

Subject:	Fees and Charges 2021-22		
Date of Meeting:	19 January 2021		
Report of:	Executive Director for Housing, Neighbourhoods, & Communities; Executive Director, Economy, Environment & Culture; Executive Lead Officer - Strategy Governance & Law		
Contact Officer:	Name:	Various	Tel: Various
	Email:	Various	
Ward(s) affected:	(All Wards);		

FOR GENERAL RELEASE**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 The purpose of this report is to set out the proposed 2021/22 fees and charges for the service areas covered by the Environment, Transport and Sustainability Committee, in accordance with corporate regulations and policy.

2. RECOMMENDATIONS:

- 2.1 That the Committee approves the proposed fees and charges for 2021/22 as set out within the report and its appendices.
- 2.2 That Committee delegates authority to the Executive Director of Economy, Environment & Culture (in relation to paragraphs 3.4 - 3.22), the Executive Director of Housing, Neighbourhoods & Communities (in relation to paragraphs 3.23 - 3.26) and to the Executive Lead Officer – Strategy, Governance & Law (in relation to paragraphs 3.27 – 3.33) to change fees and charges as notified and set by central Government during the year.

Note: If the above recommendations are not agreed, or if the committee wishes to amend the recommendations, then the item will need to be referred to the Policy & Resources Committee meeting on 11 February 2021 to be considered as part of the overall 2021/22 budget proposals. This is because the 2021/22 budget proposals are developed on the assumption that fees and charges are agreed as recommended and any failure to agree, or a proposal to agree different fees and charges, will have an impact on the overall budget proposals, which means it needs to be dealt with by Policy & Resources Committee as per the requirements of the constitution. This does not fetter the committee's ability to make recommendations to Policy & Resources Committee.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 The council's Corporate Fees and Charges Policy requires that all fees and charges are reviewed at least annually and should normally be increased by

either: the standard rate of inflation, statutory increases, or actual increases in the costs of providing the service.

- 3.2 Policy & Resources Committee in July 2020 specified the assumption of a standard inflation increase to fees and charges of +1% with exceptions including Penalty Charge Notices (parking fines) where the level of fines are set by government and cannot be changed independently. The council's Standard Financial Procedures states that service committees shall receive a report from Executive Directors on fees and charges variations above or below the corporately applied rate of inflation.
- 3.3 It is not always possible when amending fees and charges to increase by the exact inflation figure due to rounding. As a result, some fees and charges are rounded for ease of payment and administration.

City Transport - Highways (Appendix 1)

Highways

- 3.4 It is proposed to increase most of the non-statutory fees and charges in line with the corporate rate of +1%. Where percentage increases are under or over +1%, this is to ensure that increases can be made in whole pounds.
- 3.5 Following a benchmarking exercise in the south east, it is proposed to increase the vehicle crossover fees by +20%. There is a new charge of £500 proposed for agreeing traffic management for filming (rather than road closure). This charge reflects the additional officer time required for traffic management. The cost of Brown Tourist signs has also been increased to £250 per sign to reflect the actual costs of installation. There are also a range of non-statutory highways services for which revised or new charges have been calculated (for example, developer led highways works). The charges reflect actual officer time and the latest estimated costs.
- 3.6 The proposed fees and charges are set out in **Appendix 1**.

City Transport – Parking (Appendix 2)

On-Street Parking

- 3.7 Decriminalised Parking Enforcement (DPE) was introduced in July 2001 with the aim of reducing congestion and improving traffic management. Any surplus arising from on street parking is spent on qualifying expenditure as governed by section 55 of the Road Traffic Regulation Act 1984 as amended from October by section 95 of the Traffic Management Act 2004.
- 3.8 All the surplus generated from parking charges after direct costs is invested locally into bus subsidies, concessionary bus fares, Local Transport Plan costs and local environmental improvements as permitted under the Act. More information is available in the [Parking Annual Report 2019/20](#).
- 3.9 Improving air quality is a key objective for Brighton & Hove City Council. As part of a range of measures to improve air quality such as the Low Emission Zone,

parking charges can also help to encourage less polluting travel options and reduce emissions. In addition, congestion across the city can affect the reliability of journey times and long-term parking can reduce accessibility and the turnover of spaces. Better accessibility through a high turnover of vehicles being parked helps to support local businesses. Parking charges can help to encourage alternative transport choices and higher turnover of spaces. Penalty Charge Notices (PCNs) are set by central government and cannot be changed independently.

3.10 The proposed 2021/22 fees follow a review of parking demand in the city and the objectives set out in the council's Local Transport Plan, therefore changes to the tariffs will not reflect the assumed +1% standard budgetary inflation value. A schedule of fees and charges for on-street parking is included at **Appendix 2**. The most noteworthy proposals are as follows:

- Increase annual resident permits but freeze quarterly full scheme fees and half yearly light touch scheme fees. This will mean that payments through the year will be the same price as the annual price and those wishing to pay in instalments would not be disadvantaged;
- Increase High, Medium and Low Tariffs across the city by an average 9.5%;
- Increase the small amount of 9am-6pm parking to 9am-8pm so there is consistency across the city;
- Transition of some free limited waiting parking bays in parking zones across the city to paid parking bays;
- Increase the cost of business permits for individual parking zones but freeze traders permits used across the city.

Off-Street Parking

3.11 As with on-street parking charges, the proposed fees are considered to be at a level which reflects the administration's traffic management objectives, particularly to reduce congestion and promote alternative forms of transport by moderating demands in certain bands. A full schedule of proposed car park fees and charges are included at **Appendix 2**. The most noteworthy proposals are to:

- Increase the tariffs for the four main car parks (Trafalgar Street, The Lanes, Regency Square and London Road) by an average 15%;
- Increase the tariffs for other car parks by an average 10%;
- Increase the hours of the King Alfred and Black Rock Car parks from finishing at 6pm to 8pm to make them consistent with on-street hours of restriction.

City Environmental Management (Appendix 3)

City Parks

Allotments, Parks and Sports Bookings

3.12 It is proposed to increase the charges for allotments, parks and sports bookings by the standard inflation rate. A schedule of fees and charges is included at **Appendix 3**.

- 3.13 The principle of charging for dedicated benches and trees is to recover the costs to the council of running the service. Sports bookings have historically been set at a rate to reflect the council's health and wellbeing objectives and it is recognised that most sports bookings do not recover the cost of provision. There is an ongoing review of the sports booking service provision to investigate options to increase the proportion of costs met by the service user.

Car Parking Charges in Parks

- 3.14 Car parking charges at the car parks located at Preston Park and East Brighton Park were first introduced in 2011 and 2014 respectively to manage the level of parking activity with any net surplus generated ring fenced to invest in park improvements. The proposal is to freeze these charges for 2021/22.
- 3.15 The regeneration of Stanmer Park included the proposed introduction of car parking charges on the site (as part of the business case which successfully secured external funding). The consultation period on the relevant Traffic Regulation Order (TRO) with proposals for the location of car parks and the introduction of car parking charges at Stanmer Park finished on 29 May 2020. made at Environment, Transport and Sustainability Committee on 29 September 2020 decided to enact the order and to start charging for car parking once the Stanmer Park Restoration Project building works are completed. This is expected to be in early 2021.

City Clean

Flyering Licenses

- 3.16 Flyering licences fees are set at a rate that is considered reasonable to allow appropriate regulation and minimisation of flyering activity and to partly recover the cost of work required to clear the litter generated from flyering activity. It is proposed that the flyering licence price structure is simplified to make it easier for businesses to understand the costs of the licence. All licenses will be valid for 24 hours. This simplifies the arrangements and provides more flexibility for businesses. The new structure and costs are based on the results of a benchmarking exercise. Details of the new fees are set out in **Appendix 3**.
- 3.17 Flyering (for example; marketing handouts) can cause lots of litter and via the issuing of licenses the council can try to ensure that the costs of clearing this litter are covered. In support of this this aim, a report will be taken to Environment, Transport & Sustainability Committee proposing that flyering licenses are required for all parts of the city and not just Brighton city centre.

Trade Waste Collection Service

- 3.18 At Environment, Transport & Sustainability Committee on 9 October 2018, the Committee delegated authority to the Executive Director Economy, Environment & Culture (subject to consultation with the Executive Director Finance & Resources) to revise the trade waste collection prices in response to the prevailing market prices for the services provided at least annually. Prices are set at individual customer level based on a combination of market price and the cost of providing the service.

Garden Waste Collection Service

- 3.19 The existing garden waste collection service charge is currently £60 per household per year. The proposal is to increase the garden waste charges by £5 to £65 per household per year which is comparable with but still lower than the equivalent charges for neighbouring authorities.

Authority	Annual Cost	Bin Cost	Total Annual Cost	Notes
Brighton & Hove City Council	£60.00	£0.00	£60.00	Fortnightly collections/240 litre bin included.
Mid-Sussex District Council	£70.00	£0.00	£70.00	Fortnightly collections/240 litre bin included.
Lewes & Eastbourne District Councils	£70.00	£0.00	£70.00	Fortnightly collections/240 litre bin included.
Horsham District Council	£41.00	£43.40	£84.40	25 collections a year/charge for a 240 litre bin.
Adur & Worthing District Councils	£85.00	£0.00	£85.00	Weekly collections/240 litre bin included.

- 3.20 Assuming a customer base of 8,000 households, this could generate an additional £0.040 million a year which would cover service costs and future investment in the service.

Environmental Enforcement

- 3.21 At the 29 September 2020 meeting of the Environment, Transport & Sustainability Committee, the committee approved the Environmental Enforcement Framework and the associated Fixed Penalty Notice charges. Details of these charges can be found at: [Environmental Enforcement Framework Charges](#)
- 3.22 All City Parks and City Clean charges are set out in **Appendix 3**.

Safer Communities (Appendix 4)

Trading Standards

- 3.23 It is proposed to increase the non-statutory fees and charges in line with the corporate rate of inflation +1%.

Environmental Health

- 3.24 It is proposed to increase the majority of the non-statutory fees and charges in line with the corporate rate of inflation +1%, with the exception of Pest Control fees for the treatment of both rats and mice and fleas. The fees for these services are increasing by approximately +17% ensure that the costs of providing these services are fully recovered, whilst also taking into account benchmarking of the revised fees to ensure that they remain competitive.

Travellers Sites (Appendix 5)

Traveller Pitch Fees

- 3.25 The pitch fees for both the permanent and transit sites are legally, under The Mobile Homes Act 1983, permitted to be increased by the Retail Price Index

(RPI) each year. These charges have been increased by the September 2020 RPI of +1.1% as per the legislation.

- 3.26 The service charges for both sites are set to recover the costs only. It is proposed to increase the existing service charges for the travellers' transit site by +9.6% and for the travellers' permanent site by +6.3% to reflect increases in costs.

Bereavement Services (Appendix 6)

- 3.27 Proposals for increases to fees and charges for Bereavement Services have this year been made in the context of the current Covid19 pandemic's major impact on service delivery. There have been restrictions to the numbers of mourners allowed to attend funeral services since late March 2020. At Woodvale, only 30 mourners can currently attend the chapels for funeral services. This maximum number applies at all crematoria and has been set by the government. This has greatly affected the bereaved in such tragic times. The entire funeral industry has had to adapt and work differently to manage facilities, and continue to provide essential cremation and burial services, in line with government directives for funerals.
- 3.28 Affordability of funerals continues to be high profile nationally, with significant scrutiny around costs. Despite recent news about a vaccine being available to be rolled out, there remains real uncertainty about when the national pandemic restrictions can be lifted. Customers cannot realistically be asked to pay more than they are currently being asked to pay, especially in the competitive market the service works in.
- 3.29 For the financial year 2021/22, the service proposes to maintain current fees for our main income opportunities, involving cremations and burials, whilst government restrictions remain in place. It is however proposed that increases are agreed from 1 October 2021 in these two main areas of the service (or earlier, if restrictions are lifted) and a full service is again possible. Despite this potential delay on introducing fee increases, the changes still meet the savings target for the service.
- 3.30 Benchmarking has been carried out with local neighbours where comparable fees and charges are available. It is proposed that some areas of the service can withstand increases to current charges whilst remaining competitive. These charges are in areas of the service where there has been less impact from the pandemic. Benchmarking with other Sussex Crematoria and burial authorities provides valuable information because they are alternative service providers who customers are most likely to opt for as an alternative to Brighton and Hove City Council's services.
- 3.31 The proposals are made with knowledge that there are other risks that need to be appreciated, which potentially can affect demands for the services offered. These include the death rate in the local area which has dropped by an average of 6% per year over the last two years and a direct cremation offer that has targeted funeral directors across the country which delivers cremations at a greatly reduced rate.

- 3.32 As with previous reviews, there are no proposals to change charging policies in relation to children. The proposals are formulated to be consistent with the general principle of cost recovery rather than making a profit. The proposals to increase cremation and burial fees from October 2021 only will generate an estimated £9,000 assuming business levels remain consistent with 2019/20. The proposals to increase other charges are based on where the service believes that there is an opportunity and the services can continue to remain competitive. These proposals may generate a further £15,000 in additional income for the new financial year assuming business levels again remain consistent with 2019/20. Some of this is a re-packaging of the existing memorial offers, and the changes continue to show the service using best practice. This is in line with guidance from the Institute of Cemeteries and Crematorium Management (ICCM), a national organisation providing policy and best practice guidance to Burial and Cremation authorities.
- 3.33 Please see **Appendix 6a** proposed bereavement services fees and charges and **Appendix 6b** bereavement services benchmarking.

4 ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The proposed fees and charges in this report have been prepared in accordance with the council's fees and charges policy and form part of the proposed budget strategy. They take account of the requirement to increase by the corporate inflation rate of +1.0% (unless otherwise stated) and consideration has been given to other factors such as statutory requirement, cost recovery and prices charged by competitor / comparator organisations. Parking fees and charges are set to meet transport management objectives of managing demand for parking and reduce congestion.

5 COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 Where Traffic Regulation Orders are required for proposed transport fee changes, objections received will be reported to this committee at a future date.

6. CONCLUSION

- 6.1 Fees and charges are considered to be an important source of income in enabling services to be sustained and provided. A wide range of services are funded or part funded by fees and charges including those detailed in this report. The overall budget strategy aims to ensure that fees and charges are maintained or increased as a proportion of gross expenditure through identifying income generating opportunities, ensuring that charges for discretionary services and trading accounts cover costs, and ensuring that fees and charges keep pace with price inflation and/or competitor and comparator rates.
- 6.2 Fees and charges budgets for 2021/22 are assumed to increase by a standard inflation rate of +1.0% with the exception of those listed within this report. The council's Corporate Fees and Charges Policy requires that all fees and charges are reviewed at least annually and should normally be increased by either; the standard rate of inflation, statutory increase or increases in the costs of providing services.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The fees and charges recommended in this report have been reviewed in line with the Corporate Fees & Charges Policy and all relevant regulations and legislation. The anticipated recurring financial impacts of fee changes will be reflected within service revenue budgets. Increases to meet the corporate rate of inflation of +1% are normally applied to all council income budgets (exceptions include statutory Penalty Charge Notices) to ensure income is maintained as a proportion of the net cost of service. Increases above or below the corporate rate of inflation must be approved by the relevant service committee or Policy & Resources Committee and can result in additional contributions toward either the cost of services and/or overheads. This can also result in the achievement of a net budget saving to the council. Where this is the case, this will be reflected in proposals for the relevant service and will be incorporated within the revenue budget report to Policy & Resources Committee and Budget Council in February 2021. Income from fees and charges is monitored as part of the Targeted Budget Monitoring (TBM) process.
- 7.2 In the case of on-street parking permits, tariffs and penalty charges, the use of any surplus income from civil parking enforcement, after taking into account costs, is governed by section 55 of the Road Traffic Regulation Act 1984 as amended. This requires the defined Parking Surplus to be used for transport and highways related projects and expenditure such as supported bus services, concessionary fares, Local Transport Plan projects and environmental improvements. Where the council also funds transport and highways related budgets from its General Fund budget, increases to the Parking Surplus can be lawfully applied to this expenditure, which can thereby release equivalent General Fund resources. The council may use the released resources for any purpose within its duties and powers, including releasing resources for savings.
- 7.3 There may be costs associated with advertising Traffic Regulation Orders (TROs) for changes to charges within the Transport service which will be met from existing revenue budgets.

Finance Officer Consulted: Jill Fisher/Nigel Manvell

Date: 05/01/2021

Legal Implications:

- 7.4 The council needs to establish for each of the charges imposed both the power to levy charges of that type, and, where applicable, the power to set the charge at a particular level. In some cases, the amount of the charges is set by Government. In other cases where a figure is not prescribed, for example the general power to charge for discretionary services under the Local Government Act 2003, the amount that can be charged is restricted to cost recovery. In some prescribed cases, such as charging for trade waste collection, legislation enables the Council to set charges at a commercial rate. Special provisions apply in the case of parking charges which are set out below. In all cases the council must act reasonably and ensure that any statutory formalities which govern the particular charge are complied with.

- 7.5 The Council is entitled to set parking charges at levels that will enable it to meet its traffic management objectives for example, by managing supply and demand for parking. Under section 55 of the Road Traffic Regulation Act 1984, as amended by the Traffic Management Act 2004, the Council must keep an account of all parking income and expenditure in designated (i.e. on-street) parking spaces which are in a Civil Enforcement Area, and of their income and expenditure related to their functions as an enforcement authority. The use of any surplus income from civil parking enforcement is governed by Section 55 of the Road Traffic Regulation Act 1984 as amended. This allows any surplus to be used for transport and highways related projects and expenditure such as supported bus services, concessionary fares and Local Transport Plan projects.

Lawyer Consulted: Elizabeth Culbert

Date: 29/12/2020

Equalities Implications:

- 7.6 Management of fees and charges is fundamental to the achievement of council priorities. The council's fees and charges policy aims to increase the proportion of costs met by the service user. Charges, where not set externally, are raised by corporate inflation rates unless there are legitimate anti-poverty considerations.

Sustainability Implications:

- 7.7 There are no direct sustainability implications arising from the recommendations in this report.

Any Other Significant Implications:

- 7.8 There are no other significant implications arising from the recommendations in this report.

SUPPORTING DOCUMENTATION

Appendices:

1. Proposed City Transport (Highways) Fees and Charges 2021/22
2. Proposed City Transport (Parking) Fees and Charges 2021/22
3. Proposed City Environmental Management Fees and Charges 2021/22
4. Proposed Safer Communities Fees and Charges 2021/22
5. Proposed Travellers Sites Fees and Charges 2021/22
- 6a. Proposed Bereavement Services Fees and Charges 2021/22
- 6b. Bereavement Services Benchmarking 2021/22

Background Documents

1. None

