Cabinet	
10 January 2017	TOWER HAMLETS
Report of: Zena Cooke, Corporate Director of Resources	Classification: Unrestricted
Fees and Charges 2017/18	

Lead Member	Councillor David Edgar, Cabinet Member for Resources
Originating Officer(s)	Neville Murton - Service Head, Finance and
	Procurement
Wards affected	All wards
Key Decision?	Yes
Community Plan Theme	One Tower Hamlets

#### **Executive Summary**

This report details the proposed changes to fees and charges across all directorates for the financial year 2017/18.

Fees and charges detailed in this report generally fall into two broad categories:

Statutory – those set by central government, for example notice of marriage, and household planning applications for alterations/extensions;

Discretionary – those set at the discretion of local authorities, for example library charges, and commercial waste collection.

Whilst the recommendations in this report relate to discretionary charges, details on the key statutory charges have also been included in the appendices (see Appendix 7) to provide the overall picture for the Council.

The level of inflation (CPI = 1.0%, RPI = 2.0% as at the end of September 2016) has been a key factor in determining the recommended changes. However, as the report points out, directorates have also taken into account several other factors such as service demand, the projected cost of providing the different services, benchmarking with other local authorities, and the impact of the general economic situation on the Council's residents.

## **Recommendations:**

The Mayor in Cabinet is recommended to:

- Approve the revised fees and charges for Adults' Services as set out in Appendix 1 with effect from 1<sup>st</sup> April 2017.
- Approve the revised fees and charges for Children's Services as set out in Appendix 2 with effect from 1<sup>st</sup> April 2017.
- Approve the revised fees and charges for Communities, Localities and Culture as set out in Appendix 3 with effect from 1<sup>st</sup> April 2017.
- Approve the revised fees and charges for **Development & Renewal** as set out in **Appendix 4** with effect from 1<sup>st</sup> April 2017.
- Approve the revised Nationality Checking Service fees for Law, Probity and Governance as set out in Appendix 5 with effect from 10<sup>th</sup> January 2017.
- 6. Approve the revised fees and charges for **Law**, **Probity and Governance** as set out in **Appendix 5** with effect from 1<sup>st</sup> April 2017.
- Approve the revised fees and charges for **Resources** as set out in Appendix 6 with effect from 1<sup>st</sup> April 2017.
- Note the revised Statutory fees and charges as set out in Appendix 7 with effect from 1<sup>st</sup> April 2017.

# 1. <u>REASONS FOR THE DECISIONS</u>

1.1 Fees and charges are reviewed annually as part of the Council's financial and business planning process. This ensures that they are set at the appropriate level for the prevailing economic conditions and represents good practice in terms of the Council's aim to provide value for money.

# 2. <u>ALTERNATIVE OPTIONS</u>

2.1 Whilst the changes to fees and charges recommended in the report follow a review of existing charges by each directorate, other alternatives can be adopted by Members if they so wish. The financial impact of any alternatives will need to be reflected in the Council's Medium Term Financial Plan (MTFP).

## 3. DETAILS OF REPORT

## 3.1 BACKGROUND

- 3.1.1 The application of fees and charges plays an important role in supporting the Council achieve its strategic objectives, for example, by:
  - Providing a source of funding for re-investment in services;
  - Influencing resident behaviour i.e. controlling service demand whilst, through appropriate discounts/concessions, ensuring that only those who can afford to pay are required to pay;
  - Working as a driver to reduce unit costs.
- 3.1.2 The Council is committed to optimising its income in a fair and proportionate way.
- 3.1.3 The authority currently generates in the region of £36m through fees and charges, in the main through school meals £13.6m, parking £12.4m, planning and building control fees £3.8m, and commercial waste £3.5m. The income generated through fees and charges is reinvested in the associated services.
- 3.1.4 The fees and charges fall into two broad categories: (1) statutory charges which are set by statute (this includes most planning fees) and (2) discretionary charges which can be determined by the Council (this includes commercial waste and leisure services). A few charges do not fall clearly into either of these two categories in that they are not under the direct control of the Council: this includes Penalty Charge Notices which are set by local authorities through London Councils, with the approval of the Mayor of London and Secretary of State for Communities and Local Government.
- 3.1.5 Whilst the on-street parking charges are driven by traffic management considerations, a key factor in determining the level of charge for the other main sources of income is the cost of service provision. However, Council policy has largely dictated that the ability of people to pay is a prime consideration.

3.1.6 The table below sets out the key principles guiding the Council's approach to charging for services.

Fairness	Rationale & Prioritisation	Stability & Predictability
Subsidy should be a conscious choice i.e. a presumption to full cost recovery	Fees and charges should reflect key priorities	The impact of pricing changes should be managed over time where the impact is high
Concessions for services should be logical	There should be a logic for charges for different levels of the same service	Charges should be affordable to both users and the taxpayer
Charges should not provide subsidy to businesses from the taxpayer	Charges should be transparent, clear and simple	Charges should generate income to help delivery capacity, efficiency, and support continuous improvement
A tough stance to be taken on payment avoidance	Charges should take account of the wider market for similar or alternative services	Charges should be communicated to users as soon as practical

- 3.1.7 All directorates have undertaken a review of their fees and charges as part of the financial and business planning process having regard to these principles. Additional income generated from increases to fees and charges will be used to support the savings requirement in the current MTFP for 2017/18.
- 3.1.8 The general rule is that fees and charges may not be set at such a level as to generate a surplus. However, there are some exceptions to this rule.
- 3.1.9 Set out below is a more detailed narrative on the outcome of the review process within each directorate. The report sets out where any special circumstances apply.

## 3.2 ADULTS' SERVICES

# Meals Service for Social Service Clients (Contract Services) (Appendix 1, section 1.1)

3.2.1 The meals service is provided by Contract Services and provides the meals on wheels service, meals to lunch clubs and day services. The service provides meals to elderly and vulnerable adults and currently charges £2.40 per meal for both hot and frozen meals which generates around £186k per annum, depending on fluctuating levels of uptake.

- 3.2.2 The meals service for Adults Service clients remains a heavily subsidised service with the actual cost of meals being on average approximately £7. The majority of other London Boroughs charge in excess of £3 per meal for the service with some being as high as £6; there is therefore the potential to increase the charge further and thus reduce the level of subsidy in the future.
- 3.2.3 A review of Contract Services is currently underway, an outcome of which may be to increase prices during 2017/18. In the interim an increase in line with RPI (2%) rounded up to the next 10p is proposed. As the increase is in line with inflation there is no need to engage in service user consultation.

#### Community Based Services (Appendix 1, section 1.2)

- 3.2.4 Community based services include home care, day care, transport, care and support delivered in Extra Care sheltered housing on a temporary or permanent basis, and services purchased by a service user using a personal budget or direct payment. The details are contained within the Adult Social Care Charging Policy. This policy is available on the Council's website and is currently being implemented, therefore no further review is proposed at this time. The policy will be reviewed at least annually to ensure that there is a good balance between income generated, and a fair approach which prevents people in need of support from falling into poverty. The client contribution towards the cost of community based services is means tested as per the Care Act 2014 requirements.
- 3.2.5 Further charges are levied on clients attending LBTH day care centres where the placement is made by another local authority.
- 3.2.6 Current charges range from £44.20 to £64.29 per day, depending on which centre clients attend, and this generates approximately £34k per annum.
- 3.2.7 It is proposed to increase these charges by RPI (2%), rounded up to the nearest 5p in 2017/18, whereby the charges will range from £45.10 to £65.60 per day.

# Extra Care for Sheltered Housing and Supported Living Clients (Appendix 1, section 1.3)

- 3.2.8 Client contributions towards the cost of extra care in sheltered housing settings are subject to a means tested income assessment under the Adult Social Care Charging Policy. The commissioned service is based on a block rate for 4 core hours at £14.48 per hour at Coopers Court, Duncan Court, Donnybrook Court, and Sonali Gardens. The commissioned rate for Sue Starkey & Shipton House is based on a block rate for 4 core hours at £15.58 per hour and £14.79 per hour spot rate for any additional hours. The client makes a contribution towards the cost up to 100% based on the means tested assessment.
- 3.2.9 Client contributions towards the cost of extra care in Supported Living settings are also subject to a means tested income assessment.

3.2.10 There are no proposals to change these arrangements. The contributions are driven by the number of hours of support required and the commissioned contracts in place. Fees and charges will be frozen during 2017/18, thus current income levels of £184k per annum are not expected to change much during the year.

#### Social Care Services (Appendix 1, section 1.4)

3.2.11 With the implementation of the Care Act 2014, all charges for social care services are at the discretion of the local authority. An increase in line with RPI (2%) rounded up to the nearest 5p is proposed.

#### 3.3 CHILDREN'S SERVICES

# School Meals (Contract Services) (Appendix 2, section 2.1) [Trading Account]

- 3.3.1 The School Meals Service operated by Contract Services continues to provide healthy and nutritious meals to pupils on a daily basis. The menus change each April and November and are designed to meet or exceed the Government's tough nutritional and food based guidelines. For instance, primary menus served in schools have recently been awarded the Food For Life Catering Mark. However, it should be noted that Contract Services is operating at a loss and a review is currently underway to enable the service to break even in the future. This may involve cost reductions and/or price increases in order to secure a viable future for the service.
- 3.3.2 The contract price charged to schools is £2.30 per child's meal. The price charged to pupils is currently £1.90 and £2.00 per meal (primary and secondary respectively). Pending the outcome of the review, in the interim it is proposed to increase the prices in line with RPI (2%) rounded up to the next 5p. Therefore the price charged to pupils would be £1.95 and £2.05 per meal (primary and secondary respectively).

#### Arts and Music (Appendix 2, section 2.2)

- 3.3.3 This service is free of charge for those parents classified as being on low incomes.
- 3.3.4 The service continues to operate on a balanced budget. No funds are used from the Council to subsidise this work and it is fully grant funded by the Department for Education (DfE). THAMES offers the lowest charge of all Music Services in London by a considerable margin. Most services charge around £10 to £18 a week.
- 3.3.5 It is proposed to increases fees in line with RPI (2%) rounded up to the next 10p.

## Parental Engagement & Support (Appendix 2, section 2.3)

- 3.3.6 The Council runs childcare schemes during school holidays for both working and non-working parents. The current charges are £4 per day for non-working parents, £10 per day for working parents between 9am and 5pm, or £14 for an extended 8am-6pm day.
- 3.3.7 The service is means tested and to qualify for the subsidised rate, those on benefits must provide recent proof of benefits such as income support, Employment & Support Allowance (ESA) or Disability Living Allowance (DLA). These charges generate approximately £45k per annum.
- 3.3.8 Affordable childcare plays an important role in helping parents to work, or engage in education or training that can lead to work, and therefore contributes significantly to Community Plan priorities in relation to child and adult poverty and employment. This provision is particularly important in school holidays. Affordable childcare is also important for services making referrals for vulnerable children during the school holidays. For example the Children with Disabilities Team, Social Care.
- 3.3.9 The service currently costs £217k; £73k is funded through SLA income and Fees & charges and the balance of approximately £144k is subsidised by the council.
- 3.3.10 It is proposed to increases fees in line with RPI (2%) rounded up to the next 10p.

#### Local Authority Day Nurseries (Appendix 2, section 2.4)

- 3.3.11 The Day Nurseries currently cost the council £2.1m and provide a front-line service offering high quality childcare. The majority of children accessing this service are vulnerable and have been referred by Social Care or other professionals; these children are not charged for their place.
- 3.3.12 Members have previously set the maximum charge for nursery provision at £180 per week, in practice, for the few cases for which a fee is applicable the prevailing charge has been £148 per week.
- 3.3.13 The majority of children who attend the Nurseries are funded through central government funding. There are two funding programmes; Early Learning for two year olds and Nursery Education Funding for three and four year olds.
- 3.3.14 The two year old funding provides 15 free hours per week for 38 weeks of the year (570 hours) and is targeted at families on low income (household income of less than £16,190). It is also available to children in care, adopted children, children who receive Disability Living Allowance, and children who have an Education, Health and Care Plan.

- 3.3.15 The three and four year old funding is for the same number of hours but is a universal entitlement. Since September 2017, there is an increased entitlement of a further 15 hours per week where both parents are working and are earning at least the equivalent of 16 hours' worth of the minimum wage per week and less than £100,000 per annum each.
- 3.3.16 A number of working parents access hours in addition to the free hours. Very few parents pay for up to 35 additional hours a week.
- 3.3.17 It is proposed that the fee structure is changed to £5 per hour.
- 3.3.18 Therefore, in a typical scenario of a child attending 30 hours, 15 of which are funded through government funding, the parents would pay for 15 hours at a cost of £75 per week. For parents not eligible for funding (e.g. for a two year old child and the parents do not have a low income), and also attending for 30 hours, they would be charged £150 per week.
- 3.3.19 In the few cases where a child attends for 50 hours a week, the maximum charge would be £250 per week; however, in practice it is likely that they would be eligible for 15 free hours, so would be charged £175 per week.
- 3.3.20 These parents may also be eligible for childcare tax credit. The childcare tax credit is up to 70% of childcare fees paid up to a maximum of £175 per week. The amount of credit paid depends on family income.
- 3.3.21 It is standard practice in the childcare sector to charge for late pick up of a child. A minimum of two members of staff are required by law at all times. Consequently there is a high cost to a childcare provider when parents arrive late to pick up their child. At the Day Nurseries an additional fee is applied for the late collection of children at the rate of £10 for every 15 minutes.

#### Integrated Early Years Service (Appendix 2, section 2.5)

- 3.3.22 The Early Years Service offers a large range of training to Private, Voluntary and Independent (PVI) childcare providers, childminders, schools and children's centres. For daily rates these are currently charged at £35 for PVIs, £25 for childminders, and £75 for schools and children's centres. These charges do not cover the costs of facilitating the courses.
- 3.3.23 The DfE is currently consulting on the Early Years National Funding Formula for nursery education funding for 3 and 4 year olds. It is proposed that a much larger proportion of the funding is paid directly to providers, thus reducing the amount retained by the Local Authority, part of which enables it to provide the subsidised training.
- 3.3.24 If the national funding formula proposal goes ahead (it will come into force from April 2017), the Integrated Early Years Service will have to consider whether it can continue to offer the training with its current subsidy.

- 3.3.25 The service is therefore seeking approval to enable it to increase fees should it be necessary up to the following daily rates: £120 for PVIs, £85 for childminders, and £250 for schools and children's centres.
- 3.3.26 The service would also like flexibility in pricing to enable it to offer discounts, e.g. for multiple bookings, to be able to maximise take up of training places.

# Support Services to Academies and Free Schools (Appendix 2, section 2.6)

- 3.3.27 The Council provides a range of support services for its schools on a traded basis, which are set out in detail in our online catalogue at www.lbthservicesforschools.co.uk. These services are charged on a full cost recovery basis.
- 3.3.28 Where appropriate, these services are offered to academies and free schools. In order to cover the additional administrative costs of providing these services to organisations outside local authority control, a pricing policy that adds a 10% administrative charge to the full cost recovery rate was adopted last year. It is proposed to continue with this policy. Academies and Free Schools will also be charged VAT.

## 3.4 COMMUNITIES, LOCALITIES & CULTURE

#### Parking (Appendix 3, section 3.1) [Ring fenced Account]

- 3.4.1 In setting Parking fees and charges, consideration has been taken of the need to ensure that:
  - Value for money is provided
  - Demand can be controlled and managed effectively
  - Where appropriate, the cost of providing the services are recovered
  - The Council's transport and environment strategies are supported
- 3.4.2 It is unlawful to set parking charges for the purpose of raising revenue.
- 3.4.3 The purposes behind setting parking charges are:
  - a) To control and manage parking demand.
  - b) To ensure road safety in the borough.
  - c) To regulate traffic flow and reduce congestion.
  - d) To cover the cost of providing the service, as the Government strongly recommends that any shortfall in operations should not be funded through the General Fund.
- 3.4.4 Income from fees and charges generate a total of £12.4m excluding Parking Control Notices (PCN). The income is credited to the Parking Control Account and any surplus which accrues within the account at year end is used to fund environmental, transport and highways expenditure within the Council. There has been a substantial increase in bay suspension in the borough due to

major development works being undertaken. This is expected to continue. Therefore it is proposed that the impact of the additional activity is reflected in the 2017/18 Budget, contributing £500k towards highways expenditure. This will be incorporated into the Medium Term Financial Strategy.

3.4.5 In order to comply with best practice as suggested by London Councils, the Parking & Mobility Service has identified a requirement to reduce parking demand. It is assumed that increasing charges in line with RPI will keep parking demand at its current level (or continue to cover the cost of providing a service). It is assumed that increasing charges above RPI will reduce parking demand. Therefore, where it is appropriate, some charges have been increased in line with RPI, and others have been increased above RPI. Where charges have been increased above RPI, consideration has been given to limit the impact of these increases in light of the continuing economic difficulties faced by businesses and residents.

Fee/charge	Change	Range of Charges	Rationale
Resident permit (Band A)	£0.20 increase	Current £6.00 Proposed £6.20	Increase in line with RPI, rounded up to the nearest £0.10.
Resident permit (Bands B – G1)	£1.00-£2.00 increase for 6 months, and £1.00-£3.00 increase for 12 months	Current £29.00 - £81.00 (6 months) £46.50 - £142.00 (12 months) Proposed £30.00 - £83.00 (6 months) £47.50 - £145.00 (12 months)	Increase in line with RPI, rounded up to the nearest £0.50.
Resident permit (Band G2 and multi-vehicle)	£2.00 increase for 6 months, and £3.50 increase 12 months	<b>Current</b> £92.00 (6 months) £172.00 (12 months) <b>Proposed</b> £94.00 (6 months) £175.50 (12 months)	Increase in line with RPI, rounded up to the nearest £0.50.
Resident permit (Electric Vehicle)	£0.20 increase	Current £6.00 Proposed £6.20	Increase in line with RPI, rounded up to the nearest £0.10.
Resident permit (foreign vehicle Band G2)	£2.00 increase for 6 months	Current £92.00 (6 months) Proposed £94.00 (6 months)	Increase in line with RPI, rounded up to the nearest £0.50.

3.4.6 Increases include the following:

Fee/charge	Change	Range of Charges	Rationale
Resident permit (motorcycle)	£0.50 increase for 12 months	Current £16.00 (12 months) Proposed £16.50 (12 months)	Increase in line with RPI, rounded up to the nearest £0.50.
Resident permit (Temporary permit)	£0.20 increase per day	Current £6.00 (per day) Proposed £6.20 (per day)	Increase in line with RPI, rounded up to the nearest £0.10.
Resident permit (2 <sup>nd</sup> and 3 <sup>rd</sup> permit surcharge)	£1.00 increase for 2 <sup>nd</sup> permit, and £3.00 increase for 3 <sup>rd</sup> permit	<b>Current</b> £50.00 (2 <sup>nd</sup> permit) £150.00 (3 <sup>rd</sup> permit) <b>Proposed</b> £51.00 (2 <sup>nd</sup> permit) £153.00 (3 <sup>rd</sup> permit)	Increase in line with RPI, rounded up to the nearest £0.50.
Business / Public Service / Contractor / Doctor's permits (band A-G1)	£5.00-£7.00 increase for 3 months, £7.00-£10.50 increase for 6 months, and £11.50-£16.00 for 12 months	Current £231.00 - £330.00 (3 months) £343.00 - £489.00 (6 months) £554.00 - £792.00 (12 months) Proposed £236.00 - £337.00 (3 months) £350.00 - £499.00 (6 months) £565.50 - £808.00 (12 months)	Increase in line with RPI, rounded up to the nearest £0.50.
Business / Public Service / Contractor / Doctor's permits (band G2)	£17.00 increase (12 months)	Current £825.00 (12 months) Proposed £842.00 (12 months)	Increase in line with RPI, rounded up to the nearest £0.50.
Business / Public Service / Contractor / Doctor's permits (Electric vehicles)	£0.20 increase	Current £7.00 Proposed £7.20	Increase in line with RPI, rounded up to the nearest £0.10.
Pay & display for zones A1, A2, A5, A6, C1 & C2	£0.20 increase per hour	Current £4.40 (per hour) Proposed £4.60 (per hour)	Increase in line with RPI, rounded up to the nearest £0.20.

Fee/charge	Change	Range of Charges	Rationale
Pay & display for zones A3, A4, C3, C4	£0.20 increase per hour	Current £3.80 (per hour) Proposed £4.00 (per hour)	Increase in line with RPI, rounded up to the nearest £0.20.
Pay & display for zones B1, B2, B3, D1, D2 and Roman Road car park	£0.20 increase per hour	<b>Current</b> £3.40 (per hour) <b>Proposed</b> £3.60 (per hour)	Increase in line with RPI, rounded up to the nearest £0.20.
Pay & display for zones B1, B2, B3, D1, D2 and Roman Road car park	£0.20 increase per hour	Current £3.40 (per hour) Proposed £3.60 (per hour)	Increase in line with RPI, rounded up to the nearest £0.20.
Pay & Display Short stay parking off- street (Victoria Park, St Mark's Gate, Haverfield Road, Lawton Road, John Orwell car parks)	£0.20 increase per hour	Current £2.00 - £7.00 (per hour) Proposed £2.20 - £7.20 (per hour)	Increase in line with RPI, rounded up to the nearest £0.20.
Contractor daily permit	£0.50 increase per day	Current £25.00 Proposed £25.50	Increase in line with RPI, rounded up to the nearest £0.50.
Market Trader permit	£3.50 increase for 3 months, £6.00 increase for 6 months, and £10.00 increase for 12 months	Current £175.00 (3 months) £295.00 (6 months) £480.00 (12 months) Proposed £178.50 (3 months) £301.00 (6 months) £490.00 (12 months)	Increase in line with RPI, rounded up to the nearest £0.50.
Market Trader Scratchcards	£1.00 increase per book of 5	<b>Current</b> £26.00 <b>Proposed</b> £27.00	Increase in line with RPI, rounded up to the nearest £0.50.
Car Club Permit (single bay model)	£4.50 increase for 12 months	Current £208.00 Proposed £212.50	Increase in line with RPI, rounded up to the nearest £0.50.

Fee/charge	Change	Range of Charges	Rationale
Car Club Permit (point to point model)	£26 increase for 12 months	Current £1,300.00 Proposed £1,326.00	Increase in line with RPI, rounded up to the nearest £0.50.
Traffic Management Order (per item)	£70.00 increase for making / amending orders including preparation, advertising & implementation	<b>Current</b> £3,435.00 <b>Proposed</b> £3,505.00	Increase in line with RPI, rounded up to the nearest £0.50.
Traffic Management Order (per item)	£1.50 increase for car free developments	<b>Current</b> £106.00 <b>Proposed</b> £108.50	Increase in line with RPI, rounded up to the nearest £0.50.
Bay suspension administration charge (one off)	£2.00 administration charge increase for businesses and companies, residents, the NHS, police the fire brigade and registered charities	Current £83.00 Proposed £85.00	Increase in line with RPI, rounded up to the nearest £0.50.
Bay suspension charges for businesses and companies (per bay per day)	£1.00 increase	Current £40.00 Proposed £41.00	Increase in line with RPI, rounded up to the nearest £0.50.
Dispensation administration charge for residents, the NHS, police the fire brigade and registered charities	£0.50 increase	Current £18.00 Proposed £18.50	Increase in line with RPI, rounded up to the nearest £0.50.
Dispensation administration charges for businesses and companies	£1.50 increase	Current £58.00 Proposed £59.50	Increase in line with RPI, rounded up to the nearest £0.50.
Dispensation charges for businesses and companies (per bay per day)	£1.00 increase	Current £40.00 Proposed £41.00	Increase in line with RPI, rounded up to the nearest £0.50.

Fee/charge	Change	Range of Charges	Rationale
Permit administration (amendments or replacements)	£0.10 increase	Current £5.00 Proposed £5.10	Increase in line with RPI, rounded up to the nearest £0.10.
Permit administration (refund for returned permits – per item)	£0.50 increase	Current £25.00 Proposed £25.50	Increase in line with RPI, rounded up to the nearest £0.50.
Visitor Scratch cards (Resident)	£0.50 increase per book of 10	Current £15.00 Proposed £15.50	Increase in line with RPI, rounded up to the nearest £0.50.
Visitor Scratch cards (Public service)	£1.00 increase per book of 10	Current £37.00 Proposed £38.00	Increase in line with RPI, rounded up to the nearest £0.50.
Visitor Scratch cards (Business)	£1.00 increase per book of 10	Current £22.00 Proposed £23.00	Increase in line with RPI, rounded up to the nearest £0.50.
Skip Licence	£1.00 increase per day	Current £40.00 Proposed £41.00	Increase in line with RPI, rounded up to the nearest £0.50.
Disposal of abandoned vehicles removed from private land	£1.00 increase per disposal	Current £50.00 Proposed £51.00	Increase in line with RPI, rounded up to the nearest £0.50.

## Clean and Green (Appendix 3, section 3.2)

- 3.4.7 There is a proposed 13% increase in Temporary Structures (pre inspection application fee). The current fee of £30 does not reflect officer time spent on the pre inspection. Benchmarking around neighbouring boroughs also suggests the 13% is justified, for example Royal Borough of Greenwich charge £36. The proposed increase to £34 is also inclusive of 2% RPI.
- 3.4.8 There is a proposed 28% increase in Temporary Structures occupancy fee (less than 50m2) from £225 to £288. This again is a result of benchmarking against other boroughs, City of London charge £350 per week whilst Newham charge £330 per week. It is also worth noting that existing fees for Temporary structures have seen no change in the last four years in which time borough population has increased as well as the number of new developments. The proposed 28% increase is inclusive of 2% RPI.

- 3.4.9 The Council has a duty to collect commercial waste when requested to do so and must make a charge for that collection. By law the Council is not allowed to provide a subsidy and must recover the cost of the service without distorting the commercial market. For these reasons an annual review of charges in line with the authority's fees and charges policies is undertaken to ensure recovery of cost of service.
- 3.4.10 Uplifts need to be applied to the fees and charges for commercial waste in 2017/18. These cost elements are covered under the two main contracts for collection and disposal. The annual uplift for the collection of waste for the year 2017/18 is anticipated to be 2% and this reflects an increase in fees driven by the need to recover those costs. Disposal costs have also increased by 2% and drives a fee uplift to ensure all costs related to the disposal of commercial waste is recouped. The average increase in related fees is approximately therefore 4%. rounded up to the nearest 5p.
- 3.4.11 There are some collection only costs which are only increased in line with collection contract increases at 2%, rounded up to the nearest 5p. All other charges will remain the same.
- 3.4.12 All other proposed fees and charges for 2017/18 related to Clean & Green and are inclusive of 2% RPI rounded up to the nearest £1.

#### Transportation and Highways (Appendix 3, section 3.3)

- 3.4.13 It is proposed that existing singe fee charge for street works is changed to a range so that it is consistent and in line with the fee range for Traffic Management orders. The fee range will give the authority the option to benchmark our fees against other boroughs.
- 3.4.14 The proposed fees are based on a benchmarking exercise of highway search charges at other Local Authorities across London and the UK. This work revealed that conditions relating to the charging structure have changed since the last similar review in 2012. Then, most councils charged a flat fee for a highways search (comprising a plan and questions related to adopted Highway). Since then, the highway search fee trend has started to move away from the fee model and to a model, where a separate fee is now charged for the plan and fee for each question asked.
- 3.4.15 Another vital consideration is the volume of highway searches forecasted in the short/medium term. Highway searches are dependent on the number of transactions in the housing market. If the housing market is thriving, highway search numbers reflect that and vice versa.
- 3.4.16 The number of highway search requests has slowed in recent months. This may be due to the current economic climate. The proposed charges reflect the officer resource used to produce search results. Therefore it is proposed that the current fee of £75 per search is replaced with a separate charge of £50 per map and £20 charge per question relating to adopted highway.

3.4.17 It is proposed to increase the range of fees for Traffic Management Orders in line with RPI (2%) rounded up to the nearest pound.

## Street Trading (Appendix 3, section 3.4) [Markets Trading Account]

- 3.4.18 There are proposals to change some fees and charges and introduce new charges to the Trading Account for the financial year 2017/18.
- 3.4.19 The street trading account operates in accordance with the London Local Authorities Act 1990 (as amended), which stipulates what charges can be made to the account. These charges are kept under regular review to ensure that all relevant expenditure is recovered via fees and charges. If income exceeds expenditure, the surplus should be reinvested in the operation of street markets. Any deficit on the account should be recovered as soon as practicable.
- 3.4.20 Whilst some markets are thriving such as Columbia Road, Brick Lane and Goulston Street food court, some markets are declining, due to primarily changing retail trends.
- 3.4.21 The Market Service has a number of plans to develop markets and make our markets more attractive, raising public awareness and increasing cultural diversity in terms of traders, goods and foods. Such initiatives will improve visitor numbers and increase sales to traders.
- 3.4.22 The majority of permanent / temporary trading charges will be increased in accordance with RPI (2%) rounded up to the next 5p. Other proposed increases are:
  - Isolated pitch charge proposed increase from £22.00 to £30.00 per day Monday to Friday;
  - from £42.00 to £50.00 Saturday and;
  - from £52.00 to £60.00 Sunday.

It is apparent that supervision should be more frequent, additional visits are required to ensure regulation of street trading licence conditions.

- 3.4.23 Permanent Licence Application/Renewal fee Proposed increase to £77. The increase will be identical to a temporary licence application fee. The increase was overlooked from the fees and charges report 2016/17.
- 3.4.24 Public Footway Licence Application/Renewal fee Proposals to increase to £30.00 (six monthly). At present the charge is divided by the three year application fee of £77.00, this equates to £12.85 six monthly. The process of licensing a public space involves a number of activities such as a Council site visit to survey the premises, consultation with internal/external parties, setting up trading accounts, this forms the basis for the increase to reflect administration costs.

- 3.4.25 Public Footway Licence (isolated pitch Application fee This is currently £77 for up to three years. It is proposed to charge £30.00 for six months. The process of licensing a public space involves a number of activities such as a Council site visit to survey the premises, consultation with internal/external parties, setting up trading accounts, interviewing potential applicant/s, this forms the basis for the increase to cover administration costs.
- 3.4.26 Registered Assistant Application/Renewal Fee Proposed increase from £12.00 to £30.00. The increase reflects administration time to process applications and issue licence.
- 3.4.27 Variation of Licence Application fee Proposed increase from £52.00 to £60.00. Permanent traders can request quarterly a change to a permanent licence such as change of commodity, transfer of pitch, additional days etc. The increase reflects the administration time to process applications.
- 3.4.28 Chrisp Street Market has electricity points for the use of traders. Traders currently do not pay an electricity fee, there is a recharge to the street trading account annually from Poplar Harca to cover usage of trader electricity. Over the last few years traders have abused the system and constantly overloaded the system resulting in continual repairs. It is necessary to introduce a daily charge of £1.50 per day to each trader to cover costs of usage/repairs/maintenance.
- 3.4.29 Portable Appliance Testing (PAT) The annual fee of £30.00 is introduced following previous investigations by electrical contractors which established traders using electrical equipment not fit for purpose and a Health and Safety Risk. PAT testing will be carried out by approved electrical contractors to ensure markets are a safe environment and traders charged accordingly.
- 3.4.30 Permanent trading fee Hot food vendor Monday to Friday proposed increase to £20.00, Saturday increase to £30.00. The increase reflects regular officer visits to ensure Street Trading Licence Conditions are not breached. The sale of hot food creates additional waste/food spillages resulting in regular market deep cleans. The Council is competing with a number of successful food operators and the increase is minimal to those in comparison.
- 3.4.31 Toilet Provision Columbia Road proposals to charge £5 per trader per Sunday. Public Realm previously supplied toilets at Columbia Road, following the transfer of responsibility, the toilets will now be provided by the market. There is a necessity to provide toilets to traders/public following numerous complaints. The street trading account cannot sustain the additional costs and it is recommended that traders contribute to the cost of toilet provision.
- 3.4.32 Private Land Trading fee Proposals to introduce a charge of £5.00 per day. As part of the London Local Authorities Act (LLAA) 1990 (as amended), street trading identifies trading from a street which includes, (a) any road or footway, (b) any part of such road, footway or area, (c) any part of any housing development provided or maintained by a local authority under Part II of the Housing Act 1985. There is an increase of private land being utilised for pop

up markets/food events. The charge is introduced to reflect the LLAA and where the Council can licence.

- 3.4.33 Use of Markets Equipment (gazebos etc) proposals to introduce a charge of £10.00 per day. Some organisations have promotions within market areas and require equipment to set up and display literature. The Service can provide gazebos that can be hired to such companies.
- 3.4.34 Event Fee/Promotions Proposals to introduce an event fee of £50.00 per day. The Service is approached by various organisations regarding events/promotions within market areas. The charge reflects the planning of market pitches/officer time for these events which are one offs.
- 3.4.35 Administration fee sourcing traders for events It is proposed to introduce a fee of £50.00. The Service is approached by a number of organisations requesting assistance to provide traders. The fee reflects the administration time.
- 3.4.36 Electricity Charge hot food vendors Hot food vendors require additional electrical wattage for cooking equipment, the Council's electrician has confirmed the cost of £10.00 per day will cover electrical usage. As part of markets development, there are proposals to install/increase electrical bollards within market areas.
- 3.4.37 Deep Clean of market locations invoiced equally amongst traders per market. It is identified that food courts require constant deep cleaning to maintain high standards. The cost has previously been met by the Street Trading account which cannot continue to be sustained. The street trading licence conditions stipulate that any additional cleaning required relating to cooking may be re-charged to all food sellers in that market.
- 3.4.38 Private Land application fee Proposal to introduce a fee of £30.00. The cost covers administration time to process applications and issue licence.

#### Environmental Commercial Services (Appendix 3, section 3.5)

3.4.39 It is proposed to increase fees in line with RPI (2%) rounded up to eliminate any odd charges, with the exception of Selective Licensing and HMO Licence fees.

#### Idea Store and Idea Store Learning (Appendix 3, section 3.7)

- 3.4.40 It is proposed to increase some Idea Store fees broadly in line with RPI (2%) rounded up to eliminate any odd charges.
- 3.4.41 It is proposed that a new library charge be introduced to recoup the cost of postage costs for notifications of overdue items and for reserved item available notices. This is an elective service and customers wishing to avoid this cost can choose to be notified instead by email or telephone at no charge.

- 3.4.42 Postal notices for overdue items and reservations are administered on our behalf by our Library Management System Supplier, Axiell and the cost of postage, currently £8,500 p.a. is passed on to Idea Store. There is no charge for email notices.
- 3.4.43 From 2017/18 it is proposed that a charge of £1.00 be passed to those people who choose to receive overdue notices or reserved item available notices by post. This charge will be payable for each notice and will be paid either on returning an overdue item or on collecting a reserved item. People who select email or telephone (either text or recorded message) as their means of contact will continue to receive this service free.
- 3.4.44 Fines and charges will be amended as follows:

## Books, CDs and CD-Roms

- Loan of Books, CDs and CD-Roms Free
- Fines, payable by adults aged 16 to 64 £0.20 per day per item to a maximum of £10.00. Free to adults aged 65 and over. An additional charge of £1.05 to all adults, including those aged 65 and over will be made to customers who choose to receive notification by post.

## <u>DVDs</u>

- Loan of DVDs held within Tower Hamlets Free
- Fines, payable by adults aged 16 to 64 £1.05 per day per item to a maximum of £10.50. Free to adults aged 65 and over. An additional charge of £1.05 to all adults, including those ages 65 and over will be made to customers who choose to receive notification by post.

#### Book Reservations/Requests

- Reservations/Requests for stock held within the London Libraries Consortium (LLC) – Free, but customers requesting postal notification will be charged £1.05
- Premium reservation Service, payable by adults aged 16 to 64 £5.10 per items for requests outside the LLC. Free to adults aged 65 and over. An additional charge of £1.05 to all adults, including those ages 65 and over will be made to customers who choose to receive notification by post.

Audio Requests

- Requests for stock held within Tower Hamlets Free, but customers requesting postal notification will be charged £1.05.
- Premium Reservation Service £5.10 per item for requests outside Tower Hamlets. An additional charge of £1.05 will be made to customers requesting postal notification.

Charges for postal notification will only be applied to customers who have requested to receive notices by post. The default settings for notification will be by email or by telephone and there will be no charge for notices sent this way. Late return charges can be avoided by:

- 1. Returning items on or before the date due back
- 2. Renewing items by these methods:
  - in person
    - using the Idea Store app
    - online via the Idea Store website
    - by telephone to a dedicated renewals number

All new customers are registered to choose either email or telephone notifications. Customers who have previously supplied only a postal address notification will be prompted to re-register and to give an email address or telephone number before the new charges are implemented.

- 3.4.45 Idea Store Learning is funded through a £2.5 million contract with the Skills Funding Agency (SFA) to deliver both accredited and non-accredited adult and community learning. The Skills Funding Agency contract requires the Local Authority to introduce charges for English for Speakers of Other Languages (ESOL) courses, in line with charges for other types of courses.
- 3.4.46 The SFA funding principle is that a financial contribution to provision of community learning is made by the provider, and that the provider must:
  - Maximise access to community learning for adults, bringing new opportunities and improving their lives, whatever people's circumstances, and,
  - Collect fees from people who can afford to pay and use where possible to extend provision to those who cannot.
- 3.4.47 A new fees and charges model is proposed in order to maximise the fee income from those learners who can afford to pay a realistic fee level whilst adhering to SFA funding requirements. This will have no impact on learners who cannot afford to pay and who meet the SFA's definition of being eligible for fee waivers. All courses will be free or subsidised for learners who meet the eligibility criteria as follows:
  - 1) For those in employment: earning less than the gross London Living wage (£9.40 per hour).
  - 2) For those in receipt of Job Seeker's Allowance (JSA) or Universal Credit: in receipt of JSA or Universal Credit.
  - 3) For those of pensionable age: in receipt of Pension Credit (guaranteed only).
  - 4) For Adult and Community Learning (non- qualification) courses, the above fee waivers will only apply to **LBTH residents only**.

Learners must provide proof of eligibility, such as:

- Pay slips (last 3 months)
- Bank statements (last 3 months)
- P60 (for the latest tax year)
- Tax returns (for the latest tax year)
- Benefit documentation to ascertain level of individual income

3.4.48 The proposed fees are:

- £1.30 per hour for non-accredited ESOL courses for those in receipt of Universal Credit
- £2.55 per hour for non-accredited ESOL courses for full fee payers
- £4.10 per hour for accredited ESOL courses for full fee payers. These accredited ESOL courses are free for those in receipt of specified benefits
- £0.00 £2.55 per hour for non-accredited courses (except ESOL courses) for those in receipt of specified benefits
- £2.25 £5.00 per hour for non-accredited courses (except ESOL courses) for full fee payers
- 3.4.49 The changes proposed above are expected to generate approximately £85,000 which will increase in the following years and will offset the SFA grant reduction. The SFA Funding allocation for the next academic year is normally published in March and thus the full extent of grant reductions for 2017/18 will not be known until March 2017.
- 3.4.50 A significant number of programmes that are provided for those seeking work or need to develop English and Maths skills will remain free to the learner. Examples of these are:
  - All Family Literacy and Numeracy Programmes.
  - Accredited English Maths and IT programmes for those who have not achieved a full level two qualification previously.
  - Accredited ESOL programmes for those who are on benefits linked to employment or are on other benefits but actively seeking work.
  - Speaking English with Confidence Clubs for ESOL learners, which are new initiatives being delivered within Tower Hamlets.
  - Volunteers are offered free programmes to support their confidence.
  - Partnerships will also provide free employability training for residents ready to move into employment.

## Sports & Physical Activities (Appendix 3, section 3.8)

3.4.51 Outdoor sports pitches are managed by the Arts Parks and Event Service. It is proposed to increase all pitch fees by 5% across the board. The resultant charge for Astroturf pitch hire is rounded up to the nearest £1. All other charges are rounded up to the nearest 5p.

- 3.4.52 Pitch fees have not been increased for a number of years and are currently well below those in other London Boroughs. For example, full size astro turf pitch for borough based adults has a proposed charge £45.99 per hour. This compares to a benchmarked charge of a neighbouring borough of £199.50 (Mabley Green).
- 3.4.53 The proposed increase is above RPI of 2%, but takes into consideration that the fees have not been increased for many years.

## 3.5 DEVELOPMENT & RENEWAL

- 3.5.1 The Council generates £3.8m a year through charges for various planning and building control services. This includes a range of statutory and discretionary charges introduced in July 2012 for discretionary work associated with Street Naming and Numbering (SN&N) applications.
- 3.5.2 For 2017/18 the fees and charges include an inflationary increase as well as other increases consistent with the cost recovery principle, and a benchmarking exercise with comparative boroughs.

# Strategic Planning and Development Management (Appendix 4, section 4.1)

- 3.5.3 Pre-application advice meetings have increased significantly over the years and the feedback from customers (e.g. large developers, and local residents) show there is a demand for the service offer to broaden, to better meet the needs and expectations of service users. Developers, in the past, have indicated how useful this service is, in that it provides greater certainty and clarity to them by identifying planning issues and requirements before the application is submitted. It also ensures that more applications are valid and complete when they are received by the Local Planning Authority. This is particularly so for the more complex applications where the submission of more technical documents is required. Similarly, there has been a demand for the higher rate service which developers are willing to pay for. All preapplication fees are inclusive of VAT.
- 3.5.4 After reviewing how the pre-application fees are currently performing it is proposed to increase a number of the follow up meeting fees to ensure that they accurately cover the costs of these meetings. While it is proposed to retain the standard fee for "Advice on conditions and material/non-material amendments", it was considered a generic fee level was not proportionate to the amount of work required at stage B Small scale proposals, so a separate fee has been set at this level.
- 3.5.5 Upon review and consideration of the types of queries and activities that are undertaken by the service, two new fees have been identified to ensure that the fee regime accurately covers the day to day work of the service. These are:

- A new fee to recognise that with major development proposals there are often a number of "pre-pre-application" scoping meetings requested by applicants as they look to assemble their initial proposals (£285 per meeting);
- The council also operates a Conservation Area Design Advisory Panel (CADAP). Applicants for initiatives impacting on conservation areas take proposals to CADAP for their views and advice. This is a cost to the council which the fee will cover (£200 per meeting).
- 3.5.6 The fees for informal Environmental Impact Assessment (EIA) scoping and screening opinions introduced in 2016/17 have been reviewed, and further work has been undertaken to stream line the number of EIA fees down to only two. This has also resulted in increasing those fees, and therefore reducing the impact on the general fund. The proposed increases are as follows:
  - Informal EIA scoping opinion: current charge £865 per opinion, proposed charge £885.
  - Informal EIA screening opinion: current charge £575 per opinion, proposed charge £590

## **Building Control (Appendix 4, section 4.2)**

- 3.5.7 Building Control trading account activity must break even year on year, hence, fees and charges relating to the Building Control Trading Account must reflect the cost of the service.
- 3.5.8 Street Naming and Numbering fees and charges were introduced during the 2012/13 financial year. This service needs to grow considerably to resolve a wide range of outstanding queries and in the longer term to deal with an increased workload arising from the Boroughs consistent growth.
- 3.5.9 The charges were set to test the impact on service demand. These charges have been reviewed and increased to better reflect the cost of providing the service and slowly moving towards a cost recovery principle. These charges are for an inclusive extra service which is delivered by officers over and above what is available free of charge.
- 3.5.10 As a result, the following price changes are proposed:
  - Naming/renaming a premises/street: current charge £405, proposed charge £810
  - Address creation of new developments: current charge between £180 and £1,000, proposed charge between £360 and £2,000
- 3.5.11 Across the rest of the Building Control service, it is proposed to increase charges principally in line with inflation, rounded up to the nearest £5.

## Technical Support – Local Land Charges (Appendix 4, section 4.3)

- 3.5.12 Although the Council has the power to set its own fees for Local Land Charges searches, fees charged must reflect the cost of the service.
- 3.5.13 The Local Authority searches are formed in two parts as set out in section 4.3 of Appendix 2; it is proposed to increase the search fees in accordance with RPI (2%) rounded up to the next £1.
- 3.5.14 It is also proposed to increase the private registration fees (Rights of Light Notices) as there has been an increase in demand for this and as a result the cost of providing this service has increased.

## 3.6 LAW, PROBITY & GOVERNANCE

#### Electoral Services (Appendix 5, section 5.1)

- 3.6.1 Electoral Services generate approximately £6,500 per annum through the following fees and charges:
  - Sale of revised registers
  - Sale of Monthly alterations lists
  - Sale of Marked polling station registers; and
  - Confirmation of residency letters
- 3.6.2 The proposed increases would bring the fees in line with those charged by neighbouring boroughs.

#### **Registration of Births, Deaths & Marriages (Appendix 5, section 5.2)**

- 3.6.3 The Registration & Citizenship Service currently generates approximately £750k per annum from a combination of fees from statutory services such as the registration of births, deaths, marriages and civil partnerships and other services such as citizenship ceremonies, approved premises' licences etc.
- 3.6.4 This is a competitive market and a recent benchmarking exercise has demonstrated that current fees are broadly in line with neighbouring Register Offices. There are some proposed increases for 2017/18 to maintain this position:
  - Marriage & Civil Partnership Ceremony Vestry (Monday or Tuesday): current charge £136, proposed charge £156
  - Nationality Checking Service Child fee (if child only appointment): current charge £30, proposed charge £60
  - Nationality Checking Service Child fee (if accompanying an adult appointment): current charge £30, proposed charge £40
- 3.6.5 For the remaining fees it is proposed to increase them in line with RPI (2%) rounded up to the next £1.

## 3.7 RESOURCES

#### Council Tax and Business Rates (Appendix 6, section 6.1)

- 3.7.1 Court Costs are charged to both Council Tax payers and Ratepayers when they default on their payment schemes and it becomes necessary to take enforcement action to secure the Council's position, and obtain a liability order to recover any outstanding sums.
- 3.7.2 There have been a number of high profile legal challenges to court costs charged by local authorities. The current charges already place the authority at the higher end when compared with other London Boroughs. For these reasons increased charges could be challenged and would be difficult to justify, therefore it is proposed they remain at the current levels.

## 4. <u>COMMENTS OF THE CHIEF FINANCE OFFICER</u>

- 4.1 All directorates have undertaken a review of their fees and charges as part of the financial and business planning process, having regard to the guiding principles detailed in paragraph 3.1.6.
- 4.2 In general fees and charges recover some or all of the costs of services from users. This generates income which reduces the costs of services to Council tax payers and can also be used to achieve other strategic objectives, such as encouraging the use of services. A decision to charge for or to subsidise services needs to be based on rational considerations.
- 4.3 In general it is proposed that all discretionary fees and charges are increased by a minimum of RPI (2% as at September 2016), unless there is a compelling reason for not increasing at all or increasing by a higher amount.
- 4.4 It is estimated that additional general fund income of around £419k may be generated in 2017/18 through the changes proposed in this report. The Medium Term Financial Plan assumes that any additional general fund income will contribute towards meeting the overall budget gap. Additional income that may be generated through areas such as street trading and parking charges will need to be earmarked for those specific purposes and do not represent additional income to the general fund.
- 4.1 If it is decided not to increase charges in line with inflation, this will generally have the impact of increasing the level of subsidy provided by the Council to service users and alternative savings will need to be found to cover the General Fund budget gap. Once a decision is made to freeze charges, it is difficult to recover the lost income without increasing costs by more than inflation in a future period. The financial implications of freezing charges can therefore be regarded as permanent.

## 5. <u>LEGAL COMMENTS</u>

- 5.1 The Council has in place a range of fees and charges relating to services it provides. In respect of certain fees and charges, the amount of the fee etc. is prescribed in statute and in those cases there is no discretion as to the level of charge.
- 5.2 In respect of other fees and charges that are specifically allowed by statute but do not prescribe the actual amount of fee, then the Council can set its own charges (e.g. parking). Others fall to be set by the Council pursuant to a variety of statutory powers. These discretionary fees and charges are reviewed annually. As a general rule, those charges service should not exceed the cost of providing the service; i.e. the income from these charges should not be used to generate a profit.
- 5.3 The Council also has a general power under section 93 of the Local Government Act 2003 ('the 2003 Act') to charge a person for discretionary services; i.e. the provision of a service where there is no specific statutory power for the Council to provide the service, but the Council can chose to do so and the person has agreed to its provision (e.g. pest control). Again, the income from charges for such services should not exceed the cost of providing the service.
- 5.4 Further the Council has power under section 1 of the Localism Act 2011 ('the 2011 Act') to do anything that individuals generally may do, subject to specified restrictions and limitations imposed by other statutes. The general power of competence extends to charging for services, but limits on charging are imposed by section 3 of the 2011 Act. The Council may only charge for a service under the general power of competence if: (a) it is a discretionary service; (b) the person agrees to the service being provided; and (c) there is no other power to charge for the service, including in section 93 of the 2003 Act. Taking one financial year with another, the income from charges must not exceed the costs of providing the service
- 5.5 Generally with regard to fees and charges, where the Council can set its own charges it may also be able to set such charges so that different charges can be applied subject to location, class of user etc. (e.g. parking charges can be charged at a higher level for business use as opposed to residential.
- 5.6 Certain fees may not be set by the Cabinet. Regulation 2(6) of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 provides that decision on certain approvals, consents permits and licences (for example premises licenses; licenses for street trading) cannot be made by the Executive. Likewise, charges for such approvals, consents permits and licences may not be made by the Cabinet. These fees will therefore need to be set by the Council.
- 5.7 In carrying out its functions, the Council must comply with the public sector equality duty set out in section 149 Equality Act 2010, namely it must have due regard to the need to eliminate unlawful conduct under the Equality Act

2010, the need to advance equality of opportunity and to foster good relations between persons who share a protected characteristic and those who do not. This includes where the Council's sets fees and charges. <u>How this duty is met is addressed in the paragraph below headed 'One Tower Hamlets Considerations'</u>.

# 6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1 The Council has a statutory duty under the Equality Act 2010, the effect of which is summarised in paragraph 5.7**Error! Reference source not found.** of the report.
- 6.2 Equality analyses have been undertaken and reviewed for all services where fees and charge increases are proposed.
- 6.3 Where appropriate, concessions will be available to groups or individuals in the community where the increase may result in them being excluded from particular activities or subject to any other particular hardship.

# 7. BEST VALUE (BV) IMPLICATIONS

7.1 Fees and charges are reviewed annually as part of the Council's financial and business planning process. This ensures that they are set at the appropriate level for the prevailing economic conditions and represents good practice in terms of the Council's aim to provide value for money.

## 8. <u>SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT</u>

8.1 There are no implications arising from the recommendations of this report.

## 9. RISK MANAGEMENT IMPLICATIONS

9.1 The proposals for increases to fees and charges detailed in this report support the Council's Medium Term Financial Strategy and are necessary to deliver approved savings and achieve a balanced budget.

## 10. CRIME AND DISORDER REDUCTION IMPLICATIONS

10.1 There are no implications arising from the recommendations of this report.

## 11. SAFEGUARDING IMPLICATIONS

11.1 The recommendations do not give rise to any relevant implications.

## Linked Reports, Appendices and Background Documents

## Linked Report

• None

# Appendices

- Appendix 1 Discretionary Fees and Charges within Adults' Services
- Appendix 2 Discretionary Fees and Charges within Children's Services
- Appendix 3 Discretionary Fees and Charges within Communities, Localities & Culture
- Appendix 4 Discretionary Fees and Charges within Development & Renewal
- Appendix 5 Discretionary Fees and Charges within Law, Probity & Governance
- Appendix 6 Discretionary Fees and Charges within Resources
- Appendix 7 Statutory Fees and Charges (All Directorates)

# Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012

• Individual Equality Impact screening pro-forma.

# Officer contact details for documents:

N/A