7 February 2018	ITEM: 13 Decision 0110462			
Cabinet				
Fees and Charges Pricing Str	rategy 2018/19			
Wards and communities affected: Key Decision: Key				
Report of: Councillor Shane Hebb, Portfolio Holder for Finance				
Accountable Assistant Directors: Andre Tomlinson, Finance Manager	ew Austin, Commercial Manager and Carl			
Accountable Directors: Sharon Bayliss, Director of Commercial Services and Sean Clark, Director of Finance and ICT				
This report is Public				

Executive Summary

Local Authorities continue to be involved in a wide range of statutory and discretional services and the ability to charge for some of these services has always been a key funding source to Councils .

This report summarises the fees and charges papers already reviewed by their respective Overview and Scrutiny Committees.

Charges will take effect from the 1 April 2018 unless otherwise stated.

Further delegated authority to Director level is sought from Cabinet, to allow Fees and Charges to be varied within financial year in response to legal and regulatory requirements, in consultation with the relevant portfolio holder.

The appendices to this report cover:

- Appendix 1 Schedule of proposed Fees and Charges for 2018/19
- Appendix 2 Schedule of Fees and Charges that are no longer applicable
- Appendix 3 Feedback from Overview and Scrutiny Committees

1. Recommendation(s)

1.1 That Cabinet agree the proposed fees and charges, including those no longer applicable as per Appendices 1 and 2

- 1.2 That Cabinet approve delegated authority to allow Fees & Charges to be varied within a financial year in response to legal or regulatory requirements, in consultation with the relevant portfolio holder.
- 1.3 That Cabinet note the feedback from all Overview and Scrutiny Committee meetings as per Appendix 1

2. Background

- 2.1 The paper describes the fees and charges council wide approach 2018/19 building upon the previously agreed Commercial principles with regard to charging, and will set a platform for these pricing principles moving forward into future financial years.
- 2.2 The fees & charges that are proposed are underpinned in some instances by a detailed sales and marketing plans for each area. This will ensure delivery of the income targets for 2018/19, for ease these are summarised below.
- 2.3 Fees and charges income target 2018/19

Service £m	Last Year Outturn 16/17	Revised Budget 17/18	Forecast Outturn 17/18	Proposed Budget 18/19
OCI VICE AIII	10/17	17710	17710	10/13
Income Target (All Services)	(7,715.3)	(7,634.3)	(7,685.6)	(7,883.6)

2.4 Individual services income targets 2018/19

	Last Year	Revised	Forecast	Proposed
	Outturn	Budget	Outturn	Budget
Service	16/17	17/18	17/18	18/19
Cleaner, Greener and Safe	er (CGS)			
Arboricultural Team	(26,890)	(76,942)	(33,000)	(33,000)
Burials & Cemeteries	(247,944)	(270,546)	(305,032)	(305,032)
Ground Maintenance - West	(1,112)	(2,669)	(2,669)	(2,669)
Country Parks	(1,900)	(987)	(987)	(987)
General Parks and Open	(68,997)	(74,560)	(74,560)	(74,560)
Spaces				
Street Services	(1,043)	(56,991)	(44,120)	(56,991)
Waste Management	(92,815)	(17,796)	(17,796)	(17,796)
Collection				
Environment Enforcement	(38,241)	(108,070)	(138,428)	(108,070)
Libraries	(71,667)	(88,060)	(88,060)	(88,060)
Licensing	(327,649)	(309,987)	(309,987)	(309,987)
Registrars	(256,724)	(256,024)	(256,024)	(266,024)
Public Protection	(71,897)	(12,251)	(12,251)	(12,251)
Theatre	(681,271)	(469,421)	(629,625)	(629,625)
CGS Sub-Total	(1,888,200)	(1,744,304)	(1,912,539)	(1,905,052)
Planning, Transport and Regeneration (PTR)				
Building Control	(300,479)	(273,355)	(273,355)	(273,355)
Development Control	(1,220,378)	(977,502)	(977,502)	(977,502)
Land Charges	(300,394)	(216,216)	(216,216)	(216,216)

Strategic Planning	(5,650)	(4,578)	(4,578)	(4,578)
Bus Subsidy	(4,370)	(2,000)	(2,000)	(2,000)
Highways Maintenance	(217,164)	(231,489)	(197,188)	(231,489)
Parking	(817,365)	(1,044,810)	(1,044,810)	(1,044,810)
Road Safety & Traffic	(4,568)	(11,889)	(11,889)	(11,889)
Management		(= 2 2 2 2 2)		
Land and Buildings	(22,187)	(50,809)	(50,809)	(50,809)
Village Halls	(21,539)	(22,566)	(22,566)	(22,566)
Facilities	(63,207)	(102,765)	(44,329)	(44,329)
PTR Sub-total	(2,977,301)	(2,937,979)	(2,845,242)	(2,879,543)
Childrens Services				
Placement Support	(7,165)	(6,000)	(7,555)	(7,555)
Brighter Futures - Prevention Service	(16,099)	(799)	(16,000)	(16,000)
Admissions and Welfare	(13,395)	(42,586)	(13,008)	(42,586)
Adult College	(191,511)	(202,823)	(202,823)	(202,823)
Day Nurseries	(240,152)	(263,758)	(224,046)	(321,758)
Learning and Skills	(437,486)	(313,665)	(313,665)	(329,348)
Music Services	(330,655)	(345,500)	(345,500)	(345,500)
Childrens Sub-Total	(1,236,463)	(1,175,131)	(1,122,597)	(1,265,570)
Housing				
Private Sector Housing	(3,058)	(53,712)	(20,000)	(53,712)
Travellers Sites	(351,176)	(323,080)	(338,992)	(369,501))
Housing (GF) Total	(354,234)	(376,792)	(358,992)	(423,213)
Health and Wellbeing (HW	B) - Adult Soc	ial Care		
Court Protection	(21,685)	(30,397)	(30,397)	(30,701)
Blue Badges	(28,260)	(28,708)	(24,240)	(28,995)
Day Care Services (incl. transport)	(35,555)	(44,716)	(44,716)	(45,163)
Domiciliary Care	(948,930)	(1,089,144)	(1,091,755)	(1,089,144)
Extra Care Housing	(81,320)	(84,071)	(84,071)	(84,912)
Meals on Wheels	(141,233)	(121,418)	(162,392)	(122,632)
Respite Care for Adults with Disabilities	(2,088)	(1,591)	(8,668)	(8,668)
HWB Sub-Total	(1,259,071)	(1,400,045)	(1,446,239)	(1,410,215)

3. Thurrock Charging Policy

- 3.1 The strategic ambition for Thurrock is to adopt a policy on fees and charges that is aligned to the wider commercial strategy and ensures that all discretionary services cost recover.
- 3.2 Furthermore, for future years, while reviewing charges, services will also consider the level of demand for the service, the market dynamics and how the charging policy helps to meet other service objectives.
- 3.3 When considering the pricing strategy for 2018/19 some key questions were considered.
 - Where can we apply a tiered/premium pricing structure
 - How sensitive are customers to price (are there areas where a price freeze is relevant)

- What new charges might we want to introduce for this financial year
- How do our charges compare with neighbouring boroughs
- How do our charges compare to neighbouring boroughs and private sector competitors (particularly in those instances where customers have choice)
- How can we influence channel shift
- Can we set charges to recover costs
- What do our competitors charges
- How sensitive is demand to price
- Statutory services may have discretionary elements that we can influence
- Do we take deposits, charge cancellation fees, charge an admin fee for duplicate services

4. Proposals and Issues

- 4.1 The fees and charges for each service area have been considered and the main considerations are set out below.
- 4.2 For the Council the increase equates to a target of £7,883.6m to be secured through increased fees and charges in 2018/19. Increases to fees and charges are representative of a council which seeks to cost recover from services provided under the Fees and Charges scheme; services which are not universal to all residents across the borough.
- 4.3 To allow the Council services to better respond to changes in legal or regulatory requirements delegated authority is sought through Cabinet to permit the Director of the Service Area jointly with the Director of Commercial Services to vary these charges within financial year, in consultation with the relevant portfolio holder.
- 4.4 This delegated authority to vary charges is to comply with legally prescribed statutory fees and charges which may be subject to prescribed variation during the year, and that it may be necessary to adjust the relevant fees and charges during the year to reflect a change to their cost recoverability calculation.
- 4.5 Provided in the following sections are the Overview and Scrutiny reports extracts for each service area in respect to the Fee and Charges income targets given previously.

5. CGS - Outdoor Sports and the Commercial Hire of Open Spaces

- 5.1 The strategic objective for charging for use of the outdoor sports facilities is to provide quality services that are competitively priced to encourage optimum use and consequently maximise income levels while at the same time reducing net subsidy.
- 5.2 The sports offer is currently heavily subsidised. The income received from the letting of sports facilities is recovering less than a third of the cost of delivering

- the service. User expectations are high and the service is being challenged to maintain and in some cases improve the service offer.
- 5.3 The outdoor sports service offer is currently being reviewed as part of the corporate Service Review process. While this review is ongoing the existing charges have been increase in line with inflation. Fees and Charges remain comparable with those of comparator boroughs.

6. CGS - Allotments

- 6.1 Thurrock Council currently provides two Allotment Sites with all other sites in the borough being self-managed by community groups. The fees and charges in this report reflect Council Managed Allotments only.
- 6.2 The income received from allotments contributes towards the ongoing running costs that they incur. Taking into account the management costs and the income received allotments are currently cost neutral.
- 6.3 Allotment charges have been increased by the rate of inflation. This will ensure that the allotment provision continues to cover the cost of delivering the service.

7. CGS - Domestic Waste Charges

- 7.1 The collection of Domestic Waste is provided free of charge. Legislation makes a number of exceptions to this; Waste Collection Authorities can charge for the collection of bulky items and for replacement waste receptacles where appropriate. The Council currently charges for both bulky waste collections and replacement waste receptacles, the charges for both have been reviewed as part of this process.
- 7.2 The strategic objective for charging for non-statutory waste services is to cover the cost of providing the service, so far as is practicable; taking account of the need to protect the street scene, residential amenity and to provide residents with an affordable responsible avenue to dispose of their waste.
- 7.3 In order to encourage residents to responsibly dispose of their waste the charge for bulky waste collections has been frozen. The collection of these materials incurs a net expense to the council however the decision has been taken not to increase charges to prevent any increase in fly-tipping.
- 7.4 The charge for the issuing of replacement Refuse and Recycling Bins where lost or damaged has been subject to an increase to reflect inflation.
- 7.5 An additional charge has been put in place to cover the cost of supplying eurobins to flatted complexes for new developments.

8. CGS - Commercial Waste

8.1 The Commercial Waste Service offer waste collection and disposal services to businesses and organisations within Thurrock who do not qualify for a domestic

collection under the Controlled Waste Regulations 2012. The service offer a wide range of collection sizes across residual waste, composting and recycling disposal methods in order to meet the needs of small, medium and large businesses across the borough.

- 8.2 In May 2016 the Commercial Waste Service was re-launched with a revised sales and marketing plan. The service has performed well to date and has grown the size of the Commercial Waste Order Book to deliver an annual income target of £303k from a starting base of £190k in 2016/17. At present the service is forecast to deliver the projected level of income.
- 8.3 Due to commercial sensitivity the Council do not publish Commercial Waste charges.
- 8.4 Charges are set in line with the volume and frequency of collections that a customer requires and at a rate that will best support the delivery of our income targets.

9. CGS - Burials and Memorials

- 9.1 Thurrock Council maintains 5 cemeteries providing a range of burial services and graves for cremated remains. Charges for Thurrock Residents are at the rates stated in the Fees and Charges.
- 9.2 Fees and Charges for non-Thurrock residents are doubled across all categories. This is to reflect the lack of burial space in London boroughs and ensure that the Thurrock residents retain enough capacity to meet future requirements.
- 9.3 All interment fees are waived for children under 16 years.
- 9.4 Burial and Memorial Fees and charges has been reviewed and the benchmarking with neighbouring Authorities has been taken into account. Fees and Charges been increased in line with inflation in order to recover any increased costs. The Burials Service is in the process of exploring the opportunities for a wider range of services including cremation and natural burials.
- 9.5 A number of new charges have been included in the Fees and Charges Schedule to reflect work that is undertaken by officers free of charge. This includes a small charge to reflect the time taken to undertake searches for family history research.

10. CGS - Environmental Enforcement and Abandoned Vehicles

10.1 Environmental Enforcement issue fixed penalty notices (FPN's) for breaches of legislation. Where appropriate the alleged offender is issued with a FPN as an opportunity to discharge any liability for conviction for the alleged offence. Issuing a FPN is not always appropriate for repeat offenders or those where the severity is such that prosecution is more appropriate.

- 10.2 The minimum and maximum amount that a fixed penalty notice can be issued for is determined by offence and is set out in legislation. The Council has licence to set the amount between the legislated minimum and maximum and can offer early repayment discounts if they are so minded.
- 10.3 In line with the objectives of Clean it, Cut it Fill it and the zero tolerance approach to Enviro Crime all Fixed Penalty Notices charges have been set at the maximum amount permissible in law and with no option for an early repayment discount.
- 10.4 The Fixed Penalty Notice for Abandoned Vehicles has been set at the maximum allowed. The charge for the removal of vehicles on private land and subsequent storage has been increased to better reflect the cost of administration and provision of the service.

11. CGS – Registrars

- 11.1 The Register Office provides the statutory service of registering births deaths & marriages, alongside the non-statutory service of nationality checking and citizenship ceremonies on both a group and individual basis.
- 11.2 The fees and charges set by the Council are always reviewed against neighbouring Authorities, and take full account of any statutory charge limitations.
- 11.3 Customer engagement throughout the year allows us to take into consideration local reaction and address any concerns to changes in the fees and charges.
- 11.4 Overall fees and charges have been increased in line with neighbouring areas and the commercial principal for full cost recovery; this has resulted in increases across the majority of the existing service charges.

12. CGS - Theatre Services

- 12.1 The Thameside Theatre is one of the services accommodated in the Thameside Complex. In the past direct costs have been funded through a mixture of:
 - Fees for hire of the facilities
 - Traded Services for example ticket sales, bar and kiosk merchandise
 - Council subsidy

The Theatre team have focussed on increasing income and reducing costs in an effort to eliminate the Council subsidy required for delivery of the service. In 2016/17, due in part to a very successful pantomime season, the theatre generated a small surplus. In recent months the team have worked with the Commercial Services team and colleagues across the Council to develop a business plan which seeks to cement in the good performance in 2016-17,

- eliminate the Council operating subsidy, build on the reputation of the theatre and increase audience numbers.
- 12.2 As part of the programme to eliminate Council subsidy the Theatre team carried out a thorough review of fees and charges which led to some significant changes being made for the 2017/18 financial year. Notably:
 - Theatre now operates on two different tariff rates one for commercial organisations and the other for non-commercial organisations.
 - VAT charges which had previously been absorbed by the Council were now passed on to organisations hiring accommodation.
 - Hire charges were raised by 3%.
 - Surcharge applied to hire charges on performance nights was increased significantly by 60% to better reflect the actual additional costs.
 - Sunday hire charges were prohibitively expensive and reduced to better compete with other facilities and to attract more business to the theatre.
- 12.3 These changes were implemented in April 2017 and the impact was an increase in hire charges of up to 23% for organisations unable to reclaim VAT plus a 60% increase in the performance surcharge. Charges are agreed at the point of sale and bookings are taken a year or more in advance. It therefore takes some time for the impact of the changes made to be seen in terms of booking numbers, income generated and future business opportunities. The changes made are still being assessed however early indications are that the theatre continues to attract bookings and the changes to Sunday hire charges in particular have been well received.
- 12.4 The business planning process included a competitor analysis which, bearing in mind the location, size and quality of the venue suggested that the current charging regime compares with other theatres in the region. As a consequence of the significant changes made to charges this year, the on-going assessment of their impact, current performance and competitor analysis it is proposed that charges are increased as follows in 2017/18:
 - Approx. 2% increase across all hire rates Monday to Saturday (Actual increase depends on rounding figures).
 - No change to performance night surcharge.
 - Traded services prices continue to be reviewed on a periodic basis depending on market conditions. For example the new box office system for the theatre will generate some additional revenue for this year.

13. CGS - Libraries

13.1 Local authorities have a statutory duty under the Public Libraries and Museums Act 1964 to provide a free comprehensive and efficient library service for all.

- 13.2 With regard to Thurrock, 92% of the Library Service costs are being met by direct council budgetary funding.
- 13.3 An income target of £88k was set for 17/18 and for the financial year 18/19 the same figure has been set, the fees & charges for the library service remain unchanged for next year.
- 13.4 Five community hubs and libraries are currently co-located, and the hubs model is proposed for other libraries in future years. By bringing Libraries and Community hubs together under one management there is an opportunity to create efficiency and provide creative and innovative space/services for our residents.

14. CGS - Public Protection

- 14.1 The objective for public protection is to ensure that the fees charged for licences cover the cost of the provision of the licensing service. In some cases licensing legislation prohibits us from making a surplus on the provision of a licence in other cases the licence fees are set nationally with this aim in mind.
- 14.2 For other fees charged by public protection the picture varies dependant on the purpose for which the fee is charged and so where permissible in law we levy fees to maximise returns based on the costs of the provision of the service provided and market conditions.
- 14.3 Fees are reviewed annually to ensure full cost recovery is achieved whenever possible; and in line with commercial principals and where permissible, we alter fees to maximise the income contribution towards the Councils budget position.
- 14.4 License charges for financial year 2018/19 are outlined below:
 - Alcohol & Entertainment

 are unchanged, at statutory limitations
 - Animal Feed Regulations— are unchanged, at statutory limitations
 - Explosives Regulations are unchanged, at statutory limitations
 - Lotteries and Amusements are unchanged, at statutory limitations
 - Petroleum Regulations are unchanged, at statutory limitations

The following license charges for financial year 2018/19 are on a full cost recovery model, the charges for this will be agreed through the Licensing Committee.

- Gambling
- Massage and Special Treatment
- Hackney Carriage Licences
- Other Sales and Service Charges
- Sex Establishment
- Scrap Metal

- 14.5 Public Protection charges are outlined below:
 - Control of Dogs are unchanged, due to external contractor costs
 - Testing and Verification of Weighing and Measuring Equipment are unchanged, due to market competition
 - Other Environmental Protection Charges are unchanged, due to market competition
- 14.6 Local Authority Integrated Pollution Prevention and Control (LA-IPPC \ LAPPC) is a system which applies an integrated environmental approach to regulate certain industrial activities. Department for Environment, Food and Rural Affairs (DEFRA) changes this year mean that the methodology and structure of the charges have been full revised, and cannot be shown in comparison to the charges for FY17/18.
- 14.7 LA-IPPC involves determining the appropriate controls for industry to protect the environment through a single permitting process. This means that emissions to air, water (including discharges to sewers) and land, plus a range of other activities with an environmental impact, must be considered together.

15. PTR - Visitors Permits

- 15.1 Resident Permit schemes were introduced in order to preserve the limited parking spaces available on-street for residents around towns and train stations and to protect residents from the incursion of commuter parking.
- 15.2 All residents entitled to a Residents' Permit are entitled to purchase Visitor Permits. Charges have remained unchanged for a number of years, the cost of which does not offer a reasonable return.
- 15.3 With the first book of Visitor Permits free annually to each household within a Permit area, they are provided in blocks of 20 which equates to 30 pence per day per visitor. The cost of Visitor Permits thereafter is currently £6.00.
- 15.4 Comparisons made with other Council's show Southend charge £5.00 per sheet of 20 and Havering, £5.25 for a sheet of 10. It is proposed that Thurrock's charges remain unchanged for 2018/19 to support the Council's place-making agenda.

16. PTR - Residents Permits

16.1 In line with the previous recommendations, Residents' first two permits will remain unchanged and will be issued free of charge. Neighbouring authorities charge fees for these. If Thurrock were to charge it would give an additional annual income of approximately £75k. This is based on the third permit remaining at £66.

- 16.2 Operational Permits will also remain unchanged at £120 per annum as this is for internal employees and we are mindful of other department's financial constraints.
- 16.3 Business Permits will only increase if not paid annually. The monthly fee will rise from £36 to £40 and bi annual fee will rise from £192 to £200 this will assist with the administration and additional permit dated accordingly.
- 16.4 A number of residents, mainly commuters have enquired about Season (annual) Permits. Southend charge £1000 per annum for commuters and £400 for non-commuters or seaside parking; charging a similar amount for commuter parking provides a user saving of over £300 on daily charge, and just over £200 saving on non-commuter car parking. This will reduce administration and will promote cashless payment into the borough as part of the service review.
- 16.5 The Parking Services Team has also received enquiries from providers to the Council about implementing a contractor permit. A suggested annual fee for £150, in between an operational permit and a business permit is recommended to be offered to any contractor who may have a signed contract with this Council. The permit can be renewed in line with the contract. This will allow business to park in the vicinity of the work involved.
- 16.6 NHS permits have a new fee of £120 per annum for 2017/18, the same as operational permits therefore it is suggested that there is no change for 2018/19 in order for an assessment to be reviewed. There were at least 100 permits last year which will equate to £12,000.
- 16.7 All replacement permits will be liable to a £10 replacement fee for administration purposes except for charities and visitors permits.

17. PTR - Parking Bays

17.1 The suspension of parking bays is a discretionary charge. The charge for this remains unchanged. The current fee is considered to cover the cost of any loss of income as a result of a suspension.

18. PTR - Parking Charges

18.1 Parking charges remain unchanged for 2018/19 in order to continue to support local businesses and the Council's place-making agenda.

19. PTR - Penalty Charge Notices

19.1 The charges for penalty charge notices are statutory charges and cannot be changed by the local authority.

20. PTR - Passenger Transport

- 20.1 DBS Checks for education transport operators for PSV drivers and passenger assistants will remain unchanged for 2018/19. This is in line with Essex County Council (ECC) but will be reviewed annually as some of the operators are procured by both Thurrock Council and ECC.
- 20.2 Any increases will also be reflected in the operators contract costs with the Council and as education transport is overspent we would not wish to put any further financial burden on another department.

21. PTR - Bus Passes

- 21.1 Any resident that applies for their first bus pass under the government's entitlement criteria is to receive their pass free. This is a statutory requirement and no changes to this arrangement have been proposed.
- 21.2 Any replacements for the loss of a pass will see a £10 admin fee remain. This is line with other authorities' charges especially as the cliental are elderly.
- 21.3 The same administration fee is liable for any pupil who is entitled to education transport and has an annual ticket.

22. PTR - Suspension of Bus Stops

22.1 Current charges are £75 per day for up to 3 days with £50 per month liable thereafter. A flat rate of £75 per day is proposed in order to encourage road works to be completed expediently. This provides less inconvenience to not only the bus companies, but also to bus users.

23. PTR - Highways Infrastructure

- 23.1 Highway Licences The charge for a licence to erect scaffolding on the highway has been increased to cover the cost of monitoring sites for compliance etc. In addition the refundable deposit has been increased to ensure sufficient funds would be available, should damage to the highway be caused upon removal of the scaffolding / completion of works.
- 23.2 Clearance of debris When clearance or works are required on the highway as a result of a road traffic crash, costs incurred are recovered. A £100 administration fee is charged, although this year an additional charge has been introduced to cover the additional time involved in arranging remedial works that exceed £4000. This usually includes works such as carriageway resurfacing following a spillage, or extensive safety barrier repairs. Costs will be recoverable from either the individual responsible or their Insurer.
- 23.3 Traffic Regulation Orders Should it be necessary to create or amend a permanent Traffic Regulation Order, a fairly lengthy process is involved, including a statutory 21 day consultation period and advertisements in a local newspaper. The charges for amending, varying or creating an Order requires the same process. Fees have been amended to bring consistency where Orders are required.

23.4 Skips on the highway – A new fee has been introduced that will require all skip companies to register with the Council before they can apply for a licence to deposit a skip on the highway. This will help give more control to the Council and will assist with the management of skips on the highway. Similar fees are charged by other Councils. The licence fee for skips has been increased, again in line with neighbouring Councils.

24. PTR - Network Management

- 24.1 Permit Fees for Street Works were introduced into the 2017/18 Fees and Charges to enable the Permit Scheme to commence in October 2017.
- 24.2 Legislation allows Permit Authorities to review their Permit Fees following 12 months of operation of the Scheme. Fees are therefore to remain unchanged for 2018/19 and will be reviewed in October 2018 in readiness for any amendments to be included in the 2019/20 Fees and Charges Schedule.

25. PTR - Transport Development

- 25.1 Current fees for agreements pursuant to Sections 38 and 278 of the Highways act (adoption of road and highway licenses for developer works) have been bench-marked against neighbouring Authorities and is a consistent increase.
- 25.2 Neighbouring Authorities have increased fees over the last few years and Thurrock is still below the highest fee amount (Thurrock proposals is for 9% of build cost, London boroughs are at 10% build cost). Commuted Sums of Maintenance (CSM) has been changed so that the development works represent 25% of the total build cost, rather than an itemised account of assets. This will be a better process of calculation as currently the CSM does not include the road surface; whereas the new calculation will include it.
- 25.3 Accident data provision is increased in line with Southend Council.

26. PTR - Development Control

- 26.1 Fee income is dependant almost entirely on market forces and the majority of fees are nationally set. Whilst the market has been strong in the previous two years this cannot be a guarantee of future income levels. Even a small downturn in the market, could see a reduction in the number of planning applications.
- 26.2 Aside from planning application fees we are also able to charge for pre application advice, these fees are locally set. Our offer of pre application advice has been very popular with developers and householder alike as it offers more certainty before entering into the formal application process. We have varied these fees in line with other Essex authorities and to maintain our competitiveness while ensuring that our costs are covered for provision of the service. Whilst this will assist in providing an improved and more efficient service, it is unlikely to yield any additional income.

27. PTR - Planning Fees

- 27.1 As proposed in the 2017 Housing White paper, the Government has now put into place the necessary legislation that will allow Planning fees to be raised by 20% from 17th January. The rationale behind the Government's decision is based on a recognised need to ensure that Local Planning Authorities are sufficiently resourced in order to help facilitate growth and investment. As such, the Government has required that Councils commit to reinvest all additional income in this way.
- 27.2 The table of new charges that are to take effect from 12th February 2018 is attached in Appendix 1 and will go via Planning, Transport & Regeneration Overview and Scrutiny meeting.

28. PTR - Building Control

28.1 Fee income is dependant entirely on market forces. The Building Control Account is governed by legislation that requires that the Council does not produce a profit or loss over a three year rolling period and that any increase in income has to be ring-fenced with the Building Control account.

29. PTR - Land Charges

29.1 Local Land Charges (LLC) income is derived from charges associated with the sale and purchase of property in Thurrock. This account functions on a cost recovery basis, therefore any increase in income cannot be used outside of the LLC budget.

30. PTR - Corporate Property and Assets

- 30.1 Corporate property charges for financial year 2018/19 will remain unchanged, as the current charges are comparatively aligned with neighbouring areas.
- 30.2 As such, charges will look to be reviewed as part of the business activities for financial year 2019/20 with the view to ensuring that they remain market competitive and to ensure a full cost recovery model.

31. Childrens - School Improvement

31.1 With the move to academy status for the majority of schools, this is now covered under the Councils Traded Services model to schools and does not form part of this fees and charges report.

32. Childrens - School Meals

32.1 With the move to academy status for the majority of schools, this is now covered under the Councils Traded Services model to schools and does not form part of this fees and charges report.

33. Childrens - Placement

33.1 The area does not provide any services and as a result would not be included in any fees and charges to the Local Authority.

34. Childrens - Brighter Futures

34.1 Is our newly launched prevention service, and does not have any traded services currently.

35. Childrens - Admissions and Welfare

35.1 We have sought to increase opportunities this year to secure traded income from schools around our EWS service this has not been realised; as a result we will reduce spend to cover any income that had been projected.

36. Childrens - Adult College

36.1 Is funded from the ESFA – this funding is attached to individual learners, the ongoing work linked to the business plan is looking to identify ways in which we could provide a range of courses that we could charge for. And whilst we have some small income returns this year, we have increased these fees and charges by 3% to recognise the market trends and will seek further opportunities to grow this traded part of the business in the next academic year.

37. Childrens - Music Services - Charging Models

- 37.1 Individual and small group tuition is currently based on £30 hour. The actual charge depends therefore on the length of the session and the number of children involved in it. This charge covers on average on the cost of the tutor, on costs and travel. It is the expectation of the Grant and the Music Education Plan that access and affordability are key to the activities of the HUB. Under the model we operate, pupils on free school meals (KS2 upwards) and Pupil Premium attract a 50% reduction in the fees.
- 37.2 First Access Whole Class programmes a set of charges are published to schools leading up to the annual sign up for new programmes each September.
- 37.3 Variants for the Wider Opportunities, which is part subsidised by the grant, include the number of classes in a year group (hence the number of groups to be sent each week); 1 Music Tutor or 2; 1 term or a whole year programme.
- 37.4 Variants for the Further Opportunities programme, which is not subsidised as such, are equally 'bespoke'.

38. Childrens - Music Services - Fees and Charges

- 38.1 Instrument Loan/Hire: £21 per term for most instruments and £10 for some of the less expensive instruments such as guitars. We have a comprehensive all risks insurance of the instruments with Allianz. Some of the grant is assigned to instrument repairs/maintainance. The first term of loan/hire of the first instrument learned is free. Again, those that qualify get a no-cost loan.
- 38.2 Exams: The fees are set by the National examining Boards such as ABRSM. A small administrative fee and accompaniment costs (50% covered by the grant) are added.
- 38.3 Ensembles: currently these are free to pupils, covered by the grant.
- Whilst access is key, the Music HUB needs to be in a position to review these charges and the service offerings to respond appropriately to the requirements of the Grant and the National Plan for Music Education, in order to keep the operation commercially viable.

39. Childrens - Early Years Education and Childcare - Fees and Charges

- 39.1 The Nursery Service is facing a challenging period, and the service is expecting to make a maximum loss on its financial year 2017-18 period of circa £54k.
- 39.2 This challenge will only increase with the introduction in 2017 of new Government Statutory Early Education and Childcare 30 Hour provisions for 3 & 4 years which will increase the demand for the lower paying service.
- 39.3 This policy introduces extremely high income threshold for eligibility on the new scheme. Meaning that the additional 15 hours of free childcare is available for families where both parents are working and each earns less than £100,000 a year; and the expectation is this will probable result in significant increase in demand whilst reducing private sector client base and income levels.
- 39.4 In addition, a basic comparison with surrounding private sector businesses show that the service is already at the higher end for the private paying clients, and significant increases will reduce demand even further. Therefore, in light of the above a 3% rise is considered the maximum viable level for the FY18/19 period.

40. Childrens - Early Years Education and Childcare - Service Development

- 40.1 The nursery service has a significant cost overhead, with staff making up 80% of service costs and at rates which are not competitive to those paid in the private sector i.e. Council is paying higher basic salary levels.
- 40.2 Therefore to develop the service the area will need to fully analyse the following options:
 - Operational hours will need to be reviewed around core 30 hours; which will allow the service to charge parents for periods normally used by commuters and working parents

- Consultation with major local employers to align working hours
- Developing a tiered service model, linked to above
- Changing some staff patterns to accommodate a wider operational window
- Increase use of apprentices and trainee staff as vacancies arise
- Development/Expansion of 0 year to 2 year childcare services as potential income stream (in progress and planned for Spring opening)

41. Childrens - Learning & Skills - Grangewaters - Fees and Charges

- 41.1 The service is expecting to achieve target for FY17/18 and remain cost neutral to the Council, and has contingency measures to reduce spend if income targets are unable to be met.
- 41.2 Supporting this is marketing and sales activities to develop the quieter winter months, which has already identified approximately £30k and Grangewaters are anticipating that this will rise.
- 41.3 Grangewaters has undertaken a benchmarking exercise and considers that an increase of 5% will not adversely impact on our current market share. Having looked at our nearest competitor Grangewaters is still within the cost base and as such will be looking to increase our charges by 5% across our programme areas.
- 41.4 We also offer a number of incentives for early bookings and repeat bookings that will be taken into account within our 5% increase.

42. Childrens - Learning & Skills - Grangewaters - Service Development

- 42.1 Grangewaters have developed a number of plans around increasing our income targets recognising that Grangewaters needs to remain cost neutral.
- 42.2 Our training facilities are being used by the Councils training and development team, and we are developing further ideas linking with colleagues from health around how we can increase business opportunities over the coming year.
- 42.3 In additional, a Business Development proposal has also been submitted for consideration by management on the future development of the site, including expansion of facilities, improved access, accommodation and business centres.

43. Housing - Existing Houses in Multiple Occupation (HMO) Licences

43.1 The HMO licence fee is regulated under Section 63(3) of the Housing Act 2004. This allows the Council to set its fee taking into account all costs it incurred in carrying out its licensing function. This has been done for all licence applications for up to 5 years.

- 43.2 The regulations do not allow the Council to make a surplus on increasing its licence fee above the cost of issuing a license. As a result, these existing charges are recommended to remain the same in 2018/19.
- 43.3 The Private Sector Housing (PSH) Team undertook a benchmarking exercise in 2016/17 with its Essex Housing Authorities and found that existing HMO licensing charges were on average 2% higher than the Essex area.

44. Housing - Future HMO licences - legislative changes

- 44.1 Extending Mandatory HMO Licensing guidance issue has been delayed by Parliament. The DCLG forecast the legislation changes will be implemented in 2018/19, at which point fee level implications can be determined. This shall increase licence requirement for between 60-80 properties for up to 5 years.
- 44.2 The Private Sector Housing forecast outturn has decreased in 2017/18 due to the Parliament's delay on implementing extending licensing of Houses in Multiple Occupation [HMO] this financial year.
- 44.3 In addition, the PSH Team is progressing the case for implementing an Additional Licensing scheme in Thurrock. This proposed scheme will license small HMO properties with 3 or more people who are unrelated living together and sharing basic amenities such as bathroom or kitchen. This could conservatively cover around 100 400 properties, but could be significantly higher and therefore staffing implications will have to be considered to manage the scheme. All licensing income must be ring fenced to administer the licensing scheme as per the regulatory guidance on HMO licence fees.

45. Housing - Enforcement Notices

- 45.1 Housing enforcement notices are discretionary charges. The council will only serve an Improvement Notice on the landlord if this is the 'only way' of protecting the health and safety of the occupiers requiring the landlord to meet the minimum housing standards. The Housing Act 2004 allows the Councils to charge for the service of legal notices under the Act. The regulations state the costs should be reasonable and auditable.
- 45.2 The introduction of a proposed variable charge according to the property size and number of hazards scored in the dwelling from 1 to 4 and 5 plus, rather than the previous flat fee structure, is reasonable to recover our full administration costs.
- 45.3 The table below shows how much income was charged in 2016/17 to demonstrate the benefits of a proposed variable charge based on size and hazard severity risk assessed. Last year our landlords scored 5 or more hazards. This shows a difference of £1944 extra income collectable under this proposed framework.

Income Charged 2016/17		
Improvement Notice Fee	Total no of improvement notices	Total Income

Cost	served within 2016/17	Charge
474	14	£5688

Proposed Variable Administration Charge			
House /	No of	5 or more Hazards Improvement	Total Income
Bedroom size	properties	Notice Fee Charge	Charge
3	8	612	£4896
2	4	470	£1880
1	2	428	£856
		Total	£7632

46. Housing - Penalty Charges - Housing Planning Act 2016

- 46.1 Legislative changes under this Act allow the Council to serve civil financial penalties for certain housing offences under the Housing Act 2004.
- 46.2 Civil penalties cover:
 - Failure to comply with an improvement notice [section 30].
 - Offences in relation to licensing of HMO [section 72].
 - Offences in relation to licensing of houses under Part 3 of the Act [Section 95].
 - Offences of contravention of an overcrowding notice [section 139].
 - Failure to comply with management regulations in respect of HMO [section 234].
- 46.3 The standard of proof must meet a criminal prosecution standard to serve a Civil Financial Penalty.
- 46.4 The Council charge applied is scalable from the published minimum fee up to a maximum of £30k; at the discretion of the Private Housing service based on the severity, repetition and cooperation of the third party in resolving the issues.
- 46.5 Under this framework the Council retain the financial penalty imposed rather the Courts for the fine paid as punishment for the offence. This new income from civil penalties must be ring fenced on private housing enforcement activities as per the regulation guidance.
- 46.6 This will be a transparent process which will be outlined in the council statement of principles, to be issued with the new fee structure. Appeals may also be made against the civil penalty charge, with the charge varied or waived dependent on individual mitigating circumstances. Where non-payment occurs the civil debt recovery process will be used to recovery the outstanding liabilities.

47. Housing - Smoke and Carbon Monoxide Alarm Regulations 2015

47.1 Legislative changes under this Act allow the Council to require the Landlord to pay a penalty charge for failing to comply with a remedial notice in regards to installing smoke and carbon monoxide alarms within a single dwelling private

- rented home. The amount to be charged has not been prescribed by the regulations; however, it must not exceed £5k.
- 47.2 The setting of a minimum charge of £1k increasing to the maximum sum of £5k allowed will be levied for repeated breaches within two years. The PSH Team undertook a bench marking exercise with our Essex Housing Authorities and found our proposed new charges are in line with the Essex sub region.
- 47.3 The service expects most landlords to comply with the law than face this financial penalty imposed by the Council.

48. Housing - Energy Efficiency [Private Rented Property] 2015

- 48.1 This new legislation will require private landlords to reach an Energy Performance Certificate (EPC) rating of E before granting a tenancy from April 1 2018 and will apply to all tenancies from April 1 2020. Landlords with an EPC rating of band F or below G may not grant a tenancy to new or existing tenants.
- 48.2 The Private Housing Service can impose a civil penalty notice if it is satisfied that a property has been let in breach of the Regulations or if the landlord has lodged false information on the PRS Exemption Register.
- 48.3 The council will impose a civil penalty if the landlord has let a sub standard property in breach of the Regulations for a period of less than 3 months scalable up to £4k at the discretion of the Private Housing Service. Also, if the landlord has registered false formation or misleading information on the PRS Exemptions Register it will impose the maximum fine of £1k.

49. Housing - Non Statutory Reports

- 49.1 This new traded service relates to charging providers of supported accommodation such as a children's care home or hostel requiring Houses in Multiple Occupation (HMO) reports to satisfy their local authority providers they comply with HMO management regulations and local amenity standards. This variable charge depends on the size of the dwelling and number of hazards identified on carrying out the inspection, to recover our full administration costs.
- 49.2 In 2016/17, the Private Housing Service undertook four 5 bedroom surveys at no cost to the housing provider commissioned by Children Services. Under this proposed framework we could have collected [4 x 556 [1-4 hazards, 5 bed accommodation] £2224.

50. Housing - Travellers

50.1 The Council has three Travellers Sites with a total of 65 plots.

Location	Number of Plots
Ship Lane, Aveley, RM15 4HB	21 plots
Gammon Field site, Long Lane, Grays, RM16 2QH	22 plots

Pilgrims Lane site, North Stifford, Grays, RM16 5UZ	22 plots
---	----------

50.2 An average of 83% of the residents receive full or partial Housing Benefit.

Location	HB Percentage
Ship Lane, Aveley, RM15 4HB	100%
Gammon Field site, Long Lane, Grays, RM16 2QH	68%
Pilgrims Lane site, North Stifford, Grays, RM16 5UZ	82%

- 50.3 In order to fully cost recover and deliver the budgeted surplus to the Council a 12.45% increase would be required from £96.59 to £108.62.
- 50.4 Previous increases over recent years have been in line with inflation only and have not taken full account of increases to utilities costs and maintenance costs. It is proposed that for financial year 2018/19 50% of the increase is applied as such the increase will be £102.60 representing a 5.8% increase.

51. HWB - External Contracts

- 51.1 Adult Social Care currently externalises over 80% of its business into the commercial sector using private, community and voluntary organisations.
- 51.2 In all areas of activity, residential and nursing care, domiciliary care and supported accommodation there is national acknowledgment of the financial pressure the market faces.
- 51.3 Fees and Charges are either set as declared rates within local frameworks, or individually negotiated.
- 51.4 In some cases, national guidance directs the level of charges and then individual contributions are set depending upon prescribed financial assessments, therefore full cost recovery is not always possible.
- As almost all of our services are commissioned within a commercial framework outside of the council this accounts for the limited fees and charges collected for the minority of services provided internally.

52. HWB - Blue Badge Application Fee

52.1 This is a national maximum fee detailed in the Blue Badge Guidance. It is a legally set requirement to charge no more than £10 per badge and currently cannot be changed.

53. HWB - Day Care Charge (per session)

53.1 for older people this is currently charged at £20 per session (a proposed increase has been temporarily suspended due to the restructuring of the service and to assess the impact of the previous increase).

54. HWB - Concierge charges - Extra Care

54.1 were subject to a wide consultation between April and July 2016 - these charges have now been introduced, current charge £40 per week. This charge is linked to the Elizabeth Gardens "core charge" which was agreed for the term of the current contract which will come to an end in March 2019. The charges for the concierge service in extra care will be reviewed during 2018/19.

55. HWB - Domiciliary Care

55.1 The council has taken back several contracts due to market failure and currently charges service users a maximum of £13 an hour, subject to financial assessment of service users ability to pay. From April 2018 the service will have been re-commissioned at a higher hourly rate to the Council, however, there is no proposal to increase the charges for 2018/19.

56. HWB - Direct Payments - Agency Rate

56.1 Direct Payments enable individuals to arrange and purchase care themselves. These charges mirror the charges for in-house domiciliary care and externally commissioned care to provide consistent charging and will be subject to the same consultation exercise.

57. HWB - Meals on Wheels

57.1 The meals on wheels contract is a cost and volume contract.

58. HWB - Pendant Alarms Private Housing

58.1 Council decision through Cabinet has been made that all assistive technology and the Call Centre response is to be provided free of charge in view of the preventative impact of the service. This decision has resulted in a reduction of £48k income that the service has absorbed through the increased funding received in 2017/18.

59. HWB - Residential Homes for Older people

59.1 This is the declared rate for our in house residential care home for older people (Collins House); service users are financially assessed to ascertain the amount they pay per week up to £600.

60. HWB - Respite Adult Disability

60.1 The current charge of £20 per session was agreed by public consultation in 2015/16. There is an option to increase charges to be more in line with a full cost recovery model however respite provides a much needed support for informal carers and is a Care Act 2014 priority. The impact of losing support

from informal carers is potentially financially catastrophic therefore a balance has to be struck between cost recovery and destabilising informal care.

61. HWB - Elizabeth Gardens

61.1 Support per household - £40 per week is the agreed rate under the current contract which has another 2 years to run ending in 2019. The Council subsidise this rate and a consultation will be required through the tender process to ensure the rate is reviewed.

62. HWB - Transport per journey

62.1 Currently charged at £2 per journey which we will review and calculate price/cost for full cost recovery. However this again supports prevention, and could potentially cost more money should charging impact on those attending day services.

63. HWB - Deferred Payments (DPA)

63.1 This is an administrative function charge of £144 per year charged to service users who are living in residential care and who own their own property, but who chose to wait until they pass away before paying the charges for their residential place.

64. HWB - External Spot Commissioned Residential Placement – Standard Room

64.1 This is the declared rate of £451 per week for externally commissioned residential care home placements for older people; service users are financially assessed to ascertain the amount they pay per week up to the amount against an agreed nationally set process.

65. HWB - External spot Commissioned Residential Placement - Higher Needs

65.1 This is the declared rate of £481 per week for externally commissioned residential care home for older people; service users are financially assessed to ascertain the amount they pay per week up to the amount against an agreed nationally set process.

66. HWB - External spot Commissioned Nursing Placement

66.1 This is the declared rate of £519 per week for externally commissioned nursing home for older people; service users are financially assessed to ascertain the amount they pay per week up to the amount against an agreed nationally set process.

67. HWB - External spot Commissioned Dementia Placement

67.1 This is the declared rate of £505 per week for externally commissioned residential care home for older people; service users are financially assessed to ascertain the amount they pay per week up to the amount.

68. HWB - Additional spot Commissioned Services

68.1 Full Cost Recovery - other services commissioned on a spot basis (for example Supported Living or Out of Borough Residential Care placements) will be charged up to the rate brokered; but the individual will be subject to a financial assessment to establish what they can reasonably afford to pay.

69. HWB - Placement Charges

69.1 Please note that charges for placements are included for completeness in relation to service activities, but do not form part of the fees and charges budgetary line income as they are client contributions.

70. Reasons for Recommendation

- 70.1 The setting of appropriate fees and charges will enable the Council to generate essential income for the funding of Council services. The approval of reviewed fees and charges will also ensure that the Council is competitive with other service providers and neighbouring councils. The ability to vary charges within financial year will enable services to more flexible adapt to changing economic conditions.
- 70.2 The granting of delegated authority to vary these charges within financial year will allow the Council to better respond to the needs of the communities, legal requirements and regulatory changes. And ensure that charges applied to residents, visitors and businesses correctly reflect current regulatory and legislative requirements.

71. Consultation (including Overview and Scrutiny, if applicable)

71.1 Consultations will be progressed where there is specific need. However, with regard all other items, the proposals in this report do not affect any specific parts of the borough. Fees and charges are known to customers before they make use of the services they are buying.

72. Impact on corporate policies, priorities, performance and community impact

72.1 The changes in these fees and charges may impact the community; however it must be taken into consideration that these price rises include inflation and no profit will be made on the running of these discretionary services.

73. Implications

73.1 Financial

Implications verified by: Carl Tomlinson

Finance Manager

The impact on income budgets has been set out earlier in the report and has informed the MTFS and annual budget setting process. Additional income is expected to be generated, however, this is dependent on demand for the services. The income position will continue to be monitored throughout the year.

73.2 **Legal**

Implications verified by: David Lawson

Monitoring Officer

Fees and charges generally fall into three categories – Statutory, Regulatory and Discretionary. Statutory charges are set in statue and cannot be altered by law since the charges have been determined by Central government and all authorities will be applying the same charge.

Regulatory charges relate to services where, if the Council provides the service, it is obliged to set a fee which the Council can determine itself in accordance with a regulatory framework. Charges have to be reasonable and must be applied across the borough.

Discretionary charges relate to services which the Council can provide if they choose to do so. This is a local policy decision. The Local Government Act 2003 gives the Council power to charge for discretionary services, with some limited exceptions. This may include charges for new and innovative services utilising the power to promote environmental, social and economic well-being under section 2 of the Local Government Act 2000. The income from charges, taking one financial year with another, must not exceed the cost of provision. A clear and justifiable framework of principles should be followed in terms of deciding when to charge and how much, and the process for reviewing charges.

A service may wish to consider whether they may utilise this power to provide a service that may benefit residents, businesses and other service users, meet the Council priorities and generate income.

Decisions on setting charges and fees are subject to the Council's decision making structures. Most charging decisions are the responsibility of Cabinet, where there are key decisions. Some fees are set by full Council.

73.3 Diversity and Equality

Implications verified by: **Becky Price**

Community Development Officer

The Council has a statutory responsibility under the Equality Act 2010 to promote and have due regard to the need to eliminate discrimination and advance equality of opportunity between individuals who share a relevant protected characteristic and those who do not share it. Decision on setting fees

and charges are subject to the Council's decision making structures. Concessions should be available to groups or individual in the community where an increase may create negative impact or lead to exclusion from activities.

- 73.4 **Other implications (where significant)** i.e. Staff, Health, Sustainability, Crime and Disorder)
 - None
- 74. Background papers used in preparing the report (including their location on the Council's website or identification whether any are exempt or protected by copyright):
 - None
- 75. Appendices to the report
 - Appendix 1 Schedule of Proposed Fees and Charges for 2018/19
 - Appendix 2 Schedule of Fees and Charges no longer applicable
 - Appendix 3 Feedback from Overview and Scrutiny Committees

Report Author:

Andrew Austin
Commercial Manager
Finance

Appendix 1 – Schedule of Proposed Fees and Charges for 2018/19

Provided below are the respective Schedule 1 – Proposed Fees and Charges, as submitted to the individual Overview and Scrutiny Committees

- Cleaner, Greener and Safer (CGS) 14th December 2017 meeting
- Planning, Transport and Regeneration (PTR) 14th November 2017 meeting
- Planning, Transport and Regeneration (PTR) 16th January 2018 meeting
- Childrens Services 12th December 2017 meeting
- Housing 19th December 2017 meeting
- Health and Wellbeing (HWB) 16th November 2017 meeting

Appendix 2 – Schedule of Fees and Charges no longer applicable

Provided below are the respective Schedule 2 – Proposed Fees and Charges, as submitted to the individual Overview and Scrutiny Committees

- Cleaner, Greener and Safer (CGS) 14th December 2017 meeting
- Planning, Transport and Regeneration (PTR) 14th November 2017 meeting
- Childrens Services 12th December 2017 meeting
- Housing 19th December 2017 meeting
- Health and Wellbeing (HWB) from 16th November 2017 meeting None