1. SUMMARY

1.1 This report sets out the proposed Fees and Charges for 2018/19.

2. RECOMMENDATIONS

2.1 For the reasons set out in this report, Cabinet is recommended to:

2.1.1 agree the schedule of Fees and Charges as set out in Appendix 1(iii), so far as they relate to fees and charges that are not reserved for Council decision by the provisions of the Local Authorities (Functions and Responsibilities) Regulations 2000 (as amended).

3. PROPOSALS

3.1 The proposals for Fees and Charges for the majority of services are set out in Appendix 1(iii) with the following exceptions:

Street Trading which operates as a ring-fenced account.

The Wetlands which are being dealt with as an urgent action to enable the charges to be made from the date of opening.
3.2 Most budgets for Fees and Charges will be uplifted by an estimate of 3% for inflation. However, some fees and charges are set by statute and are increased in line with the actual, allowable increase.

3.3 Due to the current budget pressures, services have been requested to look to maximise income when setting their fees and charges for 2018/19, bearing in mind issues relevant to their particular circumstances. Services are also required to obtain benchmarking data to assess comparability. The level of increase is based on a minimum assumption of 3% inflation increase for 2018/19. Where services recommend an increase lower or higher than inflation there must be justification and notes are contained in Appendix A (iii) as appropriate.

SPECIFIC PROPOSALS

3.5 Families & Homes – Adults

3.5.1 The proposals for Fees and Charges for Adult Services were reviewed in 2017/18 in the light of the implementation of the Care Act and Personalisation agenda and should be considered in the context of the substantial changes being experienced within the service. The statutory guidance issued under the Care Act 2014 sets out principles that local authorities should take into account when making decisions on charging.

3.5.2 The setting of fees and charges are based on reviewing the unit cost of the applicable services. Unit costs have been applied to all services to retain a consistent logic as the basis for the charge. In considering the proposed increases, officers in Social Care were also mindful of the costs charged by other boroughs.

3.5.3 In practice, for Adults Social Care, the residential charges are governed by the Care and Support Statutory Guidance issued under the Care Act 2014 and the Community-based services are governed by the Fairer Contributions Policy (FCP). Residents will only be expected to pay what they are assessed to be able to afford. Any increase in charges would therefore only impact people who are assessed as Full Cost Payers (with undeclared resources, or known capital in excess of £23,250). Once a financial assessment has been carried out a person in receipt of services is notified of the amount of the financial contribution, if any, they are expected to make. The process ensures that they retain a minimum level of income known as the Minimum Income Guarantee.

3.5.4 The underlying principle of the fees and charges for Adults in 2018/19 is to help people to make informed decisions to enable them to live independently with choice and control over the services they receive. With this in mind, the calculations take account of unit costs which may help develop a better service offer to self-funding residents who may wish to use Council services.
3.5.5 The Council has reviewed the basis of the Community Alarms charge and has determined that the charge should remain split between the basic community alarm and telecare. This will ensure that people only pay for the service they receive. Community Alarm users (who have no other telecare charges) will pay £3.00 per week and the telecare users pay £5.00 per week, no change from 2017/18. The charge is for either one service or the other, (they are not added together), and can be disregarded in the assessment for Fairer Contributions. The Council also offers a full cost recovery tracking service for vulnerable people which is managed on-line and monitors people’s movement. The current cost of the service is £14.50 a month which is charged in full to the resident.

3.5.6 The Day opportunities review has resulted in there being one service defined as Day Care, which is based at Markhouse Road. The new proposed increase of 3% for 2018/19 had been reworked on the same basis as 2017/18 to reflect a fairer apportionment of costs for those service users who do not benefit from the Council’s transport contract (revised charge £43.37 - an increase of £1.26), by comparison with those that do (£55.33 - an increase of £1.61). People affected will be expected to use the transport element of their benefits (Disability Living Allowance/Personal Independence Payment or Attendance Allowance) or other transport-related benefits (such as Freedom Passes or Taxi cards).

3.5.7 The basis for charging for Dementia Support was reviewed last year. The service is currently under review and the proposal is to keep the current charges at the same level for 2018/19, the charges continue to reflect the differing costs of the service, with an hourly rate specifically for one-to-one sessions in service users’ homes (£16.20 per hour), and different rates for the dementia clubs around the Borough, with and without transport costs (£14.03 and £11.89) per session.

3.5.8 Charges for residential accommodation have been reviewed to take into account any changes in the costs of provision. The calculations include a review of the allocations of central recharges. The proposal is to increase fees by 3% for the in-house residential care homes for new residents, increases from £885.05 to £911.60 per week - an increase of £26.55.

3.5.9 Pre April 2016 permanent residents in residential care homes including our in-house provision (Alliston, George Mason and Mapleton Road) are assessed by Financial Assessment Officers. This is undertaken using appropriate guidelines as set out in the Care Act and individuals only pay the amount their assessment indicates they can afford. It is proposed that the fees are increased by 3% to £769.18 and £844.00 respectively from April 2018. This is an increase of £22.40 and £24.58 to be consistent with the new Residents’ increases.

3.5.10 The review also looked at the charges for Trumpington Road. The service is currently under review so the proposal is to keep current charges at the same level for 2018/19 at £1,325.42 per week. Permanent residents at Trumpington are assessed by Financial
Assessment Officers using appropriate guidelines as set out in the Care Act. Service Users only pay the amount their assessment indicates they can afford.

3.6 **Families & Homes - Childrens**

Childrens’ fees have been increased by 3% with the exception of;

3.6.1 Education Welfare where charges are statutory.

3.6.2 Snowberry Nursery where a charging structure was introduced in July 2016 following consultation with parents and staff. The consultation set out that the existing session had to be split between morning and afternoon sessions to achieve capacity. The revised charges were brought in for existing parents in September 2016. This charging structure changes slightly w.e.f. from September 2017 following the introduction of the 30 hour Free Early Education Entitlement by the Department of Education. All additional charges will now be charged at £7 per hour (was £6 per hour which previously included food and drink). Food and drink is now being charged at £3.50 per day as a separate charge. However, income is still falling short of the budget.

3.7 **Families & Homes - Housing**

3.7.1 No change is proposed for the Homelessness removal charges where costs remain fundamentally the same.

3.8 **Regeneration & Growth**

3.8.1 All nationally set planning fees are due to be increased by 20%. This is subject to parliamentary approval which is expected in the New Year.

3.8.2 Charges for pre-application planning advice are being increased by between 4.5% and 10%. This is intended to bridge a shortfall in income and has been benchmarked against neighbouring authorities.

3.8.3 Benchmarking has revealed that the council’s land charge fees are much higher than the neighbouring boroughs, no increase is therefore proposed.

3.8.4 Charges for Adult Learning are reviewed for each academic year. However, no increase is being applied as it was agreed last year that the fees would be frozen for two years.

3.9 **Neighbourhoods & Commercial**

3.9.1 Selective licencing fees were subject to a large increase in 2017/18 and are recommended to remain the same for 2018/19.

3.9.2 Fixed penalty notice charges are set at the statutory maximum and dog team fees are considered high with no wish to deter owners from collecting their dogs. Therefore no increases are proposed.

3.9.3 There are significant increases proposed for fees for traditional graves for rights of burial (up 20.3% to £1,985), prime position (up 70% to £255) and interment (up 10.8% to £1,440). In addition, there are new charges for scattered remains, mini-headstone grave plots (for ashes
only) and tree grave plots (for ashes only). These increases are all based on extensive benchmarking with other authorities.

3.9.4 The CCTV fee Data Protection Act (DPA) charge is at the statutory maximum. It is proposed to increase the CCTV evidence request charge by £5 to £100.

3.9.5 It is proposed to increase Pest Control fees by a minimum of 3% but there are no proposed increases for Bulky Waste and White Goods. From 2018/19 these services will be provided by Waltham Forest Services Ltd, a new trading company wholly owned by the Council.

3.9.6 Most fees within Environmental Health are not proposed to increase, either because they are at the statutory maximum or as a result of benchmarking.

3.9.7 No increases in parking charges are proposed other than the introduction of a new class of permit for traders (£25 for 1 week and £90 for 4 weeks) and £5 increases in charges for parking bay suspensions (the service charge up from £60 to £65 and the charge per 5m length per day up from £20 to £25). In addition, qualifying carers will now receive a free parking permit.

3.9.8 Within Highways the non-statutory fees are being increased by between 3.4% and 9.5%, the largest increases being on vehicle crossings.

3.9.9 Some street naming and numbering fees are increasing significantly. The property numbering charge is going up by £6 (13.6%) to £50 and the street naming charge is set to rise by £28 (11.3%) to £275.

3.9.10 The fees for Parks and Open Spaces are being increased by approximately 3% across all categories. Allotment fees are proposed to increase by between 3.6% and 7.1% but are frozen for holders aged over 60. Charges for food growing sites are not proposed to increase.

3.9.11 Within Libraries, most fees are being increased by an average of 3%. However, there are some larger increases proposed for overdue books and photocopying/printing (20-30%).

3.9.12 Registrars’ fees are mostly recommended to increase by between 2.9% and 5.7% but larger increases are proposed for weddings in approved venues (up to 15.1%).

3.10 **Finance and Governance**

3.10.1 The court cost income fees remain at the statutory maximum.

3.11 **Corporate Development**
3.11.1 Forest Venues (Halls letting team) have revised their fees to reflect the seasonal popularity of the venues across the service, including community rates.

3.11.2 The Museum and Gallery fees have been reviewed with majority of increases around 3%.

3.11.3 The advertising fees for Waltham Forest News are not being increased as current fee levels cover cost of production.

4 OPTIONS & ALTERNATIVES CONSIDERED

4.1 In the case of fees set by statute and/or regulation there is no discretion as to the level of charges. For other charges, the rates are discretionary and the Council has power to freeze, decrease or increase fees by a different rate. However, setting fees at a lower rate or reduced rate of increase is likely to increase the Council’s overall savings targets for 2019/20 and beyond.

5 SUSTAINABLE COMMUNITY STRATEGY PRIORITIES (AND OTHER NATIONAL OR LOCAL POLICIES OR STRATEGIES)

5.1 The Council’s budget provides the financial resources to deliver the priorities of the authority. Fees and Charges feed into the Medium Term Financial Strategy, which acknowledges the financial challenge ahead and addresses many of the more urgent problems.

6 CONSULTATION

6.1 This report forms part of a process that will lead to the setting of the Council Tax for 2018/19.

IMPLICATIONS

7.1 Finance, Value for Money and Risk

7.1.1 Every effort is made to collect Fees and Charges in an efficient manner to the benefit of all residents.

7.1.2 Income from fees and charges within the scope of the proposals forms a substantial part of the Council’s budget. The total budget for controllable Fees and Charges is £24.3 million in 2017/18, of which £12.4 million is discretionary, £11.3 million is statutory and £512,000 relates to traded services. A breakdown of the budgets is shown in Appendix A(i).

7.1.3 It is estimated that the additional annual income generated as a result of this fees and charges review is £343,400 as set out in Appendix A (ii).

7.2 Legal

7.2.1 The Council may charge for its services where there is express statutory authority to do so, e.g. for recreational services or halls fees.
The level of fee chargeable for statutory services may be set by statute or be limited to cost recovery

7.2.2 The Council may also charge for discretionary services under section 93 of the Local Government Act 2003 or under the general power of competence in s.1 of the Localism Act 2011, where there is not already an existing power to charge. Fees are limited to cost recovery. The Council cannot plan to make a profit; if it did so then it would be acting commercially and can only provide services on a commercial basis through a Company.

7.2.3 Save where expressly reserved to Full Council, the setting of fees is an executive function which is delegated to Cabinet collectively under the Council's constitution and executive arrangements. Fees reserved to Full Council will be agreed at the budget setting Council in 2017.

7.2.4 The Council can lawfully fix the fee to accompany an application under its selective licence scheme as per s.87 of the Housing Act 2004.

7.3 Equalities and Diversity

7.3.1 An initial screening exercise of the equality impact of this decision was undertaken and determined there was minimal impact on the Council's equality duty. The Council is under a number of general equalities duties in relation to gender, race and disability. This report forms part of a process that will lead to the setting of the Council Tax for 2018/19. It is possible that there will be indirect adverse impact through the increase in fees and charges to those with protected characteristics. This is because evidence shows that these groups are disproportionately represented in lower income groups and so are less able to afford increased fees. The Council must also consider countervailing factors when reviewing fees and in particular, its difficult financial position and need to make substantial savings. It is considered that the increase by an inflationary estimate balances the need to cover additional costs in providing services with continued access to services by all groups.

7.4 Sustainability (including climate change, health, crime and disorder)

7.4.1 This report has no direct effect on the health of people living in Waltham Forest. There are also no direct climate change implications.

7.5 Council Infrastructure (e.g. Human Resources, Accommodation or IT issues)

7.5.1 This report has no direct effect on Council Infrastructure.

BACKGROUND INFORMATION (as defined by Local Government (Access to Information) Act 1985)

There are no background documents.