

	<h2>Environment Committee</h2> <h3>11 January 2016</h3>
<p style="text-align: right;">Title</p>	<p>Environment – Fees and Charges for 2016/17</p>
<p style="text-align: right;">Report of</p>	<p>Commissioning Director – Environment</p>
<p style="text-align: right;">Wards</p>	<p>All</p>
<p style="text-align: right;">Status</p>	<p>All</p>
<p style="text-align: right;">Urgent</p>	<p>No</p>
<p style="text-align: right;">Key</p>	<p>Yes</p>
<p style="text-align: right;">Enclosures</p>	<p>Appendix A – Fees and Charges 2016/17</p>
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<h2>Summary</h2>
<p>On the 18th November 2014, the Environment Committee approved a five-year Commissioning Plan, and indicative proposals for achieving savings of £5.8m by 2019/20. The Commissioning Plan set out the strategic priorities, commissioning intentions and indicative budget proposals of the Environment Committee up to 2019/20.</p> <p>On the 10th November 2015 a Business Planning report outlining the future financial challenge facing the Council, and the process whereby Theme Committees will consider the response to this challenge, including the setting of additional savings targets for each committee was agreed by the Environment Committee.</p> <p>This report seeks to obtain approval for the proposed new and above inflation fees and charges for 2016/17 to support the Commissioning Business Plan.</p>

<h2>Recommendations</h2>
<p>1. To consider and approve the fees and charges for 2016/17 as detailed in Appendix A.</p>

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 embedded within the Environment Directorate. Any fees and charges which are not being increased by more than the rate of inflation are not included in this report as their approval method is different.

2. REASONS FOR RECOMMENDATIONS

- 2.1 It is considered good practice to review fees and charges annually to ensure that the costs of providing the services are recouped and identified income targets are achieved.
- 2.2 For those fees and charges that will be levied on services provided by Re, the Council and Re have undertaken an audit of the fees and charges proposed and have updated, deleted or added fees as appropriate

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 The alternative is not to review the fees and charges and adjust them (or add new ones if appropriate) but this 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 indeed, over recover where the charge is set at a cost recovery level.
- 3.2 Given the financial pressures currently faced by the Council the only viable way to continue providing the services is to levy an appropriate fee or charge.

4. POST DECISION IMPLEMENTATION

- 4.1 If approved, 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 new fees and charges will be implemented from 1 April 2016.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 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 as we keep our costs under control.

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

5.2.1 With public and members expectations increasing, the review of fees and charges ensures that sufficient resources are made available to manage and prioritise those expectations.

5.2.2 These fees and charges proposals will contribute to the income/savings targets included in the commissioning plan submitted to the November Environment Committee and will enable the committee to meet its £10.6m savings target approved by Policy and Resources committee in December 2015.

5.2.3 All 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.

5.3 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. Before commencing a procurement process, commissioners should think about whether the services they are going to buy, or the way they are going to buy them, could secure these benefits for their area or stakeholders.

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. However should a request for delivery above and beyond that standard be made, 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 Under the Council's Constitution (Responsibility for Functions, Annex A), the Environment Committee has a number of responsibilities including:

- To approve fees and charges for those areas under the remit of the Committee
- 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.

5.5 Risk Management

5.5.1 The Council has taken steps to improve its risk management processes by integrating the management of financial and other risks facing the organisation. Risk management information is reported quarterly to Performance and Contract Management Committee and is reflected, as appropriate, throughout the annual business planning process.

5.5.2 The fees and charges proposed within this report are for a various discretionary services and 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 the need to recoup the cost of providing the service. There will nonetheless remain an element of reputational risk and challenge.

5.6 Equalities and Diversity

5.6.1 The 2010 Equality Act outlines the provisions of the Public Sector Equalities Duty which requires Public Bodies **to have due regard** to the need to:

- eliminate unlawful 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.

5.6.2 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons

who do not share it; and

- Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

5.6.3 The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, the need to:

- Tackle prejudice, and
- Promote understanding.

5.6.4 Compliance with the duties in this section may involve treating some persons more favourably than others but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act.

The relevant protected characteristics are:

- Age;
- Disability;
- Gender reassignment;
- Pregnancy and maternity;
- Race;
- Religion or belief;
- Sex; and
- Sexual orientation.

It also covers marriage and civil partnership but to a limited extent with regard to eliminating discrimination.

5.6.5 A number of income generation proposals have been included in Appendix A to this report. As set out in Appendix A, they result from a combination of income generated through a range of new business, increased fees and charges and service redesign.

5.6.6 The Council, through its members, will have to satisfy itself that the requirements of equalities and diversities have been adhered to in formulating the proposals referred to in this report.

5.7 Consultation and Engagement

5.7.1 Public consultation on the overall budget 2016/17 commenced following Policy and Resources Committee on 16th December 2015. The final savings will be agreed by Policy and Resources Committee on 16th February 2016 and Full Council on the 3rd March 2016.

5.7.2 The public consultation gave residents an opportunity to comment on the

2016/17 overall budget and Environment Committee's individual proposals to deliver the 2016/17 savings identified in the 10th November 2015 Environment Business Planning report, before final decisions are taken by the Committee and savings plans are formalised in the Council's annual budget.

6. BACKGROUND PAPERS

6.1 Relevant previous decisions are indicated in the table below.

Item	Link
Environment Committee 10th November 2015, Item 7 – Business Planning	http://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=695&MId=8334&Ver=4