



## Environment Committee 15 November 2021

<b>Title</b>	<b>Business Planning 2022-26 and Fees &amp; Charges for 2022/23</b>
<b>Report of</b>	Chairman of the Environment Committee
<b>Wards</b>	All
<b>Status</b>	Public
<b>Urgent</b>	No
<b>Key</b>	Yes
<b>Enclosures</b>	Appendix A – Saving Proposals for Environment Committee Appendix B – Fees & Charges for 2022/23
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### Summary

A Business Planning report was received by Policy and Resources Committee on 30 September 2021 outlining the council's updated Medium-Term Financial Strategy (MTFS) to 2025/26 and the future financial challenges facing the council.

Theme Committees are requested to consider their response to this challenge, by considering savings proposals to secure a balanced council budget (the same process as used in previous years).

Work is ongoing to identify the impacts, both pandemic- and non-pandemic related, across the planning period. Given the high level of uncertainty in the MTFS period, particularly regarding 2022/23, 3 scenarios have been modelled. The central scenario estimates an overall budget gap of £16.2m, which may be reduced by £13.3m to £2.9m if all proposed savings are agreed.

The outcomes of all theme committee discussions will go forward as recommendations to Policy and Resources Committee in December 2021.

## **Officers Recommendations**

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| 1- That Committee approve the revenue savings programme listed in Appendix A after having considered the initial equalities impacts and recommend it to Policy and Resources Committee on 09 December 2021. |
| 2- That Committee approve the proposed fees and charges for 2022/23, as set out in Appendix B and recommend it to Policy and Resources Committee on 09 December 2021  |

### **1. WHY THIS REPORT IS NEEDED**

#### **1.1 Executive Summary**

- 1.1.1 This report is required as part of the council's annual business planning process, to discuss and approve priorities for the Environment Committee for 2022/23 and also 2023/24 to 2025/26.

### **STRATEGIC CONTEXT**

#### **1.2 Background to 2022/23 Business Planning**

- 1.2.1 The council has a statutory duty to set a balanced budget for the coming financial year and uses the Medium-Term Financial Strategy (MTFS) to estimate the budget position for the following three years. Savings proposals for future years are identified and proposed to Committee. Savings proposals for all years are proposed through Theme committees, recommended to P&R Committee, and then on to Full Council in March to be approved.

- 1.2.2 Between 2010/11 to 2020/21, the council successfully identified savings averaging £17m per year.

#### **1.3 Approach to MTFS 2022-26**

- 1.3.1 In June 2021, P&R Committee were presented with an update on the impacts of Covid and an introduction to the 2022/23 to 2025/26 MTFS process. This set out that resources were not expected to grow significantly from 2021/22 to 2022/23. Service areas were therefore asked to prepare budgets for 2022/23 within a nominal 'cash limit', set at the level of the budget in 2021/22.

- 1.3.2 A more detailed update on the MTFS was presented to September P&R committee which highlighted the level of uncertainty being faced in the short term. This uncertainty is being driven by 3 factors – the level of service pressures, and whether they are short term or of longer duration; the level of government grant funding to be received; and whether there will be scope for a social care precept (SCP) in 2022/23.

1.3.3 Considering these variables highlighted that each of them could have considerable impact (a 2% SCP would yield c£4m; service pressures were initially estimated at £15m; and changes to government grant, estimated at a loss of £2m per year, could be a loss or a gain of twice that). Accordingly, 3 scenarios were presented to September P&R committee, illustrating how these variables could lead to quite different outcomes, but also emphasising that the central scenario or base case was regarded as more likely and that it was preferred as a basis of planning. This central scenario is summarised below.

1.3.4 It is anticipated that a combination of government announcements, local political decisions, and the further development of service financial plans will reduce the overall level of uncertainty substantially by March 2022 when the budget is set.

1.3.5 As noted in paragraph 1.3.1 budgets for 2022/23 have been drafted on the basis of a nominal cash limit set at the level of the budget in 2021/22. This has identified budgetary pressures of c. £5.9m of which approximately £4.5m gross relates to shortfalls in car parking and parking control management. However, following significant mitigation the 2022/23 unresolved budgetary pressure currently stands at £1.4m (15 Oct).

#### 1.4 MTFS September Summary – ‘Base case’

1.4.1 As at September, the estimated budget gap between 2022/23 to 2025/26 is £73.386m. Considering 2022/23 in isolation, the estimated funding gap is £16.233m

2021/22		2022/23	2023/24	2024/25	2025/26
£m	<u>MTFS Summary - Base Scenario</u>	£m	£m	£m	£m
333.101	Expenditure	342.102	369.561	394.431	418.983
(333.101)	Resources	(325.869)	(329.121)	(337.888)	(345.597)
(0.000)	Cumulative (Surplus)/Shortfall to Balanced Budget	16.233	40.441	56.543	73.386

#### 1.5 Committee Context

1.5.1 As with the previous year, 2021/22 has set some unprecedented challenges for the Environment Directorate as it continued to respond to the Covid 19 pandemic with the easing of restrictions and return to ‘normal’.

1.5.2 The Environment team have continued to assess the possible future impacts of the pandemic on the whole range of their services. Issues for the service are noted below;

- The ongoing impact of changes to work and commuting behaviours on the level of parking demand and on and off street revenues remain unclear. Current indications would suggest that some types of parking activity may remain materially lower than previous levels. On some routes traffic levels appear to have recovered to pre-pandemic volumes, however the pattern is mixed with overall on-street paid parking activity in September 2021 at 70% of historic levels. The service is working to find ways to help with the financial shortfall which is reflected in the savings noted in appendix A.
- Last year TfL suspended most of the Local Implementation Plan (LIP) programme due to the impact of Covid on their financial position. This had a significant impact on the Environment directorate's ability to continue to support small to medium improvement schemes. This funding also provided for a number of key services including Disabled Bay parking facilities and School Crossing Patrols which had to be funded from elsewhere. LIP funding is also significantly reduced this financial year. No funding guarantees are given for the remainder of this financial year and beyond. The impact of this uncertainty and limited short-term funding from TfL remains significant for Barnet. At this point it is not clear what the position will be for future years funding. Discussions with TfL will continue to establish a better framework for future funding of the LIP programme.

1.5.3 Barnet is often characterised by its greenspace and during the pandemic, there was a significant increase in the use of parks. This summer the Council launched a series of activities to improve the cleanliness and appearance of sites which included;

- Increased Street Scene resource to support litter clearance and 'deep clean' efforts.
- Staff deployed Friday to Monday keeping parks clean before, during and after week-end use
- Appointment of specialist contractor to support co-ordination 'clean up' across water course locations, including with Welsh Harp, Silkstream and Dollis Valley.
- Engagement and support of partner agencies such as the Environment Agency, Canals & Rivers Trust and LB Brent.
- Launch and delivery of a Borough wide campaign 'Pick It. Bag It. Bin It'
- Delivery of a community and volunteer programme to support litter clearance efforts.
- Council volunteering action days.
- Appointment of third party organisation; Parkguard to co-ordinate park patrols.
- Delivery of 'Discover Barnet Presents' events programme.

The above workstreams were delivered between May – September 2021 and supported by additional funding to deliver. The service are currently reviewing options and models and seeking funding which would enable the sustained continuation of these initiatives.

- 1.5.4 In June 2021, Policy and Resources Committee approved the outline business case for West Hendon Playing Fields, which comprises of a £18m investment to transform and improve the site. The £1.1m investment of Colindale Park is due for full completion in November 2021 whilst masterplan proposals continue to be developed for, Barnet Playing Fields, Cophall Sports Hub, Heybourne Park and Rushgrove Park, with individual business cases for investment to be brought forward at a future date.
- 1.5.5 The charged for Green Waste service has been very well received since it was first communicated in February 2020. In its first year (2020/21) the service had a take up rate of 56.37% and generated an income of £2.88M, and currently in the second year (2021/22) there has been a take up rate 58.84% and an income of £3.02M. In the first year of the service 42,277 stickers were sold, in the second year 44,129 stickers have been sold to date. This puts the London Borough of Barnet at the highest take up rate in London based on the information available.
- 1.5.6 It is recognised that there is inherent risk within the services which given its nature cannot always readily be monetized, however risk to the MTFS is regularly monitored and detailed within the corporate risk register.

## 1.6 **Environment Committee Savings**

- 1.6.1 To achieve a balanced budget in 2021/22 and to meet the MTFS savings 2022/23 to 2024/25, indicative savings proposals have been identified for Environment Committee. Environment Committee are being asked to consider the savings programme. The full range of savings and / or income generation proposals within Environment Committee's area of responsibility can be seen in Appendix A, these total £6m.
- 1.6.2 Appendix A covers the MTFS period 2021/22 to 2024/25. We are focussing on 2022/23 savings and the principle areas of savings are;
- Parking – the establishment of a programme of parking controls aimed at addressing requests from residents and anticipated need, to meet the Council's traffic management obligations. Experience of existing controlled areas anticipates that additional income may be generated from these new schemes. Models developed for the new controlled zones suggest a surplus at a level as per the forecast set out within the Council's budgets.
  - Barnet Tennis – delivery of tennis management pilot, including options appraisal of alternative management models and approach to delivery, identifying improvements in administration and revenue position. Future recommendations and report to be presented back to Environment Committee for consideration.

- Skip Management – improved skip management and licencing of skips on public highways.

## 1.7 Fees & Charges

1.7.1 Revised financial regulations approved in October 2020 require all changes to fees and charges to be included in the budget proposals submitted by theme Committees or the relevant committee to the Policy & Resources Committee. The budget recommended by 09 December Policy and Resources Committee to Full Council will incorporate the latest projection of income from fees and charges. Full Council will approve all fees and charges as part of the budget report in March 2022.

1.7.2 Where fees and charges have increased in line with inflation the rate used is 2%. The 2% inflation has been used as guidance prior to Chancellor's budget speech on 27th October. The latter states inflation is to average more than 4% for next year and economy to return to pre-COVID levels by end 2021.

1.7.1 From April 2022, changes to fees and charges are proposed, these are listed in more detail in Appendix B:

1.7.2 A number of new fees and charges are proposed which require consideration by Environment Committee before being passed to Policy & Resources Committee. For example, within Highways there is a new charge for a Eruv Licence and supply and installation of private street name plates.

1.7.3 The general principles that have been applied to the fees and charges for 2022/23 is as per the table below:

Service	Fees and Charges - brief description of changes
Parking	No changes are being made to the existing fees and charges.
Greenspaces	No change or have been increased broadly in line with inflation.
Street Scene	No change or have been increased broadly in line with inflation. A few charges have been reduced in order to remain competitive. There are a few charges that have been increased above inflation rates, due to increased cost of materials.
Street Lighting, DLO & EV Charging	No changes are being made to the fees and charges.

Cemetery and Crematorium	<p>No change or have been increased broadly in line with inflation. Where applicable these fees and charges will also be charged at Milesplit Cemetery.</p> <p>Note that the funerals for minors are now funded by HM Government and not the family.</p>
Highways	<p>No change or have been increased broadly in line with inflation. There are a few charges that have been increased above inflation rates, this is due to increased cost of materials and / or a true reflection of installation and maintenance costs and these charges directly reflect the suppliers costs</p> <p>2% inflationary rate applied throughout other than for</p> <ul style="list-style-type: none"> <li>• Memorial benches</li> <li>• Plaques</li> </ul> <p>And new fees for</p> <ul style="list-style-type: none"> <li>• Public Rights of Way</li> <li>• Section 31(6) Highways Act 1980 (Landholdings)</li> <li>• Eruv Licences</li> <li>• Street Name plates</li> </ul> <p>Clarity is also provided for when heavy duty crossovers are applicable. This fee applies for all new developments (two or more units) requiring light / heavy duty crossovers, temporary habitual crossings, accesses serving multiple dwellings; commercial or industrial development; accesses to car park / forecourt; accesses for emergency and refuse vehicles or single access that forms part of a multiple property development to facilitate site construction or permanent accesses for the new development.</p>
Trading Standards and Licensing	<p>No change, changes made by statute or have been increased broadly in line with inflation.</p>
Environmental Health	<p>No change or have been increased broadly in line with inflation. Note that some fees are set by DEFRA and so the council cannot change these.</p> <p>New fees and charges for fire engineers reports in enforcement cases only.</p> <p>One fee is to be reduced in price so that it remains in line with other call out fees.</p>

## 1.8 Recovery Plan

1.8.1 The Covid-19 pandemic has provided an extremely challenging situation for Barnet, its residents and the wider borough. In the initial pandemic response, the council had to focus on critical services, including a number of new services to directly respond to the needs of residents. A programme of recovery planning was set up in May 2020 to co-ordinate the restoration of services that had to be de-prioritised to allow for this. Following the lifting of lockdown restrictions in July 2021, most activity to restore services had been completed and so the council agreed to close down the programme. There are some service areas where recovery activity requires more long-term effort. These will be picked up as part of the Barnet Plan and other council strategies.

## **2. REASONS FOR RECOMMENDATIONS**

2.1 Local Government continues to face significant reductions in funding and increased demand for services, as set out in the above context. These challenges require longer term, robust financial and strategic planning and the recommendations in this report support this.

2.2 By law, the council is required to set a balanced budget. These proposals are the best way of doing that by meeting financial requirement and delivering outcomes and ambitions for Barnet.

2.3 It is recommended that the Environment Committee approve the proposed fees and charges for 2022/23 and recommend them to Policy and Resources Committee on 09 December 2021, as it is considered good practice to review fees and charges annually to ensure that the costs of providing the services are recouped. In addition, a number of new fees and charges are proposed which require consideration.

## **3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

3.1 The alternative option is not to approve the MTFs. This, however, is not considered to be good practice and may expose the council to the risk of not achieving the savings targets or being able to set a balanced budget. There is a statutory requirement to set a balanced budget and submit budget returns to the Ministry of Housing, Communities and Local Government (MHCLG).

3.2 The alternative approach is to not review the fees and charges or to adjust the current fees and charges, or to not 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.



Given the financial pressures currently faced by the Council the only viable option for continuing to provide services is to levy and appropriate fee or charge.

#### **4. POST DECISION IMPLEMENTATION**

- 4.1 If the Environment Committee approves recommendation 1 made by this report, then the savings proposals will be referred to Policy and Resources Committee in December 2021 as part of the council's Medium-Term Financial Strategy (MTFS). Public consultation on the MTFS will commence in December.
- 4.2 If the Committee is minded to approve Recommendation 2, then the fees and charges will be considered for agreement by the Policy and Resources Committee in December 2021 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 new fees and charges will be implemented from April 2022.

#### **5. IMPLICATIONS OF DECISION**

##### **5.1 Corporate Priorities and Performance**

- 5.1.1 This report supports the council's corporate priorities as expressed through the Corporate Plan for 2019-24 which sets out our vision and strategy for the next 5 years. This includes the **outcomes** we want to achieve for the borough, the **priorities** we will focus limited resources on, and our **approach** for how we will deliver this.
- 5.1.2 Our 3 outcomes for the borough focus on place, people and communities:
- a pleasant, well maintained borough that we protect and invest in
  - our residents live happy, healthy, independent lives with the most vulnerable protected
  - safe and strong communities where people get along well
- 5.1.3 The approach for delivering on this is underpinned by four strands; ensuring residents get a fair deal, maximising on opportunities, sharing responsibilities with the community and partners, and working effectively and efficiently.

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

- 5.2.1 The Environment Committee savings programme will enable the council to meet its savings target as set out in the MTFS. These budgets will be formally agreed each year, and individual proposals will be subject to appropriate

consultation and equality impact assessments where necessary. For this reason, the proposals are subject to change.

- 5.2.2 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. The Constitution requires that all changes to fees and charges should be included in the budget proposals submitted by theme Committees to the Policy & Resources Committee.

### 5.3 **Social Value**

- 5.3.1 None applicable to this report, however the council must take into account the requirements of the Public Services (Social Value) Act 2012 to try to maximise the social and local economic value it derives from its procurement spend. The Barnet living wage is an example of where the council has considered its social value powers.

### 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 These savings proposals are to be referred to Policy and Resources Committee. They will then be subject to consultation and a cumulative equality impact assessment before being referred on to Council so that Council may set the Council Tax, being mindful of any equality impacts and consultation responses.

5.4.6 The Council's Constitution (Document 8, Article 7 – Committees, Forums, Working Groups and Partnerships) sets out the responsibilities of all council Committees.

Responsibilities for Environment Committee include:

1) Responsibility for all borough-wide or cross-constituency matters relating to the street scene including, parking, road safety, lighting, street cleaning, littering, fly-tipping, fly-posting, graffiti, transport, waste, waterways, refuse, recycling, allotments, parks, trees, crematoria and mortuary, trading standards and environmental health.

(2) To submit to the Policy and Resources Committee proposals relating to the Committee's budget (including fees and charges) for the following year in accordance with the budget timetable.

(3) To make recommendations to Policy and Resources Committee on issues relating to the budget for the Committee, including 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.

(4) To receive reports on relevant performance information and risk on the services under the remit of the Committee.

5.4.7 The Council's finance regulations as contained in the council constitution notes that changes to fees and charges should be included in the budget proposals submitted by theme Committees or the relevant committee to the Policy & Resources Committee. The budget recommended by Policy and Resources Financial Committee to Full Council will incorporate the latest projection of income from fees and charges. Full Council will approve all fees and charges as part of the budget report

5.4.8 Some of the proposals, relate to savings resulting from operational decisions being made in a different way and are therefore estimated savings. The saving is therefore an indicative saving and its deliverability will be dependent on a number of factors. As part of the budget setting process, Policy and Resources Committee will consider the need for an appropriate contingency to cover any savings that are indicative and may not be met due to operational decisions. Some of the proposals in the MTFs relate to proposals that are at a very early stage. These proposals will be subject to further business planning and decision making to test whether they can be delivered and what the impact of such a proposal will be. These proposals will be considered in further detail during future business planning reports.

5.4.9 All proposals emerging from the business planning process will need to be considered in terms of the council's legal powers and obligations (including, specifically, the public-sector equality duty under the Equality Act 2010).

## 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.

The allocation of an amount to contingency is a step to mitigate the pressures that had yet to be quantified during the budget setting process.

5.5.2 The allocation of budgets from contingency seeks to mitigate financial risks which have materialised.

## 5.6 Equalities and Diversity

5.6.1 Equality and diversity issues are a mandatory consideration in the decision making of the council.

5.6.2 Decision makers should have due regard to the public sector equality duty in making their decisions. The Equality Act 2010 and the Public-Sector Equality Duty require elected Members to satisfy themselves that equality considerations are integrated into day-to-day business and that all proposals emerging from the business planning process have taken into consideration the impact, if any, on any protected group and what mitigating factors can be put in place. The equalities duties are continuing duties they are not duties to secure a particular outcome. The statutory grounds of the public sector equality duty are found at section 149 of the Equality Act 2010 and are as follows:

5.6.3 A public authority must, in the exercise of its functions, have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this 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.

5.6.4 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;
- 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.

5.6.5 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.

- 5.6.6 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, to the need to:
- Tackle prejudice, and
  - Promote understanding.
- 5.6.7 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
  - Sexual orientation
  - Marriage and Civil partnership
- 5.6.8 This is set out in the council's Equalities Policy together with our strategic Equalities Objective - as set out in the Corporate Plan - that citizens will be treated equally with understanding and respect; have equal opportunities and receive quality services provided to best value principles.
- 5.6.9 Progress against the performance measures we use is published on our website at:  
[www.barnet.gov.uk/info/200041/equality\\_and\\_diversity/224/equality\\_and\\_diversity](http://www.barnet.gov.uk/info/200041/equality_and_diversity/224/equality_and_diversity)
- 5.6.10 Where there are changes to service delivery or changes to staff, these will impact on individuals in different ways. However, at each stage of the process, the council will conduct an equalities impact assessment (EIA) where appropriate to ensure that where persons are impacted, proper measures are considered to mitigate the effect as far as possible. Those affected by any changes resulting from any of the proposals will be engaged, as set out in Appendix A under 'Consultation'. Where necessary, proposals will not be implemented or agreed until members have fully considered the equality impacts and responses to any consultation.
- 5.6.11 The revenue savings sheet shown at Appendix A indicates that an equalities impact assessment has been carried out for one saving proposal for the West Hendon Playing Fields Masterplan. For the majority of savings proposals, the need for an equality impact assessment will be kept under review as the specific proposals develop and will be carried out if required
- 5.6.12 All human resources implications will be managed in accordance with the Council's Managing Organisational Change policy, which supports the

Council's Human Resources Strategy and meets statutory equalities duties and current employment legislation.

## **5.7 Corporate Parenting**

5.7.1 In line with Children and Social Work Act 2017, the council has a duty to consider Corporate Parenting Principles in decision-making across the council. The outcomes and priorities in the refreshed Corporate Plan, Barnet 2024, reflect the council's commitment to the Corporate Parenting duty to ensure the most vulnerable are protected and the needs of children are considered in everything that the council does. To this end, great attention has been paid to the needs of children in care and care leavers when approaching business planning, to ensure decisions are made through the lens of what a reasonable parent would do for their own child.

5.7.2 The Council, in setting its budget, has considered the Corporate Parenting Principles both in terms of savings and investment proposals. The Council proposals have sought to protect front-line social work and services to children in care and care leavers and in some cases, has invested in them.

## **5.8 Consultation and Engagement**

5.8.1 As a matter of public law, the duty to consult with regards to proposals to vary, reduce or withdraw services will arise in four circumstances:

- where there is a statutory requirement in the relevant legislative framework
- where the practice has been to consult, or, where a policy document states the council will consult, then the council must comply with its own practice or policy
- exceptionally, where the matter is so important that there is a legitimate expectation of consultation
- Where consultation is required to complete an equalities impact assessment.

5.8.2 Regardless of whether the council has a duty to consult, if it chooses to consult, such consultation must be carried out fairly. In general, a consultation can only be considered as proper consultation if:

- comments are genuinely invited at the formative stage
- the consultation documents include sufficient reasons for the proposal to allow those being consulted to be properly informed and to give an informed response
- there is adequate time given to the consultees to consider the proposals
- there is a mechanism for feeding back the comments and those comments are considered by the decision-maker / decision-making body when making a final decision
- the degree of specificity with which, in fairness, the public authority should conduct its consultation exercise may be influenced by the identity of those whom it is consulting

- where relevant and appropriate, the consultation is clear on the reasons why and extent to which alternatives and discarded options have been discarded. The more intrusive the decision, the more likely it is to attract a higher level of procedural fairness.

5.8.3 The council will perform a budget consultation during December 2021 through to January 2022. This consultation will cover any proposals to increase council tax together with seeking views on the council's budget overall.

5.8.4 In terms of service specific consultations, the council has a duty to consult with residents and service users in a number of different situations including proposals to significantly vary, reduce or withdraw services. Consultation is also needed in other circumstances, for example to identify the impact of proposals or to assist with complying with the council's equality duties. Service specific consultations will take place where necessary in line with timescales for any changes to be implemented.

5.8.5 If when council sets the budget envelope some service specific consultations have not been completed then Council will allow a contingency so that decision makers may make alternative decisions should there be undesirable equalities impacts.

5.8.6 Where appropriate, separate service specific consultations have already taken place for the and a link to the report presenting findings of the consultation is provided within the MTFS spreadsheet (Appendix A). In addition, it has been noted in the appendix that for a number of savings proposals the requirement for a consultation will be considered as the proposals are developed. Where appropriate service specific consultations have been undertaken for changes to fees and charges.

## 5.9 **Insight**

5.9.1 None in the context of this report

## 6.10 **Environmental Impact**

6.10.1 There are no direct environmental implications from noting the recommendations.

## 6. **BACKGROUND PAPERS**

Business Planning 2020-25 and Fees & Charges for 202122 to Environment Committee on 25/11/2020

<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=695&MId=10157&Ver=4>