

LONDON BOROUGH OF WALTHAM FOREST

Meeting / Date	Council - 8 December 2022
Report Title	BUDGET REVIEW - FEES AND CHARGES 2023/34
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Wards affected	None specifically
Public Access	OPEN
Appendices	1(i) - Analysis of Income Budgets 2022/23 1(ii) - Income Budgets 2022/23 – 2023/24 1(iii) - Fees & Charges 2023/24

1. SUMMARY

- 1.1 This report sets out the proposed Fees and Charges for 2023/24.

2. RECOMMENDATIONS

- 2.1 For the reasons set out in this report, Council is recommended to:
- 2.1.1 **agree** the schedule of Fees and Charges as set out in Appendix 1(iii)

3. PROPOSALS

- 3.1 The proposals for Fees and Charges for the majority of services are set out in Appendix 1(iii) with the following exception:
- Street Trading which operates as a ring-fenced account.
- 3.2 Most budgets for Fees and Charges will be uplifted by an estimate of 5% for inflation. However, some fees and charges are set by statute and are increased in line with the actual, allowable increase.
- 3.3 Due to the current budget pressures, services have been requested to look to maximise income when setting their fees and charges for 2023/24, bearing in mind issues relevant to their particular circumstances. Services are also required to obtain benchmarking data to assess comparability. The level of increase is based on a minimum assumption of 5% inflation increase for 2023/24. Where services recommend an increase lower or higher than inflation there

must be justification and notes are contained in Appendix A (iii) as appropriate.

SPECIFIC PROPOSALS

Peoples - Adults

- 3.4 The proposals for Fees and Charges for Peoples Directorate Adult Services are reviewed in the light of the implementation of the Care Act and Personalisation agenda and should be considered in the context of the substantial changes being experienced within the service. The statutory guidance issued under the Care Act 2014 sets out principles that local authorities should consider when making decisions on charging.
- 3.4.1 The setting of fees and charges are based on reviewing unit cost of the applicable services. Unit costs have been applied to all services to retain a consistent logic as the basis for the charge. In considering the proposed increases, officers in Social Care were also mindful of the costs charged by other boroughs.
- 3.4.2 In practice, for Adults Social Care, the residential charges are governed by the Care and Support Statutory Guidance issued under the Care Act 2014 and the Community-based services are governed by the Fairer Contributions Policy (FCP). Residents will only be expected to pay what they are assessed to be able to afford. Any increase in charges would therefore only impact people who are assessed as Full Cost Payers (currently, with undeclared resources or known capital in excess of £23,250, this will be revised upwards through the implementation of the Charging reforms, due October 23. Work is ongoing to understand what financial implications on the Council will arise from the implementation of the reforms). Once a financial assessment has been carried out a person in receipt of services is notified of the amount of the financial contribution, if any, they are expected to make. The process ensures that they retain a minimum level of income known as the Minimum Income Guarantee.
- 3.4.3 The underlying principle of the fees and charges for Adults in 2022/23 is to help people to make informed decisions to help them live independently with choice and control over the services they receive. With this in mind, the calculations take account of unit costs which may help develop a better service offer to self-funding residents who may wish to use Council services.
- 3.4.4 The Council has previously reviewed the basis of the Community Alarms charge and has determined that the charge should remain split between the basic community alarm and telecare. This will ensure that people only pay for the service they receive. The proposal is to increase these charges by 5%, the first increase for a number of years. The proposed charges for Community Alarm users (who have no other telecare charges) will pay £3.15 per week and the telecare users pay £5.25 per week. The charge is for either one service or the other, (they are not added together), and can be disregarded in the assessment for

Fairer Contributions. The Council also offers a full cost recovery tracking service for vulnerable people which is managed on-line and monitors people's movement. The proposed 5% increase will result in a charge of £15.23 a month.

- 3.4.5 The Day opportunities review resulted in there being one service defined as Day Care, which is based at Markhouse Road. The proposal is for the current charges to increase by 5%.
- 3.4.6 The basis for charging for Dementia Support was reviewed last year. The proposal is for the current charges to increase by 5%.
- 3.4.7 Charges for our in-house residential accommodation (Alliston House, George Mason Lodge and Mapleton Road) have been reviewed to take into account any changes in the costs of provision. The calculations include a review of the allocations of central recharges. Financial assessments are carried out on residents annually using appropriate guidelines as set out in the Care Act who as a result of that assessment only pay what they can afford.
- 3.4.8 The proposal is to increase the maximum fees by 5% for the in-house residential care homes for new residents from £1,026.01 to £1,077.31 per week - an increase of £51.30.
- 3.4.9 For Pre April 2016 permanent residents in our in-house residential care homes, it is proposed that the maximum fees are increased by 5% to £909.02 and £997.43 respectively from April 2022. This is an increase of £43.29 and £47.50 to be consistent with the new Residents' increases.

3.5 **People - Children's**

- 3.5.1 There are four services with fees and charges to residents;
 - Education Music Service fees have been increased by an average of 6%.
 - Education Welfare : no change, the charges are statutory
 - Queens Road: no change as the letting's income budget is not currently achievable - 80% of the premises are now used to deliver Children and Family centre services.
 - The Hive / Suntrap – new charges published on their website included on the schedule for Cabinet approval

3.6 **Place – Regeneration, Planning and Delivery**

- 3.6.1 Fees for planning applications are nationally set by Parliament. These fees were increased by 20% in January 2018.
- 3.6.2 Charges for pre-application planning advice are being increased to take account of inflation and service demands. The proposed additional income from pre-application planning advice will be used to finance the additional resource requirements to meet service demands. The fees have been benchmarked against neighbouring authorities.

3.6.3 Building Control fees are set in accordance with the Building Regulations (Local Authority Charges) 2010. Fees have been increased by 10% to recover costs in accordance with the Building Control Regulations.

3.6.4 Land Charge fees are set on a cost recovery basis and so a 5% increase is proposed.

3.6.5 There will be no increase in fees for Adult Learning for 22/23 due to the current pandemic as there is a reduction demand for on-line courses. The fees have been benchmarked against neighbouring authorities.

3.7 Place – Culture and Destinations

3.7.1 The Wetlands is being managed through a delivery partner to run all on-site operations and all income and expenditure have been transferred over to the delivery partner.

3.7.2 Museums and Galleries fees and charges are proposed to be increased by 5% to recover some of the increase in operating costs. There is a need to remain competitive to attract new exhibitors and visitors to increase the footfall, and thus maximise on-site income.

3.7.3 Walthamstow Assembly Hall and Chingford Assembly Hall remain unavailable to be used as a venue as part of the Town Hall Complex redevelopment and continued use as a Covid centre. Forest Venues prices will be undergoing a review of hire charges as part the newly delivered offer.

3.8 Place - Regulatory Services

3.8.1 Within CCTV, the Evidence Request Charge has been increased from £138 to £145 a 5.1% uplift

3.8.2 Cemetery fees have been reviewed through a benchmarking exercise and continue to be in line with other boroughs – all fees have been increased accordingly except for any fees that relate to children.

3.8.3 Within Premises Licensing most fees are at the statutory maximum. Other non-statutory fees have been increased by an average of 5%.

3.8.4 Within Private Sector Housing and Licensing, selective and additional (HMO) license fees were set at the commencement of the schemes in 2020 and will remain in place until the schemes end in 2025. There is no increase in HMO license fees for 2022/23 following the recent introduction of a new pricing structure that increased previous fee levels. Charges for statutory notices under Part 1 Housing Act are set to increase by 4.8%.

3.9 Place – Neighbourhoods, Highways, & Commercial

3.9.1 Sports and Leisure charges are largely unchanged with the exception of charges for casual use of pitches which have been increased between 2.4 and 3.9%.

3.9.2 Car Parking fees have been increased to £1.50 for up to one hour, £2.60 for up to two hours, and £3.70 for up to three hours. Town Hall Car Park (including Willow House) do differ - £2.70 (up to one hour),

£4.40 (up to two hours), £5.40 (up to 3 hours) & £8.50 (up to four hours).

- 3.9.3 On Street Parking charges (pay by phone, pay and display and voucher scheme) have all been increased by £0.10 so the half-hour pay by phone charge is now £1.50 with this digital option being the cheapest.
- 3.9.4 Fees for Business, Residents and staff permits increase in line with the whole pricing structure – low emission cars increasing by a lower percentage than standard and high emissions to encourage a greener car usage.
- 3.9.5 Parking penalty charges are at the statutory maximum.
- 3.9.6 The overall rationale for increases is in line with the Climate Emergency declared by the Council. Road maintenance, transport related improvement projects and the funding of the service provision are derived by and from the revenue received from fee increases. It should also be noted that overall, Waltham Forest are still in the bottom five London boroughs in terms of pricing for the whole of parking related products.
- 3.9.7 Recycling Bin Hire charges remain unchanged however Refuse Bin Hire charges have been increased by up to 0.9%. Charges for kerbside bin replacement are unchanged at £20.
- 3.9.8 Civil Enforcement fees are already at the statutory maximum. Dog enforcement fees have been increased on average by 6%.
- 3.9.9 Within Parks, fees for Open Space and allotment hire have been increased at an average of 4.4%.

3.10 **Place – Housing**

No change is proposed for the Homelessness removal charges. These are considered to provide full cost recovery, although this position remains under regular review.

An increase of 5% has been proposed to the HRA charges included in the schedule. Leaseholder fees (including the fees for information packs) this brings the charges in line with other LA's

3.11 **Finance and Governance**

- 3.11.1 Court cost recovery is set within a regulatory framework that seeks to recover set recovery costs for Council Tax and Non-Domestic Rates. Following a review in October 2018 of the court cost fees, the court fees were agreed and updated in March 2019 for implementation in 2019/20 onwards. The fees were reviewed again in September 2022 and we have decided that both charges will remain unchanged.
- 3.11.2 The charges for the mortuary are comparable with other London mortuary costs and reflect the cost of providing mortuary services primarily to the East London Coronial Service. We operate a two-tier system of charges, being a reduced rate for the East London Coronial boroughs and a mutual aid agreement (now paused) in place. The

mortuary gains income from service level agreements in place with Mid and South Essex NHS Trust, the London Borough of Tower Hamlets and selling services directly to the public or other boroughs.

3.12 Deputy Chief Executives

3.12.1 Fees and Charges for Waltham Forest News will increase by 5% from April 2023, however due to the reduction in the number of publications from six per year to four, there will be no overall increase to the income budget to reflect the loss of advertising income.

3.12.2 The libraries service has proposed a 10% uplift on all lettings fees and charges and increases of between 5% and 10% for other fees and charges. Due to an overall shortfall in income within the libraries service the overall income budget will not increase.

3.12.3 The Citizenship Ceremonies and Registrars service charges remain unchanged where the statutory maximum fee has been applied in line with the General Registry Office (GRO) whilst the rest of the fees and charges have been increased by 10%.

4. OPTIONS & ALTERNATIVES CONSIDERED

4.1 In the case of fees set by statute and/or regulation there is no discretion as to the level of charges. For other charges, the rates are discretionary, and the Council has power to freeze, decrease or increase fees by a different rate. However, setting fees at a lower rate or reduced rate of increase is likely to increase the Council's overall savings targets for 2023/24 and beyond.

5. SUSTAINABLE COMMUNITY STRATEGY PRIORITIES (AND OTHER NATIONAL OR LOCAL POLICIES OR STRATEGIES)

5.1 The Council's budget provides the financial resources to deliver the priorities of the authority. Fees and Charges feed into the Medium Term Financial Strategy, which acknowledges the financial challenge ahead and addresses many of the more urgent problems.

6. CONSULTATION

6.1 This report forms part of a process that will lead to the setting of the Council Tax for 2023/24.

7. IMPLICATIONS

7.1 Finance, Value for Money and Risk

7.1.1 Every effort is made to collect Fees and Charges in an efficient manner to the benefit of all residents.

7.1.2 Where feasible fees and charges are assumed to increase by 5% which is less than the current rate of inflation, where CPI (Consumer price Index) stands at 10.1%.

7.1.3 Income from fees and charges within the scope of the proposals forms a substantial part of the Council's budget. The total budget for controllable Fees and Charges is £43.6 million in 2022/23, of which

£28.9 million is discretionary, £11.9 million is statutory and £2.8 million relates to traded services. A breakdown of the budgets is shown in Appendix 1(i).

- 7.1.4 It is estimated that the additional annual income generated as a result of the fees and charges review is £1.084 million as set out in Appendix A (ii).
- 7.1.5 At the time of writing, the Government are due to announce their Autumn Statement on 17th November 2022 and the provisional settlement is not due until December. These are likely to have an impact on Local Government Finance, therefore the Council may review the level of some Fees & Charges.

7.2 Legal

- 7.2.1 The Council may charge for its services where there is express statutory authority to do so, e.g. for recreational services or halls fees. The level of fee chargeable for statutory services may be set by statute or be limited to cost recovery. The Council may also charge for discretionary services under section 93 of the Local Government Act 2003 or under the general power of competence in s.1 of the Localism Act 2011, where there is not already an existing power to charge. Fees are limited to cost recovery. The Council cannot plan to make a profit; if it did so then it would be acting commercially and can only provide services on a commercial basis through a Company.
- 7.2.2 Save where expressly reserved to Full Council, the setting of fees is an executive function which is delegated to Cabinet collectively under the Council's constitution and executive arrangements. Fees reserved to Full Council will be agreed at the budget setting Council in 2023.
- 7.2.3 The Council can lawfully fix the fee to accompany an application under its selective licence scheme as per s.87 of the Housing Act 2004.

7.3 Equalities and Diversity

- 7.3.1 An initial screening exercise of the equality impact of this decision was undertaken and determined there was minimal impact on the Council's equality duty. This report forms part of a process that will lead to the setting of the Council Tax for 2023/24 where a full EA screening will be undertaken. It is possible that there will be indirect adverse impact through the increase in fees and charges to those with protected characteristics. There is evidence that shows these groups are disproportionately represented in lower income groups and so are less able to afford increased fees. The Council must also consider countervailing factors when reviewing fees and in particular, it's difficult financial position and need to limit the risk of making substantial savings. The fees and charges have been reviewed by respective Portfolio Holders and Service Areas.
- 7.3.2 Having accessed each area, that had an increase above 5%, no equalities impacts were identified for the majority of services due to the increases either being so small as to make no impact or being optional

/ non-essential services, that residents can choose not to use if they are unhappy with the price increase. Where the service was essential or non-optional e.g. enforcement fines etc, the price increases are unavoidable due to external factors such as increased cost of materials.

7.4 Sustainability (including climate change, health, crime and disorder)

7.4.1 This report has no direct effect on the health of people living in Waltham Forest. There are also no direct climate change implications.

7.5 Council Infrastructure (e.g. Human Resources, Accommodation or IT issues)

7.5.1 This report has no direct effect on Council Infrastructure.

BACKGROUND INFORMATION (as defined by Local Government (Access to Information) Act 1985)

There are no background documents.