

## CABINET

15<sup>th</sup> January 2019

### FEES & CHARGES 2019/20

#### Report of the Strategic Director for Resources

Strategic Aim:	Sound Financial and Workforce Planning	
Key Decision: Yes	Forward Plan Reference: FP/231118	
Exempt Information	No	
Cabinet Member(s) Responsible:	Mr Gordon Brown, Deputy Leader of the Council and Portfolio Holder for Finance	
Contact Officer(s):	Saverio Della Rocca, Strategic Director for Resources	01572 758159 sdrocca@rutland.gov.uk
Ward Councillors	N/A	

#### DECISION RECOMMENDATIONS

That Cabinet RECOMMENDS TO COUNCIL:

1. To approve the level of fees and charges for 2019/20 as set out in Appendices 1-4 with the exception of taxi and private hire vehicle licenses.
2. To note that taxi and private hire vehicle licenses fees will be subject to consultation through a public notice procedure and be brought back for approval following that consultation.

#### 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 2019/20.

#### 2 BACKGROUND

- 2.1 Fees and charges represent a significant source of finance for the Council. The Council receives approximately £4 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 2019. In reviewing the level of fees for 2019/20, various approaches have been adopted:

- Some fees have been increased by inflation (the 12 month CPI rate to October 2018 is 2.4%) unless there is business case to do something different;
- Where costs relate primarily to staff time, fees have been increased by 4.5% (to cover pay inflation and on costs);
- There are a small number of fees where no increase is proposed. Typically this is either because there has been a recent increase or where increases may negatively impact income yield;
- In some areas, fees have been increased in line with those charged by neighbouring Councils or to cover costs associated with related service delivery.

2.5 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 was a 2.4% fee uplift to adult social care residential and domiciliary (homecare) fees in 2018/19 to take into account the additional costs to be met by providers, including National Minimum Wage legislation and pensions contributions. This uplift was applied from 1st April 2018.

3.3 An additional one-off registration fee of £45.77 per new service user is also now paid to domiciliary care agencies to cover the changed CQC registration fee which has significantly increased costs for providers. This was applied from 1st April 2018.

3.4 For 2019/20, the current residential fee banding structure is being reviewed as to ensure that the bandings are fit for purpose and clear. The new banding structure is currently out for consultation with providers and will be tabled for approval later in the financial year, in order to be implemented by 1st April 2019. The intention is to restructure the bandings whilst retaining the same overall budget for residential fees.

- 3.5 It is proposed that the domiciliary care fees that were agreed for 2018/19 be retained for 2019/20 and there have been set out in the tender documents for the new domiciliary care provision as the 2019/20 rate.
- 3.6 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. 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 2019/20:
- Service users should pay the full hourly cost of care (£16.86), up to any applicable affordability ceilings;
  - Service users will be charged for care services from their start date, not from the date of financial assessment; and
  - Charging of an administration fee of £114.50 for helping individuals with over £23,250 to set up a care package (beyond free of charge advice). It is proposed that this remains the same in 2019/20.
- 3.7 The maximum home care rate payable by an individual per week is £460, which mirrors the lowest residential care rate, to which it is linked. It is proposed that this remains the same in 2019/20.
- 3.8 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 will remain unchanged in 2019/20.
- 3.9 DPA arrangement fee at the cost recovery level was £490 plus third party charges. Based on the updated calculations the DPA fee should remain the same for 2019/20.
- 3.10 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 is 1.85%.

### **Learning and Skills – School Improvement Service**

- 3.11 Services available to schools and charges for school improvement depend upon two factors:
- the category of the school identified through risk assessment shared with the school
  - the status of each individual school i.e. is the school maintained or Academy/ Free School. Independent schools have a further, higher charging scale.
- 3.12 The charging structures for schools have been reviewed and increased in line with pay inflation.

## **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**.
- 4.2 Many of services in the Places Directorate are provided by Peterborough City Council (PCC) on behalf of Rutland. Many of the fees charged by this Council have been based on a historic cost base uplifted for inflation. In some cases, this approach has meant that the Council has subsidised services where it is entitled to recover full costs.
- 4.3 The fees and fee structure proposed in this report move the Council's charging regime to that in line with PCC, where relevant, which will enable the Council to recover its costs.

### **Animal Welfare**

- 4.4 New charges included following implementation of Animal Welfare (Licensing of Activities involving Animals - England) regulations 2018. An example is a license for those wishing to sell animals as pets. The fees and fee structure proposed are in line with those charged by PCC as they deliver this service on our behalf.

### **Gambling**

- 4.5 Fees for new applications for Gambling premises licenses (previously a single fee of £875) now range from £1,626 for adult gaming centres to £2,871 for bingo halls. Fees and fee structure brought in line with that for PCC as they deliver this service.
- 4.6 Annual licensing fees have similarly moved from a standard single fee of £395 to a variable fee for different premises.

### **Private Water Supplies**

- 4.7 Fees and fee structure in this area have been brought in line with that for PCC as they deliver this service to include analysis and an hourly rate for risk assessment, sampling, investigation and authorisation, subject to upper limit, replacing two previous fees.

### **Taxis**

- 4.8 In 2018/19 a standard fee of £313 was put in place for taxi operators licenses irrespective of the number of vehicles operated. The fees and fee structure in 2019/20 have now been brought back in line with that for PCC as they deliver this service.
- 4.9 Fees returned back to charging bands (previously in place) based on number of vehicles starting at £853 for 1 to 5 vehicles. Various other new charges have been introduced in line with Peterborough covering replacement, transfers and changes.
- 4.10 With the exception of drivers' licences, the Council is required to consult upon the fees it intends to levy through a public notice procedure. This process will be done by PCC on our behalf.

## **Waste Management**

- 4.11 Appendix 3 includes the Green Waste charge that was agreed by Cabinet on 20 November as part of the Quarter 2 Financial Management Report (No: 193/2018). The Q2 Report requested that the charge of £35 be retained for 19/20.
- 4.12 Waste collection and disposal fees have been increased by 4.5% in line with pay inflation.

## **Cemeteries**

- 4.13 Rutland County Council is currently subsidising the Cemetery by £25k. In order to work towards making the Cemetery self-funding the burial fees and charges have been reviewed and based on comparable fees brought in line with other authorities.
- 4.14 A number of burial fees were significantly lower than other authorities (and contributed to why the service did not break even) and so will see the biggest increase. Examples include 'Laying of stones' (including flat, head, foot and kerbstones) which increase from £66 to £268 for a flat stone on a single grave space, and 'exclusive right of burial' in earthen graves (single grave up to five feet in depth) which increase from £245 to £2,085.
- 4.15 The interment of the body of a person whose age at death exceeded one year is to increase from £540 to £902. However parents no longer have to meet the costs of burials or cremations for the death of a child under the age of 18 under the Children's Funeral Fund for England scheme. Fees will be waived by all local authorities and met instead by Government Funding.

## **Highways**

- 4.16 'A board' charges were considered in the Fees and Charges 2018/19 Cabinet Report 213/2017 but no proposals put forward at that point. New charges for A board and street cafe licences (£50) are now proposed and these are estimated to generate around £3k per annum.
- 4.17 A number of licences (including skips, scaffolds and cherry pickers) within Highways have been revised based on comparable fees with other authorities.

## **Museum and Library**

- 4.18 New room hire charges are proposed for commercial users to cover periods of use during opening hours and outside opening hours.

## **Development Control**

- 4.19 Development control fees are set nationally. The Council increased planning fees by 20% in 2018/19 in line with Government legislation passed in January 2018.
- 4.20 The charges for planning advice for major commercial and residential developments have been increased to reflect the costs involved in giving this advice and now mirror costs charged by other Councils.
- 4.21 The charges for planning advice for householders has been kept in line with inflation.

## Transport

- 4.22 Post 16 student charges for receiving assisted transport were increased in 2017/18 from £346 to £500 (whilst those already in the system continue to pay at the lower rate). Increases to school related transport charges have since been in line with inflation at 2.4%. It is considered that costs should not be increased beyond this figure for 2019/20 as increasing charges in the past has led to students applying directly to colleges who provide transport at a lower rate thus actually reducing the income and contribution to fixed costs incurred by the Council.
- 4.23 Delivery charges of post/meals to schools/colleges and voluntary organisations in Rutland has been increased to cover costs of staff time, vehicle maintenance and fuel.

## Parking

- 4.24 A detailed analysis of usage data has been undertaken to inform future parking charges. The findings were as follows:
- In long stay car parks 90% of transactions for the year to date are for a stay length of less than 4 hours. This indicates that the car park designation and different charging structure of long stay/short stay do not impact behaviour of those who park;
  - 15% of transactions utilise the RinGo service, up 4% on last year. However, it has been noted that RinGo users are penalised as they pay an additional 20p for using this service. This does not incentivise non cash payments;
  - The introduction of a 30 minute tariff in Uppingham last year is popular (the use of the 1 hour tariff band has decreased by 20%) but this charge is difficult to “police” because of the quick turnaround;
  - Monday to Friday, all car parks are at or near capacity so changes are unlikely to impact demand;
  - Season tickets are increasingly popular - 75% increase in the year to date.
- 4.25 A number of proposals have been put forward with regard to parking fees, as follows:
- i) Removal of references to ‘long stay’ and ‘short stay’ with parity of tariffs on all car parks, North Street Long Stay and North Street Short Stay will be renamed North Street A and North Street B;
  - ii) To promote use of the high street and to permit use of a single pay and display ticket or RinGo booking in any car park, customers can now use their ticket at any car park and use any remaining time on their ticket at a different car park;
  - iii) The Council will absorb the surcharge of 0.20p per transaction on the RinGo service to encourage use of this service in accordance with the Council’s intention to move to “cash free” car parks.
  - iv) The Council proposes to simplify the tariff schedule, and promote users to stay longer. The 4 hour tariff band will be removed, leaving 30 mins, 1 hour, 2 hours, 3 hours, 6 hours, 1 day and season tickets.

- v) The 30 min tariff will be now be “free” to support town centre shopping.
- vi) To simplify the tariff schedule and promote users to visit Oakham and Uppingham for leisure and work, Monday to Friday and Monday to Saturday season tickets will be replaced with ‘Weekly’ season tickets.
- vii) The creation of Business Spaces, selling a space to businesses using 8 underused spaces in Westgate overflow car park. The proposed charge is £807 plus VAT and there is already interest in 2 bays. This could be initially for a one year trial.
- viii) The introduction of a new penalty charge for the littering from vehicles, £300, £150 if paid within 28 days, to deter people from littering, encouraging people to be responsible for their own rubbish.

### **Admin Buildings**

- 4.26 New room hire charges are proposed for external users of the Council Chamber, Alstoe, Wytchley and Martinsley.

## **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.
- 5.5 The Council has added a new charge of £85 per hour to be applied in relation to any matters that require legal advice and can be recharged to customers.

### **Elections & Referendums – Charges to Parishes**

- 5.6 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.

- 5.7 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.
- 5.8 The Council has written to Parishes with details of the potential charges for the May 2019 local elections and also offered parishes the option of paying for elections over a number of years. Actual amounts due will be calculated after the election itself.

### **Disclosure and Barring Service (DBS) Checks**

- 5.9 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
- 5.10 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.
- 5.11 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
- 5.12 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 and charges**

- 5.13 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.
- 5.14 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 The proposals will be considered by each of the Scrutiny Panels in January as part of budget setting.
- 6.2 With the exception of drivers' licences, the Council is required to consult upon the fees it intends to levy for taxi licences through a public notice procedure. This process will be done by PCC on our behalf.

## **7 ALTERNATIVE OPTIONS**

- 7.1 The alternative options are to retain the current level of fees and charges or propose alternatives. To do so could have a negative impact on the Council's financial position and in some instances mean the actual costs of services provided are not recovered. 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 and this is the case this year.
- 8.2 The introduction of 'free' parking for 30 mins could cost the Council up to £10,000 but in line with the comments made in 3.2, no budget change has been made.

## **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 An Equality Impact Assessment Screening Report has been completed and reviewed by the Equality and Diversity Group. As implementing the fees and charges proposed does not have any impact on how the authority complies with its

duties it is deemed by the Group that no further assessment is required.

## **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**

15.1 Appendix 1 – People Directorate proposed fees and charges 2019/20

15.2 Appendix 2 – Places Directorate nationally set fees and charges 2019/20

15.3 Appendix 3 – Places Directorate locally set fees and charges 2019/20

15.4 Appendix 4 – Resources Directorate proposed fees and charges 2019/20

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