

CABINET

19 December 2017

FEES & CHARGES 2018/19

Report of the Director for Resources

Strategic Aim:	Sound Financial and Workforce Planning	
Key Decision: Yes	Forward Plan Reference: FP/310717	
Exempt Information	No	
Cabinet Member(s) Responsible:	Mr T Mathias, Leader of the Council and Portfolio Holder for Finance	
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Ward Councillors	N/A	

DECISION RECOMMENDATIONS

That Cabinet RECOMMENDS TO COUNCIL:

1. To approve the level of fees and charges for 2018/19 as set out in Appendices 1-4, and
2. That the fees for local elections and referendum continue to be set in line with other Local Authorities from Leicestershire.

1 PURPOSE OF THE REPORT

- 1.1 This report sets out the proposals for fees and charges for services provided by the Council, for the financial year 2018/19.

2 INTRODUCTION

- 2.1 Fees and charges represent a significant source of finance for the Council. The Council receives approximately £4.6 million from fees and charges each year. It is important that fees and charges are set at an appropriate level so as to maximise income to the Council.
- 2.2 The Council provides a wide range of services for which fees and charges can be made. Some of these fees and charges are set at a statutory level such as planning application fees and environmental protection fees. Others are discretionary and the Council has the ability to decide upon an appropriate charge

for the services. Examples include bulky waste collection and room hire charges.

- 2.3 In addition, the Council provides services to other public sector bodies and other external bodies for which charges are made. For example, the Council provides services to schools to support improvement.
- 2.4 Fees and charges are reviewed annually as part of the budget and council tax setting process. Fees and charges need to be approved in order to be effective from April 2018. In reviewing the level of fees for 2018/19, a 2% increase has been applied to all discretionary fees in line with inflation, unless there is business case to do something different. Sections 3 to 5 of this report highlight the key issues for each Directorate and the rationale for the proposals.

3 PEOPLE DIRECTORATE PROPOSALS

- 3.1 A detailed schedule of all fees and charges is provided at **Appendix 1**. The rationale for the proposals for each service area are set out below. There are currently no fees and charges within Children's Social Care.

Adult Social Care Charges

- 3.2 There were increases to adult social care fees and charges in 2016/17 as a result of a charging review to ensure the sustainability of social care services for the most vulnerable (Cabinet Report 117/2016). The majority of the fees and charges are linked to the costs of care. As we are currently not planning to raise the amount we pay providers the associated charges to service user should not rise. It should be noted that under their contract, providers may evidence increased costs to trigger a review of charges. This would affect charges to service users should this occur. The current position is outlined below:
- 3.3 Following the charging policy review in 2016, three changes to **domiciliary care charging** came into force in October 2016, which it is proposed should be maintained in 2018/19:
- 3.3.1 Service users should pay the full hourly cost of care (£16.46), up to any applicable affordability ceilings.
 - 3.3.2 Service users will be charged for care services from their start date, not from the date of financial assessment.
 - 3.3.3 Charging of an administration fee of £114.50 for helping individuals with over £23,250 who are setting up a care package (beyond free of charge advice).

The maximum home care rate payable by an individual per week rose to £441 in 2016, mirroring a rise in the lowest residential care rate, to which it is linked. It is proposed that this remains the same in 2018/19.

- 3.4 The other charges for service users in adult social care are for **Deferred Payment Agreements (DPAs)**. DPAs are a form of loan for home owners who move into residential care, enabling them to defer some of the costs of care which are then recovered from their estate or the sale of their property. Two DPA charging amendments were approved by Council in July 2016 relating to increased arrangement fees for DPAs and the charging of interest at the government rate on

deferred payments. It is proposed that these charges, introduced in October 2016, will change in 2018/19 as follows:

- 3.4.1 DPA arrangement fee at the cost recovery level was £470 plus third party charges. Based on the updated calculations the DPA fee should increase to £490 to remain at full cost recovery.
- 3.4.2 Interest charged on Deferred Payments was set at the interest rate set by Government and was to be adjusted when interest rate changes are notified. This is now reviewed every 6 months on 1st Jan and July. The current interest rate is 1.85%, a reduction on the previous rate of 2.25% when the changes were first introduced.

Learning and Skills – School Improvement Service

- 3.5 Services available to schools and charges for school improvement depend upon two factors
 - a) the category of the school identified through risk assessment shared with the school
 - b) the status of each individual school i.e. is the school maintained or Academy/ Free School. Independent schools have a further, higher charging scale.
- 3.6 The charging structures for schools were reviewed during early 2017/18 and no changes are proposed to charges for school activity for the next academic year.

4 PLACES DIRECTORATE PROPOSALS

- 4.1 Fees which are set nationally are set out in **Appendix 2**. Locally set fees are set out in **Appendix 3**. Locally set fees have been reviewed and revised where appropriate or increased by inflation (2%) and rounded appropriately. There are a small number of fees where no increase is proposed. Typically this is either because there has been a recent increase (e.g. parking) or there is competition (e.g. land charges).
- 4.2 A number of changes are recommended for 2018/19, the most significant of which are set out in paragraphs 4.3 to 4.11. This includes the addition of some new charges that we are able to make but have not previously.
- 4.3 A detailed review of fees and charges within the Places Directorate is currently underway, led by an external consultant. This is likely to develop further proposals within the next 6 months that could lead to the introduction of some new charges for services, charges for premium services and further modification of existing charges.

Waste Management

- 4.4 Appendix 3 includes the Green Waste charge that was approved by Full Council in September 2017.
- 4.5 Also proposed is a charge for delivering grey and black bins to new properties. Introducing this charge is likely to generate around £15k per year on average.

Gambling Act and Other Licences

- 4.6 New charges are proposed to cover situations which may occur where no fee is currently set. There is unlikely to be any significant financial impact.

Highways

- 4.7 Charges for A board and street furniture licences are not currently included. There are also several new or revised fees proposed for Road Closures and Traffic Management. These will bring Rutland's fees in line with charges in neighbouring authorities and likely to generate around £25k to £30k per annum if approved.

Museum and Library

- 4.8 After reviewing the fees and income in respect of these areas, it is recommended that a number of reprographics and photography services are withdrawn and the fee therefore abolished. This is either due to the lack of demand for these services or the cost effectiveness of us providing them.
- 4.9 Furthermore, a review of the pricing structure for room hire changed has taken place and a simplified, unified hourly rate is now being recommended. The objective of this is that a clearer pricing structure will make the facilities easier to promote and lead to an increase in usage. This will be kept under review and income budgets closely monitored.

Development Control

- 4.10 Development control fees are set nationally. The Council has already agreed to accept the Governments offer of a 20% increase on condition that the additional revenue is invested exclusively in planning services. The necessary legislation is expected to be in place before the end of the calendar year.

Home to School Transport

- 4.11 Increases to school related transport charges are set out in the home to school and home to college transport policies.

5 RESOURCES DIRECTORATE PROPOSALS

- 5.1 A detailed schedule of all fees and charges is provided at **Appendix 4**.

Reprographics Services

- 5.2 The Council is permitted to make a charge for ad-hoc copying of information subject to the Local Government (Access to Information) Act 1985 and for information requested under the Freedom of Information Act 2000. This legislation allows the Council to recover reasonable costs in respect of providing the documentation. This includes direct material costs plus overheads.
- 5.3 No increase is proposed to this charge.

Legal Services

- 5.4 Charges for the provision of certain legal services under a fee structure are common practice across all areas of Local Government. Developers are required

to pay the legal costs associated with s106 agreements, s38 agreements and s278 agreements this fee income is administered by Peterborough Legal under the Council's shared service agreement. Peterborough Legal have recently reviewed the cost of providing these services and found that increases are required to ensure their costs are adequately covered. Legal fees for planning and highways agreements will be increased to £180 per hour, with a minimum fee of £720 which equates to 4 hours work. Time recording accurately records the time spent on each individual matter to ensure the developer is charged appropriately.

Elections & Referendums – Charges to Parishes

- 5.5 The representation of the People Act 1983, Section 36 (4) requires the Council to cover all expenditure incurred by the Returning Officer in the holding of an election (or the Counting Office in the holding of a referendum). The fees for conducting Parliamentary, and European Parliamentary and Police and Crime Commissioner elections are regulated by the Returning Officers' Fees and Charges Orders made by the Government.
- 5.6 The Act allows the Council to recharge the costs of elections and referendums to parish councils. The Council works collaboratively with other authorities across Leicestershire to agree consistent fees. The fees for 18/19 have not yet been reviewed therefore approval is sought to continue to set the fees using this approach.

Disclosure and Barring Service (DBS) Checks

- 5.7 The HR Service acts as the 'administrator' for processing DBS Applications for:
- Employees and volunteers engaged by the Council
 - Organisations who have some 'affiliation' to the Council or its services and provide voluntary services
 - Fostering/Adoption service
- 5.8 An administration fee for undertaking these checks is charged, as permitted under section 93 of the Local Government Act 2003. This is not a statutory service – RCC and other organisations are able to secure the service from another Registered Body. We process approximately 60 applications per year for voluntary organisations.
- 5.9 The process involves development and maintenance of relevant policies, practice and procedures in line with Government requirements and the DBS Code of Practice – including:
- Appropriate identification/assessment of levels of check (i.e. standard, enhanced, barred)
 - Secure management of private and sensitive data/information e.g. criminal records
 - Ensuring appropriate level of checking of identification
 - Full check of the accuracy of applications prior to submission by a Counter signatory or Lead signatory
 - Resolution of any queries between applicants and the DBS

- Advisory support and guidance to recruiting managers for positive disclosures
- Managing a 3-yearly re-check process for employees
- Management of our registration with the DBS
- Lead on any referrals for barring

5.10 Currently we are also developing an on-line application process which will be passed on to other organisations accessing our services. As such, the cost of providing the service to external organisations has been reviewed. Taking into account the time involved in processing the application, along with the wider role of being an administrator as set out in 5.10, it is recommended that the fee is maintained at £10.

Other Resources Fees & Charges

5.11 Charges levied for Subject Access Requests (SARs) made under the Data Protection Act 1998 will remain at £10 per request in line with statutory limitations.

5.12 Charges levied for Blue Badges (disabled parking permits) will remain at £10 per badge in line with the national Blue Badge Scheme, which allows for Local Authorities to charge successful applicants a maximum of £10.

6 CONSULTATION

6.1 Most existing fees and charges are only being increased in line with inflation. The new charges proposed in respect of Waste Management, Licences and Highways bring us in line with other Authorities therefore no formal consultation is proposed. Consideration will be given to the need to consult if any fundamental changes are proposed in year.

6.2 The proposals were considered by each of the Scrutiny Panels in late November/early December. <DETAIL TO BE ADDED IN AFTER THE MEETINGS>.

7 ALTERNATIVE OPTIONS

7.1 The alternative option is to retain the current level of fees and charges. To do so would have a negative impact on the Council's financial position as we would not be recovering the actual costs of services provided. Costs increase year on year and as such need to be reflected in this Policy.

8 FINANCIAL IMPLICATIONS

8.1 Income budgets are in many instances driven by demand and can be volatile. It is not always the case that an increase in charges will lead to increases in income received. There are two reasons for this: a) demand for the service may reduce, and b) additional income received may help address the underachievement of income targets rather than generate new income above existing budgets. For this reason, even where fees and charges are increased, income budgets are not always amended.

8.2 The introduction of a charge for green waste is expected to generate income of £280k per annum. This has been incorporated into the budget with effect from

2018/19.

- 8.3 The introduction of charges for A boards and Street Furniture is likely to increase income in 2018/19 by c£25k. Other changes may increase income and help avoid budget pressures.

9 LEGAL AND GOVERNANCE CONSIDERATIONS

- 9.1 The annual review of fees and charges is an integral part of the budget and Council Tax Setting process. The approved fees and charges will form part of the overall budget presented to full Council for approval in February.

10 EQUALITY IMPACT ASSESSMENT

- 10.1 TO BE COMPLETED

11 COMMUNITY SAFETY IMPLICATIONS

- 11.1 There are no community safety implications arising from this report.

12 HEALTH AND WELLBEING IMPLICATIONS

- 12.1 There are no health and wellbeing implications arising from this report.

13 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 13.1 The annual review of fees and charges is an integral part of the budget and council tax setting process and is also to ensure the Council is compliant with legislative guidance. It is therefore recommended that Cabinet approve the proposals set out in the document.

14 BACKGROUND PAPERS

- 14.1 There are no additional background papers to the report

15 APPENDICES

Appendix 1 – People Directorate proposed fees and charges 2018/19

Appendix 2 – Places Directorate nationally set fees and charges 2018/19

Appendix 3 – Places Directorate locally set fees and charges 2018/19

Appendix 4 – Resources Directorate proposed fees and charges 2018/19

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.