

CABINET

17 January 2017

FEES & CHARGES 2017/18

Report of the Director for Resources

Strategic Aim:	Sound Financial and Workforce Planning	
Key Decision: Yes	Forward Plan Reference: FP/021216/02	
Exempt Information	No	
Cabinet Member(s) Responsible:	Mr T Mathias, Deputy Leader, Portfolio Holder for Places (Highways, Environment, Transport and Community Safety) and Market Towns and Acting 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 2017/18 as set out in Appendices 1-4, and
2. That the Director for Places (Environment, Planning & Transport) be authorised to waive the fee for the registration of a permissive pathway if there is a significant public benefit, in consultation with the relevant portfolio holder.

That Cabinet authorise:

3. That the Director for Places (Environment, Planning & Transport) in consultation with the Portfolio Holder for Places (Highways, Environment, Transport, Community Safety and Market Towns) be authorised to modify the recommendation to Council for Post 16 transport charges following the consideration of all consultation responses.

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 2017/18.

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 2017. In reviewing the level of fees for 2017/18, 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 or Early Help.

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). Following on from these recent changes, the proposal is to maintain current fees and charges for 2017/18 as set out in the following paragraphs.
- 3.3 **Deferred Payment Agreements (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 be maintained as-is in 2017/18:
- a) DPA arrangement fee at the cost recovery level of £470 plus third party charges.
 - b) Interest charged on Deferred Payments at the rate set by Government (the most recent rate being 2.25%), and to adjust this as and when interest rate changes are notified.

- 3.4 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 2017/18:
- a) Service users should pay the full hourly cost of care (£16.46), up to any applicable affordability ceilings.
 - b) Service users will be charged for care services from their start date, not from the date of financial assessment.
 - c) 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 2017/18.

- 3.5 The charges to other Local Authorities or Clinical Commissioning Groups (CCG) for **learning disability day centre** places in Rutland (at Brightways and Rutwel) have not been increased for some time. Scoping work and benchmarking undertaken by officers indicates that the charges, which are still based on full cost recovery, remain competitive in relation to other providers. It is proposed that the current inter-authority rates for learning disability day centre places should be retained.

Learning and Skills – School Improvement Service

- 3.6 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.
- 3.7 The charging structures for schools will be reviewed during early 2017 as agreed with Head Teachers in March 2016. Any proposed changes to charging structures will require separate approval in advance of the next academic year.

4 PLACES DIRECTORATE PROPOSALS

- 4.1 A detailed schedule of all fees and charges is provided at **Appendix 2**.

Parking Charges

- 4.2 The proposed new parking charges are based on a rate of 80p per hour and bring Uppingham charges in line with Oakham. Parking charges were last increased in 2013. The same discount percentage will be applied to any charges that are currently discounted (e.g. the 50% discounted permits for the residents car park on Barleythorpe road).

Post 16 Transport Charges

- 4.3 Post 16 transport charges are currently the subject of consultation in accordance with statutory requirements which closes on 27th January. Therefore the proposals included within Appendix 2 are subject to the outcome of this consultation. It is recommended that the Director for Places (Environment, Planning & Transport) in consultation with the Portfolio Holder for Places (Highways, Environment, Transport, Community Safety and Market Towns) be authorised to modify the recommendation to Council for Post 16 transport charges following the consideration of all consultation responses. A summary of the consultation responses will be included in the report to Council.

Registration of Permissive Paths

- 4.4 The ability to waive charges for registering permissive paths has been included. Some of these paths make a significant contribution to the rights of way network and the charges would make landowners unlikely to keep them open when DEFRA grants end. It is therefore recommended that the Director for Places (Environment, Planning & Transport) be authorised to waive the fee if there is a significant public benefit, in consultation with the relevant portfolio holder.

5 RESOURCES DIRECTORATE PROPOSALS

- 5.1 A detailed schedule of all fees and charges is provided at **Appendix 3**.

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. The fee income received is administered by Peterborough Legal under the Council's shared service agreement and then netted off invoices received from them for legal services.

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 proposed fees are set out at **Appendix 4** and are based on actual costs incurred in the management of local elections and referendums. The Council works collaboratively with other authorities across Leicestershire to agree consistent fees. No increase is proposed for 2017/18.

Other Resources Fees & Charges

- 5.7 An administration fee for DBS checks is charged, as permitted under section 93 of the Local Government Act 2003. The Council has recently moved to an online service for DBS checks therefore it is recommended that there is no change to the current fee level for 2017/18, but that a full review of the costs of administering the checks is undertaken during the year to measure the impact of moving to the online service.
- 5.8 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.
- 5.9 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 Consultation is already underway in respect of Post 16 Transport Charges. Consultation on other charges is not required as no new charges are proposed and existing ones are only being increased in line with inflation.

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. For this reason, even where fees and charges are increased, income budgets are not always amended.
- 8.2 The changes to the parking fees are expected to generate £135,000 additional income, compared to the 2016/17 budget. This additional income is not included in the Draft Budget for 2017/18 (Report 08/2017). If the recommendations within this report are approved this income will be incorporated into the final budget to be presented to Cabinet and Council for approval.

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 has not been completed because there are no service, policy or organisational changes being proposed.

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 2017/18

Appendix 2 – Places Directorate proposed fees and charges 2017/18

Appendix 3 – Resources Directorate proposed fees and charges 2017/18

Appendix 4 – Proposed fees in respect of charges to parishes for elections and referendums 2017/18

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