onwards. The detailed results of the review carried out this year are set out in Appendix 1 and the approval of the committee is sought to the amended fees and charges for 2023/24 as set out in that appendix.
- 2.8 Table 1 below summarises the 2021/22 outturn and 2022/23 estimate for income from the discretionary fees and charges which fall within the remit of this committee. Please note that the table only reflects changes relating to fees and charges and does not include other budget proposals which may impact these service areas.
- 2.9 The overall increase in income if these changes are agreed and implemented as planned is expected to be £122,400 which amounts to a 4.0% increase in the overall budgeted income figure for this committee for the current financial year. This information excludes fees for licensing, which will be reported to the Licensing Committee for approval.

## Fees and Charges

Service Area	2021-22 Outturn £	2022-23 Estimate £	Proposed change in income £	2023-24 Estimate £
Parks and Open Spaces	10,678	17,510	0	17,510
Cemetery and Crematorium	1,685,281	1,497,160	98,700	1,595,860
Environmental Health	19,405	18,020	4,080	22,100
Waste Crime & Community Protection	14,706	26,900	0	26,900
Recycling & Refuse Collection	1,482,840	1,410,530	16,100	1,426,630
HMO Licensing	35,023	20,380	0	20,380
Gypsy & Traveller Sites	57,621	70,340	3,520	73,860
<b>Total income from fees set by the Council</b>	<b>3,305,554</b>	<b>3,060,840</b>	<b>122,400</b>	<b>3,183,240</b>

Table 1: Discretionary Fees & Charges Summary (CHE)

2.10 Detailed proposals are set out within Appendix 1 to this report, and considerations relating to these proposals have been summarised below.

Parks and Open Spaces – No increases are proposed for 2023/24.

Cemetery and Crematorium – A number of changes are proposed to the charges in this area. These proposals have been made with reference to increasing supply costs and are considered to be in line with charges made by local competitors. A fee is also being introduced for use of the Crematorium Chapel which will be available for use in 2023/24.

Environmental Health – Charges have been reviewed and increased where appropriate to offset the costs of service provision.

Waste Crime and Community Protection – No increases are proposed for 2023/24.

Recycling and Refuse Collection – Charges have been reviewed and increased where appropriate to offset the costs of service provision.

- *Bulky collection and Trade waste* – increase due to increased costs of delivering these services.
- *Garden waste service* – No increases are proposed for 2023/24.

HMO Licensing – No increases are proposed for 2023/24.

Gypsy and Traveller Sites – Increase by CPI of 5% in line with government rent cap.

### **3. AVAILABLE OPTIONS**

#### **3.1 Option 1**

The committee could recommend approval to adopt the fees and charges as proposed in Appendix 1. As these proposals have been developed in line with the council's policy on fees and charges, they will create a manageable impact on service delivery whilst maximising income levels.

#### **3.2 Option 2**

The committee could propose alternative charges to those set out within Appendix 1. Any alternative increases may not be fully compliant with the policy, would require further consideration before implementation and may not deliver the necessary levels of income to ensure a balanced budget for 2023-24. The impact on demand for a service should also be taken into account when considering increases to charges beyond the proposed level.

#### **3.3 Option 3**

The committee could choose to do nothing and retain charges at their current levels. However, this might limit the Council's ability to recover the cost of delivering discretionary services and could result in the Council being unable to set a balanced budget for 2023-24.

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### **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

4.1 Option 1 as set out above is recommended as the proposed fees and charges shown within Appendix 1 have been developed by budget managers in line with the Council's Charging Policy. The proposed charges are considered appropriate and are expected to create a manageable impact on service delivery whilst maximising cost recovery. Changes to fees and charges recommended by this committee will go to the Executive for approval and will come into effect on 1 April 2023 unless otherwise stated.

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### **5. RISK**

5.1 The risks associated with this proposal, including the risks if the Council does not act as recommended, have been considered in line with the Council's Risk Management Framework. We are satisfied that the risks associated are within the Council's risk appetite and will be managed as per the Policy.

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### **6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

6.1 No consultation has been undertaken specifically relating to the proposals set out in the report. However, the Council has undertaken a survey of residents which will be used to inform wider decisions related to budget setting and spending priorities. The results of this survey will be considered as part of the budget process.

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## **7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 7.1 Corporate Services Policy Advisory Committee will receive an overarching report of all fees and charges proposals on 14 December 2022.
  - 7.2 Proposed changes to fees and charges will go to the Executive on the 21 December 2022 for approval as set out within Appendix 1 and will be implemented with effect from 1 April 2023.
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## **8. REPORT APPENDICES**

The following documents are to be published with this report and form part of the report:

- Appendix 1: Current and Proposed Fees & Charges – CHE PAC
  - Appendix 2: Charging Policy
- 

## **9. BACKGROUND PAPERS**

None.







**Medium Term Financial Strategy 2023-24  
Fees and Charges  
Communities, Housing Environment PAC**

Fees and Charges April 2022- March 2023	* Includes VAT	Discretionary Fee	Statutory Fee	Actuals	Current	Current	Proposed	Change	+ / - Income	Estimate	Comments
				2021-2022	Estimate	Charges	Charges		2022-23	2023-2024	
				£	£	£	£	%	£	£	
<b>Cremations</b>				1,290,816	1,137,870				56,000	1,193,870	Increase in fees will cover the increase in utilities
Service charges		x									
Medical Referee's Fee			x			28.50	29.00	1.75%			£23.50 fee set by relevant professional body. £5.50 per visit to cover mileage
Non viable foetus and stillborn		x				no charge	no charge				
Less than 5 years		x				95.00	100.00	5.26%			
5 to 18 years		x				109.00	115.00	5.50%			Charges recovered from Children's Funeral Fund (CFF)
Adult (18 + 1 day)		x				615.00	646.00	5.04%			
08.15 cremation only - no service and no attendees						365.00	365.00	0.00%			
08.30 cremation only - no service and no attendees		x				365.00	365.00	0.00%			
08.45 cremation only - no service and no attendees		x				365.00	365.00	0.00%			
Adult - committal slot 9.00 A.M. (includes Environmental surcharge, Medical Referee fee & Cremation Carton)		x				495.00	495.00	0.00%			No price increase so we remain competitive.
Adult - reduced cremation slot 9.30 A.M. (includes Environmental surcharge, Medical Referee fee & Cremation Carton)		x				565.00	565.00	0.00%			
Environmental Surcharge		x				70.00	73.50	5.00%			
Cremation of body parts		x				105.00	105.00	0.00%			
Use of chapel (additional item)						290.00	305.00	5.17%			Double ceremony slots - this is an additional 1/2 hour in the Chapel, so effectively eliminates potential fee generation from the days capacity - this increase reflects the income lost by offering a double ceremony.
Use of chapel organ		x				10.00	10.50	5.00%			
Visual Tributes for services up to 25 slides		x				40.00	42.00	5.00%			
Pro Visual Tributes for services up to 25 slides		x				65.00	68.00	4.62%			
Additional 25 slides for visual tribute		x				25.00	26.00	4.00%			
Family made video shown as tribute		x				30.00	31.00	3.33%			
Downloadable copy of visual tribute		x				40.00	42.00	5.00%			
Keepsake copy of Visual Tribute or Webcast on DVD/Blu-Ray/USB		x				55.00	55.00	0.00%			
Webcasting - live only		x				50.00	50.00	0.00%			Not offering going forward, only offering with watch again (this has proved to be an admin nightmare as they change their mind afterwards and we have to change the charges)
Webcast + 28 day viewing		x				55.00	58.00	5.45%			
Witness fee		x				42.00	42.00	0.00%			
Saturday morning supplement fee		x				790.00	830.00	5.06%			Charge reflects cost for staff premium rates + high utility costs
Service over-run fee		x				From 100.00	From 150.00				Services that over-run can severely affect the days schedule - charges to be levied on Funeral Directors who fail to control length of services
<b>Containers for cremated remains</b>											
Polytainer / Cremation carton / strewing tube		*	x			18.50	20.00	8.11%			
Pictured Strewing Tubes						22.00	23.50	6.82%			
Urn		*	x			60.00	63.00	5.00%			
Casket		*	x			65.00	68.00	4.62%			
Baby urn		*	x			12.75	12.75	0.00%			
<b>Other related services</b>											
Exhumation of cremated remains			x			280.00	295.00	5.36%			
Disposal from other crematoriums						60.00	60.00	0.00%			To satisfy VAT regulations the elements of the memorial charge are identified separately as distinct elements. Customers may provide such elements of the memorial as appropriate providing that such elements satisfy the specification set by the Bereavement Services Officer from time to time to ensure the correct management and
Burial in individual plot			x			52.50	55.00	4.76%			

**Medium Term Financial Strategy 2023-24  
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Communities, Housing Environment PAC**

Fees and Charges April 2022- March 2023	* Includes VAT	Discretionary Fee	Statutory Fee	Actuals	Current	Current	Proposed	Change	+ / - Income	Estimate	Comments
				2021-2022	Estimate	Charges	Charges		2022-23	2023-2024	
				£	£	£	£		%	£	
<b>Memorials</b>				219,694	219,910				0	219,910	
Book of Remembrance				.					.		
line entry (min 2 lines) *	*	x				110.00	110.00	0.00%	.		No price increase so we remain competitive.
Flower/Crest/or Badge *	*	x				275.00	275.00	0.00%	.		
Folded Remembrance Card		x							.		
Card purchase *	*	x				10.00	10.00	0.00%	.		
per line entry (minimum 2 lines) *	*	x				55.00	55.00	0.00%	.		
Flower/Crest/or Badge *	*	x				285.00	285.00	0.00%	.		
									.		
<b>Cloister Hall of Remembrance</b>			x						.		
Wall vases		x							.		
Vase	*	x				38.00	44.00	15.79%	.		
Plot Rental - per annum		x				50.00	49.00	-2.00%	.		
Stone Block vase	*	x				70.00	83.00	18.57%	.		
Plot Rental - per annum		x				50.00	49.00	-2.00%	.		
Cloister Hall of Remembrance		x							.		
Cloister wall tablets		x							.		
Single	*	x				183.00	186.00	1.64%	.		
Plot Rental - 10 year dedication		x				210.00	210.00	0.00%	.		
Double (2 inscriptions)	*	x				366.00	372.00	1.64%	.		
Plot Rental - 10 year		x				260.00	260.00	0.00%	.		
Refurbishment per letter - re-gild	*	x				4.00	4.00	0.00%	.		
Refurbishment per letter - repaint	*	x				4.00	4.00	0.00%	.		
Second inscription	*	x				183.00	186.00	1.64%	.		
		x							.		
<b>Memorial Hall</b>		x							.		
Leather plaques	*	x				70.00	71.00	1.43%	.		
Plot Rental -5 year		x				95.00	95.00	0.00%	.		
Added inscription	*	x				70.00	71.00	1.43%	.		
									.		
<b>Gardens of Remembrance</b>		x							.		
Stone effect plaque	*	x				108.00	125.00	15.74%	.		
Stone effect plaque for bench	*	x				108.00	125.00	15.74%	.		
Stone effect plaque on spike	*	x				108.00	125.00	15.74%	.		
Plot Rental 10 year		x				230.00	240.00	4.35%	.		
Added inscription	*	x				108.00	125.00	15.74%	.		
Refurbishment	*	x				28.00	28.00	0.00%	.		
Plaque						98.00	99.00	1.02%	.		
Plaque rental						24.00	24.00	0.00%	.		
Heart shaped plaque						148.00	150.00	1.35%	.		
Heart shaped plaque renewal						24.00	24.00	0.00%	.		
									.		
<b>Gardens of Remembrance</b>		x							.		
<b>Sanctum Vault</b>		x							.		
5 year lease		x				1,075.00	1,085.00	0.93%	.		
10 year lease		x				1,630.00	1,640.00	0.61%	.		
20 year lease		x				2,600.00	2,610.00	0.38%	.		
30 year lease		x				3,300.00	3,310.00	0.30%	.		
<b>Family Sanctum Vault (From Jan 15)</b>		x							.		
5 Year lease						1,145.00	1,155.00	0.87%	.		
10 year lease		x				1,700.00	1,710.00	0.59%	.		
20 year lease		x				2,670.00	2,680.00	0.37%	.		
30 year lease		x				3,370.00	3,380.00	0.30%	.		

**Medium Term Financial Strategy 2023-24  
Fees and Charges  
Communities, Housing Environment PAC**

Fees and Charges April 2022- March 2023	* Includes VAT	Discretionary Fee	Statutory Fee	Actuals	Current	Current	Proposed	Change	+ / - Income	Estimate	Comments
				2021-2022	Estimate	Charges	Charges		2022-23	2023-2024	
				£	£	£	£		%	£	
Gardens of Remembrance		x									
Bench & Plaque	*	x			280.00	285.00	1.79%				
Plot Rental - 5 years		x			375.00	375.00	0.00%				
Plot Rental - bench and SE Plaque - Annual		x			75.00	75.00	0.00%				
Added inscription	*	x			70.00	72.00	2.86%				
Sanctum Panorama Vault 5 years					875.00	885.00	1.14%				
Sanctum Panorama Vault 10 years		x			1,270.00	1,280.00	0.79%				
Sanctum Panorama Vault 20 years		x			1,960.00	1,970.00	0.51%				
Sanctum Panorama Vault 30 years					2,460.00	2,470.00	0.41%				
Barbican		x			210.00	214.00	1.90%				
Barbican - annual renewal		x			26.00	26.00	0.00%				
Woodside Sundial		x			210.00	214.00	1.90%				
Woodside Sundial annual renewal		x			26.00	26.00	0.00%				
Granite bench x 2 plaques		x			160.00	160.00	0.00%				
Granite bench		x			20.00	20.00	0.00%				
Illustration, photo plaques etc.		x			P.O.A.	P.O.A.					
Chapel Lawn Planter		x									
Plaque with inscription	*	x			120.00	123.00	2.50%				
Plus 10 year dedication		x			220.00	220.00	0.00%				
Birdbath Memorial	*	x									
6" x 3" plaque with inscription	*	x			120.00	123.00	2.50%				
Annual dedication		x			19.00	19.00	0.00%				
7 1/4" x 3" plaque with inscription	*	x			130.00	133.00	2.31%				
Annual dedication		x			20.00	20.00	0.00%				
8 1/2 " x 3" plaque with inscription	*	x			140.00	143.00	2.14%				
Annual dedication		x			21.00	21.00	0.00%				
9 3/4 " x 3" plaque with inscription	*	x			150.00	153.00	2.00%				
Annual dedication		x			22.00	22.00	0.00%				
11 " x 3" plaque with inscription	*	x			160.00	163.00	1.88%				
Annual dedication		x			23.00	23.00	0.00%				
Woodside Walk Book		x									
Plaque with inscription	*	x			68.00	69.00	1.47%				
Plus 10 year dedication		x			160.00	160.00	0.00%				

**Medium Term Financial Strategy 2023-24  
Fees and Charges  
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				2021-2022	Estimate	Charges	Charges		2022-23	2023-2024	
				£	£	£	£	%	£	£	
<u>Woodside Walk Mushrooms</u>			x								
Tablet with inscription	*		x			95.00	97.00	2.11%			
Plus 10 year dedication			x			250.00	250.00	0.00%			
3 tablet Family Mushrooms (New Memorial)	*		x			285.00	291.00	2.11%			
3 tablet Family Mushrooms (New Memorial) dedication						75.00	75.00	0.00%			
5 tablet Family Mushrooms (new memorial)	*		x			380.00	388.00	2.11%			
5 tablet Family Mushrooms (new memorial) dedication						100.00	100.00	0.00%			
Blossom Valley Barbican (new memorial)	*		x			210.00	214.00	1.90%			
Blossom Valley Barbican (new memorial) dedication	*		x			26.00	26.00	0.00%			
Standing Stone (new memorial)	*		x			310.00	312.00	0.65%			
Standing Stone (new memorial) dedication	*		x			30.00	30.00	0.00%			
<u>Gardens of Remembrance</u>			x								
<u>Memorial shrubs in beds</u>			x								
Shrubs with Stone Effect Plaque on Spike Annual	*		x			98.00	99.00	1.02%			
Adoption renewal (Shrub only)	*		x			120.00	120.00	0.00%			
Adoption renewal (Shrub & Plq) only						240.00	245.00	2.08%			
Added inscription	*		x			98.00	99.00	1.02%			
Adoption renewal annual (standard Rose no plq)	*		x			25.00	25.00	0.00%			
Adoption renewal annual - Individual rose no plaque	*		x			25.00	25.00	0.00%			
Rose and plaque	*		x			197.00	197.00	0.00%			
						49.00	49.00	0.00%			
Tree and SE Plaque - Annual	*		x			135.00	137.00	1.48%			
Plot rental - annual Tree			x			48.00	49.00	2.08%			
Acer & Plaque on stake	*		x			183.00	185.00	1.09%			
Adoption renewal			x			70.00	70.00	0.00%			
			x								
			x								
<u>Search fees</u>			x								
1-5 years			x			10.00	10.00	0.00%			
6-10 years			x			10.00	10.00	0.00%			
Over 10 years			x			10.00	10.00	0.00%			
Personal search (by appointment)			x			35.00	35.00	0.00%			
<b>Crematorium Total</b>						<b>1,510,510</b>	<b>1,357,780</b>			<b>56,000</b>	<b>1,413,780</b>

**Medium Term Financial Strategy 2023-24  
Fees and Charges  
Communities, Housing Environment PAC**

Fees and Charges April 2022- March 2023	* Includes VAT	Statutory Fee Discretionary Fee	Actuals 2021-2022	Current Estimate 2022-23	Current Charges 2022-2023	Proposed Charges 2023-2024	Change	+ / - Income 2022-23	Estimate 2023-2024	Comments
			£	£	£	£	%	£	£	
<b>Environmental Health</b>										
<b>Food Hygiene</b>										
Voluntary Surrender of unsound food (certificate)		x	3,824	3,070	210.00	229.00	9.05%	500	3,570	Service provided when requests received
Food Export certificate		x			124.00	135.00	8.87%			
Food Export certificate (New Business)		x			257.00	280.00	8.95%			
Export Health Certificate for transit to destination country-New charge		x			36.00	39.00				
Admin Charge for changes to certificates, re-issue of certificates		x			26.00	27.00	3.85%			
Food business pre-opening advice, sampling etc. (hourly rate)	x	x			66.00	79.00	19.70%			Increase due to a review of hourly rates
Charge for Re-Visit and Re-scoring under the Food Hygiene Rating Scheme - C045		x			168.00	183.00	8.93%			
<b>Contaminated Land</b>										
Contaminated Land search fee per hour		x	766	500	25.00	26.00	4.00%	3,500	4,000	
Requests for Enhanced Environmental Information for Contaminated Land and Professional Opinion	x	x			66.00	79.00	19.70%			Increase due to a review of hourly rates
Pre Application Consultation for Environmental Health Advice for Acoustics, Air Quality, Contaminated Land Assessments and S.61 Control of Pollution Act 1974 agreements (hourly rate)	x	x			66.00	79.00	19.70%			Increase due to a review of hourly rates
Private Water Risk Assessment- per hour- (hourly rate)	x	x			66.00	79.00	19.70%			The charge setting arrangement has transferred to district authority from central government. The proposal is to cover costs based on an hourly officer charge, increase due to a review of officers charges.
Private Water Sampling Charge - (hourly rate)	x	x			66.00	79.00	19.70%			
Private water Authorisation Charge - (hourly rate)	x	x			66.00	79.00	19.70%			
Private Water Investigation Charge - (hourly rate)	x	x			66.00	79.00	19.70%			
Derogation Request (hourly rate)	x	x			66.00	79.00	19.70%			
Analysis – Group A		x								The local authority undertake and arrange sampling, with cost of laboratory charges to owner/occupier/person requesting sample
Analysis – Group B		x								
<b>Tattooing, Electrolysis, Acupuncture &amp; Ear-piercing - C205</b>										
Skin Piercing/Tattooing Registration		x	6,065	6,450	328.00	338.00	3.05%	780	7,230	Increase in income due to the number of new registrations received
Additional registration of tattoo/piercing or other beauty treatment		x			56.00	61.00	8.93%			Fee charged for amendment/ increase in variety of treatments for previously registered practitioner.
Tattoo & other beauty treatments Events		x			205.00	205.00	0.00%			Event organisation review, administration, inspection.
Per New Artist & Practitioner at Events		x			25.00	27.00	8.00%			Individual artists fee attending above event
<b>Pollution Control</b>										
Statutory Fees for 48 Pollution Prevention Control Processes - C061		x	8,751	8,000	*	*		-700	7,300	Income based on 2022/23 figures show a year on year reduction in pollution processes and improved environmental controls
<b>Environmental Health Total</b>			<b>19,405</b>	<b>18,020</b>				<b>4,080</b>	<b>22,100</b>	

**Medium Term Financial Strategy 2023-24  
Fees and Charges  
Communities, Housing Environment PAC**

Fees and Charges April 2022- March 2023	* Includes VAT	Statutory Fee Discretionary Fee	Actuals	Current	Current	Proposed	Change	+ / - Income	Estimate	Comments
			2021-2022	Estimate 2022-23	Charges 2022-2023	Charges 2023-2024		2022-23	2023-2024	
			£	£	£	£	%	£	£	
<b>Waste Crime/Community Protection</b>										
<b>Fixed Penalty Fines</b>		x	12,186	23,000	120.00	120.00	0.00%		23,000	Charge reduces to £90 if paid within 14 days.
Failure to produce waste documents		x			300.00	300.00	0.00%			
Failure to produce authority to transport waste		x			300.00	300.00	0.00%			
Unauthorised distribution of free printed matter		x			75.00	75.00	0.00%			
Fly Posting		x			80.00	80.00	0.00%			
Abandonment of a vehicle		x			200.00	200.00	0.00%			
Repairing vehicles on a road		x			100.00	100.00	0.00%			
Graffiti		x			75.00	75.00	0.00%			
Failure to comply with a waste receptacles notice		x			100.00	100.00	0.00%			
Smoking in a smoke free place		x			50.00	50.00	0.00%			Discounted to £30 for early payment - set by central government
Failure to display no smoking signs		x			200.00	200.00	0.00%			Discounted to £150 for early payment - set by central government
Community Protection Notice Fixed Penalty Notice		x			100.00	100.00	0.00%			Amount shown is the maximum penalty
Public Space Protection Order Fixed Penalty Notice		x			100.00	100.00	0.00%			Amount shown is the maximum penalty
Duty of Care (Household Waste)		x			300.00	300.00	0.00%			
Fly tipping		x			400.00	400.00	0.00%			Amount shown is the maximum penalty
Duty of Care (Household Waste)		x			300.00	300.00	0.00%			
Fly tipping		x			400.00	400.00	0.00%			Amount shown is the maximum penalty
<b>Waste Crime Total</b>			<b>12,186</b>	<b>23,000</b>				<b>0</b>	<b>23,000</b>	

**Medium Term Financial Strategy 2023-24  
Fees and Charges  
Communities, Housing Environment PAC**

Fees and Charges April 2022- March 2023	* Includes VAT	Discretionary Fee	Statutory Fee	Actuals	Current	Current	Proposed	Change	+ / - Income	Estimate	Comments
				2021-2022	2022-23	2022-2023	Charges		2022-23	2023-2024	
				£	£	£	£		%	£	
<b>Stray dog charges</b>											
				470	3,900					3,900	
Collection charge (office hours)		x				85.00	85.00	0.00%			
Collection charge (out of office hours)		x				85.00	85.00	0.00%			Reduced to £65 if paid within two weeks of the invoice date.
Collection charge (out of office hours (after midnight))		x				85.00	85.00	0.00%			Includes statutory fee of £25
<b>Pest Control charges</b>											
Fees adjusted to ensure we remain competitive.											
Hourly charge for treatments carried out on industrial and commercial properties		x				"Call for quote"	"Call for quote"				
For treatments outside of normal office hours		x				"Call for quote"	"Call for quote"				
Charge per visit for the treatment of wasps nests carried out on domestic properties		x				62.60	68.60	9.58%			Per visit charge (Wasp nest requiring treatment using a ladder/tower scaffold, this will require a survey as a surcharge may be applied)
Additional nests treatment		x				11.30	12.40	9.73%			Additional nests treated on same visit
Charge per visit for the treatment of rat and mouse nests carried out on domestic premises for initial two visits.		x				61.00	67.20	10.16%			For mandatory two visits at £33.60 each.
Additional rat and mouse treatment visits		x				30.70	33.60	9.45%			
Minimum charge for treatment of ants on domestic premises		x				31.80	34.80	9.43%			Per visit charge
Squirrels: for a 2 x Fenn Trapping Programme		x				"Call for quote"	"Call for quote"				
Culls		x				72.70	72.70	0.00%			
For the treatment of fleas and other household pests (Flies, Lice, Silverfish etc.) carried out on a domestic premises up to 6 x rooms. Additional rooms over the original 6 are £10 each		x				72.70	79.60	9.49%			Subsequent minimum charge will apply for further treatments after a period of 14 days has elapsed
For each additional room (up to four rooms additional)		x				10.00	12.40	24.00%			Anything larger than 4 rooms will require a survey
Minimum charge (including up to four rooms) for the treatment of bedbugs carried out on a domestic premises		x				537.50	321.00	-40.28%			
For each additional room (up to four rooms additional)		x				"Call for quote"	"Call for quote"				Anything larger than 4 rooms will require a survey
Documentation charge added to charges above where it is necessary to send an invoice for payment.		x				30.00		-100.00%			
<b>Community Safety Charges</b>											
Road closure application		x		750	0	75.00	75.00	0.00%		0	Standard fee to cover the cost of trained operatives displaying signage and an administration fee
CCTV Footage request (insurance companies etc.)		x				0.00	0.00				These are considered to be subject access requests and we cannot charge for them.
<b>Fixed Penalty Fines</b>											
Public Space Protection Order (Dog Control) Fixed Penalty Notice		x		1,300	0	100.00	100.00	0.00%		0	Set by Order
Public Space Protection Order (Town Centre) Fixed Penalty Notice		x				100.00	100.00	0.00%			Set by Order
<b>Community Protection Total</b>				<b>2,520</b>	<b>3,900</b>				<b>0</b>	<b>3,900</b>	

**Medium Term Financial Strategy 2023-24  
Fees and Charges  
Communities, Housing Environment PAC**

Fees and Charges April 2022- March 2023		* Includes VAT	Statutory Fee Discretionary Fee	Actuals 2021-2022	Current Estimate 2022-23	Current Charges 2022-2023	Proposed Charges 2023-2024	Change	+ / - Income 2022-23	Estimate 2023-2024	Comments
				£	£	£	£	%	£	£	
<b>Recycling &amp; Refuse Collection</b>											
<b>Bulky Collection</b>				146,968	147,020				7,300	154,320	
1-4 items		x				26.00	29.00	11.54%			
5-8 items		x				36.00	39.00	8.33%			
Fridge/Freezers		x				21.00	21.00	0.00%			
<b>Clinical Waste Collection</b>		x		5	0						
2 collections annually- No charge						0.00	0.00	0.00%			
Per collection more than 2 collections annually						5.00	5.00	0.00%			
<b>Garden Waste Service</b>											
140 litre bin hire		x		1,156,941	1,087,340	40.50	40.50	0.00%	0	1,087,340	
240 litre bin hire		x				45.00	45.00	0.00%			
<b>Trade Waste</b>				178,927	176,170				8,800	184,970	
Sack collection - refuse only		x				2.40	2.55	6.25%			
240 litre bin - refuse only		x				9.90	10.50	6.06%			
500 litre bin - refuse only		x				22.00	23.50	6.82%			
1100 litre bin - refuse only		x				27.50	29.50	7.27%			
Sack collection - with recycling		x				2.20	2.30	4.55%			
240 litre bin - with recycling		x				8.80	9.25	5.11%			
500litre bin - with recycling		x				18.15	19.25	6.06%			
1100 litre bin - with recycling		x				22.00	23.50	6.82%			
£1 charge per 240 litre bin or weekly sacks collection - for paper/cardboard		x				1.10	1.10	0.00%			
<b>Recycling &amp; Refuse Collection Total</b>				<b>1,482,840</b>	<b>1,410,530</b>				<b>16,100</b>	<b>1,426,630</b>	
<b>HMO Licensing</b>											
<b>Mandatory HMO Licensing</b>				35,023	20,380					20,380	
Initial Licence Fees											
Landlord Accreditation Status											
Accredited landlord on application						680	680	0.00%			(These fees are applicable on first application for a licence, or where a licence has been revoked or has lapsed for whatever reason.)
Non-accredited landlord		x				700	700	0.00%			
Renewal Licence Fees											
Landlord Accreditation Status											
Accredited landlord on application		x				635	635	0.00%			(These fees are applicable on application for a licence renewal, where a licence remains in force at the time of the application.)
Non-accredited landlord			x			655	655	0.00%			Estimate based on 20 HMO's renewals in 22/23 year. Note that new applications cannot be predicted and renewal licensing for HMO's only occurs every 5 years. Values are based upon average renewal charge.

**Medium Term Financial Strategy 2023-24  
Fees and Charges  
Communities, Housing Environment PAC**

Fees and Charges April 2022- March 2023	* Includes VAT	Statutory Fee Discretionary Fee	Actuals	Current	Current	Proposed	Change	+ / - Income	Estimate	Comments
			2021-2022	Estimate 2022-23	Charges 2022-2023	Charges 2023-2024		2022-23	2023-2024	
			£	£	£	£	%	£	£	
<b>Variation application licence fees applicable</b>										
Proposed Licence Variation										
Change of address details of any existing licence holder, manager, owner, mortgagor, freeholder, leaseholder etc.					0	0				Fees for variation of licencing are not chargeable.
Change of mortgagor, owner, freeholder, and leaseholder (unless they are also the licence holder or manager)					0	0				
Reduction in the number of maximum occupiers for licensing purposes					0	0				
Variation of licence instigated by the council					0	0				
Increase in the number of habitable rooms					0	0				
Increase in the number of maximum occupiers for licensing purposes					0	0				
Change of use of HMO, e.g. from bedsits to shared house					0	0				
Change in room sizes of HMO					0	0				
Change in amenity provision					0	0				
Other licence fees applicable										(These fees are applicable as appropriate in relation to HMO licensing applications, or where HMOs are licensed.)
Revocation of licence					0	0				No refund on relevant licence application
Application refused by the council					0	0				Initial application fee with no refund
Application withdrawn by the applicant					0	0				Initial application fee with no refund
Application made in error					0	0				Refund of application fee will be made
Properties that cease to be licensable during the licensing process					0	0				Initial application fee with no refund
Charge for enforcement under S49 of the Housing Act 2004										(These fees are applicable as appropriate in relation to the service of enforcement notices, and taking enforcement action under the Housing Act 2004.)
Enforcement Action										
Service of Improvement Notice under s11 and/or s12		x			545	545	0.00%			
Service of Prohibition Order under s20 and/or s21		x			545	545	0.00%			
Service of Hazard Awareness Notice under s28 and/or s29		x			545	545	0.00%			
Taking Emergency Remedial Action under s40		x			545	545	0.00%			Charge In addition to cost of works plus administration fee of 30% (minimum £100)
Making of Emergency Prohibition Order under s43		x			545	545	0.00%			
Works in Default of Enforcement Notice		x			COST +	COST +	N/A			Cost of works + 30% (minimum of £100)
Immigration - housing inspection and accommodation certificates										
Fee for inspection		*	x		235	235	0.00%			
Housing Register Application Medical Fee					75	75	0.00%			
<b>HMO Licensing Total</b>			<b>35,023</b>	<b>20,380</b>				<b>0</b>	<b>20,380</b>	
<b>Gypsy and Travellers Sites</b>										
<b>Gypsy &amp; Traveller Site Plot fee</b>										
Stilebridge Lane		x	26,841	30,340	55.98	58.77	5.00%	1,520	31,860	Increase by CPI of 5% in anticipation of government rent cap
Water Lane		x	30,780	40,000	65.12	68.37	5.00%	2,000	42,000	Increase by CPI of 5% in anticipation of government rent cap
<b>Gypsy &amp; Traveller Site Total</b>			<b>57,621</b>	<b>70,340</b>				<b>3,520</b>	<b>73,860</b>	
<b>GRAND TOTAL</b>			<b>3,305,554</b>	<b>3,060,840</b>				<b>122,400</b>	<b>3,183,240</b>	

# Maidstone Borough Council

## Charging Policy

### November 2017

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# Maidstone Borough Council

## Charging Policy

### 1 Introduction and Context

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- 1.1 At Maidstone Borough Council, fees and charges represent an important source of income which is used to support the delivery of the Council's objectives. Currently income from fees and charges constitutes just under a third of the council's funding.
- 1.2 The Council needs to ensure that its charges are reviewed regularly, and that they contribute towards the achievement of its priorities. It is also important to ensure that fees and charges do not discriminate against individuals or groups by excluding them from accessing council services.
- 1.3 Pressure on the Council's budgets has increased the incentive to make best use of charging opportunities and to recognise the importance of using this as a means of recovering the costs of delivering services.
- 1.4 Under the Council's constitution, responsibility for setting discretionary fees and charges is delegated to service committees and directors. Each committee will review the fees and charges for the services within its remit at least annually as part of the budget setting process to ensure that they remain relevant and appropriate.
- 1.5 Where the Council has the discretion to set the charge for a service, it is important that the implications of this decision are fully understood, and that decision makers are equipped with sufficient information to enable rational decisions to be made.

### 2 Policy Aims and Objectives

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- 2.1 The aim of this policy is to establish a framework within which fees and charges levied by the Council are agreed and reviewed.
- 2.2 The Council must ensure that charges are set at an appropriate level which maximises cost recovery. Unless it would conflict with the Council's strategic priorities, other policies, contracts or the law then the Council should aim to maximise net income from fees and charges.
- 2.3 The policy aims to ensure that:-
  - a) Fees and charges are reviewed regularly, and that this review covers existing charges as well as services for which there is potential to charge in the future.
  - b) Budget managers are equipped with guidance on the factors which should be considered when reviewing charges.

# Maidstone Borough Council

## Charging Policy

- c) Charges are fair, transparent and understandable, and a consistent and sensible approach is taken to setting the criteria for applying concessions or discounted charges.
- d) Decisions regarding fees and charges are based on relevant and accurate information regarding the service and the impact of any proposed changes to the charge is fully understood.

### 3 Scope

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- 3.1 This policy relates to fees and charges currently being levied by the Council and those which are permissible under the wider general powers to provide and charge for “Discretionary Services” included within the Local Government Act 2003 and Localism Act 2011. It does not cover services for which the council is prohibited from charging.
- 3.2 Fees for statutory services delivered by the council, but for which charges are set by central government, rents, leases, council tax, and business rates are outside the scope of this policy.
- 3.3 In general, charges should ensure that service users make a direct contribution to the cost of providing a service. However, there may be certain circumstances where this would not be appropriate. For example:
  - Where the council is prohibited from charging for the service (e.g. collection of household waste)
  - Where the introduction of a charge would impede delivery of corporate priorities;
  - Where administrative costs of charging outweigh the potential income;
  - Where the service is seen to be funded from Council Tax (i.e. services which are provided and delivered equally to all residents)
  - Where the government sets the fee structure (e.g. pollution permits and private water fees)

### 4 Principles

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- 4.1 The following overarching principles apply for the consideration and review of all current and future fees and charges levied by the council:
  - Fees and charges should maximise cost recovery and where appropriate, income generation, to the extent that the Council’s legal powers permit, providing that this would not present any conflict with the Council’s strategic objectives;
  - Fees and charges should support the improvement of services, and the delivery of the Council’s corporate priorities, as set out in the strategic plan;

# Maidstone Borough Council

## Charging Policy

- Where a subsidy or concession is provided for a service, this must be targeted towards the delivery of strategic priorities, for example, by facilitating access to services;
- The process for setting and updating fees and charges should be administratively simple, transparent and fair, and for budgeting purposes, income projections must be robust and rational.

### 5 Process and Frequency for Reviewing Charges

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- 5.1 The following arrangements for reviewing charges will be applied throughout the Council, for existing charges as well as those which in principle could be introduced.
- 5.2 In accordance with the Council's constitution, *'Discretionary fees and charges will be reviewed and fixed each year by the Committee responsible for the function or the Service Director as appropriate having considered a report from the Director or duly authorised Officer in conjunction with the Chief Finance Officer, as part of the estimate cycle.'*
- 5.3 This annual review will ensure consistency with the Council's priorities, policy framework, service aims, market sensitivity, customer preferences, income generation needs and that any subsidy made by the Council is justifiable.
- 5.4 Heads of Service and budget managers will be asked to complete a schedule setting out all proposed fees and charges for the services in their area (including those which are not set by the council). This will usually take place in autumn for the following financial year and review the current year. By this means, any growth or savings resulting from fees and charges can be built into the budget strategy. The schedule will indicate:
- The service or supply to which the charge relates;
  - Who determines the charges;
  - The basis for the charge (e.g. units or hourly rates);
  - The existing charge;
  - The total income budget for the current year;
  - The proposed charge;
  - Percentage increase/decrease;
  - Effective date for increase/decrease; and
  - Estimated income for the next financial year after introducing the change.

An example schedule is provided at Appendix B.

- 5.5 Following this, the proposals will be collated by the Finance section into a report for each committee to consider the appropriateness of proposed fees and charges for the services within their remit. The report will clearly identify the charges for which the committee can apply

# Maidstone Borough Council

## Charging Policy

discretion, and distinguish these from the charges which are set externally and included for information only. Policy and Resources Committee will then receive a final report which brings together the proposals from each of the three service committees, in order to assess the overall impact of the proposed changes, and consider the potential impact on customers and service users.

- 5.6 The timing of the annual review will ensure that changes can be incorporated into the council's budget for the forthcoming financial year, although changes to fees and charges may be made outside of this process if required through a report to the relevant director or service committee.
- 5.7 It is possible that the review may lead to a conclusion that charges should remain at the existing level. If this is the case, then the outcomes of the review, including the justification for not increasing the charge need to be documented and reported to the relevant service committee.
- 5.8 For the avoidance of doubt, periodic reviews of the rents and leases are not covered by the above. Individual reviews will be implemented by the relevant officer as long as market levels at least are achieved.

## 6 Guidance

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- 6.1 A checklist of issues for budget managers and Heads of Service to consider when determining the level at which to set fees and charges is provided at Appendix A to this policy.
- 6.2 Below is a list of guiding principles intended to assist decision makers in determining the appropriate level at which to set fees and charges:
- a) Any subsidy from the Council tax payer to service users should be transparent and justifiable.
  - b) Fees and charges may be used to manage demand for a service, and price elasticity of demand should be considered when determining the level at which charges should be set.
  - c) Fees and charges should not be used to provide subsidies to commercial operators.
  - d) Concessions for services should follow a logical pattern and a fair and consistent approach should be taken to ensuring the ensure recovery of all fees and charges.
  - e) Fees and charges should reflect key commitments and corporate priorities.

# Maidstone Borough Council

## Charging Policy

- f) Prices could be based on added and perceived value, which takes account of wider economic and social considerations, as well as cost.
  - g) There should be some rational scale in the charge for different levels of the same service and there should be consistency between charges for similar services.
  - h) Policies for fees and charges should fit with the Council's Medium Term Financial Strategy and, where appropriate, should be used to generate income to help develop capacity, to deliver efficiency and sustain continuous improvement.
  - i) In certain areas, charging may be used to generate surpluses which can be used to finance other services.
- 6.3 Wherever possible, charges should be recovered in advance or at the point of service delivery. If this is not possible, then invoices should be issued promptly and appropriate recovery procedures will be followed as required. Use of direct debit should be encouraged for periodic payments where this would improve cost effectiveness and enable efficient and timely collection of income.

## 7 Cost Recovery Limitation

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- 7.1 Generally speaking, charges should be set at a level which enables all the costs of delivering a service to be recovered, although there are some exceptions to this identified earlier in this document. This includes direct costs such as the purchase of goods for resale, as well as indirect costs such as management and accommodation costs.
- 7.2 For certain services, legislation prohibits the Council from generating surpluses through charging. The general principle is that, taking one financial year with another, the income from charges must not exceed the costs of provision. Examples where this applies include building control and local land charges.
- 7.3 Any over or under recovery that resulted in a surplus or deficit of income in relation to costs in one period should be addressed when setting its charges for future periods so that, over time, income equates to costs.
- 7.4 Councils are free to decide what methodology to adopt to assess costs. Maidstone Borough Council follows the Service Reporting Code of Practice definition of total cost, including an allocation of all related support costs, plus an appropriate share of corporate and democratic

# Maidstone Borough Council

## Charging Policy

core and non-distributed costs. Further guidance and support on calculating the full cost of service provision can be obtained from the Finance section.

### 8 Concessions & Subsidies

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- 8.1 The normal level of fees and charges may be amended to allow for concessions targeted at certain user groups to encourage or facilitate access to the service.
- 8.2 Where concessions are proposed or already in place they must be justified in terms of overall business reasons, or implementation of key strategic considerations e.g. community safety, healthy living.
- 8.3 Examples of concessions and the reasons why they are awarded are:-
- Reductions for older people or children to encourage different age groups to participate in the sport which is linked to the promotion of public health;
  - Free spaces for disabled drivers in Council car parks to support social inclusion;
  - Concessions for new casual traders at the market to stimulate new usage;
- 8.4 In some cases, it may also be justifiable to subsidise a service for all users, where it would support delivery of strategic priorities.
- 8.5 In some circumstances, it may also be suitable to implement a system of means testing for managing access to concessions and subsidies, in order to ensure that subsidy can be targeted appropriately.
- 8.6 A fair and consistent approach should be taken to the application of concessionary schemes, and decisions should recognise the Council's broader agenda on promoting equality, as set out in the Equality Policy. When considering new charges, or significant changes to an existing charge, the budget manager should complete an Equalities Impact Assessment (EQIA).
- 8.7 All decisions regarding concessions and subsidies should include consideration of the impact the Council's ability to generate income and the Medium Term Financial Strategy.

### 9 Introducing a new charge

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# Maidstone Borough Council

## Charging Policy

- 9.1 Proposals to introduce new charges should be considered as part of the service planning process and income projections should be factored into the Council's medium term financial plan.
- 9.2 Reasonable notice should be given to customers and service users prior to the introduction of a new charge, along with advice on concessions and discounts available.
- 9.3 Proposals should be based on robust evidence, and will incorporate the anticipated financial impact of introducing the charge, as well as the potential impact on demand for the service.
- 9.4 Performance should be monitored closely following implementation to enable amendments to the charge to be made if required, and the charge will subsequently be picked up as part of the annual review process.

## 10 Monitoring

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- 10.1 Income levels will be monitored throughout the year and reported to committees through the quarterly reporting process. Significant variances may be addressed through an amended to charges, which will require approval from the appropriate Director or Service Committee.
- 10.2 The impact of changes in demand for services will be monitored through quarterly performance monitoring reports, where this is identified as a key performance indicator.

# Appendices

## Appendix A - Discretionary Fees & Charges Review Checklist

The below checklist may be used as a guide for managers when reviewing existing charges or implementing a new fee structure.

Have you considered the following?	Y/N/NA	Comments
1. How does the charge link to the Council's corporate priorities?		
2. Does the charge enable the council to recover all costs of providing the service?		
3. If the answer to question 2 is 'No', have you considered increasing the charge to enable full cost recovery?		
4. Has the impact of inflation on the cost of service delivery been reflected in the proposed charge?		
5. Do the administrative costs of charging or increasing the charge outweigh the potential income to be generated?		
6. Is the charge being used to deter or incentivise certain behaviours?		
7. Has there been any investment in the service to effect an increase in charges?		
8. If there is a market for the service or supply, has the impact of market conditions and competition be considered in setting the charge?		
9. How sensitive is the price to demand for the service? Is there a risk that an increase in charge could deter potential customers?		
10. If applicable, have consultation results been taken into account?		

## Appendix A - Discretionary Fees & Charges Review Checklist

11. Could the charges or income budget be increased to support the delivery of a savings target?		
12. What would the impact of the change be on customers, and how does this affect the delivery of corporate priorities?		
13. Have any alternative charging structures been considered?		
14. How will the service be promoted? How successful have previous promotions been in generating demand?		
15. New charges only - are there any legal factors which impact on the scope for charging (e.g. an obligation to limit charges to cost recovery only)?		
16. New charges only - has an Equalities Impact Assessment been completed?		
17. If applicable, have concessionary charges been considered on a fair and consistent basis?		

**Signed:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Name:** \_\_\_\_\_

**Chargeable Service/Supply:** \_\_\_\_\_

**Job Title:** \_\_\_\_\_

**Department:** \_\_\_\_\_

## Appendix B – Example Schedule of Fees & Charges

Fees and Charges April 2017 - March 2018		Includes VAT	Discretionary Fee	Statutory Fee	2016-2017 Actuals	2017 -2018 Current Estimate	Current Charges 2017-2018	Proposed Charges 2018-2019	% Change	2017-2018 + / - Income	2018 -2019 Estimate	Comments
EA31	<b>Street Naming &amp; Numbering</b>				66,995	49,000				0	49,000	
	Name change						25.00	0.00	-100.00%			
	Addition of Name to numbered Property						25.00	0.00	-100.00%			
	Amendment to Postal Address						25.00	0.00	-100.00%			
	New Build - Individual Property						75.00	0.00	-100.00%			
	Official Registration of Postal Address previously not Registered						50.00	0.00	-100.00%			
	New Development - Fee per unit/flat						40.00	0.00	-100.00%			
	Creation of New Street						100.00	0.00	-100.00%			
	Renumbering of Development or Block of Flats - Fee per unit/flat						20.00	0.00	-100.00%			
	<b>Street Naming &amp; Numbering Total</b>				<b>66,995</b>	<b>49,000</b>				<b>0</b>	<b>49,000</b>	

**Communities Housing and Environment Policy Advisory Committee**

**19 December 2022**

**Equalities Policy and Action Plan refresh**

<b>Timetable</b>	
<b>Meeting</b>	<b>Date</b>
Communities Housing and Environment Policy Advisory Committee	19 December 2022
Executive	21 December 2022

<b>Will this be a Key Decision?</b>	No
<b>Urgency</b>	Not Applicable
<b>Final Decision-Maker</b>	Executive
<b>Lead Head of Service</b>	Angela Woodhouse, Director of Strategy, Insight and Governance
<b>Lead Officer and Report Author</b>	Orla Sweeney, Senior Policy and Communities Officer
<b>Classification</b>	Public
<b>Wards affected</b>	All

**Executive Summary**

This report provides an update on the current Equalities objectives and action plan.

A refreshed action plan has been developed in consultation with key service areas. The action plan was last revised in 2020 in response to the pandemic and the challenges faced in tackling disadvantage in Maidstone. It is important that it continues to reflect the current challenges faced by residents and staff so the Council can deliver on its Equalities objectives.

A light touch revision has been made to the current Equalities Policy. This is outlined at paragraph 2.17-2.21 in the report and is proposed to ensure recent legislative change are referenced in the Policy document.

## **Purpose of Report**

To note the update on the current Equalities objectives and action plan.

To consider and recommend the changes to the Policy document and to consider and recommend the revised action plan to the Executive.

## **This report makes the following recommendations to the Executive:**

1. To note the progress on the Equalities Objectives and Action Plan update at appendix 1 to the report and outlined at paragraph 2.6-2.11 in the report
2. To consider and recommend the proposed changes to the Equalities Policy as outlined at paragraph 2.17-2.21 in the report.
3. To consider and recommend the revised actions for the Equalities Action Plan as outlined at paragraph 2.22–2.29 in the report (appendix 3).
4. To consider and recommend the inclusion of Poverty as an additional protected characteristic as outlined at paragraph 2.33

# Equalities Policy and Action Plan refresh

## 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	We do not expect the recommendations will by themselves materially affect achievement of corporate priorities. However, they will support the Council's overall achievement of its aims in the delivery its strategic plan objectives.	Insight, Communities and Governance Manager
<b>Cross Cutting Objectives</b>	The report recommendations help deliver the achievement of cross cutting objectives: Health Inequalities are Addressed and Reduced and Deprivation and Social Mobility is Improved.	Insight, Communities and Governance Manager
<b>Risk Management</b>	Please refer to paragraph 5.1 of the report.	Insight, Communities and Governance Manager
<b>Financial</b>	The proposals set out in the recommendation are all within already approved budgetary headings and so need no new funding for implementation.	Head of Finance
<b>Staffing</b>	We will deliver the recommendations with our current staffing.	Insight, Communities and Governance Manager
<b>Legal</b>	Accepting the recommendations will fulfil the Council's duties under Equality Act 2010. Failure to accept the recommendations without agreeing suitable alternatives may place the Council in breach of Equality Act 2010.	Mid Kent Legal Services Interim Team Leader (Contentious and Corporate Governance)
<b>Information Governance</b>	The recommendations do not impact personal information (as defined in UK GDPR and Data Protection Act 2018) the Council processes. However some of the actions in the revised action plan could result in the collection and processing of personal data. Should this be	Information Governance Officer

	the case, the Information Governance Team will be asked to review the processing of personal data affected and the associated documentation has been/will be updated accordingly, including a data protection impact assessment.	
<b>Equalities</b>	Accepting the recommendations will fulfil the Council's duties under Equality Act 2010. Failure to accept the recommendations without agreeing suitable alternatives may place the Council in breach of Equality Act 2010. We recognise the recommendations may have varying impacts on different communities within Maidstone. Therefore, we will complete a separate equalities impact assessments at project level.	Insight, Communities and Governance Manager
<b>Public Health</b>	We recognise that the recommendations will have a positive impact on population health or that of individuals.	Housing & Inclusion Team Leader
<b>Crime and Disorder</b>	No impact identified	Insight, Communities and Governance Manager
<b>Procurement</b>	We are committed to deliver inclusive services in accordance with the Council's values.	Director of Strategy, Insight and Governance
<b>Biodiversity and Climate Change</b>	There are no implications on biodiversity and climate change.	Biodiversity and Climate Change Officer

## 2. INTRODUCTION AND BACKGROUND

2.1 The Council's Equalities Policy outlines its responsibilities under the Equalities Act 2010 and as part of its Public Sector Equality Duty under the Act, the Council must report annually on progress made. The Council has a duty to:

- Eliminate discrimination, harassment, victimisation and any other prohibited conduct.
- Advance equality of opportunity.
- Foster good relations between people

- 2.2 The Policy sets out the Council's three agreed objectives:
- **Community Leader** – To lead by example, to ensure every individual resident is connected and supported
  - **Employer** – To lead a diverse and inclusive workforce that is reflective of the borough of Maidstone where residents and colleagues feel safe, confident and empowered to challenge and bring about change
  - **Service Provider**– To deliver inclusive services in accordance with the Council's values.
- 2.3 An action plan is in place to deliver these objectives. This action plan is reviewed and refreshed on an annual basis to ensure that Council's services are accessible and continue to meet the needs of its residents.
- 2.4 Equalities is engrained within the organisation from its organisational values through to its staff appraisal process. At a strategic level, the direction is set by the Strategic Plan and the Council's priorities.
- 2.5 The action plan is informed by service led insight. It is reflective of current workstreams. The action plan is monitored on a quarterly basis by the Equality, Diversity and Inclusion Officer group.
- 2.6 To fulfil its Public Sector Equality duty and demonstrate due regard in the carrying out of its functions, the Council has an Equalities Impact Assessment process in place. At the start of a project, officers evaluate the impact a decision 'could have' on the 9 Protected Characteristics. If there was a negative impact on one or more of the 9 groups or characteristics protected under the act, mitigations would be put in place.

### **Progress update on Objectives and Action Plan**

- 2.7 Progress on the current actions is included at Appendix 1. The existing Action Plan was agreed during the pandemic and reflected the action that was required in response to this, recognising the disproportionate impact on vulnerable groups in the community. No significant changes were made last year as it was felt more progress could be made against the existing actions.
- 2.8 Many of the actions have been completed have become established workstreams such as the Rough Sleepers Initiative which has funding until March 2023. It is hoped that this service will receive mainstream funding from April 2023 from the Clinical Commissioning Group, to continue the work across West Kent.
- 2.9 An audit of historical assets within the borough of Maidstone was undertaken. Museum collections were appraised, and work was undertaken with donors to understand the links to the past. It was found that there were no connections with slave owning families. It was also identified that

the Museum's world collection did not include 'lived experience'. A community panel is being put together to undertake work to support this need.

2.10 Public Engagement was limited during the pandemic, and it was identified that new innovations were needed to reach the wider community. The Resident Survey 2022 was launched on the Council's new engagement platform 'Lets Talk Maidstone' in July 2022. A total of 5027 people responded to the questionnaire and the results from the Survey have already been used to inform a number of workstreams, from initiatives to support communities affected by the cost-of-living crisis to the Town Centre Strategy. Since its launch 'Let's Talk Maidstone' has been used to deliver the following Consultation and Engagement activities:

- Operation Brock
- Mote Park Arts
- Scarecrow Festival
- Marden Task Force
- Waste and Recycling
- Community Governance Review
- Budget Survey
- Community Wi-Fi
- Innovation centre Research & development event
- Let's Talk Design & Sustainability
- Maidstone Air Quality 2022

2.11 The Council's ability to support the community since the pandemic has grown in strength. The directory of Voluntary and Community (VCS) Groups is a valued resource utilised across the Council. It ensures a more consistent and coordinated approach to communicating, information, advice and support. A regular news email is sent to all organisations on the directory, so we are able to get immediate information out as broadly as possible. This has been incredibly helpful on projects such as the Help for Ukraine scheme and as part of ongoing work with the cost-of-living crisis. Places of Worship and Faith groups have now been mapped and included in the directory which increases access to services and support.

2.12 Twenty organisations were funded from the first phase of the Community Resilience Fund amounting to £58,429.00. The funding has supported a wide variety of activities from a diverse group of organisations. Organisations have been able to continue to provide or increase their ability to meet demand by providing activities and support ranging from counselling sessions and mental health support to outdoor activities to support wellbeing.

2.13 The second phase of the Community Resilience Fund has been launched and applications are due to close on 16 December 2022 to enable funds to be distributed as quickly as possible so that support can be provided during the most challenging winter months. The remit of the fund has been broadened to include projects supporting residents with food and bills.

2.14 In partnership with Funding for All, the Council hosted a 'Volunteering & Funding Advice Event' on 30 November at Trinity House. The event was for Voluntary, Community and Social Enterprises (VCSEs) supporting people in the borough of Maidstone. Funding support and advice was offered to attendees as well as the chance to explore opportunities for volunteer engagement. Delegates were provided with the opportunity to meet funders and have 1:1s with funding advisors. There was also a marketplace where groups could connect with and seek support from a range of VCSEs and support organisations. A final plenary session helped identify the types of support needed going forward. This feedback is being collated to shape and determine the type of support we offer going forward.

### **Actions where progress was limited**

2.15 The Compassionate Borough Status Project was not taken forward due to competing priorities for the Heart of Kent Hospice. However, the Compassionate Maidstone Award are now well established, and ran for the 3<sup>rd</sup> time in November 2022.

2.16 An assessment to evaluate the Council as an Inclusive Employer was not undertaken. This will instead be a focus of the HR Culture Change Project.

### **The Equalities Policy (2017-2021)**

2.17 The Council has legislative duties under the Equality Act 2010 to:

- Eliminate discrimination, harassment, victimisation and any other prohibited conduct
- Advance equality of opportunity
- Foster good relations between people.

Our Policy document sets out these responsibilities to the public. It is important that this document is up to date and accessible if it is to be fit for purpose.

2.18 The Policy was last updated in 2017. Since that date, there have been no legislative changes to warrant an update until very recently. The Council's Equalities objectives are set out in the document and also delivered as part of a stand-alone action plan which has been refreshed annually. It is recommended that the Policy be renamed and brought in line with the current, recognised terminology used and called the Equality, Diversity and Inclusion Policy. In 2018 the Council took the decision to include the Armed Forces in its Equalities Action plan as a means of ensuring that this community in Maidstone was recognised. The enshrinement of the Covenant into law is an opportunity to build upon work councils are already leading to help serving personnel, reservists, veterans, and their families to have the same equality of access to public services as their civilian neighbours.

2.19 Community Covenants are a voluntary statement of mutual support between a civilian community and its local Armed Forces Community.

Maidstone Borough Council signed the Armed Forces Covenant in October 2012.

- 2.20 In 2018 the Council took the decision to include its work with the Armed Forces Community in its Equalities Action plan. The enshrinement of the Covenant into law is an opportunity to build upon work councils are already leading to help serving personnel, reservists, veterans, and their families to have the same equality of access to public services as their civilian neighbours.
- 2.21 The Armed Forces Covenant has recently become law (Armed Forces Act 2021). The Armed Forces Covenant's enshrinement into law is an opportunity to build upon work councils are already leading to help serving personnel, reservists, veterans, and their families to have the same equality of access to public services as their civilian neighbours. Therefore, the policy has been updated to reference the Armed Forces Act 2021 and the Council's responsibilities in terms of demonstrating 'due regard'.

### **Development of revised Action Plan**

- 2.22 The action plan for 2022/23 has been developed with the Equality Diversity and Inclusion (EDI) Officer group. The group was established as part of the existing action plan (2020/21) to monitor the progress of the action plan. Services represented include HR Learning and Development, Housing, Museums, Communication and Engagement, Democratic Services and Elections, Mayoralty, Revenues and Benefits (Welfare team) and Policy, Communities and Engagement.
- 2.23 This officer group have been able to share their extensive learning and experience in terms of service needs and provide valuable insight to identify where barriers or gaps are negatively impacting particular groups.
- 2.24 They are also in a position to evaluate their own needs as employees of a public sector organisation and identify the support that is required for the workforce.
- 2.25 Staff identified a number of gaps including:
- Existing, new and emerging communities present a challenge for staff in terms of engaging with and being able to understand needs
  - Digital Exclusion – support needed to access services online
  - Making the most of 'neutral spaces' i.e. places where the Council has a presence such as the Museum, Trinity House or when a one service is delivering outreach support, that it looks to include a wider range of service to better support residents and increase access to services. For example, the recent cost of living events, Ukraine Welcome event and Community Protection surgeries.
- 2.26 In terms of staff training and support the following issues were identified:
- Organisational diversity is not fully representative of community
  - Leadership and elected members are not representative of the community.
  - There are no forums at staff level to discuss EDI

- There is a need to feel more comfortable about diversity in the workplace
- There is a lack of awareness of cultural barriers affecting access to services
- There is a lack of understanding of disability, hidden disabilities (neurodivergent), mental health, physical, complex social and learning difficulties
- There is a lack of understanding about barriers to employee accessibility to services and internal processes
- There are no quiet areas in office, which means the environment is not for suitable neurodivergent.

2.27 There is a great deal to build on in terms of what is happening across the organisation such as the Staff Engagement Group, new consultation and engagement tools, the Culture Change project, One View project, the development and strengthening of relationships within the VCS and Digital and Financial Inclusion workstreams.

2.28 However, there is also an opportunity to be more detailed and specific in the actions we take going forward. This can be achieved through the increased use of data (Census data sets from November onwards), through staff (and member) training in cultural competencies and the ongoing culture change project.

2.29 The draft action plan can be found at appendix 3. Some of the key recommendations are summarised below:

- To respond to concerns from the EDI staff group for a need to feel more comfortable about diversity in the workplace, it is therefore proposed that we create equalities champions. They would be an informal point of contact, to listen and to identify possible next steps or further help.
- The EDI staff group also considered employee accessibility to services and internal processes. It was that barriers existed and in terms of how this. It is also proposed that we start proactively asking specific questions of staff, through staff consultation and engagement to broaden our organisational understanding of the diversity that exists in our workforce and what issues and ideas exist that can contribute positively to our way forward.
- There is a need to be specific when discussing the communities the Council support. It was felt that this could only be achieved when staff were provided with training and felt empowered to use appropriate language. It was identified that data and insight was vital in understand who our communities were. The adoption of the LGA Inclusive Language guide has been put forward as a recommended action, underpinned by the need for detailed and informed evidence bases for decision making. Therefore, only accepting the use of specific language when referring to diverse communities in reports for decision. Other complementary actions detailed include:

- Cultural competency training
- Work on census data to identify emerging needs

### **Recommended Inclusion of additional protected characteristic**

2.30 The Equality Act 2010 states that it is illegal to discriminate against someone for any of the following reasons:

1. Age
2. Disability
3. Gender reassignment
4. Marriage and civil partnership
5. Pregnancy and maternity
6. Race
7. Religion or belief
8. Sex
9. Sexual orientation

2.31 A number of Councils across the Country have taken the decision to include 'socio-economical' factors as an additional protected characteristic. These include Haringey, Manchester as well as Welsh Councils.

2.32 The cost-of-living crisis is expected to have a significant impact on some groups of people in Maidstone than others. This is likely to include people who share protected characteristics under the Equality Act, including women, disabled people, people from certain ethnic minority backgrounds, and both older and younger people. People with caring responsibilities are also likely to be disproportionately impacted as their income tends to be lower than the population as a whole.

2.33 We want to ensure that our decision making does not impact a group or individual who are already in a financially vulnerable financial situation, and we want this to be understood in simple, straightforward term. Therefore, it is recommended that we include Poverty (as opposed to socio-economic factors) as an additional 'local characteristic' to encourage officers and decision makers to consider the impact of changes to Policy or service delivery and to take mitigating action. It is important note that everyone in our community has a protected characteristic – age and gender for example, so in adding Poverty as an additional characteristic we are creating a universal consideration in terms of impact.

### **3. AVAILABLE OPTIONS**

3.1 To consider the Equalities Objectives and Action Plan update and the proposed revisions to the Policy and action plan, recommending that the changes be made.

- 3.2 To consider the Equalities Objectives and Action Plan update and the proposed changes to the Equalities Policy and action plan, recommending that no further changes be made to the Policy and action plan.
- 3.3 To consider the Equalities Objectives and Action Plan update and the proposed revisions to the Policy and action plan make additional amendments and recommendations to the Executive.
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#### **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

- 4.1 As detailed at 3.1 of the report. The update on the Equalities Objectives and action plan shows the progress made against existing actions.
- 4.2 These actions have been in place since 2020 (in response to the pandemic) and there is a need to refresh the actions so that the Council can continue to make progress against its objectives.
- 4.3 The Policy is an overarching document, outlining the Council's legislative responsibilities. However, the Armed Forces Covenant has become enshrined in law, and it is important that this is recognised in the Policy to demonstrate the Council's ongoing commitment to supporting its Armed Forces Community.
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#### **5. RISK**

- 5.1 The Council's responsibilities as a Public Sector Authority are set out in the Equality Act 2010. The Annual Update report provides an opportunity for the Council to review its progress against its objectives and ensure they are still fit for purpose. Not taking this opportunity to review progress and respond to the needs of its staff and residents could cause reputational damage to the Council and we would not be fulfilling our responsibilities under the Act.
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#### **6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

- 6.1 None
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#### **7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 7.1 The Executive will be considering the matter on the 3 January 2022.
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#### **8. REPORT APPENDICES**

The following documents are to be published with this report and form part of the report:

- Appendix 1: Equalities Action Plan Update

- Appendix 2: Equalities Policy
- Appendix 3: Refreshed Action Plan

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## **9. BACKGROUND PAPERS**

None

<b>As a Community Leader</b>
<b>Objective</b>
<b>To lead by example, to ensure every individual resident is connected and supported.</b>

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<b>Agreed Actions</b>	<b>Progress – 2022</b>	<b>Status</b>
<p>We will work with the Heart of Kent Hospice, Kent County Council, local businesses, community and faith groups to achieve Compassionate Borough Status.</p>	<ul style="list-style-type: none"> <li>• Work was paused due to HoK’s responsibilities to patients during pandemic.</li> <li>• Officers from Policy, Communities and Engagement team and Communication and Marketing team have continued to support HoK on establishing a way forward but no concrete plans have come forward to date</li> <li>• The Compassion Maidstone Awards which MBC delivers with HoK and other partners took place for as third year in November 2022.</li> </ul>	<p>Should the Compassion Borough Status project be taken forward by HoK in the future, it will be supported by the same teams and an update would be included in a future action plan in support of the delivery of this objective.</p> <p><b>Incomplete/cannot be carried forward</b></p>
<p>We will take an evidence-based approach to leading recovery in Maidstone including a specific work stream on communities.</p>	<p>The data analytics team have 9 completed dashboards as part of its support for recovery and renewal projects with a further four under review and another 7 under development.</p> <p>The team remain on target to achieve 18 by summer 2023.</p> <p>The team have improved the information published on the website, with dashboards accessible <a href="#">here</a>.</p>	<p><b>Complete/on schedule to deliver</b></p>
<p>We will seek to build on the relationships we have developed with our communities as a result</p>	<ul style="list-style-type: none"> <li>• Repository of Community Groups been developed and is currently being made publicly available via</li> </ul>	<p><b>Ongoing/remain included in action plan</b></p>

Appendix 1

<p>of the recent pandemic. We will communicate, engage with, and disseminate information to support and engage our wider communities including through the local Parish Councils and voluntary groups.</p>	<p>website with the provision for new groups to sign up in place.</p> <ul style="list-style-type: none"><li>• Monthly newsletters produced and sent to Parishes and Ward Councillors.</li><li>• Inboxes and single point of contact set up for Parishes and Community Groups.</li><li>• A new inbox was set up in response to the Ukraine crisis management by the Policy, Community and Engagement team as well as support pages on the website</li><li>• Proactive engagement was undertaken with VCS groups regarding the Ukraine and support provided.</li><li>• Community pages developed to include support, cost of living information, volunteering, funding etc</li><li>• 20 organisations were funded from the 1<sup>st</sup> phase of the Community Resilience Fund amounting to £58, 429.00. The funding will support a wide variety of activities from a diverse group of organisations including, Hi Kent, Maidstone Street Pastors, Fusion healthy living and Rubicon Cares. Organisations will be able to continue to provide or increase their ability to meet demand by providing activities and support ranging from counselling sessions and mental health support to outdoor activities to support wellbeing.</li><li>• The 2<sup>nd</sup> phase of the Community Resilience Fund is due to be launched in November 2022.</li><li>• In partnership with Funding for All, the Council is hosting a 'Volunteering &amp; Funding Advice Event' on 30 November at Trinity House. This event is for volunteers and Voluntary, Community and Social Enterprises (VCSEs) supporting people in the borough of Maidstone. It will offer funding support</li></ul>	
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	<p>and explore opportunities for volunteer engagement. Training will be delivered on volunteering and diversifying funding sources. There will be opportunities to meet funders and have 1:1s with funding advisors. There will also be a marketplace where groups can connect with and seek support from a range of VCSEs and support organisations. It is hoped that this will be the first of a series of events, developed with the sector to respond to its need.</p> <ul style="list-style-type: none"> <li>• MBC represented on Informal District Council VCS Forum established in November 2021. MBC Consultation team supporting team on district mapping exercise of local forums and bodies to understand the offer across Kent. The terms of reference for the formalised group have now been formalised and MBC will be represented by the Insight, Communities and Governance Manager.</li> </ul>	
<p>We will undertake a review of consultation and engagement activities to ensure that they maximise resident participation and are representative of Maidstone’s demographic.</p>	<ul style="list-style-type: none"> <li>• Engagement activities have been limited due to the pandemic.</li> <li>• Opportunities have been maximised through joined up working between the Consultation and Comms and Marketing teams.</li> <li>• Social Media, Posters, Leaflets and the use of QR codes have been maximised to reach a wider audience.</li> <li>• Under 35 age group identified as a group where engagement is low.</li> <li>• New Consultation and engagement software is trialled, offering more varied and accessible opportunities to maximise participation.</li> </ul>	<p><b>Ongoing/remain included in action plan</b></p>

Appendix 1

	<p>Equalities Officer Group will be utilised to identify gaps and maximise opportunities and identify areas of focus.</p>	<p>• _____</p>
<p>We will appoint an internal Equalities Group to lead and provide join-up across Council services.</p>	<ul style="list-style-type: none"> <li>• Equalities Officer Group formed and meets on a quarterly basis.</li> </ul>	<p><b>Complete</b></p>
<p>We will support and promote diversity and inclusion in the borough through our communications and events – with a focus on our seldom-heard communities.</p>	<p>The Communication team have focused promotion and support across all groups:</p> <p>Age/Sex:</p> <ul style="list-style-type: none"> <li>• World Menopause Day - October</li> </ul> <p>Disability:</p> <ul style="list-style-type: none"> <li>• Macmillan Big Coffee Morning - September</li> <li>• MBC Website accessibility</li> </ul> <p>Sexual Orientation</p> <ul style="list-style-type: none"> <li>• LGBT - June</li> </ul> <p>Race:</p> <ul style="list-style-type: none"> <li>• Black History Month - October</li> <li>• Lunar New Year - February</li> <li>• Ukrainian Refugee Support</li> </ul> <p>Sex:</p> <ul style="list-style-type: none"> <li>• Domestic Violence against Women and Girls - Safer Streets</li> <li>• White Ribbon Stand Up against Domestic Violence</li> </ul> <p>Other:</p> <ul style="list-style-type: none"> <li>• Rising Cost of Living Support Events</li> <li>• Compassionate Community Awards - October</li> <li>• The Knife Angel – September</li> </ul> <p>Museum:</p> <ul style="list-style-type: none"> <li>• Timescales demanded by members for the Archaeology Gallery project did not allow for regular public engagement and so no panel has been convened. It is hoped that we will still be able to consult on ideas and designs, but this will inevitably be on an ad hoc basis.</li> </ul>	<p><b>Ongoing/remain included in action plan</b></p>

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	The communications team works in partnership with the Consultation team on new consultation to ensure they are promoted and responses monitored so targeted work can be undertaken.	
We will audit and appraise historical assets within the borough of Maidstone.	<ul style="list-style-type: none"> <li>• Museum collections was appraised and work undertaken with donors to understand the links to the past. There are no connections with slave owning families.</li> <li>• It was identified that the Museum’s world collection does not include ‘lived experience’. Work will be undertaken with communities to reflect this.</li> <li>• A Community Panel in place to advise on exhibitions from the perspective of minority groups in place</li> </ul>	<b>Complete</b>
We will support our serving and veteran communities through our commitment to the Armed Forces Covenant with training/guidance provided to staff across all services.	<ul style="list-style-type: none"> <li>• Armed Forces Member Champion appointed for 2022</li> <li>• Proactive engagement with local Armed Forces community undertaken to promote employment vacancies at MBC</li> <li>• Local Armed Forces contacts are included as part of VCS Repository to ensure important information and support is reaching this community such as cost of living website pages.</li> </ul>	<b>Ongoing/remain included in action plan</b>

<b>As an Employer</b>
<b>Objective</b>
<b>To lead a diverse and inclusive workforce that is reflective of the borough of Maidstone where residents and colleagues feel safe, confident, and empowered to challenge and bring about change.</b>

Agreed Actions	Progress 2022	Status
<p>We will undertake a regular Staff Survey so that the organisation can identify where it needs to change and adapt.</p>	<ul style="list-style-type: none"> <li>• Staff Survey undertaken and repeated every 2 years</li> <li>• Staff Engagement Group in place</li> <li>• Potential for future EDI survey to inform what EDI training is needed</li> </ul>	<p><b>Complete.</b></p>
<p>We will undertake a self-assessment as an Inclusive Employer.</p>	<p>External schemes have been reviewed by HR and Policy teams. This has not been taken forward. Other programmes of work have taken priority and may lead to an alternative approach such as the Culture Change project.</p>	<p>Alternative programmes of work have taken priority and may lead to an alternative approach such as the Culture Change project</p> <p><b>Incomplete</b></p> <p><b>To be picked new action plan as action relating to Culture Change project</b></p>
<p>We will look after the mental health of our staff and recognise when this offer needs to change.</p>	<p>There are currently 14 Mental Health first aiders. Minimal use of Mental Health First Aiders by staff being recorded.</p> <p>There is more training planned to equip staff dealing with customer’s Mental Health (MH) rather than inhouse issues.</p> <p>Additionally, Wellbeing week takes place on annual basis for all staff. Mental Health webinars run by Employee Assistance programme Care First. These include:</p> <ul style="list-style-type: none"> <li>• MH -Kindness</li> <li>• MH -Awareness</li> <li>• Men’s health</li> <li>• Menopause</li> </ul> <p>Online assistance also remains in place</p>	<p><b>Ongoing/remain included in action plan</b></p>

Appendix 1

<p>We will provide training and support to staff so they can recognise and manage unacceptable behaviours.</p>	<p>A HR Team Talk 'A respectful workplace for all' was delivered by Managers.</p> <p>Budget is available for EDI Training. Also available Learning disability training and Equality in the workplace</p> <p>All staff are currently required to complete Equalities Act 2010 learning.</p> <p>The EDI Officer group considered training needs as part of its development of the new Action Plan</p>	<p>EDI officer group has recommended areas of focus for training and development as part of the Equalities Action plan.</p> <p><b>Ongoing/training included in new action plan</b> with focus on cultural competencies and champion roles</p>
<p>We will enable staff to understand and respond to the mental health needs of residents, particularly after challenging life events.</p>	<p>Two courses are run for customer facing staff to deal with MH issues</p> <ul style="list-style-type: none"> <li>• Mental Health run by MIND</li> <li>• Mental Capacity Act</li> </ul>	<p><b>Complete</b> Focus on training included in new action plan</p>

<b>As a Service Provider</b>
<b>Objective</b>
<b>To deliver inclusive services in accordance with Council’s values.</b>

<b>Agreed Actions</b>	<b>Progress 2022</b>	<b>Status</b>
We will review and identify our policies where we consider Equalities impacts and identify how we can improve outcomes through revisions to policy.	All Council Strategies and Policies have been mapped and those with equalities impacts identified.	To proactively work with service areas as polices are due for review to ensure Equalities Impacts have been considered.  <b>Ongoing</b> – to pick up in new action plan
We will appoint an Equalities Group to lead and provide join-up across Council services.	The Equalities Officer Group meets on a quarterly basis. It has been renamed to the EDI Officer group to reflect its wider remit. Primarily it is responsible for managing the Equalities Action Plan.  The Group’s membership was extended to include a wider group. It now has membership from HR Learning and Development, Housing, Museums, Communication and Engagement, Democratic Services and Elections, Mayoralty, Revenues and Benefits (Welfare team) and Policy, Communities and Engagement. The group have been able to share their extensive learning and experience in terms of service needs and provide valuable insight to identify where barriers or gaps are negatively impacting particular groups.  It has developed the actions to deliver the Council’s Equalities Objectives for 2022 onwards	To continue to monitor and lead the equalities action plan  Complete

Appendix 1

<p>We will work with the community through consultation processes, increasing our offer of focus group and participatory methods to increase engagement with seldom-heard groups.</p>	<p>'Let's Talk Maidstone' (an online consultation and engagement platform) was rolled out in July 2022, launching the Resident Survey.</p> <p>The platform allows residents to engage in different ways such as quick polls or providing qualitative information via 'stories' and comment tools. Background information can be included on the 'project' page such as FAQs which help inform visitors to the platform on the purpose of the consultation.</p> <p>The Resident survey closed at the end of September. A total of 5027 people responded to the questionnaire, of which 3584 provided age and gender allowing these responses to be weighted in line with the population of Maidstone.</p> <p>Since its launch in July the platform has been used to deliver the following Consultation and Engagement activities:</p> <ul style="list-style-type: none"><li>• Operation Broc</li><li>• Mote Park Arts</li><li>• Scarecrow Festival</li><li>• Marden Task Force</li><li>• Waste and Recycling</li><li>• Community Governance Review</li><li>• Budget Survey</li><li>• Community Wi-Fi</li></ul> <p>Two engagement 'hubs' have been developed on the platform – 1 for Economic Development and 1 for Planning. Economic Development are utilising 'Let's Talk Maidstone' to help develop an upcoming Innovation Centre Research and Development event with the Business Community.</p>	<p>We continue to develop this offer which supports services across the Council.</p> <p><b>Ongoing</b> – included in new action plan</p>
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Appendix 1

	<p>A Planning Hub has been launched for the 'Sustainability and Design Mapping exercise'. This seeks to find out resident views on features and characteristics of the borough.</p>	
<p>We will work collaboratively with the Museum and its programme of events to promote diversity and inclusion and strengthen ties to seldom-heard communities.</p>	<ul style="list-style-type: none"> <li>• Community Panel Established</li> <li>• The museum continues to be committed to addressing EDI in its work and the new gallery will be designed with the assistance of individuals with as many kinds of lived experience as possible.</li> </ul>	<p><b>Complete</b></p>
<p>We will undertake a Councillor-led Access to Services Review which will assess: Digital Inclusion and website accessibility, Enabling communication, Our buildings.</p>	<ul style="list-style-type: none"> <li>• Members completed a series of meetings gathering evidence from internal officers as well as external organisation. Due to the limitations of the pandemic the review focused mainly on Digital Inclusion and accessibility.</li> <li>• Actionable recommendations were made at the conclusion of each session primarily to support digital accessibility and were picked up by the Digital Strategy workstreams.</li> <li>• A review of the Community Group Repository was also completed. The repository was developed extensively, and a proactive approach was taken to mapping groups in the Voluntary Community Sector supporting Maidstone residents. This repository now also includes many Faith Groups and Places of Worship.</li> <li>• The repository is currently being developed for public access on the Council's Community webpages</li> </ul>	<p><b>Complete</b></p> <p>A watching brief to be maintained and issues reported to the Policy, Communities and Engagement team -</p>
<p>We will work in partnership to deliver the Rough Sleeping initiative delivery plan to provide mental health outreach.</p>	<ul style="list-style-type: none"> <li>• The team has been in situ since September 2020. Approximately 360 clients have been supported/are still being supported by the initiative.</li> <li>• Housing will continue to work in partnership with KMPT, to provide mental health support to rough sleepers, and those at risk of rough sleeping. It has funding until March 2023 and it is hoped that this service will receive mainstream funding from April 2023 from the CCG, to continue the work across West Kent.</li> </ul>	<p><b>Complete</b></p>

Appendix 1

<p>We will review the Equalities Impact Assessment processes.</p>	<p>The Armed Forces Covenant was a voluntary statement of mutual support between a civilian community and its local Armed Forces Community, intended to complement at a local level. Maidstone signed the Covenant in 2012. In 2018 it was recognised that the work being done with the Armed Forces community in Maidstone should be included in the Equalities Action Plan.</p> <p>Changes to the EqIA were originally proposed in 2019/20 to reflect forthcoming legislative changes to responsibilities in Armed Forces Bill 2021-22. However, the bill was delayed.</p> <p>Training and guidance were provided to Armed Forces Champions in November 2022.</p> <p>It is proposed that this legislative changes i.e. the Armed Forces Covenant being enshrined in law should be reflected and noted in the EDI Policy.</p> <p>Additionally, the cost-of-living crisis is likely to have a more significant impact on some groups of people in Maidstone than others. This is likely to include people who share protected characteristics under the Equality Act, including women, disabled people, people from certain ethnic minority backgrounds, and both older and younger people. People with caring responsibilities are also likely to be disproportionately impacted as their income tends to be lower than the population as a whole.</p> <p>It is proposed that this be addressed by introducing a local protected characteristic as part of the EqIA process - 'Poverty'.</p>	<p><b>Ongoing</b> The reference to the Armed Forces Act should be included as a light touch change to the existing policy.</p> <p>Poverty should be included as a local protected characteristic to ensure no resident is left behind as part of decision making and that vulnerable residents are not adversely affected</p>
<p>We will develop processes to ensure Social Value is a core consideration of our decision making.</p>	<p>The Procurement Strategy and processes are being revised to include Social Value. A proposal was taken to WLT in November 2022. Subject to approval, Public Services (Social Value) Act 2012 – <i>Social Value</i> will form part of the procurement evaluation. As part of that process the following will be considered:</p>	<p><b>Complete</b></p>

Appendix 1

	<ul style="list-style-type: none"><li>• how what is proposed to be procured might improve the economic, social and environmental well-being of the relevant area, and</li><li>• how, in conducting the process of procurement, it might act with a view to securing that improvement.</li></ul> <p>In practice this will involve the tender process introducing</p> <ul style="list-style-type: none"><li>• around 10% of the contract evaluation to be assessed against social values.</li></ul>	
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**Equality, Diversity and Inclusion Policy  
2022-2025**

*Working towards greater equality in  
Maidstone*

## Public Sector equality duty

### Rights and Responsibilities

As a public authority the Council has responsibilities and a duty to fulfil for both its residents and staff. This was introduced in the Equality Act 2010 which replaced previous anti-discrimination laws with a single Act; simplifying the law, removing inconsistencies, making it easier to understand and comply with. It also strengthened the laws to help tackle inequality and discrimination.

The Equality Duty applies to public bodies which includes the Council and other organisations carrying out public functions.

It supports good-decision making by ensuring public bodies consider how different people will be affected, helping them to deliver policies and services that are efficient, effective and accessible to all by meeting different types of people's needs.

The duty applies to nine 'protected characteristics': age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation.

### What the Council must do to fulfil this duty is:

- Publish information to show compliance with the Equality Duty, at least annually.

The information published must show due regard to:

**Eliminating unlawful discrimination** harassment and victimisation and any other conduct prohibited by the Act

**Advancing equality of opportunity** between people who share protected characteristics and people who do not share it

**Fostering good relations** between people who share a protected characteristic and people who do not share it

- Set and publish equality objectives, at least every four years. These should be specific and measurable.

By publishing relevant equality information to demonstrate transparent decision making processes the Council becomes accountable to its service users. This in turns provides the public with the information they need to hold it to account, should they need to, for its performance on equality.

## Armed Force Act 2021

All councils have voluntarily signed the Armed Forces Covenant. The further enshrinement of the Covenant into law is an opportunity to build upon work councils are already leading to help serving personnel, reservists, veterans, and their families to have the same equality of access to public services as their civilian neighbours. This includes the areas of focus in the Act – housing, education and healthcare. Councils play a key role in the provision or commissioning of these services with partners and joining-up support around the needs of an individual and their family.

Our Armed Forces Community is included in our consideration of equalities impacts as part of decision making.

## Policy Statement

Maidstone is the County Town of Kent, a historic market town with a rich and diverse history. It is constantly changing and evolving. What remains important as Maidstone changes and grows is that residents have a sense of belonging and community in order to prosper.

As a council we want to know our residents, we want to ensure that we are meeting their needs by offering opportunity and access to services through a conscious awareness and understanding of equality and diversity issues.

Our commitment to achieving this is outlined in the standards and actions set out in this document. These apply to staff, councillors and to those who deliver services on our behalf.

Maidstone Borough Council's [Strategic Plan 2019-2045](#) sets the Council's strategic vision for the borough of Maidstone. It outlines the council's priorities and informs on its values. Equalities are firmly ingrained in the council's values. This document helps determine not only the decisions made by the officers and elected members but it also advocates our approach to day to day business and conduct, and the way we treat our customers and each other.

**Services**  
Everything we do impacts on our customers, both internal and external. We will listen to and understand their needs, then take action to provide the right service in a positive and professional manner.

**Teamwork**  
Working together to achieve our objectives and goals in a way that utilises the talents and creativity of everyone in our organisation.

**Responsibility**  
We work in an environment that encourages us to take ownership for our actions. Making the right choices and decisions that lead to a satisfactory outcome for all.

**Integrity**  
We have the courage to act on our convictions to build trust and honesty. We work with our partners and customers to create a feeling of openness and transparency in everything we do.

**Value**  
Taking care and weighing up our options, aiming to get the maximum effect for every penny of public money we spend.

**Equality**  
Valuing our differences and understanding how they can contribute to a better working environment and services that are fair and easy to access

We will deliver on our commitment to equalities by setting an organisational standard through clear objectives for each of the three important **roles and responsibilities** we have as a council:

**Role 1: As a Community Leader:** We will engage with residents in an open and meaningful way.

**Role 2: As a Service Provider:** We will ensure our services are inclusive, accessible and support residents and customers.

**Role 3: As an employer:** To have a workforce that feels valued and respected.

**(Draft) Equality Objectives and Action Plan 2022-2025**

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<b>As a Community Leader</b>			
<b>Objective</b>			
<b>To lead by example, to ensure every individual resident is connected and supported.</b>			
<b>Commitments</b>	<b>Actions</b>	<b>Responsibility</b>	<b>Timeframe</b>
<p><b>We will</b> work closely with our partners (Voluntary and Community Sector, Anchor Institutions, Parishes and Church and Faith groups) to:</p> <ul style="list-style-type: none"> <li>Identify opportunities for joined up working and improving our ability to share information to support and engage our wider communities</li> <li>Increase volunteering opportunities and participation, funding and support</li> </ul>	<ul style="list-style-type: none"> <li>Create join up with Housing Associations to deliver hardship payments as part of the Xantura project</li> <li>Implement no wrong door (local campaign to signpost to services) – increasing access to services</li> <li>Provide access to digital training and support at Trinity House.</li> </ul>	<p>Housing/Revs and Bens</p> <p>All teams (led by Inclusion board)</p> <p>Housing Communities, Policy &amp; Engagement team</p>	<p>April 2023</p> <p>March 2023</p> <p>Review Jan 2023</p>
<p><b>We will</b> undertake a review of consultation and engagement activities to ensure that they maximise resident participation and are representative of Maidstone’s demographic.</p>	<p>Increase response rates from underrepresented groups through us of Let’s Talk Maidstone (the Council’s new public engagement platform)</p>	<p>Communities, Policy &amp; Engagement team</p>	<p>Review Jan 2023</p>
<p><b>We will</b> support and promote diversity and inclusion in the borough through our communications and</p>	<p>Expand internal Equality Diversity and Inclusion Group</p>	<p>Communities, Policy &amp; Engagement team</p>	<p>Jan 2023</p>

events – with a focus on our seldom-heard communities.	to provide internal direction and challenge  Create Diversity Calendar - Annual calendar of events to celebrate diversity and promote inclusion in Maidstone	Equality, Diversity and Inclusion Officer Group	March 2023
<b>We will</b> support our serving and veteran communities through our commitment to the Armed Forces Covenant and responsibilities under the Armed Forces Act 2021 with guidance provided to staff across all services.	Provide guidance to enable all staff to support Armed Forces Community	Policy, Communities & Engagement team	March 2023
<b>Connections to other plans</b>			
<ul style="list-style-type: none"> <li>• <b>Strategic Plan</b></li> <li>• <b>Communications Plan</b></li> <li>• <b>Recovery and Renewal Strategy</b></li> <li>• <b>Financial Inclusion Strategy</b></li> </ul>			

## As an Employer

### Objective

**To lead a diverse and inclusive workforce that is reflective of the borough of Maidstone where residents and colleagues feel safe, confident, and empowered to challenge and bring about change.**

### Commitments

**We will** train our staff so that they are skilled in inclusive practice, to work with communities who are

### Actions

Provide Staff training in Cultural Competencies

### Responsibility

HR

### Timescale

Review Jan 2023

less able, or willing, to participate in life in their local neighbourhoods. <b>We will</b> provide training and support to staff so they can recognise and manage unacceptable behaviours	Introduce Equalities Champions (including elected member and senior leadership)  Deliver the Culture change project	Policy Communities & Engagement team  HR	April 2023  Ongoing
<b>We will</b> creating a strong, internal sense of community within the organisation.	Introduce Annual staff EDI survey to identify need and benchmark progress	Policy, Communities & Engagement team	Jan 2023
<b>We will</b> look after the mental health of our staff and recognise when this offer needs to change	Provide training and support for Mental Health Champions	HR	Ongoing
<b>Connections to other plans</b>			
<ul style="list-style-type: none"> <li>• <b>Strategic Plan</b></li> <li>• <b>Workforce Strategy</b></li> </ul>			

<b>As a Service Provider</b>			
<b>Objective</b>			
<b>To deliver inclusive services in accordance with Council's values.</b>			
<b>Commitments</b>	<b>Actions</b>	<b>Responsibility</b>	<b>Timescale</b>
<b>We will</b> use specific and meaningful language when referring to diverse communities	Adopt of LGA Inclusive Language Guide	Policy, Communities & Engagement team	April 2023

<b>We will</b> support access to services and support through ICT process, communication and join up with partners	Proactively use 'neutral spaces' to increase access to support and services for residents	Equality, Diversity and Inclusion Officer Group All Services	Review Jan 2023
<b>We will</b> take an evidence-based approach to leading recovery in Maidstone including a specific work stream on communities.	Identify emerging needs from Census data	Data Analytics team	Dec 2023 (ongoing release)
<b>We will</b> review the Equalities Impact Assessment processes.	Include 'Poverty' as a local protected characteristic with the EqIA process	Policy, Communities & Engagement team	Jan 2023
<b>We will</b> review and identify our policies where we consider equalities impacts and identify how we can improve outcomes through revisions to policy.	Include Armed Forces Act 2021 in Equality, Diversity and Inclusion Policy	Policy, Communities & Engagement team	Dec 2022
	Prioritise existing Policies by review date and implement process of review for equalities.	Policy, Communities & Engagement team	Review Feb 2023
<b>Connections to other plans</b>			
<ul style="list-style-type: none"> <li>• <b>Strategic Plan</b></li> <li>• <b>Recovery &amp; Renewal Strategy</b></li> <li>• <b>Digital Strategy</b></li> </ul>			

**Communities, Housing and Environment Policy Advisory Committee**

**19 December 2022**

**Mid Kent Waste Collection Contract Award**

<b>Timetable</b>	
<b>Meeting</b>	<b>Date</b>
Communities, Housing and Environment Policy Advisory Committee	Tuesday 19 December 2022
Executive	Wednesday 21 December 2022

<b>Will this be a Key Decision?</b>	Yes
<b>Urgency</b>	Not Applicable
<b>Final Decision-Maker</b>	Executive
<b>Lead Head of Service</b>	William Cornall, Director of Regeneration and Place
<b>Lead Officer and Report Author</b>	Jennifer Stevens, Head of Environment and Public Realm
<b>Classification</b>	<p>Public Report and Appendix 1</p> <p>Exempt Appendix</p> <p>Appendix 2: Tender Price Breakdown</p> <p>The appendix contains exempt information as classified in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 in that they contain information relating to the financial or business affairs of any particular person (including the authority holding that information). The public interest in maintaining this exemption outweighs the public interest in their disclosure.</p>
<b>Wards affected</b>	All

**Executive Summary**

The report provides a summary of the procurement process of the Mid Kent Waste Contract which is due to commence in March 2024 and the recommendation for Contract Award.

A Competitive Dialogue Process has been undertaken over the past 12 months, with one compliant bid received at Final Tender stage. The report outlines the submission received from Bidder A, including the quality and price scoring.

**Purpose of Report**

Recommendation

**This report makes the following recommendations:**

1. To recommend to the Executive that the Mid Kent Waste Contract is awarded to Bidder A;
2. To recommend to the Executive that the Director of Finance, Resources and Business Improvement is given the delegated authority to issue a Letter of Intent to Bidder A to enable contract mobilisation to commence;
3. To recommend to the Executive that £5.8 million capital funding is allocated for the purchase of Maidstone’s waste collection fleet.

# Mid Kent Waste Collection Contract Award

## 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<p><b>Impact on Corporate Priorities</b></p>	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> <li>• Embracing Growth and Enabling Infrastructure</li> <li>• Safe, Clean and Green</li> <li>• Homes and Communities</li> <li>• A Thriving Place</li> </ul> <p>The Mid Kent Waste Collection Contract supports the delivery of a “Safe, Clean and Green” environment by delivering comprehensive recycling services and ensuring waste is collected effectively and efficiently.</p>	<p>Head of Environment and Public Realm</p>
<p><b>Cross Cutting Objectives</b></p>	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> <li>• Heritage is Respected</li> <li>• Health Inequalities are Addressed and Reduced</li> <li>• Deprivation and Social Mobility is Improved</li> <li>• Biodiversity and Environmental Sustainability is respected</li> </ul> <p>The Mid Kent Waste Contract considers the environmental impact and social value of the services and seeks to identify opportunities to improve environmental sustainability and biodiversity through this contract including specific interventions at depots as well as improving outcomes for local communities through engagement, training and employment opportunities.</p>	<p>Head of Environment and Public Realm</p>
<p><b>Risk Management</b></p>	<p>The risks associated with the recommendations of this report are included in Appendix 1.</p>	<p>Head of Environment and Public Realm</p>

<b>Financial</b>	The budgetary implications of the proposed recommendations from this report have been built into the draft budget for 2023/28, which is subject to approval at Council (22 <sup>nd</sup> February 2023).	Section 151 Officer & Finance Team
<b>Staffing</b>	We will deliver the recommendations with our current staffing.	Head of Environment and Public Realm
<b>Legal</b>	Accepting and acting on the recommendations will fulfil the Council's duties and uses its powers under the Environmental Protection Act 1990.	Team Leader, Contracts and Commissioning MKLS
<b>Information Governance</b>	The recommendations will impact personal information (as defined in UK GDPR and Data Protection Act 2018) the Council processes. The Information Governance Team will review the processing of personal data affected and the associated documentation will be updated accordingly, including a data protection impact assessment.	Senior Information Governance Officer
<b>Equalities</b>	The recommendations do not propose a change in service therefore will not require an equalities impact assessment	Equalities & Communities Officer
<b>Public Health</b>	We recognise that the recommendations will not negatively impact on population health or that of individuals.	Housing and Inclusion Team Leader
<b>Crime and Disorder</b>	No implications identified	Head of Environment and Public Realm
<b>Procurement</b>	This report provides the outcome of a competitive dialogue procurement process, overseen by Ashford Borough Council's procurement team and in line with financial procedure rules.	Head of Environment and Public Realm
<b>Biodiversity and Climate Change</b>	Consideration of the Contract's environmental impact has been a fundamental part of the specification, dialogue, and evaluation process. The service provision is designed to meet the aims of Maidstone's Biodiversity and Climate Change Action Plan in relation to improving recycling rates, reducing contamination, and	Biodiversity and Climate Change Manger

	promoting waste reduction, reuse, and home composting. In addition, bidders were asked to provide solutions to reduce the Council’s carbon footprint and support the net zero 2030 commitment. Proposals included by Bidder A are included within the report.	
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## 2. INTRODUCTION AND BACKGROUND

- 2.1 In March 2021, the Communities, Housing and Environment Committee made the decision to continue as part of the Mid Kent Partnership to outsource its waste and recycling collection services and undertake a competitive dialogue procurement process to secure the highest quality and cost-effective outcome for residents. This included the collection of food waste, refuse, dry recycling, garden waste, bulky items and clinical waste.
- 2.2 The procurement process started in December 2021 and a three-stage process has since been carried out including dialogue with each of the bidders to fine-tune their submissions to meet the needs of the Partners and drive down cost whilst maximising quality.
- 2.3 Two bids were received at the initial stage - Invitation to Participate in Dialogue (ITPD) – and were then refined at the Invitation to Submit Refined Solutions (ISRS) stage. Throughout the process, two bidders fully engaged with the process and contributed to meaningful dialogue to reduce risk pricing, improve quality, and explore innovation.
- 2.4 At Final Tender Stage, one bid was received. The bid was compliant with the Partner’s specification and project agreement.
- 2.5 The table below shows the evaluation criteria and weighting that were applied at Final Tender Stage:

Evaluation Criteria			
<b>Price</b>	40%		
<b>Quality</b>	60%	Technical	35%
		Quality Management System (QMS)	17.5%
		Environment	5%
		Social Value	2.5%

- 2.6 The Tender was scored by each Partner Authority and then moderated over the three to reach an agreed score of each element. The scores for Bidder A are included in paragraph 2.19.

### Submission Summary

- 2.7 The final tender submission received from Bidder A included numerous notable improvements to service quality that provide the Council with reassurance that Bidder A has considered the challenges ahead and has

sought innovative yet cost effective solutions to meet them. Overall, the quality of the Bid was considered good as shown in the scoring.

- 2.8 The Technical Solution was good with the use of pod vehicles for the co-collection of food and recycling or refuse. These vehicles have been selected as they are more robust with improved payload than the twin-packs currently used. The vehicle has a non-compacting compartment behind the cab for the collection of food waste and a single compartment across the back for either refuse or recycling. An image of the proposed vehicle is shown below.



- 2.9 A full-time garden waste narrow access resource has also been included to improve the resilience of this service which is currently struggling with reliability.
- 2.10 Bidder A has also developed a partnership with Demelza Hospice Care to enable the reuse of suitable bulky items. This has been an objective within the Council's Waste Strategy for many years, however, it had not been possible to find a suitable reuse partner. The commitment within the submission from Demelza Hospice Care is a positive step forward to meet this objective. The submission also includes the collection of small waste electrical and electronic equipment (WEEE), textiles and batteries as free items within a paid bulky collection and they will hold three mobile collection points per year as part of a recycling roadshow to promote recycling across the Borough.
- 2.11 The Quality Management System submission by Bidder A was comprehensive with improved use of technology to track service requests automatically from the customer to the crew and back to the customer, including bin deliveries and missed collections. The system enables the Council to have full access to vehicle tracking and CCTV systems as well as the Waste Service Management System (WSMS) which will provide full visibility to the client team to resolve complaints.
- 2.12 The system also requires the collection crews to positively confirm the collection of each assisted collection and enables flags to be created for properties who have experienced repeated service failures. This will provide greater monitoring and visibility of the collections.
- 2.13 Throughout the dialogue stages and contained within the Final Tender Submission, the opportunities to improve the services' environmental impact have been fully explored, particularly the use of electric vehicles (EVs). This part of Bidder A's submission was more limited, recognising

that the availability of suitable vehicles, cost of alternative fuels and infrastructure would be prohibitive. For Maidstone it is proposed to have electric supervisor vans, but no frontline EVs as there is currently insufficient charging infrastructure at the Park Wood Depot and the vehicles are over double the capital cost of a standard diesel refuse collection vehicle. Electric pod or twin-pack vehicles are also not available at the present time.

- 2.14 A Special Projects Officer has been included with a particular focus on increasing recycling from flats and communal collections. The proposal includes direct interventions in several sites each year including the provision of alternative collection arrangements, additional signage, reusable bags for residents and increased resident engagement.
- 2.15 The submission also includes voluntary Sustainability Champions and biodiversity initiatives at each Depot and route optimisation work throughout the contract term to incorporate property growth across the Borough, which has seen fuel reductions of 5-15% on other contracts.
- 2.16 The Social Value submission was strong, demonstrating that Bidder A is committed to their employees, the community, local charities, and the Partnership. This included offering skills training sessions, two community events per year, six apprenticeships and four internships including one in partnership with Leonard Cheshire to support those with disabilities and long-term health concerns. The submission also includes mental health first aid training for a proportion of staff and 20 places for Council officers. School initiatives are also included with STEM (science, technology, engineering and mathematics) resources and inter-school competitions and prizes.

**Submission Score**

2.17 The moderated scores across the Partnership for Bidder A are shown below:

	<b>Price (40%)</b>	<b>Quality (60%)</b>	<b>TOTAL</b>
Bidder A	40	41.88	81.88

- 2.18 As only one bid was received at final tender stage, the price comparison was made with the projected cost of operating a Local Authority Collection Company (LACC). This work was carried out by Waste Consulting Ltd based on the resources required to provide a comparable service. The LACC cost was projected to be more than Bidder A’s tender price predominantly due to the higher pension contribution and higher overhead costs, resulting in the price score shown above.
- 2.19 The cost breakdown of Bidder A’s final tender is included in Exempt Appendix 2. This cost is correct as at September 2022 and will be subject to indexation at contract commencement. Adjustment to the price will also be made based on revised TUPE information - Transfer of Undertakings (Protection of Employment) - relating to staff costs and increase to services such as property growth.

- 2.20 It is recommended that the Partnership fund the capital investment in the fleet as this will significantly reduce costs. If Bidder A were to fund the fleet and recover the cost through the annual contract sum, the Partners would incur higher borrowing fees, profit margin and a risk premium. A full breakdown of the costs is included in Exempt Appendix 2.
- 2.21 It is recommended that the Committee recommend to the Executive that £5.8 million funding is allocated within the Capital Programme for the purchase of the waste collection fleet. This includes a contingency for potential material and labour cost increases in their manufacture. The capital cost of the fleet was included within the evaluation process to ensure value for money is achieved.
- 2.22 Although the recommendation is for the Council to fund the capital purchase of the fleet, as set out in the project agreement, the Contractor will be responsible for the specification, procurement, maintenance, and safety of the fleet. Should a vehicle require replacing during the contract term, this will be funded by the Contractor.

### **Contract Award Process**

- 2.23 As this is a partnership contract across Mid Kent (Ashford, Maidstone and Swale Borough Councils), all partners are required to agree the Contract Award.
- 2.24 Each authority is taking the decision through their governance arrangements in December 2022 and if agreed Contract Award will be made in early January 2023 to enable mobilisation to commence. The Contract documents will then be sealed by all Partners and the Contractor.

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## **3. AVAILABLE OPTIONS**

- 3.1 That the Waste Collection Contract is awarded to Bidder A.
- 3.2 Alternatively, the Executive could decide that the contract is not awarded and alternative options for delivery are reviewed.

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## **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

- 4.1 It is recommended that the Waste Collection Contract is awarded to Bidder A.
- 4.2 A two-year process has been undertaken to review the options for delivery, prepare the specification and complete a three-stage competitive dialogue procurement process. Throughout this process all alternative service and delivery options have been considered including bringing the service in-house, operating a trading company and changing to twin-stream collections.

- 4.3 The Final Tender received from Bidder A offers the Council improvements to service standards through technological advancements, more detailed KPIs and greater resource resilience.
- 4.4 If the contract is not awarded to Bidder A, the Council could be in breach of its commitment to the Mid Kent Partnership as they would be unable to enter into the new contract. With only 16 months until the contract is due to start, there is insufficient time to carry out a new procurement process or to set up an in-house service. Therefore, if the contract is not awarded there is a high likelihood that the Council would be unable to fulfil its statutory duties for waste collection from March 2024 or would be required to agree temporary arrangements that are likely to be substantially more expensive and potentially open to challenge.
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## **5. RISK**

- 5.1 The risks associated with the recommendations contained within this report are included in Appendix 1.
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## **6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

- 6.1 An original scoping report was presented to the Communities, Housing and Environment Committee in June 2020 to outline the options for delivering the waste, recycling and street cleansing services. A Member workshop was then held in September 2020 to explore the options further.
- 6.2 A final report was taken to the Committee in March 2021, and it was agreed that the Council would retain its commingled collection arrangements, would re-tender the waste collection contract and would remain within the Mid Kent Waste Partnership.
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## **7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 7.1 If the recommendation is agreed across the Partnership, the contract will be awarded to Bidder A and a letter of intent will be issued whilst the contract is compiled and sealed by all parties.
- 7.2 The mobilisation period will then commence, which will include securing vehicle build slots, integrating ICT systems and staff engagement.
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## **8. REPORT APPENDICES**

The following documents are to be published with this report and form part of the report:

Appendix 1: Risk Management  
Exempt Appendix 2: Tender Price Breakdown

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**9. BACKGROUND PAPERS**

None

**Appendix 1 – Risk Management – Mid Kent Waste Contract Award**

Vulnerability/Risk	Trigger	Consequences	Current Rating
Contract Award	<ul style="list-style-type: none"> <li>- One or more authorities do not agree the award</li> <li>- Bid is not compliant so cannot be awarded</li> <li>- Bidder withdraws from process</li> </ul>	Contract cannot be awarded Reputational risk to the Council Unable to deliver statutory duties Legal costs	Likelihood: 2 Impact: 4  Rating: 8
Deliverability	<ul style="list-style-type: none"> <li>- Resource plan is not robust</li> <li>- Mobilisation plan not adequate</li> <li>- Insufficient experience</li> <li>- Data provided is inaccurate</li> <li>- Specification unclear or misinterpreted</li> </ul>	Service failures Reputational risk to the Council Unable to deliver statutory duties	Likelihood: 3 Impact: 4  Rating: 12
Vehicle availability	<ul style="list-style-type: none"> <li>- Lead-times become prolonged</li> <li>- Order books closed</li> <li>- Hire market limited</li> </ul>	Service failures Unable to deliver statutory duties Reputational risk to the Council	Likelihood: 2 Impact: 4  Rating: 8
Financial	<ul style="list-style-type: none"> <li>- TUPE information incorrect</li> <li>- Indexation increases significantly</li> </ul>	Contract cost exceeds the budget within MTFS Service reductions required to meet budget Savings required elsewhere to offset costs	Likelihood: 3 Impact: 3  Rating: 9
Challenge	<ul style="list-style-type: none"> <li>- Contract extension</li> <li>- Non-compliant bid accepted</li> <li>- Process unfair</li> </ul>	Delay to contract award Contract cannot be awarded	Likelihood: 2 Impact: 3  Rating: 6

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No.	Current Rating	Target Rating	Risk		
1	8	6	Contract Award		
Control in place	Adequacy of controls	Required action/control	Responsible Officer	Success Factors	Date for Review
Regular and ongoing engagement with decision makers Decision already taken by Members to pursue this route	Good	Joint meeting of Cabinet / Executive / Committee if decision is not agreed in December to consider options	Jennifer Stevens	Contract Award Decision taken by each authority Letter of Comfort issued	Weekly until end Jan 2023

Maidstone has depot and resources available to offer alternative service if required Business continuity plans Extension option available with incumbent					
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No.	Current Rating	Target Rating	Risk		
2	12	8	Deliverability of Service		
Control in place	Adequacy of controls	Required action/control	Responsible Officer	Success Factors	Date for Review
Competitive Dialogue process to refine solution and issue clarifications Consultant support to review resource plans and submissions Bidder CVs and experience captured in submission Client officers reviewing resourcing and submission and seek clarification Contractual protections in place	Good	References followed up Regular mobilisation meetings to identify risks Risk register to be created for mobilisation	Jennifer Stevens	Mobilisation Plan in place and delivered	Monthly

No.	Current Rating	Target Rating	Risk		
3	8	6	Vehicle Availability		
Control in place	Adequacy of controls	Required action/control	Responsible Officer	Success Factors	Date for Review
Quotes obtained from vehicle manufacturers with lead-times	Good	Regular mobilisation meetings Contingency plans developed Depot to be in place to take delivery of vehicles before contract start	Jennifer Stevens	Vehicles delivered Contract commencement	Monthly

Contract commencement delayed enabling longer mobilisation period Further extensions of current contract available Vehicle specifications simplified where possible Vehicle hire arrangements in place Reassurance from Fleet Director					
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No.	Current Rating	Target Rating	Risk		
4	9	6	Financial		
Control in place	Adequacy of controls	Required action/control	Responsible Officer	Success Factors	Date for Review
Three-staged process has refined costs Risks have been identified and eliminated from the pricing MTFS based on higher initial cost estimations Local Authority comparator used to ensure costs realistic Section 151 Officer engagement through the process Indexation matched to the actual cost profile of bidders	Fair	Projections of indexation factored into costs Review of position on staff pay rates to project increases	Jennifer Stevens	Contract cost as of April 2024 is within MTFS budget	Monthly

No.	Current Rating	Target Rating	Risk
5	6	3	Challenge

Control in place	Adequacy of controls	Required action/control	Responsible Officer	Success Factors	Date for Review
Contract extension within 50% of contract value Agreed early in process before final tender Legal advice sought throughout procurement Consultants advise sought throughout procurement Bid checked for compliance Procurement oversight throughout	Good	Extension to be advertised Ongoing dialogue with incumbent to manage process	Jennifer Stevens	Contract Awarded No challenge received	Weekly until Feb 2023

**Communities, Housing and Environment Policy Advisory Committee**

**19 December 2022**

**Granada House Refurbishment**

<b>Timetable</b>	
<b>Meeting</b>	<b>Date</b>
Communities Housing and Environment Policy and Advisory Committee	19 <sup>th</sup> December 2022
Executive	21 <sup>st</sup> December 2022

<b>Will this be a Key Decision?</b>	Yes
<b>Urgency</b>	Not Applicable
<b>Final Decision-Maker</b>	EXECUTIVE
<b>Lead Head of Service</b>	William Cornall
<b>Lead Officer and Report Author</b>	Andrew Connors
<b>Classification</b>	<p>Public Report with Exempt Private Appendix</p> <p>The information contained within the Appendix has been considered exempt under the following paragraph of part 1 of schedule 12A to the Local Government Act 1972:-</p> <p>3 = Information relating to the financial or business affairs of any particular person (including the authority holding that information)</p> <p>Public Interest Test</p> <p>On applying the public interest test, the public interest in non- disclosure of the report outweighs the public interest in disclosing this information. The reasons in favour of disclosure are the public interest in ensuring value for money and the reasons against disclosure are the harm to the Councils financial position in</p>

	respect of a commercial transaction. Any disclosure of such information may compromise the negotiating position of the Council. Keeping the information exempt is therefore in the public interest.
<b>Wards affected</b>	High Street

### **Executive Summary**

We are requesting permission to proceed with the refurbishment works with the preferred contractor for the total scheme cost as outlined within Exempt Appendix 1 – Financial Summary. This issue is to be considered by the Communities Housing and Environment Policy Advisory Committee before to advise the Executive’s decision.

### **Purpose of Report**

Decision

### **This report makes the following recommendations to the Committee.**

#### **That the Executive be recommended to:**

1. Agree to carry out the proposed refurbishment works to Granada House up to the Total Scheme Cost as outlined in Table 1 within Exempt Appendix 1 – Financial Summary.
2. Enters into contract with the preferred contractor to carry out the refurbishment works to Granada House.
3. Agree that:
  - a) Officers explore fully with Pelling’s (the appointed Employers Agent) and the appointed Contractor the merits of providing solar PV to the property as a way of off-setting electrical use. b) That this option and additional expenditure (as outlined in Table 2 within Exempt Appendix 1 – Financial Summary) is only pursued after consultation, post contract award with the Lead Member on the Executive for Housing and Health.
4. Agree that the Director of Finance, Resources and Business Improvement is granted delegated authority to enter into any related appointments, legal actions, deeds, contracts and agreements which may be required to facilitate the refurbishment works required.
5. Agree that the Head of Mid Kent Legal Services is authorised to appoint the Solicitors required to negotiate and complete the necessary contract documentation, deeds and agreements associated with the refurbishment works on the terms as agreed by the Director of Finance, Resources and Business Improvement.

# Granada House Refurbishment

## 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> <li>• Embracing Growth and Enabling Infrastructure</li> <li>• Safe, Clean and Green</li> <li>• Homes and Communities</li> <li>• A Thriving Place</li> </ul> <p>Accepting the recommendations will materially improve the Council’s ability to achieve and support Embracing Growth and Enabling Infrastructure and Homes and Communities. We set out the reasons other choices will be less effective in section 2 [available alternatives].</p>	Director of Regeneration and Place.
<b>Cross Cutting Objectives</b>	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> <li>• Heritage is Respected</li> <li>• Health Inequalities are Addressed and Reduced</li> <li>• Deprivation and Social Mobility is Improved</li> <li>• Biodiversity and Environmental Sustainability is respected</li> </ul> <p>The report recommendations support the achievements of the cross-cutting objectives by respecting the heritage of the existing building with sensitive design and addressing and reducing health inequalities with significant upgrade works to improve the internal and external condition and visual appearance of the building.</p>	Director of Regeneration and Place
<b>Risk Management</b>	Already covered in the risk section	Director of Regeneration and Place
<b>Financial</b>	The report sets out the challenges to delivering this project in a way that delivers value for money to the Council. The	Director of Finance, Resources

	associated risks will need to be managed with care and any variance from the planned course of action reported back at the earliest opportunity. The costs of the works exceed what is currently in the capital programme, but the additional funding will be identified as part of the ongoing development of the new five-year programme for 2023/24 onwards.	and Business Improvement
<b>Staffing</b>	We will deliver the recommendations with our current staffing.	Director of Regeneration and Place
<b>Legal</b>	<p>The Local Government Act 1972, section 111(1) empowers a local authority to do anything (whether or not involving the expenditure, borrowing or lending of money or the acquisition or disposal of any property or rights) which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions.</p> <p>The Council also has a general power of competence pursuant to Section 1 of the Localism Act 2011 which enables it to do anything that individuals generally may do.</p> <p>Any procurement or contracting must be done in accordance with the Council's Constitution and arrangements.</p>	Interim Team Leader (Contentious and Corporate Governance)
<b>Information Governance</b>	The recommendations will impact personal information (as defined in UK GDPR and Data Protection Act 2018) the Council processes. The Information Governance Team will/have reviewed the processing of personal data affected and the associated documentation has been/will be updated accordingly, including a data protection impact assessment.	Information Governance Team
<b>Equalities</b>	An EqIA has previously been carried out of which will be updated in accordance with proposed refurbishment works as outlined in this report.	Equalities & Communities Officer
<b>Public Health</b>	We recognise that the recommendations will improve living conditions and therefore have a	Public Health Officer

	<p>positive impact on the health and wellbeing of individuals residing in Granada House however the impact of rent increases to some existing residents will need to be considered.</p> <p>The chosen contractor will also be following their own policies and procedures to manage the Health and Safety of workers on site during the refurbishment works.</p>	
<b>Crime and Disorder</b>	No implications	Director of Regeneration and Place
<b>Procurement</b>	On accepting the recommendations, the Council will appoint the preferred contractor via direct award from the identified framework and undertake the refurbishment works required.	Head of Service & Section 151 Officer
<b>Biodiversity and Climate Change</b>	The implications of this report on biodiversity and climate change have been considered and aligns directly with the intentions of the BCC Action plan to decarbonisation MBC assets in line with the council's 2030 net zero commitment. The refurbishments considerations should include low carbon heating. Renewable energy generation, insulation (particularly on the external façade), insulation measures, and smart controls.	Biodiversity and Climate Change Manager

## 2. INTRODUCTION AND BACKGROUND

- 2.1 The Council purchased Granada House back in 2016. It contains 20 apartments and some commercial units at ground floor level. The purchase price was £3.5m and the rental income from the residential and the commercial elements were similar, hence the purchase price of the apartments can be deemed to be circa £1.75m (£87.5k each).
- 2.2 Granada House is a building of high significance to the character and appearance of that part of the Maidstone Centre conservation area centred on Gabriel's Hill. This is perhaps the key building in the Gabriel's Hill street scene due to its width and mass and also its central location.

- 2.3 The original strategy when Granada House was purchased was for it to be demolished to make way for the wholesale redevelopment of The Mall shopping centre. The owners of the Mall, Capital & Regional opted not to advance these ideas, and so the Council has been renting the apartments at market rents through Maidstone Property Holdings Limited (MPH). The apartments have rented reasonably well, but at quite modest rents with an annualised gross rental income of £136k (average £566pcm) to reflect their current condition, which is broadly similar to the commercial units.
- 2.4 Since the acquisition, the Council has only undertaken responsive repairs on the apartments, and they are now in an extremely poor condition and fall short of meeting the Decent Homes Standard. MPH as the landlord has a duty to ensure that all of its properties meet the Decent Homes Standard for letting purposes. The "A Fairer Private Rented Sector White Paper" published on 16<sup>th</sup> June 2022, outlined the government's plans to legislate and introduce a legally binding Decent Homes Standard to the private rented sector (PRS) for the first time, under the Renters' Reform Bill.
- 2.5 If landlords are in breach of this requirement to ensure their property meets the Decent Homes Standard, this would be a criminal offence and it can be dealt with by either issuing a civil penalty or undertaking a prosecution in the magistrate's court. The Government recognise that they propose some significant changes, and therefore propose a phased approach or transition period. This would allow local councils time to prepare for Decent Homes Standard enforcement and landlords additional time to comply with the Decent Homes Standard. Further details and information are awaited on this and timescales for implementation.
- 2.6 From 2025 all newly rented properties will need to achieve an Energy Performance Certificate (EPC) rating of C or above. The flats at Granada House currently have a range of ratings from C to E. There is therefore a pressing need to carry out the required refurbishment works to Granada House as outlined in this report.
- 2.7 Granada House was identified as one of the five Town Centre Opportunity sites for a roof top extension to the existing building and a planning guidance document was produced to help inform and shape development design proposals to be taken forward. However, after a lot of detailed design work, this particular opportunity was rejected by the Policy & Resources & Committee, who decided they favoured just a comprehensive refurbishment of the existing accommodation.
- 2.8 It was agreed that a tender procurement process be undertaken to choose a suitable Contractor and Employers Agent (with hybrid of services such as Clerk of Works and Principal Designer) to undertake and oversee the necessary refurbishment works required. With a follow up report being presented outlining the results from the tender procurement process and to approve the financial commitments required to complete the refurbishment works.

- 2.9 Pelling's were duly appointed as Employers Agent (including Clerk of Works and Principal Designers services). They assisted Officers in preparing a schedule/specification for the works and overall tender pack for procuring a contractor, as well as the evaluation and scoring of tenders once they were received back.
- 2.10 Following evaluation, there was concern that the initial procurement process didn't deliver value for money for the required specification. Also the total costs associated for the scheme were going to exceed likely end values for the flats. The Council's procurement rules also do not allow us to negotiate or materially value engineer with the preferred contractor.
- 2.11 The Council therefore has commenced a fresh procurement exercise to appoint a suitable contractor at the target price (as outlined in Exempt Appendix 1 – Financial Summary).
- 2.12 If the appointed firm cannot deliver it within our budget inclusive of their design fees and on-costs, we will value engineer the specification with them to keep within our cost envelope.
- 2.13 The rental income for the flats will also be increased once the refurbishment works are completed, recognising the significant scope of improvement works undertaken. Once refurbished the flats will let for an annualised gross rental income of £196,800 (average £820pcm), so £254pcm more than previously. This is a further £60k per annum of gross income, and if this were capitalised at 5%, this equates to value creation of circa £1m (net of ongoing management and maintenance costs).
- 2.14 Given the state of repair of the flats, they are now largely void in readiness for the refurbishment works to be carried out. The decanting of the building has been done in a planned and co-ordinated manner adhering to the correct legislation, providing move on support to those tenants who may have required it during the 6-month notice period that was given.
- 2.15 There are no works proposed to the Commercial units on the ground floor, but some of the refurbishment works to the flat roof and deck above the commercial units at the rear of the building will be contributing towards the upkeep of these units and safeguarding the commercial rental income.

### **Proposed refurbishment works**

- 2.16 A visual inspection and intrusive survey of the existing apartments has been undertaken to help inform the proposed schedule of refurbishment works of which is based on an All-Electric specification. This includes modern oil filled electric wall mounted radiators as the heating solution, with small point of use electric water heaters in the kitchens and bathrooms, plus electric showers.

- 2.17 This will eliminate the need for piped heating systems and gas fired boilers. This is beneficial with regard to the servicing costs and maintenance and replacement costs. Gas installations require annual servicing, at an assumed cost of around £2,000 to £3,000 per year for the building, and mean the whole flat being without heating and hot water in the event of a boiler failure or breakdown. This proposal would allow single elements to be repaired or replaced as appropriate upon failure, with the added benefit of maintaining heating and/or hot water in other parts of the flat if one unit was to fail. Repairs will be much cheaper and quicker to fulfil.
- 2.18 The decarbonisation opportunity with this option is substantial. The elimination of gas use means that no fossil fuels will be used to heat the building or water used within and if a green energy provider is used to provide the electricity demand, there would effectively be no carbon emissions through heating and hot water. Although this option would have a higher running cost due to the reliance on higher cost electricity, the efficiency of the heaters and upgraded thermal performance of the building will limit this.
- 2.19 In order to minimise further the cost impact on future tenants of the building, it is recommended that a solar photovoltaic (PV) system be installed on the roof of the second floor and configured to offset the electrical use in the building. How this works in practice will need to be fully explored, and it may be necessary to have a single meter, with charges paid by the Council and recovered via an all-inclusive rental arrangement. Whilst this option is likely to require a UKPN upgrade to incoming supply heads, it is believed that this will be a small-scale upgrade to the existing infrastructure and will not require any incoming cable upgrades or works to the sub-station. This is to be confirmed by the contractor's design team once appointed.
- 2.20 This all-electric approach is expected to easily achieve an EPC rating of C once the refurbishment works are completed and could exceed this with the solar PV option included. Officers will fully explore the merits of this further with Pelling's and the Contractor and will only go ahead with this option and additional expenditure (as outlined in Table 2 within Exempt Appendix 1 – Financial Summary) in consultation, post contract award, with the Lead Member on the Executive for Housing and Health.
- 2.21 The initial proposed refurbishment works are thorough. They include full roof and window replacements, external brick and concrete repair and clean. Replacement of kitchens, bathrooms, new flooring, internal front doors, alarms, emergency lighting, heating, electrical rewires and internal re-decorations within the flats and communal areas.
- 2.22 When considering the cost of the proposed refurbishment works referred to within Exempt Appendix 1 – Financial Summary, it is important to note that:
- There has been virtually no planned maintenance work to the building undertaken ever, only piecemeal responsive repairs have ever been done.

- The original Crittall windows are in poor condition, with broken mechanisms and in some instances broken glass. These are incredibly poor in terms of thermal performance and without replacement for double glazing the EPC rating of C could not be achieved, which will be required from 2025.
- The internal finishes of the flats that have been inspected and are very poor - predominantly woodchip wallpaper and damp stained plaster ceilings. The original woodwork throughout is discoloured, damaged, and covered in many layers of paint.
- Existing heating systems are original or 50s/60s retrofits at the latest. The radiators are old panel style, which are large and inefficient. The pipework and radiators will be heavily oxidised and filled with sludge.
- Generally, the flats are in poor condition and in some cases have unresolved rainwater ingress causing dampness, mould, and other related defects. Fire safety is an obvious risk that the works will rectify too.
- The proposed refurbishment works are considered to be fundamental in order to meet Decent Homes Standards and ensure the long-term efficiency, sustainability and economic future for the building.
- If the preferred contractor cannot deliver our initial specification within our budget inclusive of their design fees and on-costs, we will value engineer the specification with them to keep within our cost envelope.

2.23 The works planned will be to a high quality and will significantly improve the buildings appearance. Undertaking these works will also benefit residents by improving internal living conditions, increase energy efficiency, thereby reducing bills, as well as contributing to the future long-term sustainability of the building and presenting a far more attractive offering to existing and new potential tenants. Any refurbishment works will also add value to the property through targeted investment.

### **Financial Commitments**

2.24 The breakdown of the Total Scheme Cost and financial commitments for the refurbishment works is shown at Exempt Appendix 1 – Financial Summary.

### **Proposed Schedule of Events**

2.25 The proposed schedule of events if proceeding with the refurbishment works is given below. The dates should be regarded as indicative at this stage (with the exception of the Committee and Executive approval dates) as we may need to extend and /or amend the timetable as necessary.

<b>Activity</b>	<b>Finish Date</b>
CHE Policy Advisory Committee	19 <sup>th</sup> December 2022
Executive Approval	21st December 2022
Appoint Contractor	January 2023

JCT Design and Build Contract Signed	January 2023
Start on Site	April 2023
Practical Completion	October 2023

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### 3. AVAILABLE OPTIONS

- 3.1 **Option 1: Choose to do nothing on this property.** This is not recommended. The Council and occupiers of Granada House would not realise the benefit of improving the value, appearance and general living conditions and standard of the market rental accommodation within Granada House. Maidstone Property Holdings (MPH) has a duty as the landlord to ensure the property meets the Decent Homes Standard. If landlords are in breach of this requirement, this would be a criminal offence and it can be dealt with by either issuing a civil penalty or undertaking a prosecution in the magistrate’s court. This would cause significant reputational damage to the Council as owners and to MPH as the landlord.
- 3.2 If the Council don’t do the refurbishment work, and decide to just sell for example, this could be viewed as a negative and poor response by the Council in terms of our town centre strategy and climate change commitments. There would also be a high degree of uncertainty as to what would happen to the building once it is not in our ownership. Improvement works might not take place or to the required standard and the Council might have to take enforcement action against the new owners.
- 3.3 **Option 2: To carry out the proposed refurbishment works for a lower or higher total scheme cost.** This is not recommended. If the total scheme cost is reduced this in turn will affect the level of specification which will undermine the long-term rental demand for the flats and will also drive up responsive repair costs once relet.
- 3.4 The initial specification is thorough and adequate allowance needs to be provided for replacing all the kitchens and bathrooms, windows, rear walkway, roof repairs and full electrical, plumbing and heating systems of which are considered to be key priority areas of work. Pelling’s have not selected a high-end specification, the standard is middle to lower range, whilst still being of good quality, durable and suitable for the end use.
- 3.5 A markedly higher total scheme cost is not recommended to avoid incurring a total scheme cost greater than the likely end values for the flats.
- 3.6 **Option 3: To carry out the proposed refurbishment works for the Total Scheme Cost (or lower if this can be achieved by reasonable value engineering) as outlined in Table 1 within Exempt Appendix 1. With Officers exploring fully with Pelling’s (the appointed Employers Agent) and the appointed Contractor the merits of providing solar PV to the property as a way of off-setting electrical use.**

- 3.7 This is the preferred and recommended option. The properties would continue to be used for market rental purposes after completion of the refurbishment works, with the rents increased accordingly to reflect the scope of the improvement works undertaken.
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#### **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

- 4.1 The preferred option is **Option 3** above. This will result in refurbishment works being undertaken of which will significantly improve the condition of the building both internally and externally. It will allow the Council as owners of the building and MPH as landlords to comply with the Decent Homes Standard and EPC requirements.
- 4.2 If the preferred contractor cannot deliver our initial specification within our budget inclusive of their design fees and on-costs, we will value engineer the specification with them to keep within our cost envelope.
- 4.3 Due to the extent of the refurbishment works required the majority of the properties are currently void, ready for the contractor to begin works. The rents will be increased to reflect the scope of the improvement works undertaken.
- 4.4 Officers will fully explore the merits of installing Solar PV's as a means of off-setting electrical use with Pelling's and the Contractor and will only go ahead with this option and additional expenditure in consultation, post contract award, with the Lead Member on the Executive for Housing and Health.
- 4.5 Taking into account the purchase price referred to, plus the total scheme costs for the refurbishment works as set out in Exempt Appendix 1 – Financial Summary, it is demonstrated that the Council will not be spending more than the likely end value of circa £4m (£200k per flat).
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#### **5. RISK**

- 5.1 The risks associated with this proposal, including the risks if the Council does not act as recommended, have been considered in line with the Council's Risk Management Framework.
- 5.2 The major risk would be associated with taking no action at all, which would mean that the Council would not be able to demonstrate compliance with the Government's commitment to introducing a legally binding Decent Homes Standard to the private rented sector for the first time and also EPC requirements.
- 5.3 There is also an increased risk arising from adopting a target pricing model, with potential challenges to the quality and scope of the work to be undertaken and the viability of the project from the contractor's viewpoint. We are satisfied that the risks associated are within the Council's risk appetite and will be managed as per the Policy.

## **6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

- 6.1 The Policy and Resources Committee previously agreed that a tender procurement process be undertaken to choose a suitable Contractor and Employers Agent to undertake and oversee the necessary refurbishment works required to Granada House.
  - 6.2 The Cabinet were consulted on the initial preferred contractor tender sum price. There was concern about value for money and the total costs associated for the scheme relative to likely end values for the flats. A re-procurement is therefore taking place for the reasons as set out within this report.
  - 6.3 The Housing Team have been previously consulted on the impacts of the refurbishment works to Granada House and in particular the issue of decanting/moving on the existing households of which this process has already been undertaken with the building largely vacant and ready for works to begin.
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## **7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 7.1 Following approval of the recommendations by the Executive Committee, the preferred Contractor will be appointed to undertake the refurbishment works required. The Council's appointed Employers Agent (Pelling's) and Legal Services will assist in the preparation and signing of the necessary contract documentation.
  - 7.2 A plan for communications and consultation with the commercial unit tenants will also be put in place with the appointed contractor and the Communications and Marketing Team prior to any refurbishment works commencing.
  - 7.3 Officers will fully explore with Pelling's and the appointed Contractor the merits of installing Solar PV onto the roof of Granada House as a means of off-setting electrical use. The findings will be consulted with the Lead Member on the Executive for Housing and Health before pursuing this option and additional expenditure.
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## **8. REPORT APPENDICES**

- Exempt Appendix 1: Financial Summary
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## **9. BACKGROUND PAPERS**

None.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

# Agenda Item 18

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted