

POLICY AND RESOURCES COMMITTEE MEETING

Date: Wednesday 16 December 2020

Time: 6.30 pm

Venue: Remote Meeting - The public proceedings of the meeting will be broadcast live and recorded for playback on the Maidstone Borough Council website.

Membership:

Councillors Brice, M Burton, Chappell-Tay, Clark, Cox (Chairman), English, Mrs Gooch, Harvey, McKay, Mortimer, Newton, Perry (Vice-Chairman), Round, Springett and de Wiggondene-Sheppard

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.

<u>AGENDA</u>	<u>Page No.</u>
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 items should be taken in private because of the possible disclosure of exempt information.	
8. Minutes of the Meeting Held on 25 November 2020	1 - 12
9. Presentation of Petitions (if any)	
10. Questions and answer session for members of the public (if any)	
11. Questions from Members to the Chairman (if any)	
12. Committee Work Programme	
13. Medium Term Financial Strategy - Update	13 - 19

Issued on Tuesday 8 December 2020

Continued Over/:

Alison Broom

Alison Broom, Chief Executive

14. Fees & Charges 2021-22	20 - 79
15. Council-Led Garden Community Update	80 - 89
16. King Street Carpark	90 - 99
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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 12 A and Brief Description

18. EXEMPT APPENDIX 2 - King Street Car Park, Financial Summary	Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information)	121
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INFORMATION FOR THE PUBLIC

In order to ask a question at this remote meeting, please call **01622 602899** or email committee@maidstone.gov.uk by 5 p.m. one clear working day before the meeting (i.e. by 5 p.m. on Monday 14 December 2020). You will need to provide the full text in writing.

If your question is accepted, you will be provided with instructions as to how you can access the meeting.

In order to make a statement in relation to an item on the agenda, please call **01622 602899** or email committee@maidstone.gov.uk by 5 p.m. on clear working day before the meeting (i.e. by 5 p.m. on Monday 14 December 2020). You will need to tell us which agenda item you wish to speak on.

If you require this information in an alternative format please contact us, call **01622 602899** or email committee@maidstone.gov.uk.

To find out more about the work of the Committee, please visit www.maidstone.gov.uk.

Should you wish to refer any decisions contained in these minutes to Council, please submit a Decision Referral Form, signed by **five** Councillors, to **the Mayor** by: **15 December 2020**.

Please note that the decision arising from Minute 82 was taken as a result of the call-in process and cannot be called in.

MAIDSTONE BOROUGH COUNCIL

POLICY AND RESOURCES COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY 25 NOVEMBER 2020

Present: Councillors Brice, Chappell-Tay, Clark, Cox (Chairman), Mrs Gooch, Harvey, Joy, McKay, Mortimer, Newton, Perry, Purle, Round, Springett and de Wiggondene-Sheppard

Also Present: Councillors Brindle, Hinder, Kimmance, Naghi, Parfitt-Reid and Powell.

65. APOLOGIES FOR ABSENCE

Apologies were received from Councillors M Burton and English.

66. NOTIFICATION OF SUBSTITUTE MEMBERS

Councillor Purle was present as Substitute Member for Councillor M Burton.

Councillor Joy was present as Substitute Member for Councillor English.

67. URGENT ITEMS

There were no urgent items.

68. CHANGE TO THE ORDER OF BUSINESS

It was agreed that item 19 – Call-In of Economic Regeneration and Leisure Decision of Hazlitt Theatre Options would be taken before Item 16 – Discretionary Housing Payments to accommodate the public speakers on the item.

69. NOTIFICATION OF VISITING MEMBERS

Councillors Brindle, Hinder and Naghi were present as Visiting Members for Item 19 – Call-In of Economic Regeneration and Leisure Decisions of Hazlitt Theatre Options.

Councillors Kimmance, Parfitt-Reid, Powell were present for the debate on Item 19 – Call-In of Economic Regeneration and Leisure Decisions of Hazlitt Theatre Options, as the Members that had signed the call-in referral form.

70. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

71. DISCLOSURES OF LOBBYING

The following Members had been lobbied on Item 18 – Council-Led Garden Community Update:

Councillors Clark, Cox, McKay, Mortimer, Newton, Perry, Round, Springett and de Wiggondene-Sheppard.

The following Members had been lobbied on Item 19 – Call-In of Economic Regeneration and Leisure Decisions of Hazlitt Theatre Options:

Councillors Brice, Chappell-Tay, Clark, Cox, Mrs Gooch, Harvey, Joy, McKay, Mortimer, Perry, Purle, Round, Springett and de Wiggondene-Sheppard.

Councillor Chappell-Tay had been lobbied on Item 14 – 2nd Quarter Financial Update & Performance Monitoring Report 2020/21.

Councillor Round had been lobbied on Item 12 – Committee Work Programme.

72. EXEMPT ITEMS

RESOLVED: That

1. All items be taken in public as proposed unless any Committee Member indicated a wish to refer to Item 20 – Exempt Appendix C – Hazlitt Theatre Options.
2. The Minutes (Part II) of the meeting held on 21 October 2020, be taken alongside the Part I Minutes under Item 8 without going into Part II.

73. MINUTES OF THE MEETING HELD ON 21 OCTOBER 2020

RESOLVED: That the Minutes of the meeting held on 21 October 2020 (Parts I and II) be agreed as a correct record of the meeting and signed at a later date.

74. PRESENTATION OF PETITIONS

There were no petitions.

75. QUESTIONS AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

There were eleven questions from Members of the Public.

Question from Ms Kate Hammond to the Chairman of the Policy and Resources Committee

'How much has Maidstone Borough Council spent on their Heathlands Council-Led Garden Community to date?'

The Chairman responded to the question.

Ms Hammond asked the following supplementary question:

'That is roughly the same amount of money as the annual subsidy for the much loved Hazlitt Theatre. Do you think £305,645 is a prudent investment of public funds for what is essentially a high-risk investment?'

The Chairman responded to the supplementary question.

Question from Mr Steve Heeley to the Chairman of the Policy and Resources Committee

'How much has Maidstone Borough Council made budget provision for over the next five years for their Heathlands Garden Community?'

The Chairman responded to the question.

Mr Heeley asked the following supplementary question:

'Last week you said to the press that you find yourselves in a situation where you have to decide on the best use of your resources at the moment. Do you think Maidstone Council's pursuit to be a property developer is the best use of your scant finances and resources in the current climate, given the severe pressures on other services and the threat to institutions like the Hazlitt Theatre?'

The Chairman responded to the supplementary question.

Question from Mr David Finch to the Chairman of the Policy and Resources Committee

As Mr Finch was not in attendance, the question was read out on his behalf by the Democratic Services Officer.

'MBC's own Report shows that the Hazlitt Theatre brings in over £5m of direct and indirect business to the Town for a modest subsidy of £243k to Parkwood Theatres – a staggering return of over 2,000 percent per annum. With at least three Covid vaccines of over 90% success rates due to start coming onstream from next month and with mass vaccination planned for 2021, we are on the cusp of recovery and returning to normal social life from early/mid next year – which will enable the current Hazlitt management team to re-introduce its full programme of income generating events far sooner than the Council anticipate. Rather than mothball the Theatre with the resultant loss of experienced Theatre staff

whilst still incurring the ongoing maintenance cost of £100,000 pa, what avenues have been explored with Parkwood to reduce the current Management Fee during the course of this pandemic to ensure a "win-win" situation – and thereby ensuring the Theatre remains well placed for the social and economic upturn expected in 2021?’

The Chairman responded to the question.

Question from Ms Becky Roberts to the Chairman of the Policy and Resources Committee

'I would like to know how MBC intend to generate the 5 million pounds income per annum that The Hazlitt Theatre brings into the county in normal circumstances? This would on the basis if you're intending to run the venue without the current experienced team being Parkwood Theatres, whom know this unique old building better than anyone'.

The Chairman responded to the question.

Ms Roberts asked the following supplementary question:

'With the vaccine reportedly being administered shortly, whilst the Hazlitt has quite a small capacity in relation to some other theatres, I personally think, coming from a theatre background, potentially as early as Easter time this situation could well turn around. It seems a pity to bring things to an abrupt closure as I don't personally think it will take as much as a year?'

The Chairman responded to the supplementary question.

Question from Mr Chris Perree to the Chairman of the Policy and Resources Committee

'What alternate options for continuing the future of the Hazlitt Theatre to severing the Parkwood contract have MBC actually researched, considered and costed?'

The Chairman responded to the question.

Mr Perree asked the following supplementary question:

'Can you confirm that you have actually been in discussion with Parkwood this week?'

The Chairman responded to the supplementary question.

Question from Ms Julie Hutchings to the Chairman of the Policy and Resources Committee

As Ms Hutchings was unable to attend, the question was read out on her behalf by the Democratic Services Officer.

'When things go back to normal, can you offer reassurance that the theatre will run with the same efficiency as Parkwood's management under your control? We need a fully functioning theatre in Maidstone, not a glorified village hall set up.'

The Chairman responded to the question.

Question from Ms Fuscia Webb to the Chairman of the Policy and Resources Committee

'The Hazlitt Youth Theatre looks after young people's mental health and enables those from different backgrounds to mix in an accepting environment. With mental health funding being so overstretched, and with Maidstone being an area where class divides are so prevalent among young people, how will the council ensure that this necessary part of our lives is not lost?'

The Chairman responded to the question.

Ms Webb asked the following supplementary question:

'To a lot of people at the Hazlitt, the youth theatre hasn't been open since march but the dance company has been which involves a lot of the same young people and I think to a lot of us the Hazlitt is more than just a venue for us to meet up in. It's a consistent safe space that young people can have. What do you think about the prospect of that safe space being taken away from young people?'

The Chairman responded to the supplementary question.

Question from Ms Niki Bish to the Chairman of the Policy and Resources Committee

As Ms Bish was unable to attend, the question was read out on her behalf by the Democratic Services Officer.

'In light of recent press statements by MBC confirming they have "ended the contract" with Parkwood Theatres, please could you explain what your strategy is to keep the Hazlitt running as a profitable theatre? Parkwood Theatres have turned the Hazlitt around in the last 5 years bringing in a revenue of over £5 million to Maidstone town centre. They have over 300 young people in their dance company and youth theatre companies, with more people involved in the Hazlitt Choir. They have a huge network of user groups and Parkwood Theatres have the professional expertise to run these.'

The Chairman responded to the question.

Question from Ms Joanne Gubbins to the Chairman of the Policy and Resources Committee

'Have Parkwood been approached to ask if they would consider reducing their cost whilst it is closed? To of course then resume their full contribution when the theatre can fully re-open'.

The Chairman responded to the question.

Ms Gubbins asked the following supplementary question:

'You said about speaking with other management companies. Would they [Parkwood] be able to be reconsidered? From what I've heard you've actually ended contracts with them'

The Chairman responded to the supplementary question.

Question from Mr Nicholas Mowat to the Chairman of the Policy and Resources Committee

'In ending the contract with Parkwood earlier than the full term, what is the cost to the Council of ending this agreement and how much consultation has there been with Parkwood in order to endeavour to find a more affordable way forward?'

The Chairman responded to the question.

Question from Ms Michelle Harris to the Chairman of the Policy and Resources Committee

'For what valid reason are you proposing to close the Hazlitt Theatre? This is a very important community service supporting the Arts and members of the Public and should not be closed. If this is indeed a democracy and the council represent the people of Maidstone and of Kent you can find a solution around this. If you fail to, then it is clear that Maidstone council do not represent the people'.

The Chairman responded to the question.

Ms Harris asked the following supplementary question:

'Would the council consider private funding to take over the whole of the Hazlitt in its entirety?'

The Chairman responded to the supplementary question.

The full responses were recorded on the webcast and made available to view on the Maidstone Borough Council website.

To access the webcast recording, please use the link below:

https://www.youtube.com/watch?v=h8_mVU-iSY8

76. QUESTIONS FROM MEMBERS TO THE CHAIRMAN

There were no questions from Members to the Chairman.

77. COMMITTEE WORK PROGRAMME

RESOLVED: That the Committee Work Programme be noted.

78. REPORTS OF OUTSIDE BODIES

A Nomination form had been received from Councillor Perry for the appointment of Council representative to the Upper Medway Internal Drainage Board (UMIDB).

Councillor Round was thanked for his service as Council representative on the UMIDB, with this extended to Councillor Harper for his continued service.

RESOLVED: That Councillor Perry be appointed as the Council representative to the Upper Medway Internal Drainage Board.

79. 2ND QUARTER FINANCIAL UPDATE & PERFORMANCE MONITORING REPORT 2020/21

The Director of Finance and Business Improvement introduced the financial information update and highlighted the Council's £7million budget gap as a result of the Covid-19 pandemic, which had been partially mitigated through government funding. The slippage in the Capital programme had resulted in savings through reduced borrowing costs. The report also detailed the uncollectable Non-Domestic Rates at Appendix 4.

The Senior Business Analyst introduced the performance aspect of the report and noted that two of the three indicators were within 10% of the target. The percentage of successful duty relief outcomes had achieved a figure higher than the same period last year. The percentage of successful duty outcomes was noted as the Housing Options team achieved a positive outcome in three of four cases. Across the Council's Service Committees, only three indicators missed their target by more than 10% as a direct impact of the pandemic.

The Deputy Head of Audit introduced the risk management update. The 11 top scoring risks and the implementation of planned controls were identified. There was a risk profile reduction for five risks, with no increased risk profiles within the register. Three additional risks focused on the internal and external uncertainties of the pandemic and major contract failure had been created. The risk register would be continually reviewed.

In response to questions it was confirmed that government guidance required the Council to assist the Leisure Centre providers in managing the costs incurred through the pandemic. The Committee expressed support for the work undertaken to produce the report.

RESOLVED: That

1. The Revenue position as at the end of Quarter 2 for 2020/21, 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;
3. The Performance position as at Quarter 2 for 2020/21, including the actions being taken or proposed to improve the position, where significant issues have been identified, be noted;
4. The Risk Update, attached at Appendix 3 to the report, be noted;
and
5. The uncollectable Non-Domestic Rates (NDR) listed in Appendix 4 to the report, be written off.

80. STRATEGIC PLAN REVIEW UPDATE AND MEDIUM-TERM FINANCIAL STRATEGY

The Chief Executive introduced the report stating that the Committee had begun the process of refreshing the Strategic Plan in July, where they had agreed that whilst the priorities and ambitions remained the same, the plan's outcomes for the next five years for each of the priorities should be reviewed.

Appendix A to the report summarised the progress made concerning the refresh of the Strategic Plan. The future service delivery and efficient improvements for planning and economic development were highlighted, with feedback from Members welcome due to the current formative stage of the work. Key Councillors that included the Leader of the Council, Leader of the Conservative Group and the Chairmen of the Strategic Planning and Infrastructure Committee and Planning Committee would be consulted in finalising the scope of the work to be undertaken.

The Director of Finance and Business Improvement introduced the Draft Medium-Term Financial Strategy (MTFS), with the transformational approach to savings highlighted. It was likely that Council Tax would be increased by 2% as the Council's biggest source of revenue. Other important sources of income included planning fees and parking income. Parking income had been seriously affected by Covid-19.

The Chancellor's statement was referenced, with regards to the possibility that the Council would retain the same proportion of Business Rates Income as in previous years and the continuation of the existing financial settlement. The budget report to be presented in February 2021 would include greater detail into the MTFS as a result. The results of the resident survey undertaken were highlighted, with the top two most important service to residents identified as waste collection and parks and open spaces.

In response to questions, it was confirmed that the New Homes Bonus (NHB) and funding from the Kent Business Rates Retention Pool (KBBRP) could be used to temporarily close the budget gap. The NHB was usually used for capital spending, with the Council's borrowing likely to increase as a result and the KBBRP usually used for economic development. From 2023 onwards, the Council's reserves would be increased. A 2% increase in Council Tax would total an additional £320,000.

RESOLVED: That

1. The Strategic Plan Review update be noted alongside the feedback given;
2. The Draft Medium Term Financial Strategy 2021/22 – 2025/26 as shown as Appendix B to the report, be endorsed; and
3. The Council Tax setting principal as set out in paragraph 2.5 of the report be agreed.

81. DISCRETIONARY HOUSING PAYMENTS

The Head of Revenues and Benefits Shared Service introduced the report and noted that the Council is provided with an annual discretionary housing payment (DHP) budget, from the Department of Work and Pensions. A total of 344 applications were awarded last year, with an increased budget of just over £406,000 provided to the Council due to the Covid-19 pandemic.

The DHP policy had been updated to reflect the responsibilities of the claimant and the Council in providing DHP's, with the payments to be viewed as short-term emergency funding.

RESOLVED: That Council be recommended to adopt the Discretionary Housing Payment Policy, as attached at Appendix 1 to the report.

82. CALL-IN OF ECONOMIC REGENERATION AND LEISURE DECISIONS OF HAZLITT THEATRE OPTIONS

The Councillors that had signed the call-in referral form were invited to address the Committee.

Several public speakers were invited to address the Committee. Katie Penn on behalf of the Young Performers; Michelle Cleverley; Jacob Amos; Darren Clark; Scott Raffle as Chairman of the Willington Players and Secretary to the Hazlitt Theatre Users Association.

The Head of Regeneration and Economic Development introduced the briefing note within the context of the Council's Strategic Plan Review. The Committee agreed in September 2020 that the Economic Regeneration and Leisure (ERL) Committee would consider the Hazlitt's contribution to the town centre economy and options for its sustainability. The theatre

had been closed since March 2020, with the members of staff either furloughed or made redundant with the Council paying Parkwood Theatres an annual subsidy of around £245,000.

Between March to September 2020, the Council had increased their monthly payments to allow the theatre to re-open when feasible. The funding bid submitted by Parkwood Theatres to the Cultural Recovery Fund had been unsuccessful, with a waiver against their contractual obligations until March 2021 requested. It was noted that despite the positive news of vaccine development, a high degree of uncertainty still remained when considering the Council's subsidy payments. The ERL Committee had considered all available options.

Councillor Harper addressed the Committee as Chairman of the ERL Committee. The importance of the theatre to the local economy and community was heavily referenced, with the desire to re-open the theatre when feasible highlighted. The impact of the arts and culture industry on resident's quality of life and the benefits of community engagement were identified. It was noted that the ERL committee was unanimous in their decision, with an all-Member briefing having taken place in October 2020 to provide further information on the Hazlitt Theatre. Suggestions of alternative uses in the short-term were provided.

During the debate, the benefits of deferring the decision made by the ERL Committee were referenced. This included that since the decision was taken, several potential vaccinations had been brought forward which could lead to a reduction in Covid-19 social distancing measures and that deferring the decision would provide further time to negotiate a reduced subsidy payment with Parkwood Theatres. The unknown costs of terminating the contract in place and re-opening the Hazlitt theatre were highlighted in contrast to the proposed savings.

The Head of Regeneration and Economic Development confirmed that there was no financial penalty from ending the contract early and that the financial and time costs associated with contract termination had not yet been discussed with Parkwood.

The staff furlough and redundancies that Parkwood Theatres had implemented from September 2020 prior to the ERL Committee's decision were noted. The importance of experienced staff was highlighted, in response to queries about the procurement process if the original decision was maintained.

The Director of Finance and Business Improvement confirmed that if the contract was not terminated, the proposed savings would need to be found from elsewhere within the Council's budget.

The Chairman of the ERL Committee addressed the Committee before the vote was taken and questioned the contract's suitability in a post-Covid-19 environment. The commitment to re-open the Hazlitt theatre was reiterated.

RESOLVED: That the four resolutions of the Economic Regeneration and Leisure Committee on 12 November 2020 concerning the Hazlitt, be substituted with the below resolution:

That the matter be deferred until the Economic Regeneration and Leisure Committee meets on 19 January 2021, so as to allow greater clarity on issues such as external sources of funding and Covid-19-related developments and to facilitate further Member and Stakeholder engagement in determining the best method of retaining the Hazlitt for years to come.

83. COUNCIL TAX REDUCTION SCHEME 2021-22

The Head of Revenues and Benefits Shared Service introduced the report and referenced the Committee's previous decision to introduce an income banded council tax reduction scheme. The current system was reactive to changes in Universal Credit, which increased council tax administration, reduced council tax collection and caused the production of multiple council tax bills for residents.

The objectives were to maintain the 80% maximum award, protect disabled households, simplify assessment and re-assessment and maintain costs. A public consultation on three potential models occurred between 31 July 2020 to 27 September 2020, with model two as the preferred option. 242 responses were received, with 163 having included the models being ranked in order of preference.

The Committee expressed support for the proposed scheme.

RESOLVED: That

1. The outcome of the public consultation be noted;
2. Full council be recommended to implement the 2021-22 Council Tax Reduction Scheme for the reasons outlined in 4.1 of the report; and
3. The impact of the proposed changes to the Council Tax Reduction scheme on people with the protected characteristics of disability, sex and age, as set out in Section 1 and Appendix 2 of the report be noted, and that these impacts be weighed against any potential savings in the administration of the scheme that may be made by the Council as well as achieving the objective, to maintain costs of award of the scheme in line with the current scheme in 2021/22.

84. COUNCIL-LED GARDEN COMMUNITY UPDATE

The Director of Regeneration and Place introduced the monthly update on the Council-Led Garden Community and referenced Heathlands inclusion in the Regulation 18 preferred approaches public consultation document. It was noted that Homes England were continuing their due diligence, with no concerns highlighted. Community engagement would continue, with a

meeting scheduled with the representative of the five principal landowners in the near future.

RESOLVED: That the report be noted.

87. DURATION OF MEETING

6.30 p.m. to 10.30 p.m.

POLICY AND RESOURCES COMMITTEE

16 December 2020

Is the final decision on the recommendations in this report to be made at this meeting?

No

Medium Term Financial Strategy 2021/22-2025/26 - update

Final Decision-Maker	Council
Lead Head of Service	Chief Executive
Lead Officer and Report Author	Director of Finance and Business Improvement
Classification	Public
Wards affected	All

Executive Summary

The Committee considered a draft new Medium Term Financial Strategy (MTFS), covering the five-year period 2021/22 to 2025/26, at its meeting on 25th November 2020. The Chancellor's Spending Review, announced on the same day, contained a number of measures which are relevant to the MTFS. These are described here so that the impact on the MTFS can be considered.

Details about how the Spending Review will impact individual local authority finances are set out in the draft Local Government Finance Settlement, which is due to be published in the week commencing 14th December. A verbal update will be provided on this if it is available by the time of the meeting on 16th December.

This report makes the following recommendations to this Committee:

1. That it notes the update set out in this report.

Timetable

Meeting	Date
Policy and Resources Committee	16 December 2020
Policy & Resources Committee	10 February 2021
Council	24 February 2021

Medium Term Financial Strategy 2021/22-2025/26 - update

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	The Medium Term Financial Strategy and the budget are a re-statement in financial terms of the priorities set out in the strategic plan. They reflect the Council's decisions on the allocation of resources to all objectives of the strategic plan.	Section 151 Officer & Finance Team
Cross Cutting Objectives	The MTFS supports the cross-cutting objectives in the same way that it supports the Council's other strategic priorities.	Section 151 Officer & Finance Team
Risk Management	This has been addressed in section 4 of the report.	Section 151 Officer & Finance Team
Financial	The budget strategy and the MTFS impact upon all activities of the Council. The future availability of resources to address specific issues is planned through this process. It is important that the committee gives consideration to the strategic financial consequences of the recommendations in this report.	Section 151 Officer & Finance Team
Staffing	The process of developing the Strategic Plan and the associated budget strategy will identify the level of resources available for staffing over the medium term.	Section 151 Officer & Finance Team
Legal	<p>Under Section 151 of the Local Government Act 1972 (LGA 1972) the Section 151 Officer has statutory duties in relation to the financial administration and stewardship of the authority, including securing effective arrangements for treasury management.</p> <p>The legal implications include compliance with statutory and legal regulations such as the CIPFA Code of Practice on Treasury Management in Local Authorities.</p> <p>In considering the impact of Covid-19 on the Council's financial position in 2020/21, consideration should be given to the Council's legal duty to set a balanced budget.</p>	Head of Mid Kent Legal Partnership ss

	Appropriate remedial action should be taken if at any time it appears likely that expenditure will exceed available resources. The S151 Officer has a personal duty under Section 114(3) of the Local Government Finance Act 1988 to report to the Council if it appears that the set budget will be exceeded. Having received a S114 report, members are obliged to take all reasonable practical measures to bring the budget back into balance.	
Privacy and Data Protection	Privacy and Data Protection is considered as part of the development of new budget proposals. There are no specific implications arising from this report.	Policy and Information Team
Equalities	The MFTS report scopes the possible impact of the Council's future financial position on service delivery. When a policy, service or function is developed, changed or reviewed, an evidence-based equalities impact assessment will be undertaken. Should an impact be identified appropriate mitigations will be identified.	Equalities and Corporate Policy Officer
Public Health	The resources to achieve the Council's objectives are allocated through the development of the Medium Term Financial Strategy.	Public Health Officer
Crime and Disorder	The resources to achieve the Council's objectives are allocated through the development of the Medium Term Financial Strategy.	Section 151 Officer & Finance Team
Procurement	The resources to achieve the Council's objectives are allocated through the development of the Medium Term Financial Strategy.	Section 151 Officer & Finance Team

2. INTRODUCTION AND BACKGROUND

- 2.1 A draft Medium Term Finance Strategy for the five year period 2021/22 to 2025/26 was considered by the Committee at its meeting on 25th November 2020. The purpose of the MTFS is to set out in financial terms how the Council intends to deliver its Strategic Plan, given its capacity and capability. The draft new MTFS builds on the existing MTFS, but reflects the impact of

Covid-19 by incorporating a re-prioritisation of Strategic Plan objectives, together with proposals for transformational budget savings to address the financial challenges that the Council faces.

- 2.2 The MTFS incorporates revenue projections for the five year planning period. Key assumptions made in the projections were as follows.

Council Tax – It was assumed that the government continues to set a limit of 2% to increases, above which a referendum would be required (as in 2020/21), and that the Council increases Council Tax to this limit.

Business Rates - The Business Rates baseline, which dictates the amount of business rates that local authorities may retain locally, will be increased in line with inflation in 2021/22, as part of the expected one year roll forward of the existing 2020/21 financial settlement.

Covid-19 – In the neutral scenario, income from Council Tax, Business Rates and Sales, Fees and Charges will bounce back from the levels experienced in 2020/21 but full recovery will not be seen until 2022/23. There will be no further general government compensation for the effects of Covid-19 after the end of the current financial year.

The impact on these key assumptions of the Chancellor's Spending Review are set out below.

Chancellor's Spending Review

- 2.3 The Chancellor announced the results of his Spending Review on 25th November. The Review took place in the context of a health emergency and the deepest recession on record, with the Office for Budget Responsibility projecting a GDP reduction of 11.3% in 2020. The Chancellor stated that, in response, the government would ensure that people's lives and livelihoods would be protected and public services would be strengthened. A 'once-in-a-generation investment in infrastructure' was promised in order to create jobs, grow the economy, and increase people's pride in place.
- 2.4 Specifically, the Spending Review confirmed an additional £38 billion for public services in 2020/2, bringing total spending on the Covid-19 response to over £280 billion. The Spending Review also provided a further £55 billion of support for the public services response to Covid-19 next year, targeted at controlling and suppressing the virus, increasing support to public services and supporting jobs and businesses.
- 2.5 The additional expenditure announced by the Chancellor was focused on specific areas, with two thirds of the £15 billion cash increase in departmental expenditure going to the NHS, schools and defence. Savings were made elsewhere, with a cut of £4 billion in overseas aid and a pay freeze for public sector workers earning more than £24,000 (other than in the NHS).
- 2.6 The government's preferred measure of local authority spending is 'core spending power', which the Spending Review states will increase by 4.4% in 2021/22. Most of this increase is accounted for by the additional Council

Tax that the government expects local authorities to raise. The 2% referendum limit was confirmed in the Spending Review, along with a 3% increase in the Social Care precept for upper tier authorities. It is assumed in the government's calculations that local authorities will increase Council Tax by the maximum permissible.

Impact on key MTFS assumptions

- 2.7 Confirmation of the 2% referendum limit allows Council Tax to be increased by this amount, as envisaged in the draft MTFS and in line with the principle agreed by Policy and Resources Committee on 25th November.
- 2.8 The government is carrying out a fundamental review of the business rates system and will be publishing its conclusions in spring 2021. In the meantime, the existing business rates regime will remain in place. In order to help business rates payers, the multiplier will be frozen, but local authorities will be compensated for this. The effect will be that the share of business rates income that we receive will increase by inflation, as anticipated. However, the current business rates holiday for businesses in the leisure, retail and hospitality sector will come to an end at the end of March 2021, which may make paying business rates in full again a challenge for many businesses.
- 2.9 The specific elements of the further Covid-19 support announced in the Spending Review which are particularly relevant to the Council are as follows.
- A further allocation of £1.55 billion for unringfenced funding to cover Covid-19 related expenditure. So far there are no details of the amounts to be allocated or how it will be distributed.
 - An extension of the scheme that provides compensation for 75% of lost Sales, Fees and Charges, above a budget variance threshold of 5% for the first three months of 2021/22.
 - A new scheme to fund 75% of irrecoverable losses in business rates and council tax. Details of the scheme have still to be announced, and it is likely that the Council will have to take all reasonable steps to recover amounts due before it can claim under the scheme.

These measures will help to reduce the budget gap in 2021/22.

- 2.10 The government announced that, as anticipated, it would alter Public Works Loan Board (PWLB) lending terms to prevent the use of PWLB borrowing for investment property bought primarily for yield. In return it will reduce PWLB lending rates by 1%. Maidstone's capital programme is focused on the Council's service priorities, so is not restricted by the change in lending terms. Given current low interest rates, this will reduce the Council's expected cost of borrowing.
- 2.11 The existing New Homes Bonus scheme will be maintained for a further year, but with no new legacy payments. We will therefore get compensated for new homes completed in the 12 months to Autumn 2020 for just one year,

rather than for six years as in the original iteration of the New Homes Bonus. The government will consult on reforms to the New Homes Bonus shortly, with a view to implementing reform in 2022-23. Hitherto, Maidstone Borough Council has used the New Homes Bonus to help fund its capital programme, so these changes do not have a direct impact on the revenue account.

- 2.12 A number of further initiatives in the Spending Review have the potential to support service delivery in Maidstone, such as additional funding to reduce rough sleeping and homelessness. If possible we should take the opportunity to bid for the funds described in the Spending Review to protect the environment and to promote a 'Green Industrial Revolution' such as the Nature for Climate Fund and grants for zero or ultra low emission vehicles.
- 2.13 Full details as they affect individual local authorities will be included in the draft Local Government Finance Settlement, which is due to be announced in the week commencing 14 December. A verbal update will be provided if it is available by the time of this meeting.

Conclusion

- 2.14 The Spending Review contains a number of elements which will have a positive impact on the projections set out in the draft MTFS, although they will not eliminate the budget gap. Updated Strategic Revenue Projections will be finalised once the Local Government Finance Settlement is available.
- 2.15 The Spending Review recognises the ongoing impact of Covid-19 by setting aside further unringfenced funding for local authorities. This is welcome, given that Kent is currently in Tier 3 and any recovery from Covid-19 is likely to be gradual. The Council will need to make effective use of any resources that become available, whilst taking care to balance resources received against the financial pressures that we face.

3. AVAILABLE OPTIONS

- 3.1 Report is for noting only.

4. RISK

- 4.1 There are a number of risks surrounding the Council's financial position. In order to address these in a structured way and to ensure that appropriate mitigations are developed, the Council has developed a budget risk register. This seeks to capture all known budget risks and to present them in a readily comprehensible way. The budget risk register is updated regularly and is reviewed by the Audit, Governance and Standards Committee at each meeting.

5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 5.1 Policy and Resources Committee and the three Services Committees have been consulted on the draft MTFS. The outcomes will be reported back to Policy & Resources Committee when it is asked to consider the MTFS again for recommendation to Council at its 11 February meeting.
- 5.2 A survey has recently concluded, in which residents were consulted on what they wish to see in the budget. This was included in the reports to Committees on the draft MTFS.

6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 6.1 The timetable for developing the Medium Term Financial Strategy and budget for 2021/22 is set out below.

<i>Date</i>	<i>Meeting</i>	<i>Action</i>
25 November 2020	Policy and Resources Committee	Consider update on the Strategic Plan and draft MTFS
December 2020	Service Committees	Consider draft MTFS
December 2020		Finalise detailed budget proposals for 2021/22
January 2021	Policy and Resources Committee, Service Committees	Consider the updated Strategic Plan and 21/22 budget proposals
10 February 2021	Policy and Resources Committee	Agree Strategic Plan, MTFS and 21/22 budget proposals for recommendation to Council
24 February 2021	Council	Approve Strategic Plan and 2021/22 budget

7. REPORT APPENDICES

None.

8. BACKGROUND PAPERS

None.

Agenda Item 14

Policy & Resources Committee 16 December 2020

Fees & Charges 2021-22

Final Decision-Maker	Policy & Resources Committee
Lead Head of Service	Mark Green, Director of Finance & Business Improvement
Lead Officer and Report Author	Ellie Dunnet, Head of Finance
Classification	Public
Wards affected	All

Executive Summary

This report sets out the proposed fees and charges for 2021/22 for the services within the remit of this committee, and summarises the overall changes for all Committees. 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 2021 unless otherwise stated in the report.

Purpose of Report

The committee is requested to agree the proposed charges for 2021-22, for the areas in which these can be set at the council's discretion (discretionary fees and charges).

The committee is also invited to note the expected charges which are determined externally (e.g. by statute), which have been included in Appendix 1 for information (statutory fees and charges).

This report makes the following recommendations to this Committee:

1. That the proposed discretionary fees and charges set out in Appendix 1 to this report are agreed.
2. That the expected statutory fees and charges set out in Appendix 1 to this report are noted.
3. That the overall change in fees and charges attached within Appendices 3-5 is noted.

Timetable

Meeting	Date
Communities, Housing and Environment Committee	1 December 2020
Strategic Planning & Infrastructure	8 December 2020

Economic Regeneration & Leisure Committee	15 December 2020
Policy & Resources Committee	16 December 2021

Fees & Charges 2021-22

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<ul style="list-style-type: none"> 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. 	Ellie Dunnet, Head of Finance
Cross Cutting Objectives	<ul style="list-style-type: none"> 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. 	Ellie Dunnet, Head of Finance
Risk Management	<ul style="list-style-type: none"> This is covered within section 5 of the report. 	Ellie Dunnet, Head of Finance
Financial	<ul style="list-style-type: none"> 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 2020-21 onwards. 	Ellie Dunnet, Head of Finance
Staffing	<ul style="list-style-type: none"> The recommendations do not have any staffing implications. 	Ellie Dunnet, Head of Finance
Legal	<p>Acting on the recommendations is within the Council's powers as set out within the Local Government Act 2003 and the Localism Act 2011.</p> <p>Section 93 of the Local Government Act 2003 permits best value authorities to charge for discretionary services provided the authority has the power to provide that service and the</p>	Head of Mid Kent Legal Partnership

	<p>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> <p>A remit of Policy and Resources Committee is to be responsible for co-ordinating financial management for the Council. The recommendations relating to fees and charges outlined in this report fall within the Committee's responsibility.</p>	
Privacy and Data Protection	<ul style="list-style-type: none"> The recommendations do not have any privacy or data protection implications. 	Policy and Information Team
Equalities	<ul style="list-style-type: none"> The recommendations do not propose a change in service therefore will not require an equalities impact assessment. 	Policy & Information Manager
Public Health	<ul style="list-style-type: none"> The recommendations do not have any public health implications. 	Public Health Officer
Crime and Disorder	<ul style="list-style-type: none"> The recommendations do not have any crime and disorder implications. 	Head of Finance
Procurement	<ul style="list-style-type: none"> The recommendations do not have any procurement implications. 	Head of Finance

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. All charges for services which fall within the remit of this committee are set at the council's discretion.

- 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 of any that took place in previous periods.

Proposed Fees & Charges for 2021-22

- 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 2021/22 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 discretionary fees and charges for 2021/22 as set out in that appendix. .
- 2.8 Table 1 below summarises the 2019/20 outturn and 2020/21 estimate for income from the fees and charges which fall within the remit of this committee.
- 2.9 Although increases to the charges are proposed, this is not expected to give rise to any change in income due to reductions in demand for the services to which they relate. The budgeted income levels have been provided for context to assist with consideration of fees and charges but should be treated as indicative at this stage, as they may be subject to change as the medium term financial strategy develops.

Discretionary Charges

Service Area	2019-20 Outturn	2020-21 Estimate	Proposed change in income	2021-22 Estimate
	£	£	£	£
Legal Services	60,880	55,000	0	55,000
Town Hall	1,578	1,500	0	1,500
Maidstone House (staff parking)	6,367	4,910	0	4,910
Total income from charges set by the Council	68,826	61,410	0	61,410

Table 1: Fees & Charges Summary (P&R)

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

2.11 Legal Services – The fees and charges for legal services are based on recovering the cost of the service. Consideration is also given to the maximum recoverable costs per hour for court work in this area, which are set by the Ministry of Justice. The most significant cost pressure for legal services is salaries which represent 90% of budget. These costs rose by 2% in April. It is important for effective administration of fee and charges and for the cost efficiency of the process that the hourly chargeable rate is the same across the authorities. The subject of fees and charges has been discussed and provisionally agreed with the other 2 authorities as £225 per hour for 2021/2022. The total number of chargeable hours are expected to decrease (mainly from planning related work from which third party payable fees are derived) in 2021/2022 so the total income is projected to remain at the budget level of £55,000.

2.12 Town Hall – No increases are proposed to the charges in this area for the next financial year. This will remain under review, however it is hoped that this will ensure that the offer of room hire and refreshments at the Town Hall remain competitively priced and an attractive option to potential customers.

2.13 Maidstone House (staff parking) – No changes are proposed to these charges at this stage. Demand for staff parking is expected to be lower than in previous years given the large proportion of staff who have been working from home since March.

Statutory Fees & Charges

2.14 Table 2 below summarises the income due from fees which are set by the government. No changes are anticipated to these charges which are set centrally by government departments.

Service Area	2019-20 Outturn	2020-21 Estimate	Proposed change in income	2021-22 Estimate
	£	£	£	£
Mid Kent Enforcement Service	1,051,394	1,049,010	-155,310	893,700
Total income from charges set externally	1,051,394	1,049,010	-155,310	893,700

2.15 A reduction in income from compliance and enforcement fees is anticipated due to the impact that the Covid 19 pandemic has had on the operation of this service. This operates as a shared service, the income is gross and the net profit is shared equally between the authorities.

Strategic Overview

2.16 The Council's policy on charging states that this committee will consider the overall impact of all fees and charges on the council's residents and businesses. A summary of these changes is provided below, with the detail set out within Appendices 3-5. Overall, the anticipated impact of the proposals represents a 8.7% decrease on the existing gross income budgets. This information excludes fees for licensing, which will be reported to the Licensing Committee for approval, and bereavement services which remain under review following consideration by the Communities, Housing and Environment Committee.

Service Area	2019-20 Outturn £	2020-21 Estimate £	Proposed change in income £	2021-22 Estimate £
Parks and Open Spaces	6,471	17,510	0	17,510
Parks and Open Spaces-Leisure	20,677	42,530	0	42,530
Environmental Health	5,250	4,020	380	4,400
Waste Crime & Community Protection	-2,423	3,900	0	3,900
Recycling & Refuse Collection	1,212,761	1,250,380	149,000	1,399,380
HMO Licensing	22,663	20,380	19,940	40,320
Gypsy & Traveller Sites	60,191	70,340	19,780	90,120
Total income from fees set by the Council	1,325,589	1,409,060	189,100	1,598,160

Table 3: Discretionary Fees & Charges Summary (CHE)

Service Area	2019-20 Outturn £	2020-21 Estimate £	Proposed change in income £	2021-22 Estimate £
Business Terrace	68,523	84,980	-8,498	76,482
Business Terrace Expansion	183,467	184,590	-18,459	166,131
Economic Development (Jubilee Square)	4,593	3,500	0	3,500
Market	113,373	143,840	0	143,840
Museum	58,676	64,600	-1,600	63,000
Total income from fees set by the Council	428,632	481,510	-28,557	452,953

Table 4: Discretionary Fees & Charges Summary (ERL)

Service Area	2019-20 Outturn	2020-2021 Budget	Proposed change in income	2021-2022 Estimate
	£	£	£	£
Parking Services	3,716,592	3,908,240	-724,228	3,184,012
Sandling Road Car Park	202,311	151,000	0	151,000
Land Charges	305,642	319,550	-31,955	287,595
Street Naming & Numbering	82,711	81,500	-8,150	73,350
Building Control	358,832	391,850	-35,267	356,584
Development and Conservation Control	1,499,974	1,610,440	-94,218	1,516,222
Grand Total	6,166,061	6,462,580	-893,818	5,568,763

Table 5: Discretionary Fees & Charges Summary (SPI)

2.17 It should be noted that at the time of writing this report, the detailed proposals have not yet been subject to consideration by the Strategic Planning and Infrastructure Committee or the Economic Regeneration and Leisure Committee.

3. AVAILABLE OPTIONS

3.1 Option 1

The committee could approve the recommendations as set out in the report, adopting 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 2021-22. 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 2021-22.

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 agreed by this committee will come into effect on 1 April 2021 unless otherwise stated.
-

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.
-

6. 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 – P&R Committee
 - Appendix 2: Charging Policy
 - Appendix 3: Current and Proposed Fees & Charges – CHE Committee
 - Appendix 4: Current and Proposed Fees & Charges – ERL Committee
 - Appendix 5: Current and Proposed Fees & Charges – SPI Committee
-

7. BACKGROUND PAPERS

None

Medium Term Financial Strategy 2021/22

Fees and Charges

Policy and Resources Committee

Fees and Charges	* Includes VAT	Statutory Fee Discretionary Fee	Actuals 19-20	Current Estimate 2020-21	Current Charges 2020-2021	Proposed Charges 2021-2022	Change	+ / - Income 2020-21	Estimate 2021-2022	Comments
			£	£	£	£	%	£	£	
Legal Services										
										Charges have been increased in line with pay inflation and with reference to the other two authorities in the partnership.
Business Tenancies and Leases			60,880	55,000				0	55,000	
Hourly Rate		x			221.00	225.00	1.81%			
Council Land										
Hourly Rate		x			221.00	225.00	1.81%			
Easement										
Hourly Rate		x			221.00	225.00	1.81%			
Completion of Section 106 Planning Agreements										
Hourly rate		x			221.00	225.00	1.81%			
Variation (per hour)					221.00	225.00	1.81%			
Other Legal work (not covered by the above)										
External hourly rate		x			221.00	225.00	1.81%			
Administrative Fees (plus postage where applicable)										
A4 Documents Single Sided per page					0.50	0.50	0.00%			Will make larger increase every few years rather than increase by a few pennies annually.
A4 Documents Double Sided per page					1.00	1.00	0.00%			See note above
Colour A4 Documents Single Sided per page					1.00	1.00	0.00%			See note above
Copies of Legal Agreements/Deeds etc					5.00 to 40.00	5.00 to 50.00	0.00%			Price dependent on size of document.
Legal Services Total			60,880	55,000				0	55,000	

Medium Term Financial Strategy 2021/22

Fees and Charges

Policy and Resources Committee

Fees and Charges	* Includes VAT	Statutory Fee Discretionary Fee	Actuals 19-20	Current Estimate 2020-21	Current Charges 2020-2021	Proposed Charges 2021-2022	Change	+ / - Income 2020-21	Estimate 2021-2022	Comments
			£	£	£	£	%	£	£	
Town Hall										
Town Hall Lettings		x	1,578	1,500					1,500	
Council Chamber										
Chamber Day (Commercial) - per hour		x			30.00	30.00	0.00%			Minimum charge as for 4 hours
Chamber Day (Non-Commercial) - per half day		x			65.00	65.00	0.00%			
Chamber Evening (Commercial)		x			120.00	120.00	0.00%			
Chamber Evening (Non-Commercial)		x			85.00	85.00	0.00%			
Beauvais Room										
Beauvais Day (Commercial) - per hour		x			20.00	20.00	0.00%			Minimum charge as for 4 hours
Beauvais Day (Non-Commercial) - per half day		x			30.00	30.00	0.00%			
Beauvais Evening (Commercial)		x			80.00	80.00	0.00%			
Beauvais Evening (Non-Commercial)					60.00	60.00	0.00%			
Refreshments										
Tea - per pot		x			2.00	2.00	0.00%			
Coffee - per pot		x			4.00	4.00	0.00%			
Town Hall Total			1,578	1,500				0	1,500	
Maidstone House (Parking at MBC)										
Maidstone House (Staff Parking at MBC) Total	*	x	6,367	4,910	480.00	480.00	0.00%	0	4,910	Per annum - officer working over 25 hours
			6,367	4,910				0	4,910	
Mid Kent Enforcement Service (MKES)										
			1,051,394	1,049,010				-155,310	893,700	This operates as a shared service, the income is gross and the net profit is shared equally between the authorities.
Compliance Fees - statutory charge		x			75.00	75.00	0.00%			
Enforcement Fees - statutory charge		x			235.00	235.00	0.00%			
Shared MKES Total			1,051,394	1,049,010				-155,310	893,700	
GRAND TOTAL			1,120,220	1,110,420				-155,310	955,110	

Maidstone Borough Council Charging Policy

Maidstone Borough Council

Charging Policy

1 Introduction and Context

- 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

- 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.

Maidstone Borough Council

Charging Policy

- 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.

3 Scope

- 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

- 4.1 The following overarching principles apply for the consideration and review of all current and future fees and charges levied by the council:

Maidstone Borough Council

Charging Policy

- 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;
- 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

- 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

Maidstone Borough Council

Charging Policy

- 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 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

- 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.

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- 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.
 - 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

- 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

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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 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

- 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.

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- 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

- 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

- 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?		

Appendix A - Discretionary Fees & Charges Review Checklist

10. If applicable, have consultation results been taken into account?		
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	Street Naming & Numbering				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%			
	Street Naming & Numbering Total				66,995	49,000				0	49,000	

Fees and Charges April 2020 - March 2021	* Includes VAT	Discretionary Fee	Statutory Fee	2019-2020 Actuals £	2020-2021 Current Estimate £	Current Charges 2020-2021 £	Proposed Charges 2021-2022 £	% Change	2020-2021 + / - Income £	2021 - 2022 Estimate £	Comments
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Parks and Open Spaces

Football											
Seniors - single let (hirer to erect nets)	*	x		6,448	15,900	48.00	48.00	0%		15,900	
Seniors - 10 or more lets (hirer to erect nets)	exempt	x				40.00	40.00	0%			
Juniors - 11 v 11 pitch single let (hirer to erect nets) for U13 and U14 with junior goals	*					26.00	26.00	0%			
Juniors - 11 v 11 pitch 10 or more lets (hirer to erect nets) for U13 and U14 with junior goals	exempt					21.66	21.66	0%			
Juniors - 11 v 11 pitch single let (hirer to erect nets) for U15, U16 and U18 with adult goals	*					32.00	32.00	0%			
Juniors - 11 v 11 pitch 10 or more lets (hirer to erect nets) for U15, U16 and U18 with adult goals	exempt					26.66	26.66	0%			
Juniors - 9 v 9 pitch single let (hirer to erect nets)	*					20.00	20.00	0%			
Juniors - 9 v 9 pitch 10 or more lets (hirer to erect nets)	exempt					16.66	16.66	0%			
Juniors - 7 v 7 pitch single let (hirer to erect nets)	*					14.00	14.00	0%			
Juniors - 7 v 7 pitch 10 or more lets (hirer to erect nets)	exempt					11.66	11.66	0%			
Juniors - 5 v 5 pitch single let (hirer to erect nets)	*					14.00	14.00	0%			
Juniors - 5 v 5 pitch 10 or more lets (hirer to erect nets)	exempt					11.66	11.66	0%			
Use of five-a-side football nets - per set	*					21.00	21.00	0%			
Juniors - hire of an adult pitch (hirer to erect nets)	*					38.40	38.40	0%			
Juniors - 10 or more hires of an adult pitch (hirer to erect nets)	exempt					32.00	32.00	0%			
Rugby											
Seniors - single let	*	x		23	1,610	63.50	63.50	0%		1,610	
Seniors - 10 or more lets	exempt	x				53.00	53.00	0%			
Juniors - single let	*	x				32.00	32.00	0%			
Juniors - 10 or more lets	exempt	x				26.50	26.50	0%			
				6,471	17,510				0	17,510	

Fees and Charges April 2020 - March 2021	* Includes VAT	Statutory Fee Discretionary Fee	2019-2020 Actuals £	2020-2021 Current Estimate £	Current Charges 2020-2021 £	Proposed Charges 2021-2022 £	% Change	2020-2021 + / - Income £	2021 - 2022 Estimate £	Comments
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Parks and Open Spaces-Leisure Activities

Tennis - per court per hour										
Adult - single hire	*	x		0	8.40	8.40	0.00%		0	Tennis fees are not collected as the cost to collect them was more than the income.
Adult -10 or more hires	exempt	x			7.00	7.00	0.00%			
OAP/Junior - single hire	*	x			4.60	4.60	0.00%			
OAP/Junior - 10 or more hires	exempt	x			3.80	3.80	0.00%			
Bowls - Season - Adult										
- OAP/Junior	*	x	735	1,220	80.00	80.00	0%		1,220	
- per Green - Adult	*	x			40.00	40.00	0%			
OAP/Junior	*	x			6.00	6.00	0%			
Match fees	*	x			3.00	3.00	0%			
Use of Woods - per hour/match - Adult	*	x			4.80	4.80	0%			
- OAP/Junior	*	x			3.50	3.50	0%			
- per match - Adult	*	x			2.30	2.30	0%			
- OAP/Junior	*	x			3.50	3.50	0%			
- per match - Adult	*	x			2.30	2.30	0%			
- OAP/Junior	*	x			2.30	2.30	0%			
Rounders - Weekends										
- Evenings 5 - 9.30pm	*	x			53.50	53.50	0%			
	*	x			41.50	41.50	0%			
Use of Changing Rooms and Showers										
	*	x			20.00	20.00	0%			
Events										
Fairs and circuses - per day (min. charge)	exempt	x	3,780	21,330	620.00	620.00	0%		21,330	no booking - no longer a viable income stream
Big top show - per evening (min. charge)	exempt	x			430.00	430.00	0%			no booking - no longer a viable income stream
Hire of Parks										
Fitness Classes (10-70 participants) - per session (min charge)		x	3,620	5,200	18.50	18.50	0%		5,200	no change - already more expensive than other venues
All Events (Commercial Opportunities)										
Disruption fee for all events (min charge) per day G715			12,542	14,780					14,780	
- up to 100 participants	exempt	x			50.00	50.00	0%			No change to any fees for events as industry not able to take increase. Better to increase every 2-3 years
100 to 499 participants	exempt	x			95.00	95.00	0%			
500 - 899 participants	exempt	x			420.00	420.00	0%			
901+ by negotiation	exempt	x								
Booking and hire fee (min charge) per day										
Commercial and charity ticketed events - Mote Park		x			300.00	300.00	0%		0	
Free events - Mote Park		x			65.00	65.00	0%			
Additional hire fee for event parking per day (Mote Park only)		x			300.00	300.00	0%			
Commercial and charity ticketed events - All other Parks		x			150.00	150.00	0%			
Free events - All other Parks		x			60.00	60.00	0%			

Fees and Charges April 2020 - March 2021	* Includes VAT	Statutory Fee Discretionary Fee	2019-2020 Actuals £	2020-2021 Current Estimate £	Current Charges 2020- 2021 £	Proposed Charges 2021- 2022 £	% Change	2020- 2021 + / - Income £	2021 - 2022 Estimate £	Comments
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Parks and Open Spaces-Leisure Activities (contd.)

Fees per head all events (min charge)										
Commercial (ticketed) Concerts		x			0.45	0.45	0%			
Commercial (ticketed) Walks/runs/sporting		x			0.45	0.45	0%			
Commercial (ticketed) Other		x			0.35	0.35	0%			
Charity Fundraising (ticketed) Concerts		x			0.30	0.30	0%			
Charity Fundraising (ticketed) Walks/runs/sporting		x			0.17	0.17	0%			
Charity Fundraising (ticketed) Other		x			0.17	0.17	0%			
Commercial (free event) Concerts		x			0.10	0.10	0%			
Commercial (free event) walks/Runs/Sporting		x			No Charge	No Charge				
Commercial (free event) Other		x			No Charge	No Charge				
Charity Fundraising (free event) Concerts		x			0.10	0.10	0%			
Charity Fundraising (free event) Walks/Runs/Sporting		x			No Charge	No Charge				
Charity Fundraising (free event) Other		x			No Charge	No Charge				
Not-for-profit (free event) Concerts		x			0.10	0.10	0%			
Not-for-profit (free event) Walks/Runs/Sporting		x			No Charge	No Charge				
Not-for-profit (free event) Other		x			No Charge	No Charge				
Filming companies - (min charge) per day										
- Mote Park	exempt	x			320.00	320.00	0%			
- Brenchley Gardens	exempt	x			210.00	210.00	0%			
- others by negotiation										
Commercial medical units - per day										
Hot air ballooning (per flight/landing) - Private	exempt	x			115.00	115.00	0%			
Mooring Fee										
PER VESSEL (20 feet length)										
per Night	*	x			8.00	8.00	0%			Not currently collected but there may be opportunities to do so in the future.
per Week	*	x			40.00	40.00	0%			
per Month	*	x			140.00	140.00	0%			
per Quarter	*	x			350.00	350.00	0%			
			20,677	42,530				0	42,530	

Fees and Charges April 2020 - March 2021	* Includes VAT	Statutory Fee Discretionary Fee	2019-2020 Actuals £	2020-2021 Current Estimate £	Current Charges 2020-2021 £	Proposed Charges 2021-2022 £	% Change	2020-2021 + / - Income £	2021 - 2022 Estimate £	Comments
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Environmental Health

Level 2 Food Hygiene Courses - C040		x	715	500	65.00	65.00	0.00%	-500	0	Due to Covid 19 this form of training is unlikely to run. External on-line courses are available.
Gain and Maintain 5 Star Rating and Allergen Advice		x	0	300	30.00	30.00	0.00%	-300	0	Delete the course - no longer running - poor uptake
Voluntary Surrender of unsound food (certificate)		x	0	0	204.00	205.00	0.49%	0	0	No food businesses currently use this discretionary service, however the cost reflects the time spent by officers to inspect and issue the certificate.
Food Export certificate		x	541	600	120.00	121.00	0.83%	0	600	Fees in place and steady increase during year reflecting profile of distribution facilities in borough and proximity to Europe.
Food Export certificate (New Business)		x		500	250.00	251.00	0.40%	0	500	Food business with no previous history of exporting food in Borough. Fee reflects the additional research, assessment and inspection time involved for officers.
Admin Charge for changes to certificates, re-issue of certificates		x	25	50	25.00	25.25	1.00%	0	50	Changes to certificates already issued and requested by business to meet the importing Country's individual requirements before the goods can enter.
Food business pre-opening advice (hourly rate)	x	x				55.00		220	220	To support businesses at the pre-opening stages or where additional discretionary guidance is sought.
Charge for Re-Visit and Re-scoring under the Food Hygiene Rating Scheme - C	x	x	3,444	1,120	160.00	164.00	2.50%	520	1,640	Fee increase reflects stable charge for 2 years.
Contaminated Land search fee per hour		x	525	500	25.00	25.00	0.00%	0	500	Based on advice from Mid Kent Legal the fee should be £25 per hour rather than a set fee.
Requests for Enhanced Environmental Information for Contaminated Land and Professional Opinion	x	x				55.00		220	220	New charge to provide additional research into planning history to identify any contaminated land reports that may be connected to the site.
Pre Application Consultation for Environmental Health Advice for Acoustics, Air Quality, Contaminated Land Assessments (hourly rate)	x	x				55.00		220	220	New direct approach from consultant to review and approve either scope of works or completed report prior to submission. Written response and advice provided and site visits
Private Water Risk Assessment- per hour- (hourly rate)	x	x			40.00	55.00	37.50%			The charge setting arrangement has transferred to district authority from central government. The proposal is to cover costs based on an hourly officer charge.
Private Water Sampling Charge - (hourly rate)	x	x			40.00	55.00	37.50%			as above
Private water Authorisation Charge - (hourly rate)	x	x			100.00	55.00	-45.00%			as above
Private Water Investigation Charge - (hourly rate)	x	x			100.00	55.00	-45.00%			as above
Derogation Request (hourly rate)	x	x			100.00	55.00	-45.00%			as above
Analysis – Group A		x			100.00		-100.00%			Local authority arranges sampling and passes on laboratory charges to owner/occupier/person requesting sample
Analysis – Group B		x			100.00		-100.00%			

Fees and Charges April 2020 - March 2021	* Includes VAT	Statutory Fee Discretionary Fee	2019-2020 Actuals £	2020-2021 Current Estimate £	Current Charges 2020-2021 £	Proposed Charges 2021-2022 £	% Change	2020-2021 + / - Income £	2021 - 2022 Estimate £	Comments
Environmental Health (contd.)										
Tattooing, Electrolysis, Acupuncture & Ear-piercing - C205		x	7,387	6,000				0	6,000	
Skin Piercing/Tattooing Registration		x			319.00	320.00	0.31%			Based on estimated registration of tattooists.
Additional registration of tattoo/piercing or other beauty treatment		x			54.00	54.50	0.93%			Fee charged for amendment or increase in treatments provided by previously registered practitioner.
Tattoo & other beauty treatments Events		x		200	200.00	200.00	0.00%	0	200	Possible that events of this nature will not occur due to Covid 19
Per New Artist & Practitioner at Events		x		250	25.00	25.00	0.00%	0	250	see above
Pollution Control										
Statutory Fees for 48 Pollution Prevention Control Processes - C061		x	8,937	8,000	*	*		0	8,000	The fee levels for this are set by DEFRA under the Environmental Permitting Regulations. If better pollution controls are implemented by the business their fees reduce and Maidstone income reduces.
Environmental Health Total			21,574	18,020				380	18,400	

Fees and Charges April 2020 - March 2021	* Includes VAT	Statutory Fee Discretionary Fee	2019-2020 Actuals £	2020-2021 Current Estimate	Current Charges 2020- 2021	Proposed Charges 2021- 2022	% Change	2020- 2021 + / - Income	2021 - 2022 Estimate	Comments
			£	£	£	£		£	£	

Waste Crime/Community Protection

Fixed Penalty Fines		x	38,528	43,700	120.00	120.00	0.00%		43,700	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%			This is a new charge for 2019/20
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%			This is a new charge for 2019/20
Fly tipping		x			400.00	400.00	0.00%			Amount shown is the maximum penalty
Waste Crime Total			38,528	43,700				0	43,700	

Stray dog charges										
		x	-3,498	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

Fees and Charges April 2020 - March 2021	* Includes VAT	Statutory Fee Discretionary Fee	2019-2020 Actuals £	2020-2021 Current Estimate	Current Charges 2020-2021	Proposed Charges 2021-2022	% Change	2020-2021 + / - Income	2021 - 2022 Estimate	Comments
			£	£	£	£		£	£	
Community Protection (contd.)										
Pest Control charges										Proposed fees for Tender being undertaken currently.
Hourly charge for treatments carried out on industrial and commercial properties						"Call for quote"				Flexible to allow competition in bidding for contracts
For treatments outside of normal office hours		x			96.00	98.00	2.08%			
Charge per visit for the treatment of wasps nests carried out on domestic properties		x			58.50	60.00	2.56%			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			8.00	8.00	0.00%			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			58.00	59.00	1.72%			For mandatory two visits
Additional rat and mouse treatment visits £29 per visit		x			29.00	30.00	3.45%			
Minimum charge for treatment of ants on domestic premises		x			30.00	31.00	3.33%			Per visit charge
Squirrels: for a 2 x Fenn Trapping Programme		x			96.00	98.00	2.08%			
Culls		x			70.00	71.00	1.43%			
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			70.00	71.00	1.43%			Subsequent minimum charge will apply for further treatments after a period of 14 days has elapsed
Minimum charge (including up to four rooms) for the treatment of bedbugs carried out on a domestic premises		x			280.00	286.00	2.14%			Higher cost in relation to other services reflects the nature of the treatment and number of visits required. 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	10.00	0.00%			As above
Documentation charge added to charges above where it is necessary to send an invoice for payment.		x			29.50	30.00	1.69%			
Community Safety Charges										
Road closure application		x	975	0	75.00	75.00				Standard fee to cover the cost of trained operatives displaying signage and an administration fee
CCTV Footage request (insurance companies etc.)		x			50.00	0.00				These are considered to be subject access requests and we cannot charge for them.
Fixed Penalty Fines										
			100							
Public Space Protection Order (formerly Dog Control Order) (Fouling)		x			80.00	80.00	0.00%			replaced by Dog Control PSPO
Public Space Protection Order (formerly Dog Control Order) (Exclusion)		x			80.00	80.00	0.00%			replaced by Dog Control PSPO
Public Space Protection Order (Dog Control) Fixed Penalty Notice		x				100.00				
Public Space Protection Order (Town Centre) Fixed Penalty Notice		x			100.00	100.00	0.00%			Set by Order
Community Protection Total			-2,423	3,900				0	3,900	

Fees and Charges April 2020 - March 2021	* Includes VAT	Statutory Fee Discretionary Fee	2019-2020	2020-2021	Current	Proposed	% Change	2020-2021	2021 -	Comments
			Actuals £	Current Estimate	Charges 2020- 2021	Charges 2021- 2022		+ / - Income	2022 Estimate	
			£	£	£	£		£	£	

Recycling & Refuse Collection

Bulky Collection			130,046	131,870				4,000	135,870	
1-4 items	x				25.00	26.00	4.00%			
5-8 items	x				35.00	36.00	2.86%			
Fridge/Freezers	x				20.00	21.00	5.00%			
Garden Waste Service										
140 litre bin hire	x		948,355	942,340	36.00	40.50	12.50%	145,000	1,087,340	Also appears as budget saving proposal.
240 litre bin hire	x				40.00	45.00	12.50%			
Trade Waste			134,361	176,170				0	176,170	
Sack collection - refuse only	x				2.00	2.00	0.00%			It is recommended that prices are frozen at the current level in order to allow this service to remain competitive within the market.
240 litre bin - refuse only	x				9.00	9.00	0.00%			
500 litre bin - refuse only	x				20.00	20.00	0.00%			
1100 litre bin - refuse only	x				25.00	25.00	0.00%			
Sack collection - with recycling	x				2.00	2.00	0.00%			
240 litre bin - with recycling	x				8.00	8.00	0.00%			
500litre bin - with recycling	x				16.50	16.50	0.00%			
1100 litre bin - with recycling	x				20.00	20.00	0.00%			
£1 charge per 240 litre bin or weekly sacks collection - for paper/cardboard	x				1.00	1.00	0.00%			
Recycling & Refuse Collection Total			1,212,761	1,250,380				149,000	1,399,380	

Fees and Charges April 2020 - March 2021	* Includes VAT	Statutory Fee Discretionary Fee	2019-2020 Actuals £	2020-2021 Current Estimate £	Current Charges 2020-2021 £	Proposed Charges 2021-2022 £	% Change	2020-2021 + / - Income £	2021 - 2022 Estimate £	Comments
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HMO Licensing

Mandatory HMO Licensing			22,663	20,380				19,940	40,320	Estimate based on 63 HMO's renewals in 21/22 year
Initial Licence Fees - Landlord Accreditation Status										(These fees are applicable on first application for a licence, or where a licence has been revoked or has lapsed.)
Accredited landlord on application		x			565.00	665.00	17.70%			
Non-accredited landlord		x			585.00	685.00	17.09%			
Renewal Licence Fees - Landlord Accreditation Status										(These fees are applicable on application for a licence renewal, where a licence remains in force at the time of the application.)
Accredited landlord on application		x			530.00	620.00	16.98%			
Non-accredited landlord		x			550.00	640.00	16.36%			
Variation application licence fees applicable										Fees for variation of licencing are not chargeable
Change of address details of any existing licence holder, manager, owner, mortgagor, freeholder, leaseholder etc.					0.00	0.00				
Change of mortgagor, owner, freeholder, and leaseholder (unless they are also the licence holder or manager)					0.00	0.00				
Reduction in the number of maximum occupiers for licensing purposes					0.00	0.00				
Variation of licence instigated by the council					0.00	0.00				
Increase in the number of habitable rooms					0.00	0.00				
Increase in the number of maximum occupiers for licensing purposes					0.00	0.00				
Change of use of HMO, e.g. from bedsits to shared house					0.00	0.00				
Change in room sizes of HMO					0.00	0.00				
Change in amenity provision					0.00	0.00				

Fees and Charges April 2020 - March 2021	* Includes VAT	Discretionary Fee	Statutory Fee	2019-2020 Actuals £	2020-2021 Current Estimate	Current Charges 2020-2021	Proposed Charges 2021-2022	% Change	2020-2021 + / - Income	2021 - 2022 Estimate	Comments
				£	£	£	£		£	£	
HMO Licensing (contd.)											
Other licence fees applicable											(These fees are applicable as appropriate in relation to HMO licensing applications, or where HMOs are licensed.)
Revocation of licence						0.00	0.00				No refund on relevant licence application
Application refused by the council						0.00	0.00				Initial application fee with no refund
Application withdrawn by the applicant						0.00	0.00				Initial application fee with no refund
Application made in error						0.00	0.00				Refund of application fee will be made
Properties that cease to be licensable during the licensing process						0.00	0.00				Initial application fee with no refund
Charges for enforcement under S49 of the Housing Act 2004											(These fees are applicable under the Housing Act 2004.)
Service of Improvement Notice under s11 and/or s12		x				450.00	530.00	17.78%			This type of charge is rarely made.
Service of Prohibition Order under s20 and/or s21		x				450.00	530.00	17.78%			This type of charge is rarely made.
Service of Hazard Awareness Notice under s28 and/or s29		x				450.00	530.00	17.78%			This type of charge is rarely made.
Taking Emergency Remedial Action under s40		x				450.00	530.00	17.78%			Charge In addition to cost of works plus administration fee of 30% (minimum £100)
Making of Emergency Prohibition Order under s43		x				450.00	530.00	17.78%			This type of charge is rarely made.
Works in Default of Enforcement Notice		x				100.00	100.00	0.00%			Cost of works + 30% (minimum of £100)
Immigration - housing inspection and accommodation certificates											
Fee for inspection	*	x				195.00	230.00	17.95%			These applications are rarely made
Housing Register Application Medical Fee											
						75.00	75.00	0.00%			
HMO Licensing Total				22,663	20,380				19,940	40,320	

Fees and Charges April 2020 - March 2021	* Includes VAT	Statutory Fee Discretionary Fee	2019-2020 Actuals £	2020-2021 Current Estimate £	Current Charges 2020- 2021 £	Proposed Charges 2021- 2022 £	% Change	2020- 2021 + / - Income £	2021 - 2022 Estimate £	Comments
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Gypsy and Travellers Sites

<u>Gypsy & Traveller Site Plot fee</u>										
Stilebridge Lane		x	35,184	30,340	55.10	55.98	1.60%	19,146	49,486	Weekly Increase in line with RPI 1.6 % increase12 months to July 2020. Increase in line with Mobile Homes Act 1983 formula. 17 Plots available at present pending completion of capital works by others
Water Lane		x	25,006	40,000	64.09	65.12	1.61%	634	40,634	Weekly increase in line with RPI 1.6 % increase12 months to July 2020. Increase in line with Mobile Homes Act 1983 formula. 12 plots available only at present pending completion of capital works by others.
Gypsy & Traveller Site Total			60,191	70,340				19,780	90,120	

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GRAND TOTAL

#REF! #REF!

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Fees and Charges	* Includes VAT	Statutory Fee Discretionary Fee	2019-2020 Actuals	2020-2021 Current Estimate	Current Charges 2020-2021	Proposed Charges 2021-2022	% Change	2020-2021 +/- Income	2021-2022 Estimate	Comments
			£	£	£	£		£	£	
Museum										
School visits		x	23,532	24,300					24,300	15% discount for schools in MBC area.
First Hour		x			85.00	85.00	0.00%			
Each Subsequent Hour		x			40.00	40.00	0.00%			Per additional class
Craft Sessions		x			85.00	85.00	0.00%			
Object Inspired		x			30.00	30.00	0.00%			Self-led package
Lunch room hire					15.00	15.00	0.00%			School charged to use lunch room if on an unpaid for visit
Outreach to schools										
Children's holiday activities		x								
Out with 1 staff member										
1 workshop		x			175.00	175.00	0.00%			
2 workshops		x			250.00	250.00	0.00%			
3 workshops		x			325.00	325.00	0.00%			
3 workshops + Giant craft		x			475.00	475.00	0.00%			
4 workshops		x			400.00	400.00	0.00%			
Out with 2 CLA										
Loan Boxes to schools per half term		x			50.00	50.00	0.00%			
Room hire										
Glass Room - Per day	*	x	14,632	14,000					14,000	Covid distancing makes our rooms undesirable at the moment
Library - Per day	*	x			220.00	220.00	0.00%			
Museum out of hours (based on 4 hours))	*	x			600.00	600.00	0.00%			
Events										
Per Child minimum charge depending on activity		x	11,084	9,200					9,200	
					3.00	3.00	0.00%			Or 2 for £5
Children's Parties										
Per Child minimum charge depending on activity	*	x	7,513	15,000					15,000	Covid distancing makes parties unlikely
					12.50	12.50	0.00%			
Carriage Museum Admission										
Adult		x	1,512	1,600				-1,600	0	CM closed
Senior Citizen		x			2.50	2.50	0.00%			
Child over 5		x			1.00	1.00	0.00%			
Family Ticket		x			1.00	1.00	0.00%			
		x			5.00	5.00	0.00%			
Collections enquiries										
QORWK - enquiries		x	403	500					500	QORWK enquiry £15 per family history enquiry. The fee is waived for collections based enquiries or where the museum gains research/information
Museum Total			58,676	64,600				-1,600	63,000	

Fees and Charges	* Includes VAT	Discretionary Fee	Statutory Fee	2019-2020 Actuals	2020-2021 Current Estimate	Current Charges 2020-2021	Proposed Charges 2021-2022	% Change	2020-2021 +/- Income	2021-2022 Estimate	Comments
				£	£	£	£		£	£	
Market											
Office Rent C250											
Mon/Tue/Fri charge per month 1st April - 31st March	x			5,720	4,360	460.00	460.00	0.00%	0	4,360	
Tuesday & Saturday Market Pitches C223/C226				35,836	66,040				0	66,040	All pitch fees includes £1 towards the Market Traders Fund
Open Market											
Regular Rate Market Square											
Market Manager has discretion to vary these fees											
Up to 10 feet - 1 April - 31 Dec	x					25.00	25.00	0.00%			
Up to 10 feet - 1 Jan - 31 Mar	x					18.00	18.00	0.00%			
Undercroft Rate - 1 April - 31 Dec	x					26.00	25.00	-3.85%			Reduce in line with normal fees
Undercroft Rate - 1 Jan - 31 Mar	x					19.00	18.00	-5.26%			Reduce in line with normal fees
Saturday Rate for 2 day Traders											
Market Manager has discretion to vary these fees											
Up to 10 feet (2 day Trader) - 1 April - 31 Dec	x					24.00	24.00	0.00%			
Up to 10 feet (2 day Trader) - 1 Jan - 31 Mar	x					17.00	17.00	0.00%			
Lettings-General C251/D358/C227				69,558	69,940				0	69,940	
Hire of Agricultural Hall											
Standard Hire - per day - regular hire	x					400.00	400.00	0.00%			Regular hire - twice per month
Standard Hire - per day - casual hire	x					495.00	495.00	0.00%			Casual hire - once per month
Standard Hire - minimum 3 hours	x					35.00	35.00	0.00%			£35.00 per hour / £105 per session to C251
Auctioneers - per hour						30.00	30.00	0.00%			Fee to be removed
Local Community & U16 Events											
Per Day	x					150.00	150.00	0.00%			Fee to be removed
Per hour - minimum 3 hours	x					35.00	35.00	0.00%			Fee to be removed
Boot Fair -When in undercroft											
10' - pitch (£10 per each additional 10' pitch)	x					15.00	15.00	0.00%			Market Manager has discretion to vary these fees
Commercial Hire											
Per half day (maximum 8 hours)	x					545.00	550.00	0.92%			Market Manager to consider the commercial viability when confirming these
Per day (over 8 hours)	x					1,030.00	1,050.00	1.94%			charges to secure the booking
Hire of chairs for events - per 100	x					47.00	50.00	6.38%			Charged pro rata
Farmers Market C253				2,259	3,500	25.00	25.00	0.00%	0	3,500	
Every other Friday - daily rate											
April - March											
Market Total				113,373	143,840				0	143,840	

Fees and Charges	* Includes VAT	Discretionary Fee	Statutory Fee	2019-2020 Actuals	2020-2021 Current Estimate	Current Charges 2020-2021	Proposed Charges 2021-2022	% Change	2020-2021 + / - Income	2021-2022 Estimate	Comments
				£	£	£	£		£	£	
Business Terrace											
Offices (month)				47,693	57,140				-5,714	51,426	Given the coronavirus pandemic and continuing instability fee increases are not suggested for FY21/22.
Office 1		x				600.00	600.00	0.00%			Continuing tenant
Office 2		x				250.00	250.00	0.00%			New tenant
Office 3		x				250.00	250.00	0.00%			Vacant
Office 4		x				250.00	200.00	-20.00%			Previously agreed that rent for office 4 would be reduced to £200 p.m. £200 is the current and continuing rent for this office.
Office 5		x				360.00	360.00	0.00%			New tenant
Office 6		x				360.00	360.00	0.00%			New tenant
Office 7		x				525.00	525.00	0.00%			New tenant
Office 8		x				375.00	375.00	0.00%			New tenant
Office 9		x				500.00	500.00	0.00%			New tenant
Office 10		x				375.00	375.00	0.00%			Continuing tenant
Office 11		x				250.00	250.00	0.00%			New tenant
Office 12		x				250.00	250.00	0.00%			Vacant
Hot desks and meeting space				20,830	27,840				-2,784	25,056	Pricing currently competitive against local market
Hot desk day pass		x				12.00	12.00	0.00%			
Hot desk package 30 (month)		x				48.00	48.00	0.00%			
Hot desk package 50 (month)		x				75.00	75.00	0.00%			
Hot desk package 100 (month)		x				144.00	144.00	0.00%			
Hot desk unlimited (month)		x				195.00	195.00	0.00%			
Meeting room (hour)		x				6.00	6.00	0.00%			
Seminar Room (half day)		x				70.00	70.00	0.00%			
Seminar Room (full day)		x				150.00	150.00	0.00%			
Business Terrace Total				68,523	84,980				-8,498	76,482	

Fees and Charges	* Includes VAT	Statutory Fee Discretionary Fee	2019-2020 Actuals	2020-2021 Current Estimate	Current Charges 2020-2021	Proposed Charges 2021-2022	% Change	2020-2021 + / - Income	2021-2022 Estimate	Comments
			£	£	£	£		£	£	
Business Terrace Expansion										
Offices (month)			183,467	184,590				-18,459	166,131	No increases proposed at this stage in order to encourage takeup.
Office 13		x			861.90	861.90	0.00%			Vacant
Office 14		x			505.92	505.92	0.00%			Continuing tenant
Office 15		x			1,486.14	1,486.14	0.00%			Vacant
Office 16		x			1,165.00	1,165.00	0.00%			Vacant
Office 17		x			1,078.00	1,078.00	0.00%			Vacant
Office 18		x			1,665.00	1,665.00	0.00%			Vacant
Office 19		x			3,177.00	3,177.00	0.00%			Continuing tenant
Office 20		x			849.00	849.00	0.00%			Vacant
Office 21		x			848.00	848.00	0.00%			Vacant
Office 22		x			1,978.00	1,978.00	0.00%			Vacant
Office 23					1,856.40	1,856.40	0.00%			New tenant
Business Terrace Expansion Total			183,467	184,590				-18,459	166,131	

Fees and Charges	* Includes VAT	Discretionary Fee	Statutory Fee	2019-2020	2020-2021	Current	Proposed	%	2020-2021	2021-2022	Comments
				Actuals	Current Estimate	Charges 2020-2021	Charges 2021-2022	Change	+ / - Income	Estimate	
				£	£	£	£		£	£	
Economic Development-Jubilee Square											
Jubilee Square (EN40 B724)				4,593	3,500					3,500	
Use of premises licence	x					70.00	70.00	0.00%			
Use of electricity - 3 phase (incl Openreach call out)	x					80.00	80.00	0.00%			No changes to rates - the market for this is non-existent at the moment.
Use of Electricity (Without Openreach call out)	x					20.00	20.00	0.00%			
Promotional/Comercial use inc admin fee	x					250.00	250.00	0.00%			
Events/Educational Promotion (min) charity / public sector admin fee	x					50.00	50.00	0.00%			
Economic Development Total				4,593	3,500				0	3,500	
59 GRAND TOTAL				428,632	481,510				-28,557	452,953	

Fees and Charges April 2020- March 2021		* Includes VAT	Statutory / Discretionary	2019-2020 Actuals	2020-2021 Current Estimate	Current Charges 2020-2021	Proposed Charges 2021-2022	% Change	2020-2021 + / - Income	2021 -2022 Estimate	Comments
				£	£				£	£	
Parking Services											
Business Permits D043			x	6,783	12,710	100.00	100.00	0.00%		12,710	
Residents Permits D065			x	87,620	85,440	25.00	25.00	0.00%		85,440	Maximum of two residents permits, a third Visitors Permit is £50
Visitors Permits D066			x	95,375	83,240	25.00	25.00	0.00%		83,240	Maximum of one per property
3rd Permit [resident / visitor parking]			x			50.00	50.00	0.00%			Applied to 3rd permit where applicable
Replacement Permits/Duplicate Permits D067	*		x	8	780	10.00	10.00	0.00%		780	(For lost Permits)
Carers Permits - Organisation D050	*		x	1,275	1,290	20.00	20.00	0.00%		1,290	
School Permit	*		x			12.00	12.00	0.00%			Bulk issue only (Sittingbourne Rd CP)
Dispensations and Waivers D061				16,251	2,560					2,560	
Waivers/Work permits [max 1 day]	*		x			11.00	11.00	0.00%			
Waivers/ Work Permits [max 1 week]	*		x			33.00	33.00	0.00%			
Waivers/ Work Permits [max 3 months]	*		x			55.00	55.00	0.00%			
Dispensations [max 1 day]	*		x			11.00	11.00	0.00%			
Dispensations [max 1 week]	*		x			33.00	33.00	0.00%			
Dispensations [max 3 months]	*		x			55.00	55.00	0.00%			
Cones/ Suspension administration Fee	*		x			70.00	70.00	0.00%			(Plus any bay charges for Pay & Display)
PCN Low - Statutory D042			x	913,910	864,660	50.00	50.00	0.00%		864,660	Discounted by 50% if paid within 14 days.
PCN High - Statutory			x			70.00	70.00	0.00%			Discounted by 50% if paid within 14 days.
Season Tickets - Car Parks D041 RC20				231,396	218,710				-6,470	212,240	
3 Month 5 days Mon - Fri	*		x			250.00	0.00				Discontinued
3 Month 7 days Mon - Sun	*		x			303.00	0.00				Discontinued
6 Month 5 days Mon - Fri	*		x			440.00	496.00	12.73%			Pro-rata refunds after 3 months upon surrender / admin fee applied
6 Month 7 days Mon - Sun	*		x			540.00	638.00	18.15%			Pro-rata refunds after 3 months upon surrender / admin fee applied
12 Month 5 days Mon - Fri	*		x			770.00	910.00	18.18%			Pro-rata refunds after 3 months upon surrender / admin fee applied
12 Month 7 days Mon - Sun	*		x			930.00	1,163.00	25.05%			Pro-rata refunds after 3 months upon surrender / admin fee applied
Evening (any CP) off-peak valid after 5pm and before 8am Mon - Sun	*		x			0.00	357.00				New off-peak season ticket / Pro-rata refunds on surrender / admin fee applied
Refund administration fee						0.00	30.00				New charge
Season Tickets - Car Parks (Mote Park Only) D041 RC23				5,774	5,000					5,000	
One Year	*		x			40.00	40.00	0.00%			

Fees and Charges	April 2020- March 2021		Statutory Discretionary * Includes VAT	2019-2020 Actuals	2020-2021 Current Estimate	Current Charges 2020-2021	Proposed Charges 2021-2022	% Change	2020-2021 + / - Income	2021 -2022 Estimate	Comments
Parking Services (contd.)											
<u>PAY AND DISPLAY</u>											
<u>On Street D060</u>				253,221	285,180				-83,843	201,337	
<u>James Whatman Way</u>											
			x			0.70	0.70	0.00%			
			x			1.50	1.50	0.00%			
			x			2.00	2.00	0.00%			
			x			2.50	2.50	0.00%			
			x			3.50	3.50	0.00%			
			x			4.50	4.50	0.00%			
<u>All other on-street pay and display locations</u>											
			x			0.80	0.80	0.00%			
			x			1.50	1.50	0.00%			
			x			2.25	2.25	0.00%			
			x			3.00	3.00	0.00%			
<u>Off street</u>				1,890,657	2,135,670				-633,915	1,501,755	
<u>Short Stay</u>				All increases to P & D							
<u>Medway St</u>											
		*	x			1.25	1.30	4.00%			Increase by 5p per hour
		*	x			0.00	2.60				New tariff
		*	x			3.75	3.90	4.00%			Increase by 5p per hour
		*	x			5.00	5.20	4.00%			Increase by 5p per hour
<u>Brewer Street [E]</u>											
		*	x			0.60	0.65	8.33%			Increase by 5p
		*	x			1.10	1.15	4.55%			Increase by 5p per hour
		*	x			0.00	2.30				New tariff
		*	x			3.30	3.45	4.55%			Increase by 5p per hour
		*	x			4.40	4.60	4.55%			Increase by 5p per hour
<u>King Street</u>											
		*	x			1.30	1.35	3.85%			Increase by 5p per hour
		*	x			0.00	2.70				New tariff
		*	x			3.90	4.05	3.85%			Increase by 5p per hour
		*	x			5.20	5.40	3.85%			Increase by 5p per hour
<u>Wheeler Street</u>											
		*	x			0.60	0.65	8.33%			Increase by 5p
		*	x			1.10	1.15	4.55%			Increase by 5p per hour
		*	x			0.00	2.30				New tariff
		*	x			3.30	3.45	4.55%			Increase by 5p per hour
		*	x			4.40	4.60	4.55%			Increase by 5p per hour

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Fees and Charges April 2020- March 2021	* Includes VAT	Statutory / Discretionary	2019-2020 Actuals	2020-2021 Current Estimate	Current Charges 2020-2021	Proposed Charges 2021-2022	% Change	2020-2021 + / - Income	2021 -2022 Estimate	Comments
			£	£				£	£	
Parking Services (contd.)										
<u>Palace Avenue</u>										
3 hr	*	x			3.75	3.90	4.00%			Increase by 5p per hour
4 hr	*	x			5.00	5.20	4.00%			Increase by 5p per hour
<u>Mote Road</u>										
1 hr	*	x			1.00	1.05	5.00%			Increase by 5p per hour
2 hr	*	x			0.00	2.10				New tariff
3 hr	*	x			3.00	3.15	5.00%			Increase by 5p per hour
4 hr	*	x			4.00	4.20	5.00%			Increase by 5p per hour
<u>Mill Street</u>										
1 hr	*	x			1.00	1.05	5.00%			Increase by 5p per hour
2 hr	*	x			0.00	2.10				New tariff
3 hr	*	x			3.00	3.15	5.00%			Increase by 5p per hour
4 hr	*	x			4.00	4.20	5.00%			Increase by 5p per hour
<u>Long Stay</u>										
<u>Barker Road</u>										
1 hr	*	x			1.10	1.15	4.55%			Increase by 5p per hour
2 hr	*	x			0.00	2.30				New tariff
3 hr	*	x			3.30	3.45	4.55%			Increase by 5p per hour
4 hr	*	x			4.40	4.60	4.55%			Increase by 5p per hour
5 hr	*				5.50	5.75	4.55%			Increase by 5p per hour
Over 5 hours					7.00	7.30	4.29%			Increase by 5p per hour

Fees and Charges April 2020- March 2021	* Includes VAT	Statutory / Discretionary	2019-2020	2020-2021	Current	Proposed	% Change	2020-2021	2021 -2022	Comments
			Actuals	Current Estimate	Charges 2020-2021	Charges 2021-2022		+ / - Income	Estimate	
			£	£				£	£	
Parking Services (contd.)										
<u>Brooks Place</u>										
1 hr	*	x			1.10	1.15	4.55%			Increase by 5p per hour
2 hr	*	x			0.00	2.30				New tariff
3 hr	*	x			3.30	3.45	4.55%			Increase by 5p per hour
4 hr	*	x			4.40	4.60	4.55%			Increase by 5p per hour
5 hr	*	x			5.50	5.75	4.55%			Increase by 5p per hour
Over 5 hours	*	x			7.00	7.30	4.29%			Increase by 5p per hour
<u>Brunswick Street</u>										
1 hr	*	x			1.00	1.05	5.00%			Increase by 5p per hour
2 hr	*	x			0.00	2.10				New tariff
3 hr	*	x			3.00	3.15	5.00%			Increase by 5p per hour
4 hr	*	x			4.00	4.20	5.00%			Increase by 5p per hour
5 hr	*	x			5.00	5.25	5.00%			Increase by 5p per hour
Over 5 hours	*	x			7.00	7.30	4.29%			Increase by 5p per hour
<u>College Road</u>										
1 hr	*	x			1.00	1.05	5.00%			Increase by 5p per hour
2 hr	*	x			0.00	2.10				New tariff
3 hr	*	x			3.00	3.15	5.00%			Increase by 5p per hour
4 hr	*	x			4.00	4.20	5.00%			Increase by 5p per hour
5 hr	*	x			5.00	5.25	5.00%			Increase by 5p per hour
Over 5 hours	*	x			7.00	7.30	4.29%			Increase by 5p per hour
<u>Lucerne Street</u>										
1 hr	*	x			1.10	1.15	4.55%			Increase by 5p per hour
2 hr	*	x			0.00	2.30				New tariff
3 hr	*	x			3.30	3.45	4.55%			Increase by 5p per hour
4 hr	*	x			4.40	4.60	4.55%			Increase by 5p per hour
5 hr	*	x			5.50	5.75	4.55%			Increase by 5p per hour
Over 5 hours	*	x			7.00	7.30	4.29%			Increase by 5p per hour
<u>Sittingbourne Road</u>										
1 hr	*	x			1.10	1.15	4.55%			Increase by 5p per hour
2 hr	*	x			0.00	2.30				New tariff
3 hr	*	x			3.30	3.45	4.55%			Increase by 5p per hour
4 hr	*	x			4.40	4.60	4.55%			Increase by 5p per hour
5 hr	*	x			5.50	5.75	4.55%			Increase by 5p per hour
Over 5 hours	*	x			7.00	7.30	4.29%			Increase by 5p per hour

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Fees and Charges April 2020- March 2021	* Includes VAT	Statutory Discretionary	2019-2020	2020-2021	Current	Proposed	% Change	2020-2021	2021 -2022	Comments
			Actuals	Current Estimate	Charges 2020-2021	Charges 2021-2022		+ / - Income	Estimate	
			£	£				£	£	
Parking Services (contd.)										
Union Street [E]										
1 hr	*	x			1.10	1.15	4.55%			Increase by 5p per hour
2 hr	*	x			0.00	2.30				New tariff
3 hr	*	x			3.30	3.45	4.55%			Increase by 5p per hour
4 hr	*	x			4.40	4.60	4.55%			Increase by 5p per hour
5 hr	*	x			5.50	5.75	4.55%			Increase by 5p per hour
Over 5 hours	*	x			7.00	7.30	4.29%			Increase by 5p per hour
Union Street [W]										
1 hr	*	x			1.10	1.15	4.55%			Increase by 5p per hour
2 hr	*	x			0.00	2.30				New tariff
3 hr	*	x			3.30	3.45	4.55%			Increase by 5p per hour
4 hr	*	x			4.40	4.60	4.55%			Increase by 5p per hour
5 hr	*	x			5.50	5.75	4.55%			Increase by 5p per hour
Over 5 hours	*	x			7.00	7.30	4.29%			Increase by 5p per hour
Well Road										
1 hr	*	x			1.00	1.05	5.00%			Increase by 5p per hour
2 hr	*	x			0.00	2.10				New tariff
3 hr	*	x			3.00	3.15	5.00%			Increase by 5p per hour
4 hr	*	x			4.00	4.20	5.00%			Increase by 5p per hour
5 hr	*	x			5.00	5.25	5.00%			Increase by 5p per hour
Over 5 hours	*	x			7.00	7.30	4.29%			Increase by 5p per hour
Lockmeadow										
1 hr	*	x			1.00	1.00	0.00%			
2 hr	*	x			0.00	2.00				New tariff
3 hr	*	x			2.50	2.50	0.00%			
4 hr	*	x			3.50	3.50	0.00%			
Up to 5 hours	*	x			5.00	5.00	0.00%			
Over 5 hours	*	x			7.00	7.00	0.00%			
Overnight charge all off-street car parks (6.30pm to 8am) (except Lockmeadow)										
	*	x			2.00	2.00	0.00%			
Mote Park			214,320	213,000					213,000	
Up to 6 Hours	*	x			2.00	2.00	0.00%			
Over 6 Hours	*	x			12.00	12.00	0.00%			
Parking Services Total			3,716,592	3,908,240				-724,228	3,184,012	

Fees and Charges April 2020- March 2021	* Includes VAT	Statutory / Discretionary	2019-2020 Actuals	2020-2021 Current Estimate	Current Charges 2020-2021	Proposed Charges 2021-2022	% Change	2020-2021 + / - Income	2021 -2022 Estimate	Comments
			£	£				£	£	
Sandling Road Car Park										
			202,311	151,000					151,000	
1 hr	*	x			1.10	1.10	0.00%			
3 hr	*	x			2.20	2.20	0.00%			
4 hr	*	x			3.50	3.50	0.00%			
Up to 5 hours	*	x			6.00	6.00	0.00%			
Over 5 hours	*	x			6.00	6.00	0.00%			
Sandling Road Car Park Total			202,311	151,000				0	151,000	

Fees and Charges April 2020- March 2021	* Includes VAT	Statutory / Discretionary	2019-2020	2020-2021	Current	Proposed	% Change	2020-2021	2021 -2022	Comments
			Actuals	Current Estimate	Charges 2020-2021	Charges 2021-2022		+ / - Income	Estimate	
			£	£				£	£	
Development Control-Land Charges										
			305,642	319,550				-31,955	287,595	
Search only (LLC1 only)		x			40.00	40.00	0.00%			No fee increase to keep fees the same across partnership.
LLC1 Only - Additional Parcel of Land		x			11.00	11.00	0.00%			
CON29 (Including VAT)	*	x			120.00	120.00	0.00%			
CON29 - Additional Parcel of Land (Including VAT)	*	x			21.00	21.00	0.00%			
Standard Official Search (LLC1 and CON29) (Including VAT)	*	x			160.00	160.00	0.00%			
Standard Official Search (LLC1 and CON29) - Additional Parcel of Land (Including VAT)	*	x			32.00	32.00	0.00%			
Part II enquiry - CON 29 Optional Questions 4-21 (Including VAT)	*	x			15.00	15.00	0.00%			
Part II enquiry - CON29 Optional Question 22 (Including VAT)	*	x			30.00	30.00	0.00%			
Additional Questions (Including VAT)	*	x			22.80	22.80	0.00%			
CON29 - Personal Searches (EIR)										
Question										
Personal Search		x			0.00	0.00	0.00%			
Enhanced Personal Search		x			15.00	15.00	0.00%			
1.1 (a) - (l) (Planning)	*	x			7.20	7.20	0.00%			
1.1 (j,k,l) (Building Regulations)	*	x			7.20	7.20	0.00%			
2.1 (b) - (d)	*	x			6.00	6.00	0.00%			
3.1 (Land for Public Purpose)	*	x			3.60	3.60	0.00%			
3.3 Drainage Matters	*	x			3.60	3.60	0.00%			
3.5 (Railway Schemes)	*	x			3.60	3.60	0.00%			
3.7 (Outstanding Notices)	*	x			12.00	12.00	0.00%			
3.8 (Building Regulations Contravention)	*	x			3.60	3.60	0.00%			
3.9 (Enforcement)	*	x			7.20	7.20	0.00%			
3.10 CIL	*	x			4.80	4.80	0.00%			
3.13 b (Contaminated Land)	*	x			3.60	3.60	0.00%			
3.13 c (Contaminated Land)	*	x			3.60	3.60	0.00%			
Land Charges Total			305,642	319,550				-31,955	287,595	

Fees and Charges April 2020- March 2021	* Includes VAT	Statutory / Discretionary	2019-2020 Actuals	2020-2021 Current Estimate	Current Charges 2020-2021	Proposed Charges 2021-2022	% Change	2020-2021 + / - Income	2021 -2022 Estimate	Comments
			£	£				£	£	
Street Naming & Numbering										
			82,711	81,500				-8,150	73,350	
Name change		x			25.00	25.00	0.00%			
Addition of Name to numbered Property		x			25.00	25.00	0.00%			
Amendment to Postal Address		x			25.00	25.00	0.00%			
New Build - Individual Property		x			80.00	80.00	0.00%			
Official Registration of Postal Address previously not Reg		x			50.00	50.00	0.00%			
New Development - Fee per unit/flat		x			45.00	45.00	0.00%			
Creation of New Street		x			105.00	105.00	0.00%			
Conversion of property into Flats-fee per flat		x			45.00	45.00	0.00%			
Renumbering of Development or Block of Flats - Fee per		x			20.00	20.00	0.00%			
Street Naming & Numbering Total			82,711	81,500				-8,150	73,350	

Fees and Charges April 2020- March 2021	* Includes VAT	Statutory / Discretionary	2019-2020 Actuals	2020-2021 Current Estimate	Current Charges 2020-2021	Proposed Charges 2021-2022	% Change	2020-2021 + / - Income	2021 -2022 Estimate	Comments
			£	£				£	£	
Building Control										
			358,832	391,850				-35,267	356,584	
Erection of a single dwelling house - Full Plan & Building Notice Charge	*	x			995.00	1,010.00	1.51%			
Erection of 2 dwelling houses - Full Plan & Building Notice Charge	*	x			1,350.00	1,365.00	1.11%			
Garages up to 60m ² - Full Plan & Building Notice Charge	*	x			500.00	505.00	1.00%			
Garages up to 60m ² - Regularisation Charge		x			625.00	631.25	1.00%			
Garage with room over up to 100m ² - Full Plan & Building Notice Charge	*	x			585.00	593.00	1.37%			Description changed to Single Storey Garage 60-100m2
Garage with room over up to 100m ² - Regularisation Charge		x			731.25	741.25	1.37%			
Extensions up to 40m ² - Full Plan & Building Notice Charge	*	x			735.00	742.00	0.95%			
Extensions up to 40m ² - Regularisation Charge		x			918.75	927.50	0.95%			
Extensions over 40m ² and up to 100m ² - Full Plan & Building Notice Charge	*	x			880.00	890.00	1.14%			
Extensions over 40m ² and up to 100m ² - Regularisation Charge		x			1,100.00	1,112.50	1.14%			
Loft Conversions up to 60m ² - Full Plan Charge	*	x			760.00	771.00	1.45%			
Loft Conversions up to 60m ² - Regularisation Charge		x			950.00	963.75	1.45%			
Loft Conversions up to 60m ² - Building Notice Charge	*	x			760.00	771.00	1.45%			
Garage Conversion under 40m ² - Full Plan & Building Notice Charge	*	x			470.00	475.00	1.06%			
Garage Conversion under 40m ² - Regularisation Charge		x			587.50	593.75	1.06%			

Fees and Charges April 2020- March 2021	* Includes VAT	Statutory / Discretionary	2019-2020	2020-2021	Current	Proposed	% Change	2020-2021	2021 -2022	Comments
			Actuals	Current Estimate	Charges 2020-2021	Charges 2021-2022		+ / - Income	Estimate	
			£	£				£	£	
Building Control										
Installation of up to 10 replacement windows - Full Plan & Building Notice Charge	*	x			235.00	237.00	0.85%			
Installation of up to 10 replacement windows - Regularisation Charge		x			293.75	296.25	0.85%			
Part P electrical work or installation of heating appliance - Full Plan & Building Notice Charge	*	x			295.00	297.00	0.68%			
Part P electrical work or installation of heating appliance - Regularisation Charge		x			368.75	371.25	0.68%			
Alterations up to the value of £4999 - Full Plan & Building Notice Charge	*	x			320.00	326.00	1.88%			
Alterations up to the value of £4999 - Regularisation Charge		x			400.00	407.50	1.88%			
Alterations from £5000 to £9999 - Full Plan Charge	*	x			470.00	475.00	1.06%			
Alterations from £5000 to £9999 - Regularisation Charge		x			587.50	593.75	1.06%			
Alterations from £5000 to £9999 - Building Notice Charge	*	x			470.00	475.00	1.06%			
Demolition Notice	*	x			250.00	252.50	1.00%			
Building Control Total			358,832	391,850				-35,267	356,584	

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Fees and Charges April 2020- March 2021	* Includes VAT	Statutory / Discretionary	2019-2020 Actuals	2020-2021 Current Estimate	Current Charges 2020-2021	Proposed Charges 2021-2022	% Change	2020-2021 + / - Income	2021 -2022 Estimate	Comments
			£	£				£	£	
Development Control-Planning and Conservation										
Written Pre-Application Advice										
Pre-Application Fees D160 + D167			243,528	286,160				35,650	321,810	
Advice for Householder Proposals										
charged for written advice on Householder applications	*	x			55.00	70.00	27.27%			
email response to follow up request and with an hour long meeting with an officer additional hour	*	x			160.00	170.00	6.25%			New charge
follow up call/skype with email response and with an hour long site meeting with an officer additional hour	*	x			190.00	220.00	15.79%			
follow up call/skype with email response	*	x				75.00				New charge
Advice for Minor Development Proposals 1-9 Dwellings										
charged for written advice	*	x			105.00	250.00	138.10%			
email response to follow up request and with an hour long meeting with an officer additional hour	*	x			315.00	350.00	11.11%			New charge
follow up meeting and with an hour long site meeting with an officer additional hour	*	x			380.00	450.00	18.42%			
follow up call/Skype with email response	*	x				150.00				New charge
Advice for Major Development Proposals 10-39 Dwellings										
charged for written advice	*	x			160.00	350.00	118.75%			
email response to follow up request and with an hour long meeting with an officer at MBC Offices additional hour	*	x			485.00	600.00	23.71%			
follow up call/Skype with email response and with an hour long site meeting with an officer additional hour	*	x			580.00	725.00	25.00%			
follow up call/Skype with email response and with an hour long meeting with an officer at MBC Offices and with an hour long site meeting with an officer	*	x			660.00	0.00	-100.00%			To be deleted
	*	x			795.00	0.00	-100.00%			To be deleted

Fees and Charges April 2020- March 2021	* Includes VAT	Statutory / Discretionary	2019-2020 Actuals	2020-2021 Current Estimate	Current Charges 2020-2021	Proposed Charges 2021-2022	% Change	2020-2021 + / - Income	2021 -2022 Estimate	Comments
			£	£				£	£	
Development Control-Planning and Conservation (contd.)										
Advice for Large Development Proposals 40+ Dwellings										
and with an hour long meeting with an officer at MBC Offices	*	x			720.00	825.00	14.58%			New charge
follow up call/Skype with email response	*	x				350.00				
and with an hour long site meeting with an officer	*	x			795.00	950.00	19.50%			New charge
follow up call/Skype with email response	*	x				350.00				
Request for Manager attendance										
Should the applicant request the attendance of a Manager in additional to the assigned case officer, the following additional charge shall apply.										
Managers - Spatial Policy, Development Management, Major Projects - (MBC Offices or Skype).						250.00				New charge
on-site						375.00				
Head of Service						500.00				
on-site						750.00				
Meetings with additional Specialist Officers attending (hourly rate) (additional charges for specialist officers additional to the above pre-application charges)(heritage, spatial policy, landscape, etc)										
Meeting at Maidstone House	*	x			160.00	175.00	9.38%			
Meeting on Site	*	x			190.00	250.00	31.58%			

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Fees and Charges April 2020- March 2021	* Includes VAT	Statutory / Discretionary	2019-2020 Actuals	2020-2021 Current Estimate	Current Charges 2020-2021	Proposed Charges 2021-2022	% Change	2020-2021 + / - Income	2021 -2022 Estimate	Comments
			£	£				£	£	
Development Control-Planning and Conservation (contd.)										
Heritage Works Only Advice (EE20)			953.5	8,000				6,000	14,000	
Written Advice (D165)	*	x	0	5,000	51.00	0.00	-100.00%	-5,000	0	
Written advice Householder	*	x				75.00				New charge schedule for 'Written Advice (D165)'
Written advice Minor	*	x				250.00				New charge schedule for 'Written Advice (D165)'
Written advice Major	*	x				350.00				New charge schedule for 'Written Advice (D165)'
Site visit/Meeting/ Fee depending type of app/onsite/office based	*	x			367.20	0.00	-100.00%			
Written plus Meeting Fee Householder	*	x				175.00				New charge schedule for 'Site visit/Meeting/ Fee depending type of app/onsite/office based'
Written plus Meeting Fee Minor	*	x				200.00				New charge schedule for 'Site visit/Meeting/ Fee depending type of app/onsite/office based'
Written plus Meeting Fee Major	*	x				600.00				New charge schedule for 'Site visit/Meeting/ Fee depending type of app/onsite/office based'
Written plus Site visit Fee Householder	*	x				225.00				New charge schedule for 'Site visit/Meeting/ Fee depending type of app/onsite/office based'
Written plus Site visit Fee Minor	*	x				400.00				New charge schedule for 'Site visit/Meeting/ Fee depending type of app/onsite/office based'
Written plus Site visit Fee Major	*	x				600.00				New charge schedule for 'Site visit/Meeting/ Fee depending type of app/onsite/office based'
Work to Protected Tree Only Advice (D164)			0	2600					2,600	
Works to Trees - Meeting on Site	*	x			55.00	0.00	-100.00%			
Written advice/response	*	x				75.00				New charge schedule for 'Works to Trees - Meeting on Site'
Works to Trees - Site visit	*	x				150.00				New charge schedule for 'Works to Trees - Meeting on Site'
Householder tree advice involving a site visit by an officer (five trees or less)	*	x			183.60	0.00	-100.00%			To be deleted
Householder tree advice involving a site visit by an officer (more than five trees)	*	x			367.20	0.00	-100.00%			To be deleted
Other site meeting/Large scale £720.00	*	x			550.80	0.00	-100.00%			To be deleted

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Fees and Charges April 2020- March 2021	* Includes VAT	Statutory / Discretionary	2019-2020 Actuals	2020-2021 Current Estimate	Current Charges 2020-2021	Proposed Charges 2021-2022	% Change	2020-2021 + / - Income	2021 -2022 Estimate	Comments
			£	£				£	£	
Development Control-Planning and Conservation (contd.)										
High Hedges					386.00	500.00	29.53%			
Written Advice for small commercial applications										
charged for written advice for small commercial including shops, shop fronts and change of use	*	x			73.44	0.00	-100.00%			To be deleted
Written Advice for applications										
charged for written advice for applications/Minor £100/Major £150	*	x			153.00	0.00	-100.00%			To be deleted
Advice involving meetings with Officers										
An hour long meeting	*	x			612.00	0.00	-100.00%			To be deleted
an hour long meeting with officer plus heritage/landscape/design advice	*	x			734.40	0.00	-100.00%			To be deleted
Additional fee per advisor / Onsite meeting with officer £180	*	x			153.00	0.00	-100.00%			To be deleted
S.106 Agreements										
<i>(The following charges do not include any charges levied by MKLegal)</i>										
Initial email advice following planning/housing officer review of request for DoV						175.00				New charge
Formal request to instruct on DoV (first clause)						350.00				New charge
(each additional clause)						125.00				New charge
Confirmation of S.106 clause compliance (desktop) (per clause)						150.00				New charge
(additional charge if site visit required)						125.00				New charge

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Fees and Charges April 2020- March 2021	* Includes VAT	Statutory / Discretionary	2019-2020 Actuals	2020-2021 Current Estimate	Current Charges 2020-2021	Proposed Charges 2021-2022	% Change	2020-2021 + / - Income	2021 -2022 Estimate	Comments
			£	£				£	£	
Development Control-Planning and Conservation (contd.)										
Enforcement										
Written confirmation of closure of household enforcement case and reasons						50.00				New Charge
(additional charge if site visit required)						50.00				New Charge
Written confirmation of compliance with household enforcement notice						50.00				New Charge
(additional charge if site visit required)						50.00				New Charge
Written confirmation of closure of (other) enforcement case and reasons						80.00				New Charge
(additional charge if site visit required)						50.00				New Charge
Written confirmation of compliance with (other) enforcement notice						90.00				New Charge
(additional charge if site visit required)						50.00				New Charge
Listed Building Works										
Site visit and written confirmation of completion in accordance with approval						275.00				New charge
Written advice only (where possible without inspection)						150.00				New charge
Planning Conditions										
Written confirmation of compliance with condition						100.00				New charge
(each additional condition)						75.00				New charge
(additional charge if site visit required)						125.00				New charge
Other Pre-Application Fees										
Administration fees										
Research of Permitted Development Rights and Planning Histories										
Research on Planning Histories		x			116.00	116.00	0.00%			
Research on Permitted Development Rights		x			116.00	116.00	0.00%			

Fees and Charges April 2020- March 2021	* Includes VAT	Statutory / Discretionary	2019-2020 Actuals	2020-2021 Current Estimate	Current Charges 2020-2021	Proposed Charges 2021-2022	% Change	2020-2021 + / - Income	2021 -2022 Estimate	Comments
			£	£				£	£	
Development Control-Planning and Conservation (contd.)										
Statutory Application Fees (currently set nationally)										
<u>Application to discharge conditions related to a permission</u>										
The standard fee for conditions per request; or Where the related permission was for extending or altering a dwelling house or other development in the curtilage of a dwelling house.		x			116.00	116.00	0.00%			
		x			34.00	34.00	0.00%			
<u>Written confirmation of conditions previously discharged relating to a permission</u>										
Per request; or Where the related permission was for extending or altering a dwelling house or other development in the curtilage of a dwelling house.		x			116.00	116.00	0.00%			
		x			34.00	34.00	0.00%			
<u>Administration fees</u>										
Research of Permitted Development Rights and Planning Histories										
Research on Planning Histories		x			116.00	116.00	0.00%			
Research on Permitted Development Rights		x			116.00	116.00	0.00%			
<u>All Outline Applications (D118+D161+D162+D163+D333)</u>										
£462.00 per 0.1 hectare for sites up to and including 2.5 hectares		x	1,255,493	1,308,680	462.00	462.00	0.00	-130,868	1,177,812	
More than 2.5 hectares £11432 + £138 for each 0.1 in excess of 2.5 hectares to a maximum of £150,000		x			11,432.00	11,432.00	0.00			
<u>Householder Applications</u>										
Alterations/extensions to a single dwelling, including works within boundary		x			206.00	206.00	0.00%			

Fees and Charges April 2020- March 2021	* Includes VAT	Statutory / Discretionary	2019-2020 Actuals	2020-2021 Current Estimate	Current Charges 2020-2021	Proposed Charges 2021-2022	% Change	2020-2021 + / - Income	2021 -2022 Estimate	Comments
			£	£				£	£	
Development Control-Planning and Conservation (contd.)										
Full Applications (and First Submissions of Reserved Matters)										
Alterations/extensions to two or more dwellings houses (or flats), including works within boundaries		x			407.00	407.00	0.00%			
Per New dwelling (up to and including 50)		x			462.00	462.00	0.00%			
New dwellings (for more than 50) £22,859 + £138 per additional dwelling in excess of 50 up to a maximum fee of £300,000		x			22,859.00	22,859.00	0.00%			
Erection of buildings (not dwellings, agricultural, glasshouses, plant or machinery) No increase in gross floor space or no more than 40m ² gross floor space to be created by the development		x			234.00	234.00	0.00%			
More than 40 sqm but no more than 75 sq m gross floor space to be created by the development		x			462.00	462.00	0.00%			
More than 75 sqm but no more than 3,750 sqm gross floor space to be created by the development (£462 per £75 sq m or part thereof)		x			462.00	462.00	0.00%			
More than 3,750 sq m - £22,859 plus £138 for each 75 sqm or part thereof in excess of 3,750 sq.m to a maximum of £300,000		x			22,859.00	22,859.00	0.00%			
The erection of buildings (on land used for agriculture for agricultural purposes)										
Gross floor space to be created by the development not more than 465 Sq.m		x			96.00	96.00	0.00%			
Gross floor space to be created by the development more than 465 sq.m but less than 540 sq.m		x			462.00	462.00	0.00%			
Gross floor space to be created by the development more than 540m2 but not more than 4,215m2		x			462.00	462.00	0.00%			
Gross floor space to be created by the development More than 4,215m ²		x			22,859.00	22,859.00	0.00%			

Fees and Charges April 2020- March 2021	* Includes VAT	Statutory / Discretionary	2019-2020 Actuals	2020-2021 Current Estimate	Current Charges 2020-2021	Proposed Charges 2021-2022	% Change	2020-2021 + / - Income	2021 -2022 Estimate	Comments
			£	£				£	£	
Development Control-Planning and Conservation (contd.)										
Erection of glasshouses (on land used for the purposes of agriculture)										
Gross floor space to be created by the development Not more than 465m ²		x			96.00	96.00	0.00%			
Gross floor space to be created by the development More than 465m ²		x			2,580.00	2,580.00	0.00%			
<u>Erection/alterations/replacement of plant and machinery</u>										
Site area Not more than 5 hectares		x			462.00	462.00	0.00%			
Site area More than 5 hectares max £300,000		x			22,859.00	22,859.00	0.00%			
<u>Applications other than Building Works</u>										
Car parks, service roads or other accesses For existing uses		x			234.00	234.00	0.00%			
<u>Waste (Use of land for disposal of refuse or waste materials or deposit of material remaining after extraction or storage of minerals)</u>										
Site area Not more than 15 hectares		x			234.00	234.00	0.00%			
Site area More than 15 hectares		x			34,934.00	34,934.00	0.00%			
<u>Operations connected with exploratory drilling for oil or natural gas</u>										
Site area Not more than 7.5 hectares		x			508.00	508.00	0.00%			
Site area More than 7.5 hectares		x			38,070.00	38,070.00	0.00%			
<u>Operations(other than exploratory drilling) for the winning and working of oil or natural gas</u>										
Site area Not more than 15 hectares		x			257.00	257.00	0.00%			
Site area More than 15 hectares		x			38,520.00	38,520.00	0.00%			
<u>Other operations (winning and working of minerals)</u>										
Site area Not more than 15 hectares		x			234.00	234.00	0.00%			
Site area More than 15 hectares		x			34,034.00	34,034.00	0.00%			
Other operations (not coming within any of the above categories) Any site area		x			234.00	234.00	0.00%			

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Fees and Charges April 2020- March 2021	* Includes VAT	Statutory / Discretionary	2019-2020 Actuals	2020-2021 Current Estimate	Current Charges 2020-2021	Proposed Charges 2021-2022	% Change	2020-2021 + / - Income	2021 -2022 Estimate	Comments
			£	£				£	£	
Development Control-Planning and Conservation (contd.)										
Lawful Development Certificate										
LDC - Existing Use - in breach of a planning condition										Equivalent to full application for same works
LDC - Existing Use LDC - lawful not to comply with a particular condition		x			234.00	234.00	0.00%			
LDC - Proposed Use -										50% planning fee
Prior Approval										
Agricultural and Forestry buildings & operations or demolition of buildings		x			96.00	96.00	0.00%			
Telecommunications Code Systems Operators		x			462.00	462.00	0.00%			
All other Prior Approval		x			96.00	96.00	0.00%			
With Operational development		x			206.00	206.00	0.00%			
Reserved Matters										
Application for approval of reserved a condition following grant of planning permission matters following outline approval full fee due if the full fee already paid then £462 due.		x			462.00	462.00	0.00%			
Approval/Variation/discharge of condition										
Application for removal or variation of		x			234.00	234.00	0.00%			
Request for confirmation that one or more planning conditions have been complied with - householder		x			34.00	34.00	0.00%			
All other development		x			116.00	116.00	0.00%			
Change of Use of a building to use as one or more separate dwelling houses, or other cases										
Number of dwellings not more than 50 £462 each dwelling		x			462.00	462.00	0.00%			
Number of dwellings More than 50		x			22,859.00	22,859.00	0.00%			
Other Changes of Use of a building or land		x			462.00	462.00	0.00%			

Fees and Charges	April 2020- March 2021	* Includes VAT	Statutory / Discretionary	2019-2020	2020-2021	Current	Proposed	%	2020-2021	2021 -2022	Comments
				Actuals	Current Estimate	Charges 2020-2021	Charges 2021-2022	Change	+ / - Income	Estimate	
				£	£				£	£	
Development Control-Planning and Conservation (contd.)											
Advertising											
Relating to the business on the premises			x			132.00	132.00	0.00%			
Advance signs which are not situated on or visible from the site, directing the public to a business			x			132.00	132.00	0.00%			
Other advertisements			x			462.00	462.00	0.00%			
Application for a Non-material Amendment Following a Grant of Planning Permission											
Applications in respect of householder developments			x			34.00	34.00	0.00%			
Applications in respect of other developments			x			234.00	234.00	0.00%			
Permission in Principle - Site Area			x			402.00	402.00	0.00%			
Development and Conservation Control Total						1,499,974	1,610,440			-94,218	1,516,222
Grand Total						6,166,061	6,462,580			-893,818	5,568,763

Agenda Item 15

POLICY AND RESOURCES COMMITTEE

16th DECEMBER
2020

COUNCIL-LED GARDEN COMMUNITY UPDATE

Final Decision-Maker	Policy & Resources Committee
Lead Head of Service	William Cornall, Director of Regeneration & Place
Lead Officer and Report Author	William Cornall, Director of Regeneration & Place
Classification	Public
Purpose of Report	For decision
Wards affected	All, but in particular Harrietsham & Lenham and Headcorn Wards. Lenham Parish Council and Boughton Malherbe Parish Council are affected.

Executive Summary

The proposal was last considered by this Committee on 25th November 2020. The purpose of this report is to provide an update in respect of the progress made since then in pursuing a council-led garden community, near Lenham Heath (Heathlands) and to reach a decision in respect of the commercial nature of the Council's collaboration agreement with Homes England. As in the case of previous reports to this Committee, the contents of this report relate to the Council's position as a potential property owner/developer and not as Local Planning Authority (LPA).

This report makes the following recommendations to this Committee:

- 1) For the Council to enter into a collaboration agreement with Homes England for the purposes set out in this report, and for this agreement to reflect **Option 2B**; the Council to co-fund the circa £3m (Council share circa £1.5m) required to continue to promote Heathlands through the Local Plan Review, secure Planning Consent and the land options with the principal landowners and landowners north of the railway line (Land Option(s)) but limit financial exposure to this phase, and recover this investment through a **"Share of Planning Uplift"** over the duration of the circa 25-year delivery phase, with any profits realised to be reinvested within the new community itself.
- 2) For the Collaboration agreement to provide both officer and Member input both in the pre and post delivery phases, with those Members being the Chair and Vice Chair of this Committee.
- 3) To submit representations to the Regulation 18b consultation of the Local Plan Review with authority for content from the Chair and Vice Chair of this Committee.
- 4) To make a third stage submission on the Heathlands proposal by the end of the financial year to the Local Planning Authority with authority for content from the Chair and Vice Chair of this Committee.

Timetable	
<i>Meeting</i>	<i>Date</i>
Policy and Resources Committee	16 December 2020

COUNCIL-LED GARDEN COMMUNITY UPDATE

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> • Embracing Growth and Enabling • Infrastructure • Safe, Clean and Green • Homes and Communities • A Thriving Place <p>Accepting the recommendations will materially improve the Council’s ability to achieve all the corporate priorities.</p>	Director of Regeneration & Place
Cross Cutting Objectives	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> • Heritage is Respected • Health Inequalities are Addressed and Reduced • Deprivation and Social Mobility is Improved • Biodiversity and Environmental Sustainability is respected <p>The report recommendations support the achievement of all the cross-cutting objectives.</p> <p>Through delivering much needed homes to include 40% affordable housing of which 70% would be for affordable rent. The emerging masterplan is landscape led with up to 50% of the total proposed as green space. Led by the ambitions set out in the Strategic Plan the Council can ensure that the design principles of development where it is the master planner reflect the commitment to reduce health inequalities amongst other things.</p>	Director of Regeneration & Place
Risk Management	See section 5.	Director of Regeneration & Place

Financial	Investment in the Garden Community forms part of the Council's five-year capital programme and budgetary provision exists for the expenditure described in the report and the plans outlined here.	Section 151 Officer & Finance Team
Staffing	We will deliver the recommendations with our current staffing.	Director of Regeneration & Place
Legal	<p>The Council has statutory power of competence under section 1 of the Localism Act 2011 to do anything that individuals generally may do and under section 111(1) of the Local Government Act 1972, the Council has the power 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 Local Government Act 1972. (Section 120) gives the Council the general powers to acquire land and property for any of their functions, or for the benefit, improvement or development of their area. The Local Government Act 2000 introduced additional 'wellbeing' powers which provide councils with the power to do anything which they consider is likely to achieve the promotion or improvement of the economic, social or environmental wellbeing of their area. This includes the power to incur expenditure, including land acquisition.</p> <p>Acting on the recommendations is within the Council's powers as set out in the above statutory provisions.</p>	Principal Solicitor - Commercial
Privacy and Data Protection	No impact identified	Policy and Information Team
Equalities	An Equalities Impact Assessment will be completed if the proposal forms part of the draft spatial strategy of the Local Plan Review.	Equalities and Corporate Policy

Public Health	We recognise that the recommendations will not negatively impact on population health or that of individuals.	Public Health Officer
Crime and Disorder	The recommendation will not have a negative impact on Crime and Disorder.	Head of Service or Manager
Procurement	N/A.	Head of Service & Section 151 Officer
Biodiversity	The revised masterplan brief seeks a biodiversity net gain within the proposed redline.	Head of Policy Communications & Governance

2. INTRODUCTION AND BACKGROUND

- 2.1 The Council is pursuing this project as it is consistent with its Strategic Plan priority of “embracing growth and enabling infrastructure” and the desired outcomes within it:
- The Council leads master planning and invests in new places which are well designed.
 - Key employment sites are delivered.
 - Housing need is met including affordable housing.
 - Sufficient infrastructure is planned to meet the demands of growth.
- 2.2 This report will provide an update on the progress made since the last report to this Committee and addresses the following areas:
- Promotion of Heathlands through the Local Plan Review (LPR)
 - Homes England partnership update
 - Principal Landowners
- 2.3 It will also set out the options available for the proposed collaboration agreement with Homes England (HE).
- 2.4 **Promotion of Heathlands through the LPR.** Public consultation on the latest Local Plan Review Proposals through the Preferred Approaches Document as well as concurrent consultation on the associated Sustainability Appraisal documents is now underway. The Council will be submitting representations that will cover the following matters; our general support for the Preferred Approaches, our initial thoughts on the draft policy relating to Heathlands, our initial thoughts on the Sustainability Appraisal and the various Topic Papers as well as our willingness to explore the various lines of enquiry suggested by Stantec in terms of the overall Heathlands concept. Authority to submit these representations will be from the Chair and Vice Chair of this Committee.
- 2.5 These representations will be supportive and high-level and once submitted our attention will then turn to making a third-stage submission to the LPA, at their request, so that the proposal is sufficiently developed for the next stage of the Local Plan Review, being Regulation 19 consultation. This submission will need to be made by the end of the current financial year and will include; an evolution of the second-stage masterplan (taking into account feedback to date from the LPA and

ongoing landowner discussions), a refreshed financial viability model, a refreshed vision statement, a refreshed governance statement, a refreshed delivery plan, and a local consultation plan (which may involve the LPA itself). Authority to make this third stage submission will be from the Chair and Vice Chair of this Committee.

- 2.6 This third stage submission will need to be comprehensive and will be a significant determinant as to whether Heathlands will feature in the next iteration of the Local Plan Review (Regulation 19) that will be consulted upon in the summer of next year. The exact content of this third stage submission is still being refined with the LPA and it is proposed that this be made as a joint submission with Homes England.
- 2.7 **Homes England (HE) Partnership update**. HE has now received their due diligence reports from their external advisors, with which they are content, and they remain committed to the project.
- 2.8 The next proposed step for our partnership is to enter into a collaboration agreement with them which will cover the period from now through to the submission of a Planning Application for the scheme in approximately five years-time (assuming that the scheme is allocated within the Local Plan), and beyond into the delivery phase too. This collaboration agreement will cover the following areas:
- Establish commitment from both MBC and HE to co fund, on a 50:50 basis the ongoing promotion, Land Option and Planning Application costs up to an anticipated figure of circa £3m. This Committee has previously decided to meet these costs in their entirety, and they feature in the Council's capital programme. If costs look likely to exceed this figure both parties will seek authority for this additional expenditure.
 - The selection and appointment of any consultancy advice required after the agreement is in place. All reports and surveys commissioned after the Collaboration Agreement has been entered into will be for the joint benefit of MBC and HE.
 - Governance arrangements around shared decision making.
 - The resources in respect of staff time and grade that each organisation will contribute. There should be some political representation too, possibly the Chair and Vice Chair of this Committee.
 - Responsibilities in relation to exercising the Option Agreements. It is envisaged at this stage that Homes England will control the Option and will potentially fully fund the acquisition.
 - The responsibilities of both MBC and HE during the delivery phase of the development. This will likely include how preferred developers are selected, how the estate is managed (roads, parks etc) and a timetable for the delivery of the enabling infrastructure works. HE will lead on all these points but seek input from MBC to help shape the development.
 - The means by which the Council will recover its investment (see available options below).
- 2.9 The means by which the Council will recover its investment will be captured within the collaboration agreement, coupled with how both entities will work together in the delivery phase, are explored in the next section (Available Options).

- 2.10 **Principal Landowners.** There are no substantive updates to provide since the last Committee meetings. However key meetings with the representative of various landowners are scheduled to occur during the month of December.
-

3. AVAILABLE OPTIONS

- 3.1 It is the delivery phase element of the collaboration agreement that requires most attention and consideration at the present time. This relates to the master developer phase whereby Land Options are exercised, infrastructure is delivered and development land parcels are sold on to housebuilders and other developers of commercial floorspace. The quantum of investment required over say a 25-year delivery period will be considerable, more than £100m as detailed in the financial appraisal that was approved by this Committee in July 2020. Consequently, the strategy approved by this Committee in July 2020 was to identify a partner/s with whom this investment could be shared.
- 3.2 It was always felt that Homes England would be our preferred partner owing to their skills, expertise, track record, resources, remit, and their effective Development Corporation status. Having secured Homes England as our partner, this gives the Council more flexibility as to how to deliver our objective of embracing growth and enabling infrastructure in terms of our required level of involvement / investment and risk exposure beyond the likely five-year period required to secure Planning consent before the delivery phase is entered.
- 3.3 In terms of the delivery phase, there are three different points on the risk / reward spectrum that the Council could opt for, as follows:
- **Option 1 - Master-developer 50:50 Joint Venture with Homes England.** This would mean that both parties remain equal and active partners across the likely 25-year delivery period of the project, funding the acquisition of the land and the key infrastructure elements, and recovering this investment through the onward sale of development land parcels to the housebuilder / developer sector. The parties would share risk and reward equally.
 - **Option 2 – MBC cease further investment prior to delivery phase.** In this scenario, the Council would simply co-fund the circa £3m required to secure Planning Consent and secure the Land Options but limit our financial exposure to this, and recover our investment through one of two variants depending on our risk appetite:
 - **Option 2A. Seek a “Priority Return”** whereby the Council has first call on any receipts from serviced land parcel sales that HE secures up to the sum invested by the Council (i.e. circa £1.5m). This would be the quickest and most secure route to the Council recovering its investment, but it would not be rewarded with any profit for its endeavours.
 - **Option 2B. Seek a “Share of Planning Uplift”** over the duration of the 25-year delivery phase. HE will be aiming to recover its own investment in the land and infrastructure plus

a profit by capturing the Planning Uplift that would be achieved between exercising the land options and disposing of serviced land parcels (with the benefit of Outline Planning permission) to developers. Rather than take a Priority Return (as per Option 2A) HE would offer the Council a share in the Planning uplift of each development land parcel over the duration of the delivery period, say 40 parcels of 100 homes. Whilst there can be no guarantee about the level of financial returns, the Council would generate returns over the entire duration of the project and could recover its initial investment of circa £1.5m within the first six years of the delivery phase.

This option would offer the potential of an income stream for the council for future re-investment. It is proposed that if this option is the Council's preferred route then this would enable the council to invest in Heathlands in a way consistent with our Strategic Objectives including delivery of affordable housing and custodianship to ensure maintenance of a good quality public realm.

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 The view of the Corporate Leadership Team (CLT) is that Option 2B is most appropriate as it caps the Council exposure at circa £1.5m in what are challenging financial times but allows for an attractive return upon this investment over the longer term, which should be reinvested in the new community itself in alignment with the council's strategic objectives.
- 4.2 The Council would have a seat at the negotiating table, both officer and Member, in terms of delivery phase strategic / steering board or similar, and also carve out a key role in terms of the long term governance and stewardship of the new community once established.
- 4.3 The Council will also endeavour to negotiate rights of first refusal to acquire at market value the affordable rented housing on the site and commercial property elements, and these opportunities could indeed be a means to reinvest any surplus realised whilst aiding the delivery of Heathlands.
- 4.4 Even though this option would mean a lesser role for the Council in the delivery phase, the Council through its initial investment and active involvement in the early years will have taken a lead role in establishing the blueprint for Heathlands, inasmuch it would have seen the project through to Planning consent with a fixed design code and infrastructure delivery plan etc. In addition, HE set clear design benchmarks for all developers tendering for purchase of the serviced land parcels. They are then closely monitored throughout the process to ensure compliance with their design and delivery obligations.
- 4.5 Furthermore, this option will mean that the Council will have met its driving objective for the project in terms of embracing growth and enabling infrastructure, without the need to continue to invest significant sums in the project for the longer term.

- 4.6 The CLT do not favour Option 2A as it means the Council would not be financially rewarded for its ideas and endeavours in developing the proposal and would not be able to invest to bring about the delivery of Heathlands and achieve its wider strategic objectives.
- 4.7 The CLT do not favour the joint venture route (Option 1) owing to its complexity and cash exposure, both of which now seem unnecessary given that Homes England have been secured as the partner. Indeed, Homes England do not favour this option because:
- The extra complexity and administrative burden, that may cause delays to the project and require considerable internal resource to manage effectively.
 - HE and MBC would need to create either a limited company or form an LLP with its own Board and separate company accounts. This point is linked to the above, and a significant amount of oversight will be needed to enable two public-sector organisations to form a for-profit private enterprise. From an Officer perspective, it is also felt that this is an extremely compelling factor.
- 4.8 Accordingly, it could well be that Option 1 may not be commercially deliverable inasmuch that Homes England do not favour it. Officers could of course seek to negotiate such an arrangement were this the preference of the Committee, but there can be no guarantees that these negotiations would be fruitful.
-

5. RISK

- 5.1 In terms of the risks around the different options for the delivery phase of the collaboration agreement, these have been explored within the previous section of this report, so this section focusses upon the broader project risks.
- 5.2 When this proposal was presented to this Committee in September 2019, the likely risks were set out as follows:
- At risk consultancy expenditure.
 - A period of uncertainty for the community affected.
 - Possible negative perceptions of a broader role for the Council in the context of acting as master developer.
 - Maintaining cohesion amongst the landowner group.
- 5.3 These risks have to some degree crystallised and largely remain. However, the level of cohesion amongst what is a now smaller landowner group, is now strong.
- 5.4 Further risks that have since been added and remain are:
- Terms cannot be agreed with the landowners (principal and minority).
 - Challenge from individuals or organisations that oppose the principle and/or the specific details of MBC's council-led garden community.

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

6.1 Nothing further to report.

7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

7.1 The next steps will be to:

- Advance the commercial negotiations with the five principal landowners and landowners north of the railway line in line with previous reports.
 - Enter into the collaboration agreement with HE.
 - Make representations to the LPA at Regulation 18B consultation stage of the LPR.
 - Engage with LPA to refine the Heathlands concept.
 - Make the third stage submission to the LPA by 31st March 2021.
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8. REPORT APPENDICES

None.

9. BACKGROUND PAPERS

None.

Agenda Item 16

Policy & Resources Committee

16 December 2020

King Street Carpark

Final Decision-Maker	Policy & Resources Committee
Lead Head of Service	Head of Regeneration and Economic Development - John Foster
Lead Officer and Report Author	Alison Elliott, Housing Development Officer
Classification	<p>Public report (with Exempt Appendix)</p> <p>Exempt Appendix Appendix 2: Provisional Financial Summary By virtue of Paragraph 3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information), of Part 1 of Schedule 12A of the Local Government Act 1972</p> <p>The public interest test falls in favour of withholding this information so as not to jeopardise the Council's commercial position.</p>
Wards affected	High Street

Executive Summary

In line with the Local Plan, officers have been investigating the redevelopment of King Street carpark for ground floor retail and residential uses above. However, this has proven to be financially unviable.

This report details an alternative design proposal for 16 residential dwellings, with the loss of only 4 of the pay and display bays thereby continuing to generate parking income for the Council.

Officers have been considering the best approach to deliver the redevelopment of the King Street site and due to the need to minimise disruption to the operation of the car park, have investigated the use of Modern Methods of Construction (MMC) and have identified the LHC Framework as the most cost effective and efficient route to procure these works. Following a procurement exercise undertaken ZPODS have been chosen as the Council's preferred contractor.

Purpose of Report

The purpose of this report is to update the Committee on the evolution of the design proposals and to seek approval on entering into a Pre Contract Services Agreement (PCSA) and JCT Design and Build contract with the preferred Contractor ZPODS subject to planning consent and a viable scheme being achieved.

This report makes the following recommendations to this Committee:

1. That the Committee agree to the part redevelopment of the King Street Car Park, as per the new proposed design plans, in appendix 1 and note the indicative financial returns shown at exempt appendix 2.
2. That the Director of Finance and Business Improvement is granted delegated authority to appoint and enter into a JCT Pre Contract Services Agreement (PCSA) with the preferred contractor ZPODS for the stage 1 (pre-construction phase) works to King Street Car Park.
3. That the Director of Finance and Business Improvement is granted delegated authority to enter into a JCT Design and Build Works Contract with the preferred contractor ZPODS for the stage 2 (construction phase) works to King Street Car Park, subject to satisfactory performance, a viable scheme and planning consent being achieved in stage 1.
4. That the Director of Finance and Business Improvement is granted delegated authority to grant such lease(s) of the Property as necessary on terms to be agreed, and authorise the completion of such lease(s) and all ancillary deeds and agreements and the Head of Mid Kent Legal Services be authorised to complete the necessary legal formalities for such lease(s) in due course.
5. That the Head of Mid Kent Legal Services is authorised to instruct/appoint the Solicitors required and to complete the necessary contract documentation and agreements associated with the works and consultancy services provided for King Street Car Park, on the terms as agreed by the Director of Finance & Business Improvement.

Timetable

<i>Meeting</i>	<i>Date</i>
Policy and Resources Committee	16.12.2020

King Street Carpark

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<p>Impact on Corporate Priorities</p>	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> • Embracing Growth and Enabling Infrastructure • Safe, Clean and Green • Homes and Communities • A Thriving Place <p>The proposal impacts on the following corporate priorities:</p> <p>Embracing Growth and Enabling Infrastructure - by enhancing the town centre.</p> <p>Safe, Clean and Green – by Encouraging good health and well being</p> <p>A thriving place – by promoting employment</p> <p>Homes and Communities - by providing housing</p> <p>Accepting the recommendations will materially improve the Council’s ability to achieve the above corporate priorities. The reasons other choices will be less effective is set out in section 2.</p>	<p>Head of Regeneration and Economic Development</p>
<p>Cross Cutting Objectives</p>	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> • Heritage is Respected • Health Inequalities are Addressed and Reduced • Deprivation and Social Mobility is Improved • Biodiversity and Environmental Sustainability is respected <p>The report recommendations support the achievement(s) of the cross-cutting objectives by providing much needed homes in the town</p>	<p>Head of Regeneration and Economic Development</p>

	centre but respecting the surrounding area and street scene.	
Risk Management	Already covered in the risk section	Head of Regeneration and Economic Development
Financial	Detailed financial analysis, setting out the anticipated spend and return on investment for the proposed residential housing design is included as an appendix in this report.	Section 151 Officer & Finance Team
Staffing	The project will be managed within existing staff resources. However extra expertise needed to deliver the recommendations are set out in section 3.3.	Head of Regeneration and Economic Development
Legal	<p>The Council 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>The Local Government Act 1972 (LGA 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>Acting on the recommendations is within the Council's powers as set out in the above statutory provisions.</p> <p>The procurement processes referred to in this report for the redevelopment of the King Street carpark should be in accordance with the Council's Contract Procedure Rules and the Public Contract Regulations 2015.</p> <p>All necessary legal documentation arising from the recommendations in this report should be approved by Legal Services before completion.</p>	Team Leader, Contracts and Commissioning, Legal Team
Privacy and Data Protection	Accepting the recommendations will increase the volume of data held by the Council. We will hold that data in line with our retention schedules.	Policy and Information Team
Equalities	No impact identified as a result of the recommendations in this report. An impact assessment would form part an agreed project	Policy & Information Manager

	going forward.	
Public Health	We recognise that the recommendations will have a positive impact on population health or that of individuals.	Public Health Officer
Crime and Disorder	The recommendation will have no negative impact on Crime and Disorder.	Head of Regeneration and Economic Development
Procurement	On accepting the recommendations, the Council will then follow procurement exercises for the appointment of the Architect and Employers Agent. We will complete those exercises in line with financial procedure rules.	Procurement Manager & Section 151 Officer

2. INTRODUCTION AND BACKGROUND

- 2.1 Policy RMX1(3) "King Street car park and the former AMF Bowling site", in the Maidstone Borough Local Plan Regulation 19 version, states that this area together with the adjacent former AMF Bowling site offers a significant redevelopment opportunity close to the heart of the town centre to deliver a mix of ground floor retail and residential uses. Specifically, it states that the site is allocated for up to 1,400m² comparison and/or convenience retail floor space and approximately 53 dwellings. As the former AMF Bowling site has now been built out as a residential retirement homes scheme, only the King Street carpark remains for redevelopment.
- 2.2 In addition to the requirements of Policy RMX1(3), planning permission will be granted if certain criteria are met such as the submission of noise, air quality and land contamination assessments and subsequent agreed mitigation/reduction measures as appropriate. Footpath and public realm improvements are also required.
- 2.3 Maidstone Borough Council is the freehold owner of King Street carpark which provides 62 pay and display spaces, plus two electric charging point bays. It is a very popular car park which generates approximately £242,000 per year, equating to approximately £76 Net on average weekly per bay.
- 2.4 The retention of these car parking spaces is important as King Street is well placed to support the town centre with convenient parking for shoppers and visitors. A number of designs, tenure mixes and densities have been considered that retain the car park and build over it using a podium type of construction. However, all of these were financially unviable due to the high construction costs associated with this type of construction.
- 2.5 Officers have gathered information from local agents in the area to demonstrate that retail units do not yield a high rental return in this area of the town centre to generate a viable scheme. The retail sector is undergoing significant changes due to the growth in online shopping which has been

accelerated by Covid 19 and most recently highlighted by the collapse of Arcadia and Debenhams. Demand for retail space in secondary locations is low exemplified by the number of empty units already visible in the King Street area. Space for retail has therefore been omitted from the scheme.

- 2.6 Officers have worked with ZPODS (an SME Contractor that specialises in Modern Methods of Construction and building over car park sites) on concept designs. Pre-application planning advice has been received for the concept designs of which have been extremely positive. The new 16-unit residential scheme being proposed will allow for the majority of the pay and display car parking to be retained. The proposed design will mean a loss of approximately 4 parking spaces capitalised at 7% equals approximately £226k of lost income. This will be significantly less than the rental income, which is shown at Exempt Appendix 2.
- 2.7 The new design will also incorporate electric car charging points, public realm improvements and landscaping/tree planting to improve the visual appearance of the site from a public and resident perspective. It is intended that the proposed design will adopt a modern method of off-site modular construction, which will minimise disruption and the majority of the existing pay and display car park could remain in operation for as long as possible.

There are a number of benefits of the proposed designs, which include:

- The proposed design delivers a Local Plan site.
- Creates much needed homes in the town centre
- Income from 16 new residential market rent homes consisting of a mix of 1 and 2 bed apartments (of which 6 will be affordable for social rent), zero residential parking, however residents could benefit from evening only parking permits
- Zero energy/low carbon homes. The homes have been designed with the lowest possible running costs. The energy efficient units will have solar panels to generate renewable electricity during the day, quiet running heat pumps for low energy heating, triple glazing, and LED lighting.
- Creates a further income stream to MBC via Maidstone Property Holdings
- Pay and display car park retained as an amenity for the town (to include electric car charging points) and continued income for MBC
- The proposed development with its much-improved boundary treatments, which will give:

Enhanced air quality for new residents as the residential units will be pushed back, away from busy King Street and the Bus Station

The car park will remain open and highly visible, providing increased safety and security.

Private amenity space for all apartments.

Apartments designed to national space standards.

- 2.8 The proposed design will use off-site modular construction, to reduce construction time and the duration that parking bays will be temporary closed. It is estimated that an off-site modular build based on the proposed design could be completed in approximately ten months. During which, it is anticipated that 33 parking bays (to the rear and eastern side) will be closed for circa 13 weeks and the full car park for a further 3 weeks during the construction phase, equating to an approximate loss of income of £45k. This loss of income has been reflected in the financial appraisal shown at Exempt Appendix 2 within 'Other Costs'.
- 2.9 The team have used the LHC framework which specialises in modern methods of off-site construction to procure the contractor ZPODS. The intention is to enter into a Pre-Contract Services Agreement (PCSA) with ZPODS to get cost certainty upfront and for them to appoint their own Architects and take the scheme design through to planning for us. Any future works would be undertaken under a JCT Design and Build contract.
- 2.10 ZPODS can deliver a 'show' unit that can be used during the public consultation period. The project team are keen to utilise this and are looking into the possibility of siting it on Jubilee Square, once Covid restrictions have been eased.
- 2.11 The Market Rented units will be leased to Maidstone Property Holdings and the affordable social rented units will either be taken on by a Registered Provider or retained and managed by Maidstone Borough Council.
- 2.12 Financial Commitments
The indicative financial returns for the new scheme design are shown at exempt Appendix 2. With the benefit of off-site affordable housing commuted sums, the scheme is financially viable and meets our minimum financial criteria.
- 2.13 A submission for grant funding through the Public Land Release Fund has been made to the Government which could attract £113k towards this development if the bid is successful. Awards are expected to be confirmed in February 2021 and if successful will help de-risk the development and improve the returns further.
- 2.14 However, it will not just be delivering a commercial return, but will provide several social and economic benefits by promoting housing and economic growth, delivering affordable housing for low income families, and regenerating the town centre.
- 2.15 Indicative Programme of Events
December
Enter PCSA
Pre-Application advice with Planners
Surveys & Reports

January

Community Engagement (dependant on Covid restrictions)
Surveys & Reports
Sign off Design

February 2021

Planning Submission

May 2021

Planning Approval

June 2021

Prepare JCT D&B Contract

July 2021

Start onsite/factory build

April 2022

Practical Completion

3. AVAILABLE OPTIONS

- 3.1 First option is to do nothing. Retain King Street car park as is, and not realise any development potential from the site. Parking income to the council will be maintained, however MBC will not meet its housing need or deliver a site allocated with the Local Plan for redevelopment.
 - 3.2 Option 2 – Progress a scheme in accordance with Local Plan Policy. It has proved to be financially unviable to be able to deliver commercial and residential housing (including affordable housing) due to the high construction costs associated with a podium type construction and the existing use value of the site. This will be at a significant financial detriment to MBC.
 - 3.3 Option 3 - Enter into a JCT Pre Contract Services Agreement and, subject to a viable scheme and planning consent being achieved, enter into a JCT Design and Build Contract with ZPODSs to enable the redevelopment of King Street carpark. This approach will benefit from using the new proposed design and modern methods of off-site construction to speed delivery and to minimise loss of P&D income and general parking disruption. This option will retain the majority of the pay and display car park, continuing to provide MBC with an income. This design would provide much needed market rent and affordable (social rented) housing. The market rented units would be leased to Maidstone Property Holdings, providing an income stream.
-

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 The preferred option is 3.3
- 4.2 The preferred option will provide 16 new residential homes (including 6 for affordable social rent), be designed to national space standards, provide a

financial return in excess of the hurdle rate previously agreed by this Committee. It will also retain the majority of the pay and display parking bays (to include electric car charging points) maintaining a parking income for MBC. The proposed design will utilise modular off-site construction to minimise disruption.

5. RISK

5.1 The following risks and mitigations have been identified:

Risk	Mitigation
Obstructions in the ground, caused by the previous multi-storey carpark.	At present ground conditions are unknown, however geotechnical intrusive surveys will be carried out before any construction works begin.
Fail to receive planning permission.	The proposed designs have been discussed at a Pre-application meeting and the feedback was very positive. The project team will also ensure early engagement with Councillors and the public and apply to project where possible.
Post-planning – failure of off-site supplier to deliver modules due to market conditions or financial issues.	The project team have used an MMC framework to select a supplier with a track record. Due diligence checks have been completed on the MMC supplier. The project team will continue to work closely with the supplier to ensure they are in sound financial order and that contractual terms are mutually beneficial from a risk perspective.

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 6.1 There has been consultation with the Chair of Planning Committee and the Chair of Strategic Planning and Infrastructure regarding initial proposals. High Street Ward Councillors have been notified of the proposed new scheme designs.
- 6.2 The project team have gathered pre-application advice from the Planning Department, the proposed scheme is acceptable in principle and the approach to off-site construction is welcomed.

7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 7.1 The approval of the recommendation will enable officers to appoint and enter into a JCT PCSA with ZPODS, enabling the project team to undertake further detailed design work with a view to obtaining planning consent and proceeding with the JCT Design and Build contract.

8. REPORT APPENDICES

- Appendix 1: Proposed scheme design – to follow
- Appendix 2: Provisional Financial Summary

9. BACKGROUND PAPERS

Agenda Item 17

POLICY AND RESOURCES COMMITTEE

16 December 2020

Is the final decision on the recommendations in this report to be made at this meeting?

No

EU Transition

Final Decision-Maker	Policy and Resources Committee
Lead Head of Service	Chief Executive
Lead Officer and Report Author	Director of Finance and Business Improvement
Classification	Public
Wards affected	All

Executive Summary

The transition period following the UK's exit from the EU is due to end on 31 December 2020. New border controls and trading arrangements will come into effect at this point. This report describes the plans that are being made by the Council and the Kent Resilience Forum to address potential disruption to traffic and other impacts.

Plans for EU transition remain fluid, with no agreement on new trading arrangements at the time of writing this report. A verbal update will be provided at the meeting on the latest position.

This report makes the following recommendations to this Committee:

1. That it notes the plans described in this report.

Timetable

Meeting	Date
Policy and Resources Committee	16 December 2020

EU Transition

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> • Embracing Growth and Enabling Infrastructure • Safe, Clean and Green • Homes and Communities • A Thriving Place <p>We do not expect the recommendations will by themselves materially affect achievement of corporate priorities.</p>	Director of Finance and Business Improvement
Cross Cutting Objectives	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> • Heritage is Respected • Health Inequalities are Addressed and Reduced • Deprivation and Social Mobility is Improved • Biodiversity and Environmental Sustainability is respected <p>The report recommendation do not have a material impact on the cross-cutting objectives.</p>	Director of Finance and Business Improvement
Risk Management	Refer to paragraph 4 of the report.	Director of Finance and Business Improvement
Financial	The KRF and local authorities with port facilities have received funding for EU transition. This Council's costs for dealing with the current transition to new trading arrangements are primarily staff-related and are being met from within existing budgets.	Director of Finance and Business Improvement
Staffing	We will deliver the recommendations with our current staffing.	Director of Finance and Business Improvement
Legal	The report describes how the Council is	[Legal Team]

	fulfilling its responsibilities in relation to EU transition under the Civil Contingencies Act 2004.	
Privacy and Data Protection	EU transition will have implications for the handling of data but this is outside the scope of the current report.	Policy and Information Manager
Equalities	No implications arising from this report.	Equalities and Corporate Policy Officer
Public Health	It is recognised that dealing with current public health crisis alongside EU transition will lead to extra pressures on the Council. This is addressed in the report.	[Public Health Officer]
Crime and Disorder	There will be implications for the enforcement of traffic regulations arising from the likely disruption caused by EU transition. These will be addressed primarily by the police. As part of the Kent Resilience Forum the Council will liaise and support as necessary.	Director of Finance and Business Improvement
Procurement	No implications.	Director of Finance and Business Improvement

2. INTRODUCTION AND BACKGROUND

- 2.1 The UK exited the European Union on 31 January 2020 and entered a transition period, during which it has continued to be treated as a Member State for the purpose of trading arrangements and border controls.
- 2.2 When the transition period ends, the UK will no longer be a member of the Single Market or the Customs Union. New border controls and checks will be implemented which will impact the short Channel crossings, with the UK treated by the EU as a third country and subject to full third country controls and a variety of border checks. Even if a trade agreement is reached, new customs declarations and some new border checks will still be required.
- 2.3 These changes are likely to have an impact not only on the Channel ports but across a wider area. The main impact is likely to be in the form of disruption to traffic. Extensive work has taken place by the Kent Resilience Forum, of which Maidstone Borough Council is a member. This builds on experience preparing for the risk of a 'no-deal' Brexit at two earlier stages during the course of the UK's departure from the EU. The KRF has now published its Operation Fennel Plan, which seeks to mitigate traffic disruption. The Plan is attached as Appendix 1.

2.4 The core of the plan is a series of traffic management measures that will be implemented sequentially if and when disruption escalates. These are known as:

- Tap A20
- Brock M20
- Brock Manston

Each is described in the attached appendix. Operation Stack, which involves the full closure of the M20, is described as an emergency contingency option and would only be implemented as a last resort.

2.5 While much of the plan deals with arrangements at the Channel ports and the surrounding area, experience of Operation Stack in 2015 shows that disruption can quickly have an impact in the Maidstone area. This can take the form, for example, of traffic diverting from the M20 on to local roads.

2.6 One of the key variables in any plans for EU transition is the number of HGVs which are not 'border ready'. The Kent Access Permit, which is described on page 11 of the Operation Fennel Plan, is intended to prevent such traffic entering Kent. Steps are being taken to ensure effective enforcement against non-compliant vehicles.

2.7 Communities adjacent to the M20 are particularly exposed to the risks from traffic disruption. A Community Impact Assessment has been carried out to consider the likely impacts. Maidstone Borough Council will work with the local communities to ensure that essential supplies can continue to reach those that need them in the event of disruption.

2.8 Throughout the period of transition, our Communications Team, working in liaison with communications officers in other Kent authorities, will ensure that the Council provides up to date and reliable information through our website, social media and all the other usual channels.

Interaction with Covid-19 health emergency

2.9 KRF and its member agencies face a huge challenge in having to deal with two concurrent incidents: Covid-19 response/recovery and the end of the transition period. From an organisational perspective, KRF has addressed this by establishing an integrated command and control structure. Accordingly, rather than having two parallel groups of officers and cycles of meetings, a single structure has been designed, with the key co-ordinating groups having responsibility for responding to both Covid-19 and EU transition.

2.10 Locally, Maidstone Borough Council will make use of one-off Covid-19 grant funding to make sure that its response to the pandemic is suitably resourced, and so far as possible that the Council is not adversely impacted by having to deal concurrently with issues arising from EU transition.

3. AVAILABLE OPTIONS

- 3.1 Report is for noting only.
-

4. RISK

- 4.1 Both the KRF and the Council have considered the risks around EU transition carefully throughout the process of developing our plans.
-

5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 5.1 The KRF has engaged with councils across Kent about their plans. Specifically, in relation to Maidstone, Barbara Cooper and Toby Howe of KCC, along with Nicky Potts of Highways England, attended a meeting of our Joint Transportation Board on 14th October 2020 to provide a briefing.
-

6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 6.1 As set out above, the key date for planning purposes is 31 December. Members will be briefed as appropriate as the process of adapting to the new 'third country' trading and border control regime develops.
-

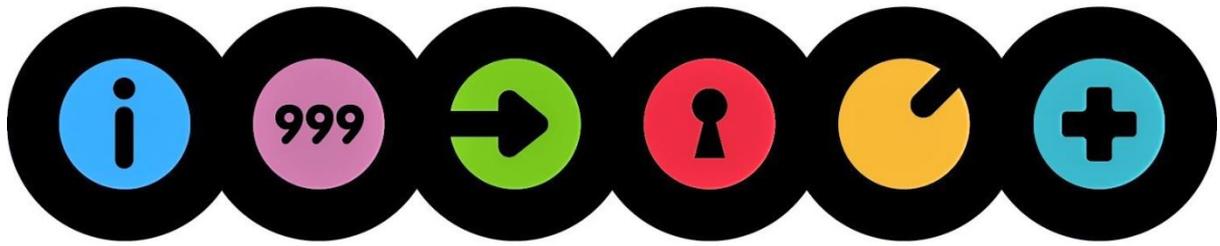
7. REPORT APPENDICES

- Appendix 1 – Kent Resilience Forum: Preparing Kent for the end of the Brexit Transition Period
-

8. BACKGROUND PAPERS

None.

Kent Resilience Forum



PREPARING FOR EMERGENCIES IN KENT AND MEDWAY

Preparing Kent for the end of the Brexit Transition Period

Date started: 12/10/2020
Version: V1.7
Updated: 27/11/2020
Classification: OFFICIAL

The multi-agency Kent Resilience Forum (KRF) is committed to working with the Department for Transport, Kent County Council, Kent Police, Port of Dover, Eurotunnel, local authorities and Highways England to prepare for any traffic disruption on Kent's roads, following the end of the Brexit Transition Period.

This document outlines the plans that have been developed to ensure the M20 can be kept open to traffic and that disruption for local residents, businesses and other road users is kept to a minimum, in addition to plans for temporary traffic holding areas, under a reasonable worst-case scenario.

The KRF is also planning for a wide range of other contingencies, including the welfare of those drivers and passengers who may be delayed in queues for long periods of time and communities that may be impacted as a consequence of the traffic management plans. Plans have considered concurrent incidents, including Covid-19 and severe weather.

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INTRODUCTION

The United Kingdom formally exited the European Union on 31 January 2020 and entered a transition period until 23:00 (GMT) on 31 December 2020. During the transition period, the UK will continue to be treated as a Member State and no new border controls will be implemented.

When the transition period ends, the UK will no longer be a member of the Single Market or the Customs Union. Therefore, new border controls and checks will be implemented which will impact the short Channel crossings. The UK will be treated by the EU as a third country and will be subject to full third country controls and a variety of border checks. Even if a trade agreement is reached, new customs declarations and some new border checks will still be required.

Any additional border controls will have a direct impact on Kent from 01 January 2021, in terms of the increased likelihood of disruption to the short straits and the need for multi-agency management of the consequences.

This document sets out the Kent Resilience Forum's plans to mitigate traffic disruption in Kent as a result of the Brexit Transition Period ending.

These plans have been developed with the key aim of keeping the M20 open and moving at times of disruption, and that Operation Brock be developed as a preferred response option to Operation Stack.

Following intensive work by all partners, the Kent Resilience Forum is now confident that these plans can deliver a multi-agency response to anticipated disruption as a result of friction at the borders.

It is important to note that these plans have been developed in line with Central Government planning assumptions and the Operation Brock infrastructure commissioned by the DfT and delivered by Highways England. The plans are also being incorporated into communications around managing Kent and wider national disruption.

The Operation Fennel Plan is designed to cope with 7,000 HGVs which is the maximum queue length of HGVs expected in Kent, as detailed in the national reasonable worst case scenario (RWCS) planning assumptions.

The multi-agency Kent Resilience Forum will continue to develop these plans further as we head towards the 31st December and partners are moving to fully resource and train staff in line with the operational requirements.

BACKGROUND

- The aim of our plans is to keep Kent moving, to mitigate the impact of disruption on our roads and to our communities and businesses.
- Even if a trade deal between the UK and the EU is agreed, the way that goods and people move across the border will change from 1 January 2021 and there will be changes to customs procedures. The Kent Resilience Forum (KRF) has received planning assumptions from government for the reasonable worst case scenario and has been developing robust plans to prepare accordingly.
- The extensive and detailed plans have been developed to strengthen the resilience of all our partners and to support our communities, businesses and service providers to mitigate disruption caused by freight traffic delays due to additional checks that will be required at the ports in Kent.
- We have tested, and will continue to test, our traffic management and driver welfare plans in a number of multi-agency exercises.
- The KRF has trained its partners to ensure each organisation is prepared, has considered its own business continuity plans and is contributing towards the plans and processes that we have put in place.
- We have worked with large employers, organisations and service providers in Kent and Medway to ensure that they are aware of, and can adapt to, any disruptions that may impact their business continuity and operations.
- We continue to work with local businesses to ensure they have access to all relevant information to keep running during this period of potential disruption.

RISK FROM EU TRANSITION

The end of the Transition Period creates the risk of additional congestion at the Port of Dover and Eurotunnel. The primary risks are that processing freight and tourist traffic leaving the UK will take longer than at present, causing delays in passing through the border controls. This could lead to queues extending back onto the road network. The multi-agency command and control centre will be set up in order to co-ordinate the response and meet the duties under Cabinet Office Emergency Preparedness to ensure an integrated approach to prevention, preparation, response and recovery. The KRF has developed a comprehensive command structure to manage impacts from EU Transition and Covid-19 simultaneously.

PURPOSE

Operation Fennel is the multi-agency response to delays in freight and passenger traffic using the Port of Dover or the Channel Tunnel to cross the Short Straits. The Operation Fennel Plan effectively collates Department for Transport, Highways England, Kent Police, and Kent County Council responses into a single plan. Operation Fennel sets out the operational measures, practices and resources required to deliver the strategic intention; taking account of any additional specific requirements that may be agreed through the Tactical Co-ordinating Group. This plan is not designed to replace the individual response plans of agencies.

This multi-agency plan sets out the operational methods to accommodate delayed vehicles. The Port of Dover and the Channel Tunnel are facilities of national importance. As the shortest crossing point between the UK and mainland Europe, the short straits ports (Port of Dover and Channel Tunnel) account for 69% of all goods vehicles and 89% of all powered goods vehicles that travel between the UK and mainland.

STRATEGIC INTENTION

“Together with multi-agency partners we will protect life and aim to keep Kent moving, preventing and minimising the impact of cross channel disruption on the community, freight and non-freight traffic and the environment. We will continue to operate a safe, local and strategic system using the transport network in Kent and provide reliable travel information. Where we cannot achieve this fully we will ensure that we provide a driver welfare regime and ensure that our multi-agency communications are clear and consistent to the travelling public. In doing so, we will attempt to mitigate the consequences caused to our surrounding communities. Everything we do will be in accordance with the principles of JESIP.”

STRATEGIC OBJECTIVES

We will work with our strategic partners to:

1. Deliver a response that protects life and minimises the risk of serious harm to human welfare including; loss of life, illness or injury to the public, road users and staff deployed before, during and after the event.
2. Develop information and intelligence with key stakeholders to assess threat and risk in order to deliver a proportionate partnership response, which is JESIP compliant.
3. Protect and maintain the critical infrastructure and critical services, minimising the occurrence and impact of Operation Fennel where possible, whilst endeavouring to keep the County moving.
4. Prevent and minimise disruption where possible to the road network, businesses and the local community. We will provide reassurance and preserve public trust and confidence.
5. Ensure that they share information and work collaboratively to enable the development of appropriate contingency plans for implementation during the emergency.
6. Provide timely, clear and relevant information to warn and inform the public, using all relevant mediums, including social media and will identify 'talking heads' from the multi-agency partnership, who are briefed effectively.
7. Take reasonable steps to prevent crime and disorder, and where it does occur we will deliver an effective and proportionate investigation securing the best possible evidence to support bringing offenders to justice.
8. Maintain adequate service resilience and business continuity to deliver 'business as usual'.
9. When the intelligence/information indicates that there is no longer a requirement for the partners to be in a state of emergency within the Civil Contingencies Act (2004), establish the appropriate governance led by the relevant authority to take forward activity to support the recovery phase and when it is appropriate to plan for a return to a 'new normality'.
10. When the state of emergency has been stood down, establish appropriate processes in order to develop a debrief mechanism to facilitate an environment to provide feedback and a "lessons learnt" forum.

OPERATION FENNEL

Operation Fennel is an escalating series of plans to deal with the regular flow of traffic at peak times (TAP 20) along with short and long-term cross-channel service disruption (Op Brock).

TAP 20

- Capacity to hold 500 HGVs.
- TAP 20 manages traffic flows during periods of disruption at the Port of Dover. It is designed to hold HGVs on one lane of the A20, preventing congestion to traffic in Dover centre.
- TAP 20 is managed and maintained by Highways England and Port of Dover Police.
- When Brock M20 is made active, TAP 20 will remain in place and will assist the control of freight into the Port of Dover.

BROCK M20

- Capacity to hold 2,000 HGVs.
- Brock M20 is a tactical option available to manage traffic heading to the Port of Dover or Channel Tunnel.
- Brock M20 is designed to keep the M20 open by operating a contraflow system between junctions 8 and 9 on the London-bound carriageway of the M20. The contraflow is for all traffic other than HGVs heading to the ports. The coast bound carriageway is utilised for port bound freight.
- A concrete barrier, known as the Moveable Barrier Solution (MBS), will be deployed on the M20 to create the contraflow on the London-bound carriageway. This will keep the M20 open in both directions. This is managed by Highways England.
- Brock M20 will be available for deployment by 30th December 2020.
- The coast-bound carriageway can be used in two ways:
 - Brock M20 active free flow with port bound freight flowing freely on the coast-bound carriageway.
 - Brock active with control with port bound freight being held in two lanes on the coast-bound carriageway using traffic signals and being released to Eurotunnel or Port of Dover via TAP 20 as capacity becomes available.

BROCK MANSTON

- Capacity to hold 4,000 HGVs.
- Brock Manston has been available since 2015 as a tactical option for managing disruption at the ports. It was included as part of the plans for a potential 'no deal' Brexit scenario in 2019 and will be available until the end of June 2021.
- Brock Manston is a tactical option, located in Thanet, for holding HGVs prior to their release into TAP 256. Primarily Brock Manston is designed to hold Port of Dover freight and is a private contract between the Department for Transport and a contractor who will manage all activities on the site.
- Brock Manston will also be used to manage HMRC customs clearance and as a border checking site to ensure that freight is border ready before it reaches the port.
- Tests have been carried out to establish the safest optimum release rate of HGVs along the proposed route on the A256 to the Port of Dover, and how any impacts could be managed. Freight held at Manston will leave along the A256, and travel from the bottom of the A256 to the Eastern Docks roundabout at the entry of the port.
- Appropriate signage will be placed on the strategic and local road networks to direct freight as required. The primary route to Brock Manston will be the M2/A2 corridor into the A299 Thanet Way.

TAP 256

- Capacity to hold up to 450 HGVs.
- HGVs will be released from Manston and held in TAP 256, meaning there is a constant supply of freight to meet the requirements of the Port of Dover.
- TAP 256 is a holding area and will be positioned on the A256 Whitfield Bypass around ½ mile north of the junction with the A2. TAP 256 has a similar set up to the TAP 20, where freight bound for the port will be held at traffic lights in lane 1 on the southbound carriageway and then released as requested by the Port of Dover. The journey time from TAP 256 to the entrance of the Port of Dover will take between 5-8 minutes in normal traffic.
- Kent County Council Highways is the lead agency for TAP 256.

SEVINGTON INLAND BORDER FACILITY (IBF)

- Capacity to hold 1,200 HGVs.
- Sevington IBF is located in Ashford, off of the A2070 and junction 10a on the M20.

- From January 2021, the site will be used to manage HMRC customs clearance (inbound and outbound) and border checks to ensure that freight is ready before reaching the ports.
- It will also be used as a temporary lorry park facility should additional capacity be required.
- From July 2021 (Day 200) when full import controls are implemented, the site will also be used for additional HMRC checks and DEFRA checks.

EBBSFLEET

- A car park located at Ebbsfleet International will be used to manage HMRC customs clearance from January.
- Ebbsfleet will also be used as a muster point in the event that freight carrying certain goods (seafood and day old chicks) is prioritised.

WATERBROOK

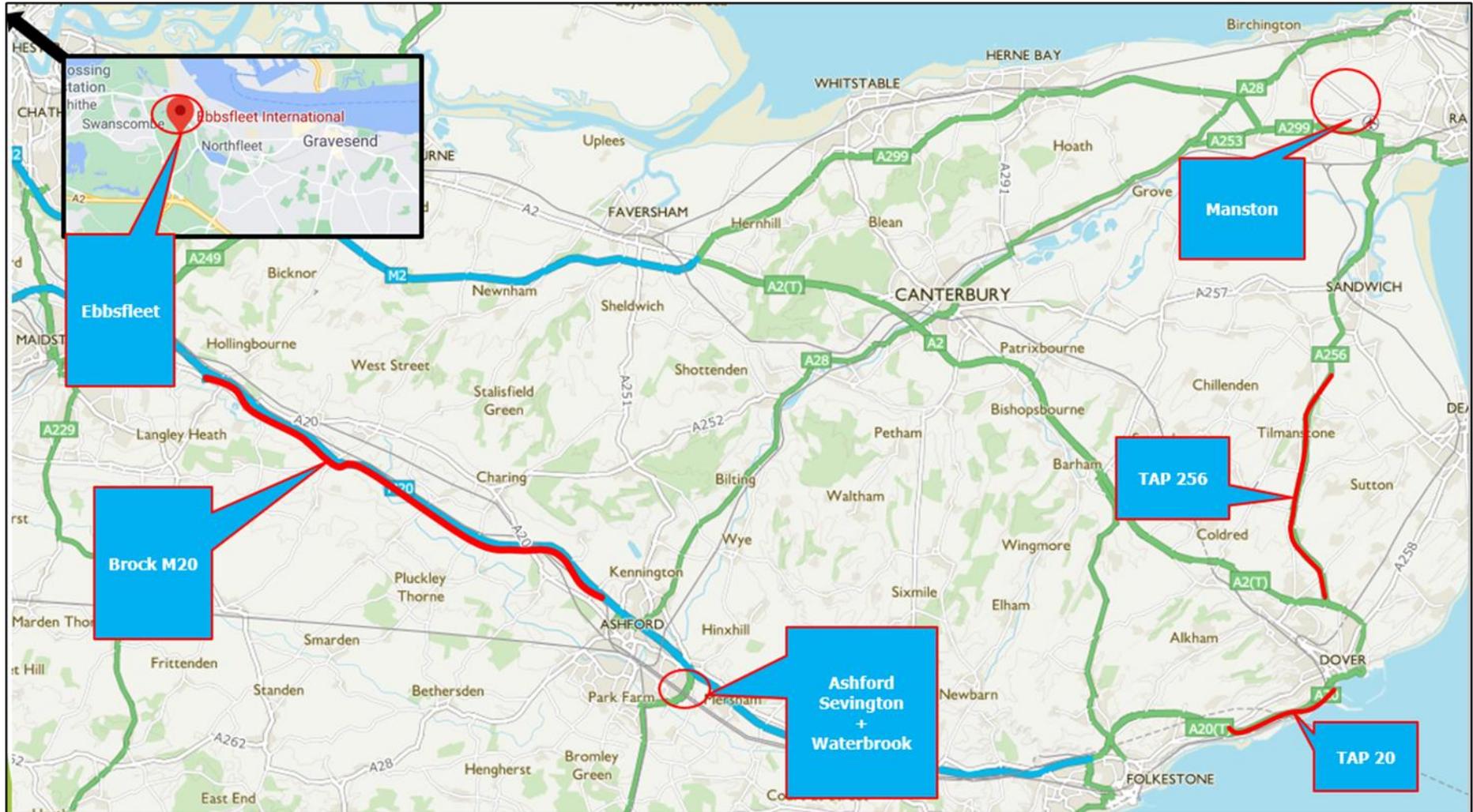
- The Waterbrook site is located in Ashford, close to Sevington IBF.
- Waterbrook will be ready by January 2021 to manage HMRC customs clearance. Depending on the dynamic traffic situation, a decision may be made to keep Waterbrook on stand-by as a contingency for Sevington IBF.

OPERATION STACK

- Op Stack is implemented as a last resort. It is currently an emergency contingency option for managing high numbers of freight bound for the Channel Tunnel and Port of Dover so they can be kept in line, do not overly obstruct other major and local roads; and can be released fairly and in turn whenever space becomes available.
- It is accepted that Kent Police and partners may have a scenario where Operation Stack is necessary. Operation Stack could therefore be introduced at any stage of the Op Fennel Plan as an emergency contingency measure, depending on the threat and risk presented.
- Op Stack involves the parking of freight on the M20 motorway when the capacity for these vehicles to leave the country via the Port of Dover or the Channel Tunnel is compromised.
- Compromised capacity can occur spontaneously, for a number of reasons: industrial dispute; anticipated weather conditions; major incident; or other events affecting the capacity of either the Port of Dover or the Channel Tunnel.

MAP

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NON-FREIGHT TRAFFIC MANAGEMENT

- Generally, disruption at the ports affects freight, however it can also impact non-freight traffic (including tourists, local residents and businesses).
- A specific risk relating to EU Transition is that British passport holders will be subject to increased immigration checks at the ports because the UK will be classed as a “third county” by the EU.
- There are usually increased volumes of tourist traffic during the seasonal and school holidays. However, the impacts of Covid-19 and lockdown/travel restrictions may reduce passenger traffic.
- The general strategic principle for non-freight traffic is that it will not be directed to use a particular route and should be allowed to make its own way to its destination. There may be some local exceptions, such as diverting traffic away from town centres, and this principle could be revised dynamically if appropriate.
- There are four stages to non-freight traffic management which may be activated if required. The stages are cumulative and can be scaled up or down as necessary depending on the type of incident and the volume of traffic.
 - Stage 1 – Monitor, no action (business as usual)
 - Stage 2 – Monitor, no deployment (plan activation)
 - Stage 3 – Patrol and monitoring
 - Stage 4 – Proactive traffic management

DRIVER WELFARE PLAN

- It is recognised that during periods of significant congestion, there may be a need for welfare to be provided to freight and non-freight drivers and their passengers.
- Although no single agency has a legal requirement to provide emergency welfare, it is accepted that multi-agency welfare provision must be considered during significant congestion or gridlock upon the declaration of a Major Incident by the lead agency and / or an Emergency as defined by the Civil Contingencies Act (2004). Kent County Council will act as the lead agency for the provision of welfare and partner agencies will support with this.
- The plan will cover the following locations: all Highways England managed roads (Strategic Road Network), all Kent County Council managed roads and all Medway Council managed roads.
- The KRF Driver Welfare Plan is for use for any situation that requires welfare to be provided to the travelling public during periods of significant congestion or gridlock. Historically, this has most commonly been caused by disruption at the ports. However, the end of the Transition Period creates a risk of additional congestion originating at the ports.
- The focus for public warning and informing will be to promote pre-preparation and self-help to the travelling public. The communications strategy will be multi-agency, built around a core group of Kent Police, Kent County Council, Highways England, and the Department for Transport.
- Due to the risks to motorists and responders associated with providing welfare on the live highway, and the low likelihood of closing the highway to deliver welfare, this will be a last resort. However, if necessary, a number of reasonable & proportionate options for welfare provision have been developed, which can be deployed by the Tactical Commander where appropriate.

‘CHECK AN HGV IS READY TO CROSS THE BORDER’ SERVICE

The Government has developed a GOV.UK web service which will be known as ‘Check an HGV is Ready to Cross the Border’. The aim of this service is to ensure that freight is ready for new border controls before it enters Kent, therefore reducing congestion by avoiding any unnecessary queues in the county.

Department for Transport ran a public consultation in August 2020 which proposed that use of the service be made mandatory in Kent, while remaining available on an advisory basis for the rest of the country. The response to the consultation is now [available](#). The service will only be relevant for goods vehicles weighing more than 7.5 tonnes. There will be several stages to how the service works in Kent:

1. An HGV driver or haulier will use a web portal to answer questions about whether they have the correct documentation needed to cross the border.
2. If the HGV driver/haulier has declared that they have the correct documentation, and they intend to cross the border via Port of Dover or Eurotunnel, the web portal will issue them with a Kent Access Permit (KAP) and instruct them to proceed on their journey. If the HGV driver/haulier does not have the correct documentation, the web portal will instruct them not to proceed with their journey and will provide guidance on how they can become border ready.
3. The Kent Access Permit is issued digitally for an HGV, based on self-declared information regarding whether the driver has all the documentation they need to take goods across the Short Straits.
4. On arrival in Kent, enforcement officers can use an operator app to scan a vehicle registration number (VRN) to determine whether an HGV is border ready and has been issued with a Kent Access Permit. ANPR cameras will also alert enforcement officers if an HGV is travelling without a valid KAP.
5. If an HGV does not have a valid KAP, or is found to be using non-Operation Brock routes (as specified in the Statutory Instruments), enforcement agencies can fine the driver up to £300.

The level of enforcement in Kent, for vehicles without a valid KAP, will depend on what elements of the traffic management plan have been activated. Domestic hauliers making a journey through, or ending in, Kent will not require a Kent Access Permit and will not be required to use the service.

SELF HELP PUBLIC INFORMATION AND GUIDANCE

LOCAL INFORMATION

Additional information on preparing for EU Transition can be accessed on the [Kent Prepared](#) website.

This includes:

- information on the KRF Threat and Risk Assessment: <https://www.kentprepared.org.uk/eu-transition-threat-and-risk-asses>
- business advice: <https://www.kentprepared.org.uk/eu-transition-business-advice>

In the event of disruption to the transport network, businesses and residents should visit the below social media sites for up to date information and travel advice:

- Kent County Council Twitter: https://twitter.com/Kent_cc
- KCC Highways Twitter: <https://twitter.com/KentHighways>
- Port of Dover Travel Twitter: https://twitter.com/PoD_travelnews
- Eurotunnel Twitter: <https://twitter.com/leshuttle>
- Medway Council Twitter: https://twitter.com/medway_council
- Highways England South East Twitter: <https://twitter.com/HighwaysSEAST>

INFORMATION FROM GOVERNMENT

More information on preparing for EU Transition can be found on the government's website: <https://www.gov.uk/transition>

COMMUNITIES

In the event of disruption following the end of the Transition Period, it is anticipated that some communities may experience disruption to local road networks and the provision of some local services such as waste management and health and social care services. We are working hard with local authorities to anticipate and minimise any impact, and are encouraging residents to consider how they can build their own resilience:

- Residents are encouraged to develop household contingency plans and to put measures in place to ensure they are prepared in the event of an emergency or any likely disruption. More information on creating a household plan can be found on the Kent Prepared website: <https://www.kentprepared.org.uk/make-a-household-plan>

- Check your local borough / district council website and social media channels for localised advice and updates about local services.
- Tune into local radio and social media channels for updates, guidance and safety messages/ advice.

JOURNEY PLANNING

- Check your route before you travel to ensure you can complete your journey.
- Allow extra travel time and consider alternative routes to your destination in the event of a hold up.
- If using public transport check for any changes to the service that could affect your journey.
- Ensure you take extra food and water, warm clothing and any prescription medication that may be needed in the event that your journey is delayed.

BUSINESSES

The government has issued guidance for traders who import goods from, and export goods to, the EU.

- Importing goods from the EU: <https://www.gov.uk/prepare-to-import-to-great-britain-from-january-2021>
- Exporting goods to the EU: <https://www.gov.uk/prepare-to-export-from-great-britain-from-january-2021>

General advice for businesses:

- Check your business continuity plans to mitigate possible disruption.
- Consider any risks to your supply chains.
- Consider any changes to tariffs and arrangements for export and imports of goods and services.
- Make contingency plans for keeping your business operating.
- Check the advice for businesses on the Kent Prepared website: <https://www.kentprepared.org.uk/eu-transition-business-advice>.

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

Document is Restricted