

12 December 2018

Environment and Enforcement Committee

Fees and Charges

Report of: *Jacqueline Van Mellaerts – Interim Chief Finance Officer*

Wards Affected: *All*

This report is: *Public*

1. Executive Summary

- 1.1 Fees and charges levied by the Council for various services are reviewed on an annual basis by the relevant Committees relating to the Services.
- 1.2 Recommended amendments to fees and charges are incorporated into the budget setting process to take effect from the following financial year.

2. Recommendation(s)

- 2.1 That the proposed fees and charges attached in Appendices A, B, C and D are approved and referred to Policy, Projects & Resources Committee and Ordinary Council as part of the 2019/20 budget setting process.**

3. Introduction and Background

- 3.1 The Council has fees and charges relating to specific services it provides. As part of the budget setting process, these charges are reviewed on an annual basis. Whilst some of the fees and charges are statutory and therefore determined through legislation. The Council also review its charges for discretionary services year on year.
- 3.2 The individual charges that are being proposed are set out in Appendices A, B, C and D of this report.

4. Issue, Options and Analysis of Options

- 4.1 It is proposed to implement an increase of c.3% or less with regards statutory services. This is to reflect the increase in costs the Council incurs in providing them.
- 4.2 This year, the Council has undertaken a benchmarking exercise of Fees & Charges. The Fees & Charges, where possible, have been compared against other local authorities within Essex as well as local businesses, if similar charges apply.
- 4.3 The exceptions to the proposed increase of c. 3% or less for 2019/20 to those non – statutory services are summarised below:
- 4.4 **Cemeteries Appendix B** – Internal Audit produced an income generation report in 2017, this recommended that increases were applied over a two-year period. The increases for 2019/20 reflects this second stage.
- 4.5 **Environmental Health and Enforcement Appendix C** - fees and charges have been benchmarked against other authorities. Fixed penalty charges have been set by Committees
- 4.6 **High Hedges Appendix C** - The Anti-Social Behaviour Act 2003 placed a duty on local authorities to deal with complaints from the occupiers of residential property in their area relating to high hedges in neighbouring properties.
- 4.7 Section 68 of the Act sets out the procedure for dealing with complaints and allows local authorities to set a fee for this work. The fee must be paid to the Council before any action to deal with the complaint begins.
- 4.8 The current fee has been set at £330 since the act came into force. This no longer reflects the cost to the organisation in dealing with these complaints that are often protracted due to the ongoing nature of the response required. The proposed increase of the fee to £500 better reflects the cost in dealing with such complaints.
- 4.9 **Abandoned Shopping Trolley Appendix C** - Charges for abandoned shopping trolleys have been increased to encourage collection by the stores and ensure the Council covers its costs and continue to provide a viable cost recovery.

- 4.10 **Street Naming and Numbering Appendix D** – it is proposed to increase the unit charge for street naming and numbering in line with other authorities' charges and to ensure the Councils overheads are covered.
- 4.11 **Town Hall Fees & Charges** – Currently, the Fees and Charges regarding the new Town Hall are being reviewed in line with the Town Hall Project. The proposed fees and charges are to reflect the improved meeting room space available in the new refurbished Town Hall 2019. These will be made available to outside organisations as well as tenants who lease the commercial space.
- 4.12 Proposed charges will be reported to Policy, Projects and Resources, so that the new fees & charges can be included in the proposed budget. The Chair and vice-chair of Environment and Enforcement will be consulted on the proposed fees before they are taken to Policy, Projects & Resources.

5. Reasons for Recommendation

- 5.1 The recommended increases to fees and charges will enable the Council to recover the cost of services provided.

6. Consultation

Not applicable.

7. References to Corporate Plan

- 7.1 The application of the fees and charges will help the Council to maximise assets to deliver corporate objectives and ensure community benefit.

8. Implications

Financial Implications

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- 8.1 All costs associated with providing chargeable services have been reviewed in order to ensure fees & charges are fully cost recoverable.
- 8.2 The benchmarking exercise ensures fees & charges are competitive and affordable.
- 8.3 The fees referred to in this report will inform the 2019/20 budget setting process.

Legal Implications

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- 8.4 The Council has powers to charge for discretionary services covered by this report under section 1 Localism Act 2011. The charging policy must comply with the Council's statutory duties (including the Human Rights Act and the public sector Equalities Duty) and the manner of exercising the powers must comply with general administrative law principles such as propriety of purpose. The amount of charges must be set at a level which is limited to costs recovery.

Other Implications (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

- 8.5 None.

- 9. Background Papers** (include their location and identify whether any are exempt or protected by copyright).

- 9.1 Internal Audit Income Generation Report 2017.

10. Appendices to this report

- A Waste Management fees and charges
- B Cemeteries fees and charges
- C Environmental Health and Enforcement fees and charges
- D Street Naming and Numbering fees and charges

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