

2019-20 FEES AND CHARGES

Council	6 December 2018
Report Author	Tim Willis, Deputy Chief Executive and S151 Officer
Portfolio Holder	Cllr Ian Gregory, Cabinet Member for Financial Services & Estates
Status	For Decision
Classification:	Unrestricted
Key Decision	Budget and Policy Framework
Ward:	All

Executive Summary:

A review of fees and charges has now been completed as part of the budget build. The proposed fees and charges are expected to generate additional income of around £189K, which represents an increase of 2.0%. This excludes items such as Selective Licensing and On Street Parking.

Recommendation(s):

1. That Council consider and approve the fees and charges as listed in Annex 1, subject to any amendment following Cabinet's determination of the Finance, Budget and Performance Scrutiny Panel recommendations.

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 Deputy Chief Executive (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>

	Any decision made by the council must give due regard to the Public Sector Equality Duty section 149 of the Equality Act 2010.								
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 2019-20 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" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2">Please indicate which aim is relevant to the report.</td></tr> <tr> <td>Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,</td><td></td></tr> <tr> <td>Advance equality of opportunity between people who share a protected characteristic and people who do not share it</td><td style="text-align: center;">✓</td></tr> <tr> <td>Foster good relations between people who share a protected characteristic and people who do not share it.</td><td style="text-align: center;">✓</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</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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	<p>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 2019-20 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 2019-20. Fees and charges have historically been 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. It should be noted that annex 1 may need to be revised and updated as a result of Cabinet's consideration of Finance, Budget and Performance Scrutiny Panel recommendations (see section 1.5 and 1.6 below).
- 1.2. A rigorous examination of all the council's fees and charges was undertaken by the service managers, using techniques such as benchmarking and other in-depth reviews.
- 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. Changes to bring to Members' attention:
 - i) Parking - Charges per hour are rounded to a 10p charge denomination. This charge supports the software within the machines which take a minimum of 5p. To reduce the cost of cash collection coinage the parking charges are rounded to 10p.
 - ii) In response to feedback, the first hour charge at seasonal car parks has been reduced - the daily charge remains the same.

- iii) Free car parking is still available on Saturdays in Margate, Broadstairs and Ramsgate. This has been changed in Broadstairs from Vere Road to St Peter's Park Road.
- iv) A charge is being introduced to support the call out charges for opening the multi storey car parks out of hours. This charge covers the call out and staff cost.
- v) Planning - 20% increase in fees reflects the change made by Central Government. This extra income is required to be re-invested in the planning service.
- vi) Building Control - Domestic Structural Design service will no longer be offered.

- 1.5 The proposed fees and charges were considered and approved by Cabinet on 15 November 2018 followed by Finance, Budget and Performance Scrutiny Panel on 20 November 2018. The Scrutiny Panel made the following recommendations to Cabinet;
- i) To consider removing the fee for cremation services of children under the age of seven years;
 - ii) To review the costs for cremation services for all age groups, having considered similar charges in other districts;
 - iii) To review the licensing fee charges in order to determine whether it was appropriate that there was no increases in licensing fees across the board;
 - iv) To consider whether it was appropriate to set up an all party Cabinet advisory group to look at future fees and charges.
- 1.6 Cabinet is due to consider the Panel's recommendations at an extraordinary meeting on 6 December 2018 prior to Full Council. A verbal update on Cabinet's decisions will be provided at the meeting.

2. Implications

- 2.1 Annex 1 to this report sets out the proposed level of fees and charges for 2019-20 in respect of services provided by the council. As a result of reviewing all the council's fees and charges, additional income of £189K is anticipated in 2019-20. Table 1 compares 2018-19 to the proposed 2019-20 fees and charges. The proposals represent an increase in income of 2.0%. Some charges have remained at 2018-19 prices; others have increased to reflect parity with other authorities and some to cover cost of providing the service.

Table 1 – Comparison with previous year

	2018-19	2019-20
Income Increase	£390,000	£189,000
Percentage Increase	4.0%	2.0%

- 2.2 The major changes proposed to fees and charges 2019-20 can be summarised in Table 2:

Table 2 – Summary of major changes

2018-19 Fees & Charges	Major Changes
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Ref	Type of Fees & Charges	New Fees	Deleted Fees	Increased Fees
1.	Car Parks – Off Street	✓	✓	✓
2.	Car Parks – On Street	✓	✓	✓
4.	Crematorium	✓	✓	✓
5.	Cemeteries	✓	✓	✓
7.	Refuse - Bulky	.	.	✓
8.	Green Waste	.	.	✓
17.	Water Users	✓	.	✓
18.	B'stairs & M'gate Harbour	✓	✓	✓
19.	Ramsgate Harbour/Port	✓	✓	✓
27	Planning	.	.	✓
32.	Building Control	.	✓	✓
37.	Property Services	✓	✓	✓

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

3. Options

3.1. Council could notify officers of any changes required. If there are changes to those recommended that result in reduced income, then this will create a shortfall in the budget that will need to be funded from another source.

3.2. That Council approves the fees and charges for 2019-20.

4. Next Steps

4.1. If Council accepts the recommendations then the additional income generated by these proposals will be reflected in the 2019-20 budget report to the Council in February 2019.

Contact Officer:	Joanne Kemp, Finance Manager
Reporting to:	Matthew Sanham, Financial Services Manager

Annex List

Annex 1	Fees and Charges Schedule 2019-20
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Background Papers

Title	
None	

Corporate Consultation

Finance	Gary Whittaker, Interim Head of Financial and Procurement Services
Legal	Sophia Nartey, Interim Head of Legal Services
Communications	Hannah Thorpe, Head of Communications