

Report for: Cabinet 9th February 2016

Item number: 10

Title: Review of Fees and Charges 2016-17

Report authorised by: Tracie Evans – Chief Operating Officer

Lead Officer: Neville Murton – Lead Finance Officer

Ward(s) affected: ALL

**Report for Key/
Non Key Decision:** Key.

1. Describe the issue under consideration

- 1.1. The Council's income policy requires an annual review of the level of the fees and charges levied upon service users with a view to ensuring that income is maximised commensurate with the full recovery of costs.
- 1.2. This report considers the relevant factors affecting the review of fees and charges, identifies those services where an increase is being proposed and seeks:
 - Approval to increase the fee or charge rate to those services where an increase is proposed in line with inflation.
 - Member's agreement where an alternative approach is being proposed.

2. Cabinet Member introduction

- 2.1. It is important that, as part of our on-going financial planning, we comply with the Council's policy to review annually our fees and charges taking account of issues such as the general economic climate and the Council's overall financial position.
- 2.2. Taking all relevant factors into account I believe that the increases in fees and charges proposed in this report are appropriate. I therefore commend this report to the Cabinet.

3. Recommendations

- 3.1. The Cabinet is asked:
 - Taking into account the findings of equalities assessments as set out in section 8 of the report and available in full at Appendix A, to agree the proposed fees and charges to be levied by the Council with effect from 1 April 2016, unless otherwise stated, and as detailed in the appendices;

- To delegate approval for any necessary changes to allotment charges to the Cabinet Member for Environment following the Priority 3 review, as detailed in paragraph 8.33 of the report
- Note that it is anticipated that the proposed changes to fees and charges will allow the achievement of 2016-17 income budget, as opposed to delivering further additional income as in previous years.

4. Reasons for Decision

- 4.1. It is a requirement to review fees and charges annually. The financial position of the Council supports the view that levels of fees and charges should be maximised taking into account all relevant factors including the effect on service users and any consequent demand for services.

5. Alternative options considered

- 5.1. This report summarises the conclusions after consideration of a range of alternative approaches dependent on particular services and relevant factors. As such a range of alternative options ranging from no increase to differentiated rates of increases have been considered and reflected in this report.

6. Background information

- 6.1. The Council's policy in relation to varying external income rates reflects that:
- Service managers should review the level of fees and charges annually as part of the financial and business planning process;
 - Charges should generally increase by RPI as a minimum and also seek to maximise allowable income;
 - A full list of proposed charges should be presented to Cabinet by the end of March each year.
- 6.2. CIPFA have recently published guidance on income generation activities - 'A Practical Guide for Local Authorities on Income Generation 2015' which provides useful guidance and best practice in setting fees and charges. This publication has been used by officers to inform the proposed approach set out in this report.
- 6.3. The setting of fees and charges, along with raising essential financial resources, can contribute to meeting the Council's objectives. Through the pricing mechanism and wider market forces, outcomes can be achieved and services can be promoted through variable charging policies and proactive use of fees to promote or dissuade certain behaviours. In the main, fees and charges should be set at a level where the full cost of provision is recovered through the price structure. However in many circumstances those charges are reduced through subsidy to meet broader Council priorities.
- 6.4. This report meets the requirements of the Council's external income policy for the 2016-17 financial year and as such contains details of the current and proposed levels of fees and charges to take effect as set out during that year.

7. Review of Fees & Charges

- 7.1. Some fees and charges are set by statute and cannot be changed, such as the amount charged for a marriage or civil partnership ceremony or for a Birth Certificate. Many fees and charges, for example residential care or Building Control, can only recover relevant costs. The level of other fees and charges are at the discretion of the Council.
- 7.2. The Council also has a set of strategic and policy objectives, and fees and charges should be set in accordance with such objectives.
- 7.3. The principles underpinning the Council's external income policy are that all fees and charges are reviewed annually and income is maximised within current service and policy objectives. The competitiveness of the market in which the service operates and the effect of price on demand and overall income yield should be considered. Some services are restricted to cost recovery.
- 7.4. As a minimum, unless there is good reason not to, which should be explained, fees and charges should be increased by a minimum of RPI (currently 1%) and for those fees and charges where this is the case a general approval is sought within this report with the detailed increase being shown in the relevant appendices.
- 7.5. In some cases where a 1% increase would give a very small cost increase and/ or result in a charging rate that would be difficult to administer e.g. a resultant 36p charge might require disproportionate effort of maintaining change floats etc. we have asked services to take account of factors such as the last time a rise was imposed (i.e. an assessment of the compounded inflationary rate) and make appropriate proposals; the proposed rate can be seen in the appendix.
- 7.6. The government's inflationary target remains at 2%. Annual average inflation during 2013 and 2014 was 3.05% and 2.37% respectively. During 2015 annual inflation (i.e. the 12 month rolling level of inflation) has generally fallen still further as indicated in Table 1 below.

Table 1 – Annual RPI Inflation Jan. to Dec. 2015

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1.1%	1.0%	0.9%	0.9%	1.0%	1.0%	1.0%	1.1%	0.8%	0.7%	1.1%	TbC

Average Jan to Nov 2015 = 1.0%

- 7.7. A comparison of independent (i.e. non-governmental) forecast of inflation in August 2015 suggested average inflation of 2.8% in 2016 suggesting a return to higher average inflation over the course of 2016. However, the current impact of suppressed oil prices is a significant component in determining short term inflationary movement and the latter part of 2015 has not seen inflation rises as predicted and the 2.8% forecast may prove to be optimistic.
- 7.8. A number of fees and charges cannot be set by the Cabinet. Regulation 2(6) of the Local Authorities (Functions and Responsibilities)(England) Regulations 2000 provides that charges for certain approvals, consents, permits and licenses (e.g. licensing/planning/consent under the Highways Act 1980) may not be made by the Executive (Cabinet). These fees are set by the Council's Regulatory Committee

and a separate report will be prepared for that committee before the start of the financial year.

8. Service Specific information

- 8.1. The Appendices 1 – 12 detail the services' fees and charges, showing the 2015-16 rate and the proposed 2016-17 rate with the uplift, if any, applied. Each service proposal is also summarised below.
- 8.2. Housing storage charges are currently under review and revised proposals, if any, will be brought to Cabinet for approval at a later date.

Adult Services (See Appendix I)

- 8.3. Charges for the provision of adult care are mean tested on an individual basis in accordance with section 14 of the Care Act 2014, which takes into account both income and assets possessed by the individual. This may or may not include an individual's residential home depending on whether the individual is receiving residential or community care. Charges are limited to cost recovery only. The increases are generally in line with inflation of 1% but due to rounding to the nearest 5 or 10 pence for small price items, some price increases may show an increase of lower than 1%
- 8.4. The attached Appendix I lists the charges for facilities provided internally by the Council and represents the maximum (with the exception for emergency response and meals on wheels where flat charge applies) that the service can charge depending on the outcome of the individual mean test. In the majority of cases within the Borough, the charges paid by an individual are well below the listed maximum charge. Costs for facilities provided by external suppliers are paid by the Service and the individuals are personally assessed and charged according to the outcome of the mean tests up to the maximum of the costs incurred by the Council.
- 8.5. In the case of emergency response, individuals receiving housing benefit will have the service provided free of charge. In the case of meals on wheels, the increase of 1% is very small and because of the issue of cash collection and on rounding to 5 or 10 pence, the proposal is to keep the current price unchanged.
- 8.6. The budgeted income for 2016-17 is £9.1m and the current projected budgeted income shortfall in 2015-16 is below 3%.
- 8.7. The service is currently predicting a collection rate of around 84% of its charges for 2015-16. Debts for the service currently stand at just over £6m. Around 25% of this is secured through legal charges whilst the remainder is unsecured.
- 8.8. The service is proposing a number of increases in the charges for residential and day care services. An equalities screening has been completed for the proposed changes. The service increases are of 1% and are therefore considered to be of low impact. Although the nature of the service provided means they will impact upon those with the protected characteristics, the proposed increases will only affect service users with capital above the upper charging limit who are required to meet the full cost of their care. The overall impact of the proposed service charge increase is therefore assessed to be low.

Traffic Management (See Appendix II)

- 8.9. These are charges relating to residents parking permits, CPZ pay and display and CPZ Stop and shop. Charges are made in accordance with the provisions of the Road Traffic Regulation Act 1984. The Secretary of State recommends that authorities set charges at levels which are consistent with the aims of the authority's transport strategy, including its road safety and traffic management strategies. Charges should not be designed to raise revenue.
- 8.10. Overall, charges are increasing by 2.5% as agreed in the 2014-15 medium term financial plan and reflected RPI at the time.
- 8.11. An equalities impact assessment (EqIA) has been completed in relation to this proposed fee change. The EqIA notes that the proposed changes are not anticipated to have a disproportionate impact in relation to groups with the protected characteristics. The increase in annual charges proposed is modest, therefore whilst there may be a greater impact for those on low incomes, the overall impact of the policy change is judged to be low.

Libraries (See Appendix IIIa) & Culture (See Appendix IIIb)

- 8.12. The Library Charges (England and Wales) Regulations 1991 stipulate the items and services that may be charged for. Charges are at the discretion of the authority, and the authority may make different provision for different cases including different provision in relation to different persons, circumstances or localities.
- 8.13. There can be no charge for the loan of written material (section 8 of the Public Libraries and Museums Act 1964). Price increases are proposed for reservations. No price increases are proposed for cd/dvd rentals as the service is experiencing a decline in these activities as a result of an advance in media technology. Additionally, no increases are proposed for late fines and photocopying and printing as these are already high compared to other local authorities. This year's price changes follow last years' 4.9% average price increases.
- 8.14. An equalities screening tool has been completed in relation to the proposed change in library services fees. The service is proposing a small increase to the fee for reservation of books. All core library services remain free. The change has therefore been assessed as having a minimal impact and is not anticipated to impact disproportionately on any of the protected groups.
- 8.15. An equalities impact assessment (EqIA) has been completed for the proposed changes to fees in Cultural Services. Fee increases have been kept at less than 4% and are considered affordable compared to other boroughs. All other services and access to the museum remain free. The changes have therefore been assessed as having a minimal impact and are not anticipated to impact disproportionately on any of the protected groups. The service will continue to collect feedback from service users and monitor any barriers to use.

Garage Rents (See Appendix IV)

- 8.16. An increase in Garage rents was agreed in principle by Cabinet in December 2014 as part of the Medium Term Financial Strategy. There has been no increase in garage rents for over eighteen years and it is proposed that in the future these are

reviewed annually alongside all other fees and charges. The current standard weekly charge is £7.78, with some higher and some lower charges. Market rents for garages in Haringey are generally about £15 per week in the east of the borough and over £20 in the west so this would indicate that there will still be a demand for Council garages after an increase in fees. The Council currently has waiting lists for all areas of the borough with garages awaiting letting and repair. It is proposed that a weekly increase of £4.92 is applied to all current charges and on following the principle of rounding to the nearest 5 or 10 pence, the increases to current charges range from £4.90 to £4.96.

- 8.17. It is also proposed to create a new charge of £15 per week if a garage is let for use as a storage.
- 8.18. The service intends to eventually apply market rates for all garages. The proposed initial increases for 2016/17 will provide valuable market data to the Council on the demand and price elasticity of garages across the different areas of the borough and inform future pricing decisions to maximise income.
- 8.19. A total 'saving' of £500,000 was agreed as part of the review of garage fees and the increases within this report are expected to deliver £270,000 of this amount, with the remainder to be delivered through the ongoing review of charges and usage.
- 8.20. An equalities impact assessment (EqIA) has been completed in relation to the proposed changes. The proposed changes could impact disproportionately on residents that are more reliant on parking provision due to mobility issues, such as elderly and disabled residents. However, disabled parking provision is widely available on Homes for Haringey estates and is prioritised for residents. In addition, the service is proposing to increase the reduction currently available for disabled and elderly residents from £2 to £4 per week to mitigate the impact of the rent increase.

Asset Management (See Appendix V)

- 8.21. Most rents for commercial properties are set through commercial negotiations with the tenant as part of the initial lease and subsequent rent reviews. The rents are set using nationally agreed RICS formulae taking into account variables such as location, size and condition of the property. The rent payable at the time of entering into a lease is very much dependent on market forces driving best consideration and once agreed is usually fixed for periods of up to 5 years before review. All other charges such as room hire have increased by inflation.
- 8.22. Increases in professional fees for valuation activity to internal and external organisations and minimal inflationary increases to room hire and staff parking are proposed. Concessions will continue to be offered for room hire for charities and partners and for blue badge holders and those with temporary medical conditions for parking charges. An equalities screening tool has identified no adverse impacts and therefore a full EqIA is not required.

Court Costs (See Appendix VI)

- 8.23. Legislation under the Council Tax (Administration and Enforcement) Regulations 1992 and the Non-Domestic Rating (Collection and Enforcement) Regulations 1989

defines that the cost of summons and a liability order is reasonably incurred. The cost of summons and liability orders is reviewed annually to ensure it remains fair and reasonable. Following a challenge in the High Court the cost of Council Tax summons in Haringey have been reviewed by Grant Thornton. They found the charges were reasonable in that they recover the costs and they also made some recommendations regarding our processes for calculating the charge.

- 8.24. Due to timing differences, the costs of summons for 2016-17 are derived from the most recent Revenue Outturn form which is 2014-15. There is no proposed change for the 2016/17 charge reflecting the fact that, during the review by Grant Thornton an updated calculation, taking into account some of the process improvements recommended, was carried out and the next expected change will be for 2017/18 based on 2016/17 Revenue Outturn form.
- 8.25. An equalities screening tool has been completed in relation to the proposed fee changes. The proposed changes could impact any liable person regardless of circumstances and is therefore not anticipated to impact disproportionately on the protected groups. A full equalities impact assessment has not been carried out.

Adult Learning (HALS) (See Appendix VII)

- 8.26. The proposed increase of 2% is based on peer group benchmarking, learner feedback and understanding of the market. The service is of the view that the market will bear a rise of 2% without any fall off in demand. . Members are asked to note that, as in previous years, the proposed fee increases will only be applied from the start of the 2016/17 academic year, as opposed to the financial year.
- 8.27. An equalities impact assessment (EqIA) has been completed. The only group that might be affected by the increase are older learners. In mitigation HALS will maintain the two key subsidies that can benefit particularly older learners: a) 50% discount for those in receipt of state benefits including pension; b) a further 10% for registered carers.

Waste (See Appendix VIII)

- 8.28. The trade waste service has been developed over the past 5 years through the Veolia contract from a position where the Council had no market share. In 2015/16 the contract has, for the first time, reached a position where costs are being recovered. Fees are set in consultation with Veolia who manage the joint partnership for commercial waste and the proposed increase is primarily based on market information.
- 8.29. The service is proposing for 2016/17 an average increase of nearly 6% across all services due in part to escalating disposal charges. The increased charge will continue to enable the full recovery of the costs of the service and will also contribute to achieving the income target set out in the business plan.

- 8.30. An equalities impact assessment (EqIA) has been completed with reference to the proposed changes. The proposed changes are not expected to have a disproportionate impact on any protected group and will be monitored through compliance data.

Parks Services (See Appendix IX a) including Events (See Appendix IX b)

- 8.31. The Council operates in a competitive market, particularly for major events that take place in Finsbury Park. Prices were last reviewed in January 2014 and kept constant in 2015/16. However market research indicates that competing parks are planning price increases and thus an increase of 3% is proposed for commercial events.
- 8.32. A review of car parking charges in Finsbury Park in comparison with street parking in the vicinity has been conducted. Current charges in the Park's car park are much lower than the streets around it and in order to harmonise them it is proposed that charges are increased and operational hours extended. Most of the charges for each band are being doubled. It is noted that these parking charges are made in accordance with the provisions of the Road Traffic Regulation Act 1984, and that charges should be set at levels which are consistent with the aims of the authority's transport strategy, including its road safety and traffic management strategies. Charges should not be designed to raise revenue.
- 8.33. The allotment service is currently under review as part of the Priority 3 More Than Parks Project. In conjunction with the Allotment Forum an investigation is underway into the viability of a devolved management approach for Allotment Management in the Borough. Under this model, fees and charges would be set by the Cabinet Member for Environment, in consultation with Allotment Site Management who will have devolved responsibility for this and an income target to meet. New charges do not need to be set until January 2017.
- 8.34. It may be that this solution is not workable for some of the sites and therefore it is possible that some site management will be devolved and other sites directly managed by the Council. In the event that some sites remain it may well be that allotment charges have to increase to ensure that full cost recovery of all service cost are achieved. It is therefore recommended that any increase in fees and charges should be delegated to the Cabinet Member for the Environment to agree during 2016.
- 8.35. The power to charge for allotments is covered by section 10 Allotments Act 1950. Land let by the Council under the Allotments Acts 1908 to 1931 for use as an allotment shall be let at such rent as a tenant may reasonably be expected to pay in accordance with the terms of the tenancy.
- 8.36. The school swimming service has been transformed for the start of the 2015/16 academic year; the new service is of a significantly higher quality with 3 teachers delivering lessons compared to 2 previously which has led to increases in the cost and quality of the service. It is now offered exclusively within the refurbished facilities at Tottenham Green and Park Road Pools. Due to increased costs of the service, the school swimming charge to Schools is proposed to increase from £148 to £160 per child.

- 8.37. An equalities screening tool has been completed in relation to the proposed fee increases for parks services. The majority of the proposed fee increases are small and are therefore expected to have a low impact. A comprehensive concessionary scheme is already in place to ensure equality of access for those who may otherwise struggle to access the services. The changes are therefore not anticipated to impact disproportionately on any of the protected groups.
- 8.38. An equalities screening tool has been completed in relation to the proposed fee increase for parks events. The proposal relates to fees which are covered by the Outdoor Events Policy. The existing policy has been drafted to ensure that there is no adverse impact on any of the protected groups. Community groups connected to parks are offered free access and there is a small grants scheme available for other community groups. The changes have therefore been assessed as having a minimal impact and are not anticipated to impact disproportionately on any of the protected groups.

Registrars (See Appendix X)

- 8.39. Many fees are set by the General Register Office, and were last revised in April 2014. These cannot be changed by the Council. The Council can however set fees for discretionary services. The Registrars service is proposing to make a number of changes to their charges to better recover costs in light of the overall market, as they are in competition with other boroughs / providers, and to stimulate demand. The proposals attached aim, as a minimum, to enable current income to be achieved whilst providing a comprehensive service.
- 8.40. The service is proposing to increase some fees to bring them in line with neighbouring boroughs. Some fees will be reduced to increase access to services.
- 8.41. Statutory fees, set in accordance with the Marriage and Registration Acts, apply to the following services: birth, deaths and still birth registrations; entering a notice of marriage in a marriage notice book; attending a marriage at a register office; signing of the civil partnership schedule and giving notice to a registration authority under the Civil Partnership (Registration Abroad and Certificates) Order 2005, article 17(2) (certificate of no impediment).
- 8.42. Non statutory fees may be set by the local authority as follows: attendance of a Registrar (or deputy registrar) and Superintendent Registrar (or Deputy Superintendent Registrar) at an approved premises for a marriage ceremony; attendance of a civil partnership registrar at an approved premises for a civil partnership registration; non refundable booking fee for a wedding or civil partnership ceremony; attendance of a Superintendent Registrar or deputy Superintendent Registrar at a private Citizenship ceremony; application fee for the Nationality Checking Service.
- 8.43. **Marriage/civil partnership ceremonies:** the Marriage Act 1949 (as amended) and the Civil Partnership Act 2004 make provision for local authorities to approve premises for the purpose of marriage and civil partnership ceremonies. The Marriage and Civil Partnership (Approved Premises) Regulations 2005 enables the Council to determine a fee to cover the costs of providing for the prescribed personnel to attend the formalities; such fee must reasonably represent the costs of

provision. Under the regulations it is permissible for the authority to set different fees for different cases or circumstances.

- 8.44. **Citizenship ceremonies:** the British Nationality (General) Regulations 2003 made under the British Nationality Act 1981 as amended, require local authorities to make available or make arrangements for premises at which citizenship ceremonies may be conducted. The Council must comply with this requirement although the Secretary of State may make a payment to a local authority for carrying out this duty. However additionally, under schedule 1 of the Nationality, Immigration and Asylum Act 2002 the Council is able to provide facilities or make arrangements in addition to those which it is required to provide or make, and may make a charge for the provision of the additional service provided the charge does not exceed the cost of its provision.
- 8.45. **Nationality Checking Service and Immigration Advice Service:** provision of these services are authorised by section 1 of the Localism Act 2011 (general power of competence). Section 93(1) of the Local Government Act 2003 enables the Council to charge for the provision of discretionary services provided that the income from charges made for the service does not exceed the costs of provision.
- 8.46. An equalities impact assessment (EqIA) has been completed owing in order to consider the impact of the proposals on the diversity of the service's customers. The EqIA notes that the impact of the changes are generally neutral. However, increased provision of services outside normal working hours may slightly impact staff with children. In mitigation the service will ensure that staff are given adequate notice where they are needed, and the service is also recruiting additional casual staff to ensure wedding cover. The new fees will also have a positive impact in terms of increased access to the service, particularly for people that may wish to get married outside of normal hours.

Regulatory Services (See Appendix XI)

- 8.47. These charges relate to Pest Control, Mortuary, Environmental permits and Local Authority Pollution Prevention Control (LAPPC) mobile plant charges. Fees are permissible by Acts of parliament. Environmental Permit fees are set by statute and may change in January 2016 following which our fees will be amended accordingly. Fees have been compared to the market and the costs of the service, and as a result, some fees have increased, for example the concessions offered for Pest Control services. These concessions are lower than the marginal cost of the service and as a result a proportionate increase to better reflect the costs of the service to 35% of full cost is proposed (i.e. a 65% discount rate).
- 8.48. Some Mortuary fees are proposed to increase based on market data showing that our fees are lower than neighbouring boroughs. Other fees which are in line with the market have been increased by RPI.
- 8.49. The service is proposing to increase pest control charges to a more competitive market rate. An equalities impact assessment (EqIA) has been completed and notes that it is possible there will be an indirect risk of adverse impact through the increase in fees and charges to those from the protected groups since these groups are disproportionately represented in lower income groups. Mitigation is provided

through the use of concessionary rates which, although also increasing, still provide a reduced cost to those on means tested benefits against the full cost of the service and remain competitive with adjacent boroughs. Other fee changes in regulatory services have been subject to equalities screening. These changes will have a low impact overall and are not expected to have a disproportionate impact on any protected groups. A full EqIA is therefore not required in relation to these changes.

Building Control (See Appendix XII)

- 8.50. Charges are required to be set so that the Building Regulations service breaks even over a 3 year period.
- 8.51. As part of the budget process last year, the service undertook a detailed review of fees and charges. This resulted in a schedule that reflects the actual costs of delivering the service and was benchmarked against other planning authorities. It is proposed that fees and charges remain the same as 2015/16 (with the exception for demolition notice fees) which had implemented an increase of 4% from 2014/15
- 8.52. An equalities screening has been completed in relation to the proposed changes. The proposed increase to the demolition notice fee is intended to enable the service to address the time taken to deal with notices. The proposed fee increase is low and is not anticipated to impact disproportionately on any of the protected groups.

9. Contribution to strategic outcomes

- 9.1. Maximising the Council's resources, in particular in the current financial climate, is a key part of the Council's Medium Term Financial Strategy. In addition the review of fees and charges has taken into account the Council's strategy and policies regarding that particular service.

10. Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)

- 10.1. There are a number of areas where the service is advising that it has been unable to meet its current budgeted income level. For these areas there are two options available; either:
 - Fee levels could be increased without a commensurate increase in the level of the income budget; this would seem to be justified if the effect on **demand** from a fee increase is considered to be unaffected. In this case a fee increase could be applied which might have the effect of making the current budget level more achievable; or
 - If the level of fees is discouraging demand then an increase in fees would tend to worsen the achievement of income. In this case an increase in fees would appear to be counterproductive.
- 10.2. In either case a decision to not increase the service's income target would be neutral on the overall budget position.
- 10.3. **The Assistant Director of Corporate Governance has been consulted on this report.**

- 10.4. Certain fees for services provided by local authorities are prescribed in the parent legislation or in regulations made under the parent legislation. In such instances the Council has no discretion as to the level of the charge.
- 10.5. There is a further range of services where specific legislative provisions allow authorities to decide whether to charge and how much.
- 10.6. In addition, section 93 Local Government Act 2003 permits local authorities to charge for discretionary services, provided that there is no alternative power allowing the local authority to charge and provided that there is nothing in the parent legislation preventing the local authority from charging for these discretionary services. Where the Council charges for such discretionary services, it has a duty to secure that, taking one financial year with another, the income from charges does not exceed the costs of provision. Section 93 permits the Council to charge only some persons for providing the discretionary service and also permits the Council to charge different persons different amounts for providing a service.
- 10.7. In instances where the section 93 Local Government Act 2003 charging powers for discretionary services do not apply, the Council may be able to rely upon charging powers under section 1 of the Localism Act 2011 (general power of competence). Similarly, under this provision, the Council may not recover more than the cost of providing that service. Recovery is assessed taking one year with another.
- 10.8. In reviewing fees and charges, services need to demonstrate that they have had due regard to the overarching Public Sector Equality Duty as set out in the Equality Act 2010.
- 10.9. Certain fees may not be set by the Cabinet. Regulation 2 (6) of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 provides that decisions on certain approvals, consents permits and licenses (for example premises licences; licenses for street trading) cannot be made by the Executive (Cabinet). Likewise, charges for such approvals, consents permits and licenses may not be made by the Cabinet. These fees will be set by the Regulatory Committee.

Equalities Comments

- 10.10. The Council has a public sector equality duty under the Equality Act (2010) to have due regard to:
 - tackle discrimination and victimisation of persons that share the characteristics protected under S4 of the Act. These include the characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex (formerly gender) and sexual orientation;
 - advance equality of opportunity between people who share those protected characteristics and people who do not;
 - foster good relations between people who share those characteristics and people who do not.
- 10.11. The proposed fee changes set out within this report have all been subject to equalities screening. Where the screening process has identified a potential

disproportionate impact for the protected groups, a full EqIA has been completed. The results of the equalities screening and EqIA process are highlighted for each of the proposed changes in section 8 of this report.

11. Policy Implication

11.1. The Council's income policy requires that an annual review takes place and this report together and, where relevant. This report meets that policy obligation.

12. Use of Appendices

Appendix I	Adult Services
Appendix II	Traffic Management
Appendix III a	Libraries Charges
Appendix III b	Cultural Services Charges
Appendix IV	Garage Rents
Appendix V	Asset Management
Appendix VI	Court Summons
Appendix VII	Adult Learning (HALs)
Appendix VIII	Neighbourhood Action – Waste Collection
Appendix IX a	Parks Services
Appendix IX b	Parks Events
Appendix X	Registrars
Appendix XI	Regulatory Services (excl. Licenses etc. set by Reg. Committee)
Appendix XII	Building Control

Appendix A Links to Equalities Screening Tools & Impact Assessments (EqIA):
<http://www.haringey.gov.uk/local-democracy/about-council/equalities/equality-impact-assessments/equality-impact-assessments-2015-16>

The link contains the following appendices:

Appendix A1	Adult Services – EqIA
Appendix A2	Traffic Management – EqIA
Appendix A3a	Libraries Charges - Equalities Screening Tool
Appendix A3b	Cultural Services Charges - EqIA
Appendix A4	Garage Rents - EqIA
Appendix A5	Asset Management - Equalities Screening Tool
Appendix A6	Court Summons - Equalities Screening Tool
Appendix A7	Adult Learning (HALs) - EqIA
Appendix A8	Neighbourhood Action – Waste Collection - EqIA
Appendix A9a	Parks Services - Equalities Screening Tool
Appendix A9b	Parks Events - Equalities Screening Tool
Appendix A10	Registrars - EqIA

Appendix A11
Appendix A12

Regulatory Services - Equalities Screening Tool
Building Control - Equalities Screening Tool

13. Local Government (Access to Information) Act 1985