

	<h2>ACTION TAKEN UNDER DELEGATED POWERS BY OFFICER</h2>
Title	Greenspaces Fees and Charges increasing broadly in line with inflation, for 2019/2020
Report of	Executive Director for Environment
Wards	All
Status	Public
Enclosures	Appendix A – Fees & Charges 2019/2020
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Summary

This report seeks Chief Officer approval of fees and charges for 2019/20. The Council's Constitution allows Chief Officers to approve fees and charges which are broadly in line with inflation. Fees and charges that are increased by CPI inflation plus up to and including 1.9 % do not require approval by Committee., (Financial Regulations clause 2.3.7). Fees and charges which are to be increased by CPI inflation plus 2% or more need to be approved by Committee.

Decisions

1. To approve the Street Scene fees and charges for 2019/20 as detailed in Appendix A.

1. WHY THIS REPORT IS NEEDED

- 1.1 Fees and Charges are reviewed on an annual basis to ensure that costs of chargeable services are covered and the council is achieving value for money. This report sets out the current fees and charges for some Street Scene services and highlights the changes sought.

2. REASONS FOR RECOMMENDATIONS

- 2.1 It is considered good practice to review fees and charges annually and it also ensures that the costs of providing services are recouped.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 The alternative is to not review the fees and charges and adjust them but this is not good practice and could result in a failure to recover or to over recover costs of provision of the service.
- 3.2 Given the current financial climate and pressures on the council budget the only viable way to continue to provide these services is to levy a fee and ensure the fee covers cost of provision.

4. POST DECISION IMPLEMENTATION

- 4.1 If approved, the fees and charges will be posted on the Council's website and will be implemented from 1 April 2019 or as soon as practicable thereafter.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 Fees, charges and allowances need to be reviewed to ensure value for money and cost recovery, thereby complying with the 2015-2020 Corporate Plan priority 'Where services are delivered efficiently to get value for money for the taxpayer'.

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

- 5.2.1 The impact of increased fees and charges will be taken into account in the 2018/19 revenue monitoring and the 2019/20 forward plan process.

- 5.2.2 All fees and charges go towards recouping costs for delivering the service.

- 5.2.3 All prices listed do not include VAT, which will only be charged where indicated.

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 costs 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 for the service.

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 subject to conditions/limitations similar to those noted above.

5.4.3 Where authorities have a duty to provide a statutory service free of charge to a certain standard, no charge can be made for delivery to that standard, however delivery beyond that point 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 sets prescribed fees and charges (or the range of charges for a given service), and others which allow a discretion to determine the charge based on recovering the costs of providing the service

5.4.5 Paragraph 2.3.7 of the Council's Financial Regulations (Part 17 of the Council's Constitution) states, '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 inflation by 2% or more, the introduction of new fees and charges, and changes to fees and charges outside the normal annual cycle.'

5.4.6 Paragraph 2.3.9 of the Council's Financial Regulations (Part 17 of the Council's Constitution) states, 'Chief Officers may approve changes to fees and charges annually where the change is broadly in line with inflation. The date for annual increases need not be 1 April.'

5.5 **Risk Management**

5.5.1 The fees and charges proposed within this report are for various discretionary services. Efforts have been made to limit the charge increases and consideration has been given to the charges adversely affecting demand for the service as well as the need to recoup the cost of providing the service. There will nonetheless remain an element of reputational risk and risk of challenge

5.6 Equalities and Diversity

5.6.1 Section 149 of the Equality Act 2010 sets out the Public Sector Equality Duty which requires public authorities and organisations acting on their behalf to have due regard to the need to:

- eliminate discrimination, harassment, 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 share it
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it

The relevant protected characteristics are age, race, disability, gender reassignment, pregnancy and maternity, religion or belief, sex and sexual orientation. The duty also covers marriage and civil partnership, but to a limited extent.

5.6.2 The broad purpose of this duty is to integrate considerations of equality into day to day business and keep them under review in decision making, the design of policies and the delivery of services so that the potential impact on any protected groups is identified and steps taken to mitigate or remove them.

5.6.3 An equalities impact assessment screening has been actioned and no adverse impacts, to any group, have been identified.

5.6.4 Changes to fees and charges are published on the council website, including the applicable date of change, as soon as possible after a decision on them has been taken

5.7 Corporate Parenting

5.7.1 Not applicable

5.8 Consultation and Engagement

5.8.1 None

5.9 Insight

5.9.1 None

6. BACKGROUND PAPERS

6.1 None

7. DECISION TAKER'S STATEMENT

- 7.1 *I have the required powers to make the decision documented in this report. I am responsible for the report's content and am satisfied that all relevant advice has been sought in the preparation of this report and that it is compliant with the decision-making framework of the organisation which includes Constitution, Scheme of Delegation, Budget and Policy Framework and Legal issues including Equalities obligations. The decision is compliant with the principles of decision making in Article 10 of the constitution.*

8. Chief Officer's Decision:

I authorise the following action

- 8.1 To approve the Greenspaces fees and charges for 2019/20, as detailed in Appendix A.**

Signed: Executive Director for Environment

Dated: 10 April 2019