

	<h2>Environment Committee</h2> <h3>28 November 2018</h3>
<p style="text-align: right;">Title</p>	<p>Fees and Charges – 2019/20</p>
<p style="text-align: right;">Report of</p>	<p>Chairman of Environment Committee</p>
<p style="text-align: right;">Wards</p>	<p>All</p>
<p style="text-align: right;">Urgent</p>	<p>No</p>
<p style="text-align: right;">Status</p>	<p>Public</p>
<p style="text-align: right;">Key</p>	<p>Yes</p>
<p style="text-align: right;">Enclosures</p>	<p>Appendix A – Proposed Fees and Charges 2019/20</p>
<p style="text-align: right;">Officer Contact Details</p>	<p>Cara Elkins, Commissioning Lead Environment Cara.Elkins@barnet.gov.uk</p>

Summary

This report seeks to obtain approval for the proposed new and above inflation fees and charges for 2019/20 to support the Environment Business Plan, and delivery of front line service within the Environment Directorate.

Recommendations

1. That the Environment Committee consider and approve the proposed fees and charges for 2019/20 as set out in Appendix A.
2. That the Environment Committee agree the Electric Vehicle Charging Point Pilot Scheme and delegate power to the Strategic Director of Environment to set the fees and charges.

1. WHY THIS REPORT IS NEEDED

- 1.1 Fees and charges are reviewed on an annual basis to ensure that the costs of chargeable services are covered and the Council is achieving value for money. This report sets out the proposed above inflation fee increases as well as new fees and charges for services within the Environment Directorate. Any fees and charges which are being increased broadly in line with, or by less than the rate of inflation, are not included in this report as their approval is delegated to Chief Officers.

2. REASONS FOR RECOMMENDATIONS

- 2.1 **Recommendation 1** – It is recommended that the Environment Committee consider and approve the proposed fees and charges for 2019/20, as it is considered good practice to review fees and charges annually to ensure that the costs of providing the services are recouped.
- 2.2 In addition, a number of new fees and charges are proposed which require approval from Environment Committee. For example, within the commercial waste service in Streetscene some new services are proposed e.g. such as increasing the number of recycling and waste weight bands in order to provide more choice to customers.
- 2.3 Where appropriate we will replicate the current Hendon Cemetery and Crematorium fees and charges for the newly acquired site in Milespit Hill.
- 2.4 **Recommendation 2** – It is recommended that the Environment Committee agree the Electric Vehicle Charging Point Pilot Scheme and delegate power to the Strategic Director of Environment to set the fees and charges. The Environment Committee agreed to the Electric Vehicle Charging Point Pilot Scheme in November 2017. However, the Electric Vehicle Charging Point Pilot has been rescheduled due to the unforeseen requirement for Energy Regulator sign off which was outside of the Council's powers. In addition, it is now proposed that the pilot runs for longer than 6 months (as reported to Committee in November 2017) to at least 12 months, to enable more time for uptake of the service and more reliable data on the pilot to be gathered.
- 2.5 Once the pilot has run for at least 12 months a report will be brought back to this Committee to provide detail about it and for the Committee to set the charges if minded to continue beyond the pilot period.
- 2.6 As noted in the Environment Committee report last year, for the Electric Vehicle Charging Point Pilot Scheme the fees and charges need to cover the operating costs of the new facility. These complex costs are being determined and it is proposed that the total charge levied will include the cost of electricity used and other overheads. The overheads will consist of bank transaction charges (2% of transaction fee), service provider fee, electricity costs and networking fee, back office charges and maintenance. Charges will apply to both lamp column chargers and free standing chargers.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 The alternative approach is not to review the fees and charges, or adjust the current fees and charges, or not to add new ones where appropriate. This, however, is not considered good practice and will potentially expose the Council to the risk of not recovering the costs of the provision of the service, or potentially, over recovery, where the charge is set at a cost recovery level.
- 3.2 Given the financial pressures currently faced by the Council the only viable option for continuing to provide services is to levy an appropriate fee or charge.
- 3.3 The alternative approach of seeking approval of a fee from this Committee in respect of the Electric Vehicle Charging Point Pilot Scheme was considered, but as many of the costs are currently unknown there would be a higher risk that the charges would not cover the operating costs of the new facility. This approach is therefore not recommended.

4. POST DECISION IMPLEMENTATION

- 4.1 If the Committee is minded to approve Recommendation 1 then the fees and charges will be noted by the Policy and Resources Committee as part of the Council wide budget setting. Once the budget is approved by full Council the fees and charges will be posted on the Council's website and, where a statutory duty requires it, advertised in the approved publication and appropriate location. The majority of the new fees and charges will be implemented from April 2019, however in some circumstances as noted within Appendix A the charge will start from January 2019.
- 4.2 If the Committee is minded to approve Recommendation 2, the Strategic Director of Environment will set the fees for the Electric Vehicle Charging Point Pilot Scheme. The future of the Electric Vehicle Charging Point Pilot Scheme will be evaluated once the scheme has operated for at least twelve months, and should there be a desire to continue beyond the pilot, setting of the fees and charges for a longer term scheme will be brought back to this Committee for approval.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

5.1.1 The Corporate Plan 2015-2020 is based on the core principles of fairness, responsibility and opportunity to make sure Barnet is a place:

- Of opportunity, where people can further their quality of life
- Where people are helped to help themselves, recognising that prevention is better than cure
- Where responsibility is shared, fairly
- Where services are delivered efficiently to get value for money for the taxpayer

5.1.2 The Council's key areas of focus include:

- Delivering quality services – improving the overall approach to planning and enforcement, including taking action against environmental crime such as littering and fly tipping
- Delivering services that our residents value most to a high standard, including keeping our neighbourhoods and town centres clean, safe and healthy, maintaining our parks and open spaces, ensuring that our roads and pavements are well looked after.

5.1.3 Fees and charges need to be reviewed to ensure value for money and cost recovery. Thereby complying with the 2015-2020 Corporate Plan priority for Barnet to be in the lowest 25% of all Councils (Boroughs and County Councils) for expenditure per head of population, reviewing fees and charges is a means of keeping our net costs under control.

5.1.4 There are no implications relating to the Health and Wellbeing Strategy and its stated priorities, or the future health and wellbeing needs of the local population as identified in Barnet's Joint Strategic Needs Assessment.

5.2 **Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

5.2.1 **Finance & Value for Money:** With public and Member expectations increasing, the review of fees and charges ensures that sufficient resources are made available to manage and prioritise those expectations.

5.2.2 The fees and charges proposals will contribute to the cost recovery/savings target of £4.695m included in the Business Plan 2018/19 – 2019/20 submitted to the 7 November 2017 Environment Committee, which was approved at Policy and Resources Committee on 5 December 2017.

5.2.3 Adjusting fees and charges will ensure effective cost recovery for delivering the service; prices listed do not include VAT, which will only be charged where indicated.

5.2.4 For initial upfront streetscene service costs such as the initial purchase of wheeled bins for commercial customers, to support small businesses the service can look at options for the initial upfront cost to be paid in monthly instalments across a set time period (for example over 12 months).

5.2.5 The Constitution requires that all new charges, and charges that are proposed to be increased by more than inflation plus 2%, are agreed by the relevant Theme Committee, and also reported to Policy and Resources Committee for noting.

5.2.6 **Procurement:** At this time there are no implications.

5.2.7 **Staffing:** At this time there are no implications.

5.2.8 **Property:** At this time there are no implications.

5.2.9 **IT:** At this time there are no implications.

5.2.10 **Sustainability:** At this time there are no implications.

5.3 Social Value

5.3.1 The Public Services (Social Value) Act 2012 requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits. This will be done as part of any contract procurement. No contract procurement is currently planned as a result of the recommendation in this report.

5.4 Legal and Constitutional References

5.4.1 Local authorities have a variety of powers to charge for specific statutory services set out in statute. The Local Government Act 2003 also provides a power to trade and a power to charge for discretionary services, the latter on a cost recovery basis. Discretionary services are those that a local authority is permitted to provide under statute but is not obliged to do so. The power to charge for discretionary services is not available to local authorities if there is a statutory duty to provide the service or if there is a specific power to charge for it or if there is a prohibition on charging.

5.4.2 Additionally, the Localism Act 2011 provides local authorities with a general power of competence that confers on them the power to charge for services but again these are subject to conditions/limitations similar to those noted above.

5.4.3 Where a local authority has a duty to provide a statutory service free of charge to a certain standard, no charge can be made for delivery to that standard. Should a request be made, however, for delivery above and beyond that standard, this may constitute a discretionary service for which a charge could be made.

5.4.4 There is a variety of legislation permitting charging for different services, some of which set prescribed fees and charges (or the range of charges for a given service), and others which allow discretion based on costs of providing the service.

5.4.5 The Council's Constitution sets out the terms of reference of the Environment Committee. This includes

- Responsibility for all borough-wide or cross-constituency matters relating to the street scene including, parking, road safety, lighting, street cleaning, transport, waste, waterways, refuse, recycling, allotments, parks, trees, crematoria and mortuary, trading standards and environmental health.
- To submit to the Policy and Resources Committee proposals relating to the Committee's budget for the following year in accordance with the budget timetable.
- To make recommendations to Policy and Resources Committee on issues relating to the budget for the Committee, including and virements or underspends and

overspends on the budget. No decisions which result in amendments to the agreed budget may be made by the Committee unless and until the amendment has been agreed by Policy and Resources Committee

5.4.6 The Council's Constitution (Clause 17, Financial Regulations) also states:

2.3.7 For the fees and charges within their remit, theme Committees, Planning Committee and Licensing Committee must approve changes to fees and charges that are above CPI inflation by 2% or more, the introduction of new fees and charges, and changes to fees and charges outside the normal annual cycle.

2.3.8 Changes to fees and charges approved by theme Committees, Planning Committee and Licensing Committee must be reported to Policy and Resources Committee for noting.

5.5 Risk Management

- 5.5.1 The fees and charges proposed within this report are based on recovery of costs incurred by the Council. Efforts have been made to limit the charge increases and consideration has been given to the charges adversely affecting demand for the services as well as the need to recoup the cost of providing the service. There will nonetheless remain an element of reputational risk and challenge.
- 5.5.2 If agreed by the Committee, the Strategic Director of Environment will set the Fees and Charges for the Electric Vehicle Charging Point Pilot Scheme when costs for the new facility have been determined. This pilot will run for at least twelve months, the pilot will then be evaluated, and a report will be brought to a meeting of the Environment Committee thereafter to set Fees and Charges for the longer term, thereby mitigating the risk that the service will not cover its operational costs.

5.6 Equalities and Diversity

- 5.6.1 The Corporate Plan 2015-2020 sets the Strategic Equalities Objective, which is: that citizens will be treated equally, with understanding and respect, and will have equal access to quality services which provide value to the tax payer. Changes to policies and services are analysed in order to assess the potential equalities impacts and risks and identify any mitigating action possible before final decisions are made.
- 5.6.2 The Equality Act 2010 sets out the Public Sector Equality Duty which requires public bodies to have due regard to the need to
- eliminate discrimination, harassment and victimisation and other conduct prohibited by the Act
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not
 - foster good relations between persons who share a relevant protected characteristic and persons who do not.

5.6.3 The relevant protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

5.6.4 The proposed fees and charges have been reviewed against the protective characteristics. Initial equality impact reviews have not found that there would be any specific adverse impact on any of the protected groups. A full Equalities Impact Assessment will be carried out for the Electric Vehicle Charging Point Pilot Scheme, which will be reported to the meeting of the Environment Committee that will consider whether the scheme should be continued and if there is a desire for it, to set the Fees and Charges for the long term.

5.7 Corporate Parenting

5.7.1 Not applicable.

5.8 Consultation and Engagement

5.8.1 There was no specific consultation on the fees and charges in this report.

5.9 Insight

5.9.1 Research on legislation and guidance has been undertaken along with discussions with key stakeholders. This has been used to inform the fees and charges and this report.

6. BACKGROUND PAPERS

6.1 [Environment Committee November 2017 Fees and Charges 2018/19 Papers](#)

6.2 [Environment Committee November 2017 Business Plan 2018/19 – 2019/20 Papers](#)