

2018-19 FEES AND CHARGES

Council	7th December 2017
Report Author	Tim Willis, Director of Corporate Resources
Portfolio Holder	Cllr John Townend, Portfolio Holder (Financial Services & Estates)
Status	For Decision
Classification:	Unrestricted
Key Decision	<i>Budget and Policy Framework</i>
Ward:	All

Executive Summary:

A review of fees and charges has now been completed as part of the 2018-19 budget build. The proposed fees and charges are expected to generate additional income of around £390k, which represents an increase of 4.0%. This excludes items such as Selective Licensing and On Street Parking.

Recommendation(s):

1. It is recommended that Council consider and approve the fees and charges as listed in Annex 1.

CORPORATE IMPLICATIONS

Financial and Value for Money	The financial implications have been reflected within the body of the report. However were members to decide to reject any of the proposals, then additional savings of the same value would be required to deliver a balanced budget.
Legal	<p>Section 151 of the 1972 Local Government Act requires a suitably qualified named officer to keep control of the council's finances. For this council it is the Director of Corporate Resources (S151 Officer) and this report is helping to carry out that function.</p> <p>Local authorities have a variety of powers to charge for specific statutory services as set out in section 42 of the Local Government Act 2003.</p> <p>The power to charge for discretionary services is not available to local authorities if there is a statutory duty to provide the service or if there is a specific power to charge for it or if there is a prohibition on charging.</p> <p>The Localism Act 2011 provides local authorities with a general power of competence that confers on them the power to charge for services but again subject to conditions/limitations similar to those noted above.</p> <p>Any decision made by the council must give due regard to the Public Sector Equality Duty section 149 of the Equality Act 2010.</p>

Corporate	Corporate priorities can only be delivered with robust finances and this report gives Members the opportunity to review the council's proposed fees and charges for 2018-19, as part of the budget process.								
Equalities Act 2010 & Public Sector Equality Duty	<p>Members are reminded of the requirement, under the Public Sector Equality Duty (PSED) (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.</p> <p>Protected characteristics: age, gender, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy & maternity. Only aim (i) of the Duty applies to Marriage & civil partnership.</p> <table border="1" data-bbox="432 757 1401 1126"> <tr> <td colspan="2" data-bbox="432 757 1401 824">Please indicate which aim is relevant to the report.</td> </tr> <tr> <td data-bbox="432 824 1310 925">Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,</td> <td data-bbox="1310 824 1401 925"></td> </tr> <tr> <td data-bbox="432 925 1310 1025">Advance equality of opportunity between people who share a protected characteristic and people who do not share it</td> <td data-bbox="1310 925 1401 1025">✓</td> </tr> <tr> <td data-bbox="432 1025 1310 1126">Foster good relations between people who share a protected characteristic and people who do not share it.</td> <td data-bbox="1310 1025 1401 1126">✓</td> </tr> </table> <p>The Equality Act 2010 (the "Act") came into force on 1 October 2010 and brings together over 116 separate pieces of legislation in order to create a framework to protect the rights of individuals and advance equality of opportunity for all.</p> <p>The Equality and Human Rights Commission recognises that with major reductions in public spending, local government has to make difficult and often unpopular decisions regarding funding and service provision. Thanet District Council has statutory public sector equality duties concerned with eliminating unlawful discrimination, advancing equality of opportunity and fostering good relations on the basis of protected characteristics such as gender, race, disability or age. These duties do not prevent the council reducing services or charging where necessary - provided that decisions are taken in accordance with the Act.</p> <p>An Equality Impact Assessment ("EIA") is not a legal requirement in England, but it is an established and credible tool for demonstrating due regard to the public sector equality duty, which is required by law. Thanet District Council, taking its obligations as seriously as it does, had the Policy Owner for each proposed fee and charge, complete an EIA.</p> <p>An analysis of the impacts fees and charges might have to the statutory equality duties encouraged Thanet District Council to take a proportionate approach to fees and charges. EIAs tailored the necessary mitigations and exceptions, for example.</p> <p>The council is satisfied that, in all the circumstances, the Schedule of</p>	Please indicate which aim is relevant to the report.		Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,		Advance equality of opportunity between people who share a protected characteristic and people who do not share it	✓	Foster good relations between people who share a protected characteristic and people who do not share it.	✓
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Foster good relations between people who share a protected characteristic and people who do not share it.	✓								

	<p>2018-19 fees and charges, those subject to an EIA, are lawful for the purposes of the public sector equality duties in the Equality Act 2010.</p> <p>The council recognises that EIAs are not an end in themselves. They are, of course, a way of showing that due regard has been paid to the general duties; but the council will continue, all-the-time, engaging with the equality considerations, accepting comments and opinions from stakeholders and maintain a positive relationship with the Equality and Human Rights Commission.</p>
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CORPORATE PRIORITIES (tick those relevant)✓	
A clean and welcoming Environment	✓
Promoting inward investment and job creation	✓
Supporting neighbourhoods	✓

CORPORATE VALUES (tick those relevant)✓	
Delivering value for money	✓
Supporting the Workforce	
Promoting open communications	

1. Introduction and Background

- 1.1 This report seeks Council approval to set fees and charges for 2018-19. Fees and charges are agreed early in the budget cycle so that they can be built into individual service estimates. This covering report summarises the main points, with the detail being provided in Annex 1.
- 1.2 A rigorous review of all the council's fees and charges was undertaken by the service managers, using techniques such as benchmarking and other in-depth reviews as per the fees and charges policy.
- 1.3 Service managers also completed Equality Impact Assessments as per the requirement of the Public Sector Equality Duty and hence informed their design of the service and price.
- 1.4 The proposed fees and charges have been considered by Cabinet on 16th November 2017 followed by Overview and Scrutiny Panel on 21st November 2017. Overview and Scrutiny Panel made the following recommendations:
 - a) To remove the cremation fee for non-viable babies
 - b) To remove the proposed increases to bulky waste collection charges due to the potential impact on fly tipping
- 1.5 Both recommendations were subsequently approved by Cabinet on 30th November 2017 plus the cremation fee for stillborn babies and children less than one month old was also removed. These changes do not have a significant financial impact.

2. Implications

- 2.1 Annex 1 to this report sets out the proposed level of fees and charges for 2018-19 in respect of services provided by the council. As a result of reviewing all the council's fees and charges, additional income of £390k is anticipated in 2018-19. Table 1 compares 2017-18 to the proposed 2018-19 fees and charges. The proposals represent an increase in income of 4.0%. Some charges have remained at 2017-18

prices; others have increased to reflect parity with other authorities and some to cover the cost of providing the service.

Table 1 – Comparison with previous year

	2017-18	2018-19
Income Increase	£518,610	£390,000
Percentage Increase	7.2%	4.0%

- 2.2 The major changes proposed to fees and charges 2018-19 are summarised in Table 2:

Table 2 – Summary of major changes

2018-19 Fees & Charges		Major Changes		
Ref	Type of Fees & Charges	New Fees	Deleted Fees	Increased Fees
1.	Car Parks – Off Street	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.	Car Parks – On Street	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.	Crematorium	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5.	Cemeteries	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7.	Green Waste Collection	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8.	Clinical Waste Collection	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.	Refuse Bins	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13.	Ramsgate Harbour/Port	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17.	Licensing	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
19.	HMO/Selective Licensing	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
21.	Building Control	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
22.	Property Services	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Note: A tick shows that there has been a change. A blank means no change.

3. Options

- 3.1 Council rejects some increases in the fees and charges, in which case compensating savings will need to be identified.
- 3.2 Council approves the fees and charges for 2018-19.

4. Next Steps

- 4.1 If Council accepts the recommendation then the additional income generated by these proposals will be reflected in the 2018-19 budget report to Council in February 2018.

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Reporting to:	Matthew Sanham, Corporate Finance Manager

Annex List

Annex 1	Fees and Charges Schedule 2018-19
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Background Papers

Title	Details of where to access copy
<i>Fees and Charges Policy</i>	<i>Budget Strategy</i>

Corporate Consultation

Finance	<i>Ramesh Prashar, Head of Financial Services</i>
Legal	<i>Sophia Nartey, Interim Head of Legal Services</i>