

Central Bedfordshire Council

Executive

5 February 2019

Social Care, Health and Housing Fees & Charges 2019/20

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This report relates to a decision that is Key

Purpose of this report

The report proposes the revised Social Care Health & Housing (SCHH) Fees and Charges prices for 2019/20 and identifies new services for which it is proposed that Fees or Charges will be levied from April 2019 and identifies those charges where proposed increases are significantly different from the 2.4% advisory inflation increase.

RECOMMENDATIONS

The Executive is asked to agree and recommend to Council the following:

- 1. fees & charges prices for 2019/20 (Appendix A & B); and**
- 2. the new fees & charges that are proposed to be introduced for 2019/20 (Appendix C).**

Overview and Scrutiny Comments/Recommendations

This report was considered by the Corporate Resources Overview & Scrutiny Committee on the 31 January 2019 and comments are attached at Appendix D.

Issues

1. Fees & Charges (F&C) are subject to an annual review and any proposed increase to prices are subject to Council approval.
2. For SCHH the F&C price changes are due for implementation on the 1 April of each year. To achieve this date F&C will need to be presented to January 2019 Corporate Resources Overview & Scrutiny Committee, the February 2019 Executive and the February 2019 Council meeting.
3. The Council's Charging Policy states that:
 - All fees and charges will be reviewed annually and adjusted as necessary in line with the Council's charging policy. The Director of Resources will provide services with guidance each year as to the general inflation rate that may be applied.
 - All F&C should be reviewed on a more fundamental basis at least every 3 years, where it will be necessary to examine all the factors set out below in accordance with good practice guidance i.e. the CIPFA Practical Guide for Local Authorities on Income Generation (Fully revised 2015). This is currently being undertaken on a rolling basis. This is so that Members may make informed choices on any revised level of charge to be set.
 - The result of the review are included in the annual F&C report in that year in order that the Council is able to ensure that charges are fair, appropriate and comparable to local alternatives. The review also includes an equalities impact assessment.
4. In October 2018, the Office for Budget Responsibility confirmed that the UK inflation measured by the Consumer Prices Index (CPI) for September 2018 was 2.4%. Where there have been significant variations from this advisory level these have been identified below.

Pricing for 2019/20

5. The review of prices proposed for 2019/20 reflect three pricing options:
 - Prices remain at their 2018/19 level either because they are in line with other providers (Local Authorities) or because there is insufficient data available to support a price change.
 - Prices increased with inflation (2.4%) alongside a Department of Works & Pensions increase of 2.6% *(see paragraph 8).
 - Prices increased by more than inflation if there is sufficient information to justify an increase.

Social Care

6. Proposed prices for fees and charges related to Social Care are shown at Appendix A.

Review of service charges

7. The Blue Badge fee is the only statutory set fee set at £10 for 2018/19 and will remain at this level unless there is an advice on a statutory uplift.
8. The state pension will increase by 2.6% from April 2019 and so all fees and charges relating to older people are therefore proposed to increase by a corresponding 2.6%. This includes day care, telecare and home care. Other fees will increase by 2.4%, the rate of inflation used for standard CBC fees and charges for 2019/20.
9. Hot meals (meal on wheels). As with last year, the approach is to reduce the subsidy that the Council pays on every meal. The proposal is therefore to increase the cost per meal by 50p to £5.50. This will remove the subsidy which currently is approximately 14p per meal in 2018/19.
10. Last year a charge of £6.00 for a meals package at Step Up / Step Down was introduced. For 2019/20 the proposed charge has been increased to £6.20 to reflect the pension triple lock of 2.6% uplift. The meals package covers a hot or cold breakfast and lunch and a hot evening meal.
11. Residential Homes – weekly price per bed. CBC operates a framework contract with quality bands of “adequate” and “good” for care providers operating within Central Bedfordshire. As with last year, the suggested approach is to harmonise charges for residential homes with the 2019/20 ‘good’ rate that the Council pays to other providers. The “good” rate will be set in March 2019.
12. Cost per social work hour. The proposed increase is 2% to reflect the pay award for 2019/20.

Housing

13. Proposed prices for fees and charges related to Housing are shown at Appendix B.

Review of service charges

14. The Housing Service undertook a full review of charging during 2016 to assess the current gap between what is paid by the Council compared to that charged to tenants for communal charges like cleaning, heating and lighting. As at the beginning of the financial year 2018/19 that gap has dropped to £0.012M, from £0.149M in 2012/13.
15. CBC continues a protection for existing tenants only, so that their communal service charges increase by no more than £1.10 per week. The true cost is charged for all new tenancies, including those who are already Council tenants but are transferring to another Council property.
16. It is proposed that this approach continues for 2019/20, so that the current difference between what the Council is paying, and the tenant is being charged continues to narrow. However, the policy of limiting the maximum increase to £1.10 is proposed to continue for the coming year.

Lettings Service / Landlords charges

17. These charges are for landlords to pay and enable the Council to recover costs and cover administration and overheads. CBC is working to recover contractor rates and recently there has been an increase in labour costs. The uplift applied for 2019/20 reflects the increased charges.
18. Parking charges (books and permits) are levied at Priory View for residents and visitors. As these charges are based on those implemented by the parking enforcement teams, which have not increased, there is no cost increase to pass on this year.

Garages

19. The service carried out a costing exercise identifying different costs with processing the initial application from those associated with the on-going administration of the scheme. A benchmarking exercise was also carried out which shows the proposed fees could be realigned. It was based on a range of 9 local authorities with garage stock. New charge rates have been proposed which will continue to support the work on continually improving CBC garage blocks.

Houses in Multiple Occupation (HMO)

20. The Council has determined its fees for HMO licensing in the light of recent guidance provided within the Local Government Association document "Open for business – LGA Guidance on locally set licence fees". This guidance takes into consideration the Supreme Court ruling in relation to the Hemming v Westminster case and states that Councils should be able to separate out the cost of processing an initial application from those costs associated with the on-going administration of a scheme, as this latter element cannot be charged to unsuccessful licence applicants.
21. The service carried out a costing exercise associating different levels of staff time (and therefore costs) to the various steps of the licensing process for the fixed costs and per unit/bedroom costs, separating these out into costs associated with processing the initial application from those associated with the on-going administration of the scheme.
22. The Housing Act 2004 introduced Rent Repayment Orders (RRO), that could be obtained by tenants from the First-tier (Property) Tribunal, to recover from landlords up to 12 months' rent they have paid in connection with licensable Houses in Multiple Occupation (HMOs), where the landlord had failed to obtain a licence. This was extended by the Housing and Planning Act 2016 to cover situations where the landlord has failed to comply with Improvement Notices, Prohibition Orders, Banning Orders, and Harassment/Illegal Eviction.

23. Recovered monies are paid to the Council as the Local Housing Authority where rents were originally paid from Housing Benefit or returned to the tenant where the tenant paid the rent themselves. RROs can be sought by both tenants and the Council, and where the tenant applies for an RRO there is no statutory obligation for the Council to assist them with this. We understand that some tenants may want assistance with their applications and therefore we propose to charge a fee for such assistance to recover the associated costs.
24. Whilst the Council continues to provide routine advice to landlords in relation to their Houses in Multiple Occupation (HMO), we are aware that some landlords are requiring more detailed advice, often in connection with proposals to convert properties into HMO. Consultancy services exist in the private sector that would be able to assist (for a fee) with providing such advice and services including the drawing of plans and we wish to avoid landlords using Council officers as a free alternative. As this is a discretionary service VAT would apply.

No increases in fees and charges for 2019/20

25. Community Support charges have not been increased as the costs have not increased.
26. Traveller pitch charges have not been increased, as rents at some pitches are linked to the affordable rent regulations, which stipulate a 1% reduction in rent in 2019/20.
27. Parking Permit Fees will remain unchanged. These are set by the central parking team and it was agreed that there will be no increase for 2019/20.

New Charges for 2019/20

28. New proposed fees and charges for 2019/20 along with a recommended price are shown at Appendix C. All proposed new charges relate to Housing services:

Communal keys

29. Communal 'suited keys' are only supplied by the main supplier at increased cost. Suited locks are used in Housing Service Communal entrances to reduce the option of multiple keys being cut and regular lock replacements. It is therefore proposed that a charge is levied for the replacement of a communal key.

Out of hours visit

30. The Council has committed to support tenants in need by including a recharge for attending an out of hours emergency call raised by tenants living at extra care schemes. The aim is to recover the charges levied by the out of hours supplier and include a small administration fee for type up the following morning. This is a new charge following experiences since Priory view has opened and will support colleagues in providing the service.

Accepting Cash funds

31. The Housing Service is proposing to reduce the risk of significant cash payments being delivered, handled and managed on site. There are infrequent instances where amounts larger than £250 are used to pay arrears. The proposal is to recover the cost of handling, counting and banking sizeable sums of money. It is therefore proposed that a fee of 5% of the total amount is charged to cover this cost and deter customers from making larger payments in cash.

Key Safe fitting for tenants

32. The Council supports tenants in providing access for care support teams and are a vital access support solution by offering installation of key safes. The Housing service has procured an alternative key safe which provides a similar solution at a reduced price.

Smoke Alarm fitting for leaseholders/landlords

33. Due to lettings service properties forming part of larger blocks of accommodation, there is a requirement for hard wired smoke alarms to meet new guidance. This option is more resilient in the event of power failure whilst also removing the risk of the battery being removed from battery operated alarms. Both options remain legal to fit and the landlord still has the choice in certain individual properties as per legislation.

Council Priorities

34. The proposed fees and charges for 2019/20 supports the Council's priorities listed below:
 - Enhancing Central Bedfordshire.
 - Great resident services.
 - Improving education and skills.
 - Protecting the vulnerable; improving wellbeing.
 - Creating stronger communities.
 - A more efficient and responsive Council.

Legal Implications

35. In setting and reviewing fees and charges all services adhere to the Council's F&C policy approved by the council in November 2017.
36. The relevant statutory provisions on charging are as follows:
 - The Local Government Act 2000 gave local authorities a wide power to act for the economic, social and environmental well-being of their areas. The general power to charge for discretionary services was included in the Local Government Act 2003. Section 93 of the 2003 Act provides that when the Council is providing a discretionary service, it may charge for the service, provided the person receiving the service has agreed to its provision.

- The Localism Act 2011 introduced the 'general power of competence'. Section 3 mirrors section 93 of the 2003 Act and duplicates the existing power to charge for providing discretionary services on a cost recovery basis. Section 4 permits local authorities to trade in areas that are not connected to the performance of their functions in exercising the general power of competence.

Financial and Risk Implications

37. Financial and risk implications are part of the annual review of all fees and charges in line with Council's Fees and Charging Policy. The Director of Resources will provide services with guidance each year as to the maximum inflation rate that may be applied.

Equalities Implications

38. Central Bedfordshire Council has a statutory duty to promote equality of opportunity, eliminate unlawful discrimination, harassment and victimisation and foster good relations in respect of nine protected characteristics; age disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
39. The Council's F&C policy requires that reasonable notice should be given to service users before any new charge or significant change is implemented. This is to ensure that there is no adverse effect on vulnerable groups when setting new fees and charges or making significant changes to an existing charge.
40. Council's commitment to equal opportunities it will attempt so far as is possible to provide equal access to all its services and to all its activities. Concessions are clearly one of the ways in which the Council can fulfil this commitment.
41. Where appropriate, Equalities Impact Assessments will be carried out for proposals.

Appendices

- Appendix A – Adult Social Care F&C April 2019
Appendix B – Housing F&C April 2019
Appendix C – Proposed New charges April 2019
Appendix D – Overview and Scrutiny Comments