

CABINET

21 January 2020

FEES & CHARGES 2020/21

Report of the Strategic Director for Resources

Strategic Aim:	Sound Financial and Workforce Planning	
Key Decision: Yes	Forward Plan Reference: FP/221119	
Exempt Information	No	
Cabinet Member(s) Responsible:	Mr Gordon Brown, Deputy 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 2020/21 as set out in Appendices 1-4 with the exception of taxi and private hire vehicle licenses and Residential Home Care rates.
2. To note that taxi and private hire vehicle licenses fees will be subject to change based on the outcome of forthcoming consultation through a public notice procedure and be brought back for approval following that consultation.
3. To note that weekly Residential Home Care rates are subject to a separate report.

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 2020/21.

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 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 2020. In reviewing the level of fees for 2020/21, various approaches have been adopted:
- Some fees have been increased by inflation (the 12 month CPI rate to October 2019 is 2%) 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.
- 2.4 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 For 2020/21, the current residential care fee banding structure has been reviewed; a separate report is tabled to agree these fees. The fees are proposed to be increased with CPIY.
- 3.3 It is proposed that the domiciliary (home) care fees are increased by 2% to take account of increased costs to providers, and in line with CPIY.
- 3.4 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 2020/21:
- Service users should pay the full hourly cost of care (£17.20), 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 for helping individuals with over £23,250 to set up a care package (beyond free of charge advice), has been increased for 2020/21 by pay inflation (4.5%) to £120.

3.5 The maximum home care rate payable by an individual per week is proposed to mirror the lowest residential care rate, to which it is linked. It is proposed that this remains the same in 2020/21.

3.6 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. The DPA fees relate to arrangement fees for DPAs at a cost recovery level plus third party charges and the charging of interest at the government rate on deferred payments.

3.7 It is proposed that the DPA arrangement fee for 2020/21 be increased by pay inflation of 4.5% from £490 to £514 plus third party charges.

3.8 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 1.45%.

Learning and Skills – School Improvement Service

3.9 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.

3.10 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. Where fees are charged to cover costs then the Council has received assurances from PCC that this is the case.

Animal Welfare

4.3 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, and in some instances the fees charged have reduced albeit by a small amount.

Taxis

- 4.4 There are currently 2 standard fees in place for taxi operators licenses based on a 3 year and a 5 year licence but irrespective of the number of vehicles operated. These have been increased by 4.5%, but the fees and fee structure will be subject to change based on the outcome of a forthcoming consultation exercise and be brought back for approval following that consultation.

Waste Management

- 4.5 Appendix 3 includes the Green Waste charge retained at £35 for 2020/21 as agreed by Cabinet on 19 November as part of the Quarter 2 Financial Management Report (No: 170/2019).
- 4.6 Waste collection and disposal fees have been increased by 4.5% in line with pay inflation.

Museum, Library and Castle

- 4.7 Room hire deposits are to be introduced of which 50% is to be non-refundable and new room hire charges for events serving alcohol or undertaking licensable commercial activities at the Castle, Museum and Library are proposed. Civil ceremonies are treated separately and already have a deposit fee structure in place.

Development Control

- 4.8 Development control fees are set nationally.
- 4.9 The planning advice fees for major commercial and residential developments have been revised and changed to charging bands based on comparable authority fees. Commercial planning advice is to be charged based on floor area and residential is to be based on number of dwellings. If approved it is expected to generate additional income but too early to predict increase.
- 4.10 A new charge is proposed for checking the validation of planning applications based on comparable authorities. As part of the planning process Rutland County Council checks if planning applications are valid but do not charge for this service. This service is optional but it is proposed that if service isn't used and the application is returned as invalid, a small amount of the planning application fee will be retained to cover costs. It is envisage the figures proposed will be between £25 and £100 depending on the scale of the application.

Parking

- 4.11 A number of parking tariff proposals were put forward in 2019/20 Fees and Charges Cabinet report and all were agreed including a free 30 min tariff to support town centre shopping. Parking income generated following the tariff changes continues to increase even after the introduction of the 30 minute tariff (£566k in 2018/19, forecast £587k for 2019/20). It is proposed that there will be no changes/increase in 2020/21 to avoid annual expenditure on changes to signage, reprogramming of machines and pay by phone fees.

- 4.12 The Barleythorpe Road Car Park tariff has been historically set at 50% of the public season ticket which were increased in 2019/20 but the car park was not adjusted at that time. The season ticket has been re-adjusted in 2020/21.

Admin Buildings

- 4.13 New room hire charges introduced in 2019/20 for external users of the Council Chamber, Alstoe, Wytchley and Martinsley, have not been increased due to limited take up, and weekend use has been removed due to staffing, safety and security implications.

5 RESOURCES DIRECTORATE PROPOSALS

- 5.1 A detailed schedule of all fees and charges is provided at Appendix 4. There are no proposed changes to the 2019/20 fees and charges.

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 as the Council's costs in this area have not changed.

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 in 2019/20. There has been no use of this charge in 2019/20. It is proposed to continue with this level of charge in 2020/21

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 recharged Parishes for Parish Elections based on the actual amount incurred for the 2019 Parish Elections and this process will continue.

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 We have developed an on-line application process. Taking into account the time involved in processing the application, the fee was set at £10 and there is no reasons to change this at this time.

Other resources fees and charges

- 5.12 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.
- 5.13 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 and as such these fees will be subject to change based on the outcome of a forthcoming consultation exercise.

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 helps 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.

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 DATA PROTECTION IMPLICATIONS

- 10.1 A Data Protection Impact Assessment (DPIA) has not been completed because there are no service, policy or organisational changes being proposed.

11 EQUALITY IMPACT ASSESSMENT

- 11.1 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.

12 COMMUNITY SAFETY IMPLICATIONS

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

13 HEALTH AND WELLBEING IMPLICATIONS

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

14 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 14.1 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.

15 BACKGROUND PAPERS

- 15.1 There are no additional background papers to the report

16 APPENDICES

- 16.1 Appendix 1 – People Directorate proposed fees and charges 2020/21
- 16.2 Appendix 2 – Places Directorate nationally set fees and charges 2020/21
- 16.3 Appendix 3 – Places Directorate locally set fees and charges 2020/21
- 16.4 Appendix 4 – Resources Directorate proposed fees and charges 2020/21

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