

COUNCIL – 18 FEBRUARY 2016

FEES AND CHARGES 2016/2017 REPORT OF DEPUTY CHIEF EXECUTIVE (CORPORATE DIRECTION)



Hinckley & Bosworth
Borough Council

A Borough to be proud of

WARDS AFFECTED: ALL WARDS

1. PURPOSE OF REPORT

1.1 To obtain approval of the proposed scale Fees and Charges for 2016/2017.

2. RECOMMENDATION

2.1 That Council approves the Fees and Charges book for 2016/2017, included at Appendix 1.

3. BACKGROUND TO THE REPORT

3.1 Background

3.1 The Council charges for a number of services that are provided to the public. The Council generates income of circa £5.2million from these sources annually.

3.2 All fees and charges are reviewed on an annual basis and are published separately in the Council's Fees and Charges book, which is attached.

Charging Strategy

3.3 Whilst a dedicated charging strategy is not in place, a number of principles are followed when considering fees and charges. In general terms, all applicable services should be charged for unless there is a valid reason for an exception to be made. These exemptions include, but are not limited to:

- Instances where the administrative cost of levying and recovering the charge would outweigh any potential income
- Where policy has been passed to fund the service from Council Tax or other dedicated funding streams (e.g. grants)
- Circumstances where charging would significantly deter demand
- Where statute dictates that charges cannot be made

3.4 When setting scales of charges, the following factors are taken into consideration:

- Statutory obligations
- Inflation and relevant indices
- Local market research and competition (where relevant)
- The impact of price changes on activity level or demand
- Changes in taxation
- Budget position and links to the MTFs and the Corporate Plan
- The cost of providing the service

3.5 A rate comparable with Retail Price Index (RPI), which is a measure of inflation, has been used as an index where appropriate for up-rating charges from prior year. A rate of 1.1% has been used in line with the Budget Strategy for 2016/2017 which was endorsed by Executive.

2016/2017 Fees and Charges

- 3.6 Appendix 1 shows the 2015/16 and 2016/17 charges, along with the percentage increase. Some fees and charges, for example Fixed Penalty Notices and those under the Gambling and Licensing Acts have been set in line with relevant guidance.
- 3.7 All leisure centre charges have been set by Places For People Leisure Management Ltd who will operate the existing and new leisure centres from 2015/2016. All charges are consistent with the contract with Places For People Leisure Management Ltd.
- 3.8 In the majority of cases where discretionary charges can be made, increases have been made in line with index in 3.9 (or to the nearest round number associated with this increase). In appendix 2 there is a summary of items, along with explanation, of items which have increased higher than RPI.
- 3.9 The following new charges have been proposed for 2015/2016:
- The following charges for allotments
 - Clearance of overgrown plot up to 150 m2
 - Clearance of overgrown plot over 150 m2
 - Strimming of plot up to 150 m2
 - Strimming of plot 150 m2 and over
 - Rotavation of plot up to 150 m2
 - Rotavation of plot 150 m2 and over
 - Application of weedkiller of plot up to 150 m2
 - Application of weedkiller of plot 150m2 and over
 - The reassignment/ transfer of deed for rights of burial for 70 years
 - Daily consent for Rival Markets
 - Pest control charges for rats
 - Refuse collection of 5 or more bulky items
 - Local plan documents for Market Bosworth Neighbourhood plan
 - Strategic housing Market assessment

4. FINANCIAL IMPLICATIONS [TF]

- 4.1 Included in the report

5. LEGAL IMPLICATIONS [MR]

- 5.1 The power to impose fees and charges is contained in various statutory provisions, the principal act being the Local Government Act 2003
- 5.2 Section 93 of the 2003 Act provides that the Council may charge for the provision of a discretionary service, ie one which has a discretion whether to provide or not, but doesn't empower the Council to charge where there is a power to charge for a particular service in other legislation
- 5.3 The power in section 93 relates to charging and does not authorise the Council to do anything; the Council must be able to identify legal authority for what it wants to do
- 5.4 The charging power under section 93 is not intended to provide a new income stream; its aim is to allow the Council to recover the costs of providing services or improvements to services which it might not otherwise have been able to justify providing or been in a position to provide

5.5 There is individual guidance in relation to some charges as to how they should be composed or calculated. Should any of the fees or charges be set contrary to guidance or empowering legislation the risk to the Council would be challenge on the fees and potential repayment.

5.6 As consultation has been undertaken prior to setting the proposed increases this should have been addressed by individual budget holders and risks minimised.

6. CORPORATE PLAN IMPLICATIONS

6.1 The budget will have an indirect impact on all other Corporate Plan targets.

7. CONSULTATION

7.1 All budget holders, Corporate Operations Board and the Strategic Leadership Board have been consulted throughout the budget setting process.

8. RISK IMPLICATIONS

8.1 It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

8.2 It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.

8.3 The following significant risks associated with this report / decisions were identified from this assessment:

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
That the Council has insufficient resources to meet its aspirations and cannot set a balanced budget	<p>A budget strategy is produced to ensure that the objectives of the budget exercise are known throughout the organisation.</p> <p>The budget is scrutinised on an ongoing basis to ensure that assumptions are robust and reflective of financial performance.</p> <p>Sufficient levels of reserves and balances are maintained to ensure financial resilience</p>	S. Kohli

9. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

9.1 The budget process will impact on all areas of the Borough and all groups within the population.

9.2 Where concessions are made for certain groups for charging purposes these are detailed in the attached booklet.

10. CORPORATE IMPLICATIONS

10.1 By submitting this report, the report author has taken the following into account:

- Community Safety implications
- Environmental implications
- ICT implications
- Asset Management implications
- Procurement implications
- Human Resources implications
- Planning implications
- Data Protection implications
- Voluntary Sector

Background papers: Fees and Charges submissions

Contact Officer: Tim Finn (Accountant) ext 5709

Executive Member: Councillor M Surtees