

This Report will be made public on 6 December 2022

Report Number **C/22/70**

**To:** Cabinet  
**Date:** 14 December 2022  
**Status:** Key Decision  
**Head of Service:** Charlotte Spendley, Director of Corporate Services  
**Cabinet Member:** Councillor David Monk, Leader

**SUBJECT: FEES AND CHARGES 2023/24**

**SUMMARY:** This report focuses on the proposed fees and charges for 2023/24 which will contribute towards meeting the council's 2023/24 budget objectives and Medium-Term Financial Strategy.

The Council's Fees and Charges Policy was revised and agreed by Cabinet on 15 November 2017 (Report C/17/54).

**REASONS FOR RECOMMENDATIONS:**

Cabinet agreed the recommendations set out below because the fees and charges are essential to support the delivery of the MTFS and Budget Strategy.

**RECOMMENDATIONS:**

1. To receive and note report C/22/70.
2. To approve:
  - (i) The 2023/24 fees and charges which are set at the discretion of the Council for the General Fund and Housing Revenue Account, as outlined in Appendix 2;
  - (ii) The parking charges in Appendix 3;
  - (iii) The statutory charges subject to discretionary fees in Appendix 4.

## **1. INTRODUCTION AND BACKGROUND**

- 1.1 The Fees and Charges Policy sets out the Council's charging framework. The Policy is outlined within Appendix 1 in full. It is felt that the policy remains relevant and no changes to the policy are proposed at this time.
- 1.2 The proposal for 2023/24 is to apply the June 2022 CPI rate at (9.4%) as the benchmark for price increases. There are exceptions to this principle where an inflationary increase is anticipated to have an adverse impact on demand or where it would place the charge out of line with comparable services in neighbouring councils.
- 1.3 The proposed discretionary fees and charges for 2023/24 are detailed at Appendices 2 to 4.

## **2. DISCRETIONARY FEES AND CHARGES – APPENDIX 2**

### **2.1 Corporate Services**

- 2.1.1 Court Costs – no increase proposed as it is an exception to the Fees & Charges policy.
- 2.1.2 Legal Fees – proposed increases are broadly in line with inflation, however some fees have been increased by more than 9.4% to recover costs and the proposed charges are still reasonable minimum charges.
- 2.1.3 Fees can be varied depending on value of transaction by the Monitoring Officer as sometimes the legal fee is more than the transaction.

### **2.2 Housing & Operations**

- 2.2.1 Housing – Non-statutory inspection fee increased from £153 to £161 based on officer time spent on inspection and letter generation.
- 2.2.2 Leaseholder Services – No increase in proposed, fees have been benchmarked industry standard fee and cost of service.
- 2.2.3 All HRA resident charges to be increased by inflation rate in line with the agreed policy. Rent setting will be considered separately through the January HRA Cabinet paper and is not subject to these inflationary increases.

## **2.3 Operations**

- 2.3.1 Small Commercial Events (per day) – New charge proposed for processing of applications.
- 2.3.2 Exercise class/event (per event) – New charge proposed for processing of applications and issuing of a permit.
- 2.3.3 Outdoor Sports and Recreation – New charges for football pitches with no net provided to allow teams to pay a lower charge; this will also reduce the demands on the Groundskeeper's time.
- 2.3.4 Beach Huts – New charges added for replacement padlock and keys with related admin charge. All other charges have been removed as they are subject to separate process linked to the lease agreements.
- 2.3.5 Memorial Benches & Trees – proposed increase of 5% due to a 7.5% increase seen in 22/23 charges.
- 2.3.6 Private Lifeline – there are small increases proposed for some equipment due to an increase in costs, however it is recommended that there are no increases for the majority of charges so that the service remains competitive when compared with other providers.

## **2.4 Place**

- 2.4.1 Planning Pre-Application Charging Schedule – All fees have been revised. This is to reflect true costs of services and to also bring fees in line with other Councils.
- 2.4.2 Places and Policies Local Plan 2020; Core Strategy Review 2022 – New charge for sale of documents at full cost recovery.
- 2.4.3 Self-Build and Custom Build Housing Projects Register – no increase proposed on first time applicants and annual renewal fees based on Cabinet decision taken on 21 July 2021, please note at our neighbouring council's charge £30 & £15 respectively for this.
- 2.4.4 Waste & Recycling – it is proposed to add inflation to all waste charges except Bulky household collection, increase is more than inflation from £30 to £35, however the charge is still less than Veolia flat rate collection charge of £43.20.
- 2.4.5 Hythe Swimming Pool – most charges are proposed to increase by inflation apart from Spectator Admission where no increase is proposed and voucher book fees have been aligned to pay as you go prices.
- 2.4.6 Taxi Licensing – most fees are proposed to increase but by less than inflation due to benchmarking with other Local Authorities.

- 2.4.7 Miscellaneous Licensing – it is proposed that Street Trading Licences are increased by inflation but that charges for Market Stalls remain at 2022/23 rates and are a set fee all year round to encourage more usage. It is proposed that the charge for an Local Authority inspector per hour charge is increased by more than inflation based on full cost recovery.
- 2.4.8 Pavement Licenses –no increase is proposed as this is the statutory maximum.
- 2.4.9 Dog Control – All fees have increased by more than inflation due to higher increases being seen from suppliers.

### **3. PARKING CHARGES 2022/23 – APPENDIX 3**

- 3.1 The majority of these charges have been increased by inflation and or uplifts as proposed by the service manager, with full details provided in the appendix attached to fully detail the proposed changes.

### **4. STATUTORY CHARGES SUBJECT TO DISCRETIONARY FEES – APPENDIX 4**

- 4.1 Housing – proposed increases for Licensing Application for Houses in Multiple Occupation (HMO) Fees have increased by less than inflation but have been benchmarked against other East Kent authorities and proposed fees are middle of the range. The fee for Renewals is proposed to increase from £796 to £835 and the fee for New Applications is proposed to increase from £937 to £983. The fees are based on officer time spent on processing applications.
- 4.2 Local Land charges – The majority of fees have been increased by inflation apart from the individual questions fees for planning and building regulations which have been based on usage and work input.

### **5. 2022/23 GENERAL FUND BUDGET IMPLICATIONS**

- 5.1 The following budget changes have been proposed though the Budget Strategy document also being considered at this meeting in respect of income budgets. Additionally there are a few smaller income adjustments reflected in the Budget Strategy position through the base budget review. Several of these adjustments however are reflective of current trends rather than proposed changes to the fees & charges schedules.

The increase comprises:

	Increased Income
Parking (Off-Street)	£126,100
Parking (On-Street)	£38,052
Garden Waste collection	£11,000
Bulky waste collection	£10,518
Small commercial event	£300
Exercise classes	£100
<b>Total</b>	<b>£186,070</b>

## 6. PROPOSED AMENDMENTS TO HOUSING REVENUE ACCOUNT FEES AND CHARGES

### Charges for Wastewater Treatment Works and Pumping Stations

- 6.1 The 2022/23 Fees and Charges report highlighted that the HRA subsidises the cost of this service. As in previous years, Cabinet agreed to limit increases on the charge for this service for existing users to annual increases of 8% in 2022/23 where users of the service were already paying the maximum charge of £1,180 per property. Users whose charge was lower than this would continue to pay the actual cost of the service up to the capped maximum amount. Cabinet has also previously agreed that new purchasers of properties, who buy under the 'Right to Buy' scheme, pay the actual cost of wastewater treatment works and cesspools.

The increase to the capped charge takes it from £1,180 in 2022/23 to £1,270 in 2023/24.

### Cesspools

- 6.2 In 2022/23 the same principle of the council recovering its costs up to a maximum of £1,180 for each household has previously been approved for the 7 council-owned properties which drain to cesspools. This produces annual income of £8,260. The cost of the service in 2021/22 was £10,125 and if the cost is about the same in 2022/23 the HRA would be subsidising the service by approximately £1,865. In line with the above, it is recommended that the cap remains at the already approved figure of 8% per annum for 2023/24 taking the annual charge to £1,270.

- 6.3 Garage Rental deposit – no increase proposed, this is a returnable deposit to encourage the return of garages in good condition.

- 6.4 The budget implications of these changes will be reflected in the Housing Revenue Account and Capital Original Budget 2023/24 report to Cabinet in February 2022.

## 7. RISK MANAGEMENT ISSUES

- 7.1 A summary of the perceived risks follows:

<b>Perceived risk</b>	<b>Seriousness</b>	<b>Likelihood</b>	<b>Preventative action</b>
Income targets are not achieved resulting in a budget deficit	High	Medium	All fees and charges and income budgets are reviewed in detail each year to ensure that they are reasonable and achievable.

8.

## **LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS**

### **8.1 Legal Officer's Comments (NM)**

As a general rule, the Council is under a duty to act fairly in its decision-making, including exercising its discretion to increase relevant fees and charges. The Localism Act 2011 gives the Council a wide ambit of power to charge for its services and section 93 of the Local Government Act 2003 gives the Council capacity to charge for relevant services; on the basis it is doing so without 'trading' (or making a profit).

### **8.2 Finance Officer's Comments (JS)**

The financial implications are set out in the report.

### **8.3 Diversities and Equalities Implications (GE)**

The budget report to Full Council in February 2023 will include an Equality Impact Assessment of the budget recommendations for 2023/24.

### **8.4 Climate Change Implications**

As this report only presents the proposed fees and charges for 2023/24 there are no climate change implications arising from it.

## **9. CONTACT OFFICERS AND BACKGROUND DOCUMENTS**

Councillors with any questions arising out of this report should contact the following officer prior to the meeting.

Jonathan Smith – Senior Accountant

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The following background documents have been relied upon in the preparation of this report:

Budget working papers

**Appendices:**

Appendix 1 - Fees and Charges Policy

Appendix 2 - Discretionary Fees and Charges Schedule

Appendix 3 – Parking Schedule

Appendix 4 - Statutory Fees Subject to Discretionary Charges Schedule

### **General Fees and Charges Policy**

All fees and charges are subject to the following general policy.

1. There shall be full cost recovery so that general council taxpayers are not subsidising the costs of an optional service. Any exceptions to this rule can only be agreed by cabinet. Where there is a substantial change between the current charge and the full cost recovery amount, the increase can be staggered over a period of up to three financial years.

In addition:

2. Fees and charges are increased by the current rate of inflation (generally rounded up to the nearest 10p).

The main exceptions to this rule are:

- Court fees
- Room bookings at the civic centre – voluntary organisations
- Car parking – as subject to review in the Car Park Strategy
- Building control – subject to full cost recovery of building control chargeable element.
- Contract charges with other organisations which are subject to separate negotiations
- Commercial activities - where fees and charges need to respond to market conditions or their ability to compete effectively for tenders. These will be discussed with the relevant portfolio holder at the appropriate time but will be on the basis of covering all costs at a minimum.
- Statutory charges - over which the council has no control and will be introduced as per the respective guidance and will not be subject to this policy