

<b>Committee(s):</b> Environment, Enforcement & Housing	<b>Date:</b> 8 December 2020
<b>Subject:</b> Fees and Charges	<b>Wards Affected:</b> All
<b>Report of:</b> Jacqueline Van Mellaerts – Director of Corporate Resources	<b>Public</b>
<b>Report Author/s:</b> Name: Margaret Donaldson, Interim Corporate Finance Manager Telephone: 01277 312500 E-mail: Margaret.donaldson@brentwood.gov.uk	<b>For Decision</b>

### Summary

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

Services areas have reviewed their fees and charges and submitted schedules to finance to co-ordinate.

### Recommendation(s)

**Members are asked to:**

**R1. Agree to the proposed charges for 2021/22 as attached in Appendix A-K, subject to the annual budget setting process.**

### Main Report

#### **Introduction and Background**

1. The Council's has a number of fees and charges relating to the 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 must also review its charges for discretionary services to ensure that they reflect the current costs of service provision.
  
2. The individual charges that are being proposed are set out in Appendix A-K of this report.

## **Issue, Options and Analysis of Options**

3. The proposed fees are based on a calculation of the costs involved in administering the various areas of work, apart from where there is statutory charge or where the fees are set by Government.
4. The Council where possible will adopt a full cost recovery of fees and charges.
5. It is proposed that all current non statutory fees and charges are increased by inflation, which is taken as an average of CPI. This is estimated to be 1.9% and has been included in guidance to service managers. This is to reflect increase in costs to maintain the services. However, managers are able to increase fees and charges above this recommended percentage increase as long as the change can be justified within the supporting covering sheet to the appendix.
6. Within each appendix a covering sheet explains the following
  - Objectives and rationale behind the fees and charges
  - The proposed change in fee
  - Justification for this revision
  - Any benchmarking undertaken to aid in informing the level of charge
  - Whether any consultation needs to be considered
  - Expected income from the proposed fees and charges.
7. The fees and charges with proposed changes are:

### Cemeteries

- Charges have been increased by 1.9% and rounded to the nearest whole number.
- There is a new charge proposed for “Premium Plots”. Charges are still to be confirmed and will come back to committee at a later date.
- A new charge is proposed for “Search of Burial Records”. A small fee is to be introduced to reflect officer time spent providing this service.

### Street Names

- Charging for the Street Naming and Numbering services may be applied under Section 93 of the Local Government Act 2003. These charges should not exceed the cost of providing the service.

- There is a change proposed to “Address Changes” to charge one set fee per property, rather than a separate fee for domestic and commercial. The same amount of work is required to provide the service for both, with the existing charge for Commercial reflecting the amount of work required.
- Charges have been increased by 1.9% and rounded to the nearest whole number.

#### Waste Commercial (Exempt)

- The exempt appendix details a baseline for charging, however as other commercial operators supply the same service in the Borough, the Council will enter into negotiations with customers who wish to enter into a trade waste collection contract to ensure the Council is competing with other commercial providers.
- Baseline charges have increased based on the increase in disposal and operating costs.
- All charges will be rounded to the nearest pound or fifty pence for the lower charges.

#### Waste Non-Commercial

- Most charges have been increased by 1.9% and rounded up to the nearest pound or fifty pence, with the exception of garden sacks which are to the nearest ten pence.
- Domestic bin hire has not been increased in order to remain competitive.

#### Other Environmental & Corporate Enforcement

- Charges for FPN's, PSPS breaches and the EPA Act are charges controlled by central government and therefore cannot be changed.
- Other charges have been benchmarked and deemed average, therefore no change has been proposed.

#### Community Alarms

- Charges are to remain the same as 2020/21 prices.

#### Homelessness

- Charges are to remain the same as 2020/21 prices.

### HRA Estates

- Fees based on services provided by contractors have been increased in accordance with contracted inflation rates.
- A new fee is proposed for “Non Return of Gas/Electric cards”. Delays or non-return of these cards result in longer void periods and therefore loss of rental income. The charge is equivalent to two weeks average property rent.
- Charges are rounded to the nearest pound, or nearest ten pence for garage rents.

### HRA Repairs

- Charges have been set based on contractor costs.
- Other repairs deemed re-chargeable reflects the charging Environment and Housing Committee approved on 23rd September 2015. The purpose of this pricing mechanism was to reduce the amount the Council is subsidising by 5% per annum until full cost recovery is reached and encouraging tenants to be more aware and responsible for their property.

### HRA Leaseholders

- Charges have been increased by 1.9% and rounded to the nearest pound

### Housing Standards

- Charges have been increased by 1.9% and rounded to the nearest whole number

8. Proposed changes identified are explained within each covering sheet appendix

## **Reasons for Recommendation**

Officers review fees and charges annually and this will be used to inform the 2021/22 budget setting process.

## **Consultation**

None required.

## **References to Corporate Plan**

To ensure the provision of efficient and effective services of our residents and businesses.

## **Implications**

### **Financial Implications**

**Name/Title: Jacqueline Van Mellaerts, Director of Corporate Resources**

**Tel/Email: 01277 312500/jacqueline.vanmellaerts@brentwood.gov.uk**

All costs associated with providing chargeable services have been reviewed in order to ensure, fees and charges are fully cost recoverable. The fees referred to in this report inform the 2021/22 budget setting process.

Any proposed changes have been considered in terms of Impact on the budgeted income levels along with usage/volume. With the ongoing financial challenges, the Council is facing, members and officers should have a clear understanding of what drives the service income, in order to maintain the level of service at reasonable rates for residents.

Economic impacts of COVID-19 have been taken into consideration by the service in reviewing the relevant fees and charges.

The Vat liability of each fee and charge have been reviewed by finance and are indicated on the appendices

Using discretionary fees and charges is one of the key income generating options available to local authorities. Section 93 of the 2003 Local Government Act allows authorities to charge for services that they have a power (not a duty) to provide. Income earned from these charges are restricted to the cost of providing them, there is no restriction on how these costs are calculated.

### **Legal Implications**

**Name & Title: Amanda Julian, Director of Law & Governance and Monitoring Officer**

**Tel & Email: 01277 312500/amanda.julian@brentwood.gov.uk**

The recommendations set out within this report are lawful and within the Council's powers and duties. There is an existing legal framework for charging for discretionary services including s93 Local Government Act 2003 and s1 Localism Act 2011 ('the general power of competence'). Where a fee is not prescribed by statute, the Council can set its own charges. Those charges should not exceed the costs of providing the service.

Decision makers must have due regard to the Council's statutory duty under the Equality Act 2010 to eliminate unlawful discrimination and advance equality of opportunity between applicants. This includes where the Council sets fees and charges.

The Council by publishing its fees and charges to satisfy the Transparency agenda

### **Economic Implications**

**Name/Title: Phil Drane, Director of Planning and Economy**

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It is important that the Council maintain a robust budget. Setting fees and charges is an important part of this. These inform how the Council interacts with residents, businesses, partners and customers through the provision of certain services. This provision of services can have benefits to the wider local economy.

### **Background Papers**

4<sup>th</sup> March Ordinary Council Budget report

### **Appendices to this report**

Appendix A: Proposed fees and charges – Cemeteries

Appendix B: Proposed fees and charges – Street Names

Appendix C: Proposed fees and charges – Waste (Commercial) EXEMPT

Appendix D: Proposed fees and charges – Waste (Non-Commercial)

Appendix E: Proposed fees and charges – Other Environmental & Corporate Enforcement

Appendix F: Proposed fees and charges – Community Alarms

Appendix G: Proposed fees and charges – Homelessness

Appendix H: Proposed fees and charges – HRA Estates

Appendix I: Proposed fees and charges – HRA Repairs

Appendix J: Proposed fees and charges – HRA Leaseholders

Appendix K: Proposed fees and charges – Housing Standards