
Revenue Budget 2023/24 Including Proposed Fees and Charges Schedule

Committee considering report:	Joint Public Protection Committee
Date of Committee:	5 October 2022
Chair of Committee:	Councillor Tom Marino
Date JMB agreed report:	30 August 2022
Report Author:	Sean Murphy
Forward Plan Ref:	JPPC4133

1. Purpose of the Report

- 1.1 To set out the Public Protection Partnership's (PPP) draft revenue budget for 2023/24, including fees and charges for 2023/24.
- 1.2 To seek approval for the draft budget and draft fees and charges schedule prior to submission to Bracknell and West Berkshire Councils as part of their budget setting process in accordance with the Inter-Authority Agreement (IAA).
- 1.3 To agree the figure the basis for the recharge to Wokingham Borough Council with respect to the services provided to Wokingham Borough Council under the shared service agreement effective on the 1st April 2022.

2. Recommendations

The Committee:

- 2.1 **CONSIDERS** the draft revenue budget including the fees and charges set out in this report.
- 2.2 **AGREES** the percentage split set out in paragraph 4.3 to this report.
- 2.3 **RECOMMENDS** to partner Councils the contributions set out in paragraph 5.17 below along with the fees and charges set out in Appendix A.
- 2.4 **RECOMMENDS** to partner Councils that they consider the investment bid identified in paragraph 5.9 below.
- 2.5 **AGREES** the contribution request from Wokingham Borough Council to be as set out at 5.17 below.
- 2.6 **AGREES** that the policy position in relation to monies received under the Asset Recovery Incentivisation Scheme (ARIS) (which was approved at 14th March 2017 JPPC meeting) remains the policy to be applied to spend / allocation of any monies received under the scheme.

3. Implications and Impact Assessment

Implication	Commentary
<p>Financial:</p>	<p>The net revenue budget for the PPP service in 2022/23 was set at £3.102M including the Wokingham contribution. In addition the new two authority service also sought two additional growth bids of a £268K contribution to maintain management capacity and £150K contribution to manage increased demand in respect of private sector housing and commercial nuisance and planning work. Approval for these bids totalling £418k was granted. The short term support for management capacity is being sought again this year in line with the original two year position.</p> <p>In addition the PPP also received additional Homes for Ukraine Grant funding to support the delivery of the Homes for Ukraine Scheme in full in West Berkshire and with respect to accommodation checks only in Bracknell. This has largely been spent on agency and temporary appointments with some backfilling of existing PPP posts. Some management time has been re-charged to the scheme. Primarily this has been the Principal Officer – Private Sector Housing and Public Protection Manager.</p> <p>The Service also received a grant of £259K for a two year air quality project with aims of engaging the public with a view to reducing vehicle emissions and the monitoring of PM2.5 across the PPP areas. This comes to an end on 31st March 2023.</p> <p>In addition the service received grant funding in respect of level 2 and level 3 investigations (circa £250k). Some of this was used to pay for the time of PPP financial investigators working on these matters.</p> <p>It was agreed at the June 2022 meeting that the Bracknell and West Berkshire proportion of the 2021/22 under-spend totalling £145K be carried forward to support the work backlog across the service arising from the pandemic.</p> <p>The recommendation by Joint Management Board (JMB) is for an amended base budget for 2023/24, of £3.301M including the Wokingham contribution which takes account of changes to the salary base.</p> <p>The fees and charges proposed are set out in Appendix A to this report. These are either statutory fees where any variance will have been set by law or discretionary fees. In respect of the discretionary fees these are based on the principle of full cost recovery agreed previously by this Committee.</p> <p>For the avoidance of doubt any grant funding received under the Proceeds of Crime Asset Recovery Incentivisation Scheme does not form part of the PPP revenue budget. This has been agreed by the Committee at the 14 March 2017 meeting.</p>

Human Resource:	The short term investment funding will be needed to maintain the current management structure at 2022/23 levels. If this funding is not made available to the service the shortfall will need to be found from any vacancies at operational level which are currently being covered by agency staff.
Legal:	<p>The IAA (Inter-Authority Agreement) that set up the Partnership effectively delegates responsibility for the strategic direction of the PPP to the Joint Public Protection Committee. The responsibilities of the committee are set out in Schedule 1 to the agreement.</p> <p>The IAA with Wokingham requires that we indicate the level of contribution required from Wokingham early enough for it to feed into their budget setting cycle.</p> <p>Included is the responsibility to propose a fee structure and annual budget to the partner Councils and agree any variations to the budget.</p> <p>The Committee also has the responsibility to set out a proposal for the agreed percentage figures for each authority. The agreement requires that these should be submitted by 30th November in year preceding the effective implementation date or other such date agreed by the Councils.</p> <p>It remains at all times the responsibility of the partner Councils to set their own budgets including fees and charges having received the recommendation of the Committee.</p> <p>There are statutory consultation requirements associated with the fees and charges for hackney carriage and private hire drivers, vehicles and operators. These are set out in Sections 53 and 70 of the Local Government (Miscellaneous Provisions) Act 1976. Any variations to these fees will be consulted on in accordance with the legislation and will be discussed at the Licensing Committees of the partner organisations prior to recommendations being made to the Budget Council meetings of the two authorities.</p>
Risk Management:	Any risks associated with the recommendations will be captured as part of regular Joint Management Board briefing process and will be escalated as per the IAA and Committee approved Business Plan.
Property:	There are no direct property implications arising from this report.
Policy:	The Committee has responsibility for setting the strategic direction and policy of the PPP. This includes the maintenance of financial oversight to ensure sound financial management. More specifically the Committee has responsibility for recommending to the Councils a budget that meets its needs along with a proposal for fees and charges.

	Updates on the financial position will be presented to the Committee as part of the quarterly performance monitoring regime.			
	Positive	Neutral	Negative	Commentary
Equalities Impact:				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		x		Where any decisions are made to change service provision individual impact assessments will be undertaken. There are currently no proposals to disinvest from any services already provided.
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		x		None
Environmental Impact:	X			The service plays a significant role in the protection of the environment including air quality, land contamination, planning considerations and enforcement of green energy claims. The proposals in this report if accepted will maintain capacity in this area as will the £259K two year DEFRA grant funded project on air quality.
Health Impact:	X			A significant number of the Partnership's Service Priorities relate to protecting and improving health. These included food safety and standards, health and safety, talking fraud, air quality and private sector housing. If this activity continues to be funded there will be a continuing positive impact on the health of residents and visitors to Bracknell Forest and West Berkshire.
ICT or Digital Services Impact:		x		None Albeit that the Service will continue to promote initiatives on its social media platforms and website.
PPP Priorities :		x		PPP Priorities: • Community Protection;

			<ul style="list-style-type: none"> • Protection and Improving Health; • Protection of the Environment; • Supporting Prosperity and Economic Growth • The Delivery of Effective and Improving Service • Business as Usual <p>The work of the PPP will support the Council priorities in both the partner authorities.</p>
Data Impact:		X	This decision about budget setting will not have a significant impact on the rights of data subjects
Consultation and Engagement:	<p>The fees for Taxis and Private Hire Vehicles and Private Hire operators will be subject to statutory consultation.</p> <p>The remainder of the fees and charges will be subjected to any budgetary consultation exercises undertaken by the partner authorities.</p>		
Other Options Considered:	<p>The Councils are currently still considering their wider revenue budgets for 2023/24. At the time of writing neither of the Councils have indicated savings for 2023/24 for public protection related services but should any council wish to do so the approved methodology was previously agreed by the Committee.</p>		

4. Executive Summary

- 4.1 The Inter-Authority Agreement (IAA) between the Councils sets out the functions that are delegated to the Joint Public Protection Committee (the Committee) under the terms of the agreement. In order to deliver these functions for the Councils they are requested on an annual basis to allocate a budget to the Committee. That budget is proposed by the Committee along with a proposed schedule of fees and charges. The total net revenue budget for the service is then divided between the Councils in the agreed percentages. This percentage split and budget requirement information has to be provided to the partner organisations by the 30th November each year.
- 4.2 Once agreed by the Committee the draft budget and fees and charges are subjected to the budgetary consultation and agreement processes of the individual authorities. The only exception to this are the fees and charges for hackney carriage and private hire drivers, vehicles and operators. The consultation requirements for these fees are set out in Sections 53 and 70 of the Local Government (Miscellaneous Provisions) Act 1976. Any variations to these fees will be consulted on in accordance with the legislation and will be discussed at the Licensing Committees of the partner organisations prior to recommendations being made to the Budget Council meetings of the two authorities.
- 4.3 The proposed base revenue budget for 2023/24 is £2.812M for Bracknell and West Berkshire and the proposed percentage split is 39.25% (Bracknell Forest Council) and 60.75% (West Berkshire Council). The base line contribution from Wokingham is set at £489,020.

5. Supporting Information

Introduction

- 5.1 The Inter-Authority Agreement (IAA) between the Councils sets out the functions that are delegated to the Joint Public Protection Committee (the Committee) under the terms of the agreement. These include an array of statutory functions relating to private sector housing, nuisance, environmental protection, licensing, trading standards, food safety and standards and health and safety.
- 5.2 The IAA also identifies the key priority areas for the service which are community protection; protection and improving health; protection of the environment; supporting prosperity and economic growth and the delivery of effective and improving service.
- 5.3 In order to deliver these functions for the partner Councils they are requested on an annual basis to allocate a budget to the Committee. That budget is proposed by the Committee along with a proposed schedule of fees and charges. The total net revenue budget for the service is then divided between the Councils in the agreed percentages.
- 5.4 The IAA with Wokingham Borough Council for the services shared across the three Councils i.e. Trading Standards (including Intel), Case Management, Financial Investigations and Air Quality Monitoring also requires that we notify Wokingham of the proposed budget requirements in time for their budget setting cycle.

Preparation of the 2023/24 Budget

- 5.5 The IAA sets the budget requirements of each authority based on the principle of 'agreed percentages'. The proposed percentage splits are set out in paragraph 4.3 above. These were adjusted for 2022/23 following the departure of Wokingham from the partnership.
- 5.6 The proposed net revenue budget for 2023/24 is £3.301M including the Wokingham contribution. In preparing its recommended budget the Committee is required to consider the following matters:
 - The previous expenditure of the PPP and the service levels achieved;
 - Any proposals for the development of the PPP and the services it offers;
 - Any material changes to the activities of the PPP;
 - Any other matters relevant from time to time;
 - Development and impact of any efficiencies that could lead to reduced costs; and
 - Consider any investment required to realise these efficiencies
- 5.7 The net revenue budget for 2023/24 has been calculated taking into account:
 - The annual cost of living rise based on the assumption of 4% in 2022/23 (pay award pending) and 4% in 2023/24;
 - Estimated salary increases effective from the 1st April 2023;
 - Any pension and NI adjustments.

One Year Pressure

- 5.8 In the budget setting process for 2022/23 it was identified that additional funding would be required to support the current management structure for two years whilst the service was re-configured following the departure of Wokingham. The pressure was £268K for 2022/23 and 2023/24 respectively.

Service Investment

- 5.9 One item of service investment has been identified for 2023/24. This investment is for the appointment of an officer specialising in bringing empty homes back into use using the range of powers available to the local authority. Both Council areas face housing shortages whilst there are a significant number of empty homes across the two authorities. The figures set out in 5.17 below are based on a Grade I Environmental Health post jointly funded by Bracknell and West Berkshire.

Fees and Charges

- 5.10 At the meeting of the Committee in December 2017 (when it considered the 2018/19 fees and charges) a number of matters were decided. It was agreed that as a matter of principle that all fees and charges should be set on the basis of full cost recovery. In 2018/19 a generic hourly rate for the service was set at £55 p/h as the basis of cost recovery. This was increased in 2019/20 to £57 per hour and was held at this level for 2020/21. For 2021/22 the full cost of the service, including internal support service re-charges (as per Council budget build processes) and the establishment lists were updated which resulted in a new rate of £59 p/h and this was maintained in 2022/23. Given the current economic climate and the current inflation rates it is proposed that in order to facilitate cost recovery for 2023/24 the hourly rate is set at £64 (an increase of 8.5%). Whilst the increase in discretionary fees would increase income by approximately £25K there is much uncertainty about the effects of the current economic position / outlook on licensed sectors and activities.
- 5.11 Existing discretionary fees and charges have been reviewed and are now largely aligned across Bracknell and West Berkshire with a few exceptions.
- 5.12 In calculating this hourly fee a range of factors have been considered including the wide variety of council overheads each of the partners must contribute to, the levels of staffing, their costs, contracts and the necessary training to maintain a competent workforce.
- 5.13 The IT system for premises and licences will be in place by October and will improve efficiency in the licensing administration process by allowing on-line applications and automated reminders at key times. These are reflected in the adjustments made to fees in 2022/23.
- 5.14 All relevant fees proposed by this Committee will be considered by each of the Councils Licensing Committees prior to submission to each full Council as part of the budget setting process. If consultation was felt appropriate it would be for the Licensing Committees to determine as these are local matters. Statutory consultations for taxi and private hire vehicles and private hire operator fees would be conducted as a matter of course.
- 5.15 It should be noted that a proposal has been put forward around providing a fee based remittance scheme in respect of hackney carriage and private hire vehicle licences for

both electric and hybrid vehicles in West Berkshire. If approved this scheme would be funded by a subsidy from the Council.

5.16 The fees and charges set by Regulation / Statute in the schedule are shown at this 2021/22 levels. These will be adjusted as any variations are made in law.

Proposals

5.17 The proposed net revenue contributions for 2023/24 are as follows:

Proposed Budget 2023/24				
Authority	22/23 Budget	23/24 Proposed Base Budget	23/24 One-off Pressure Bid	23/24 Service Investment
Bracknell Forest	£1,037,320	£1,104,790	£110,000	£23,556
West Berkshire	£1,605,390	£1,706,960	£158,000	£35,340
Wokingham	£459,000	£489,020		
Total Budget	£3,101,710	£3,300,770	£268,000	£58,896

5.18 Based on these uplift adjustments the budget has increased by 6.54% (excluding pressure bids). Although the staff and budgets are hosted by West Berkshire Council it is important to note that these inflationary pressures would have been experienced by the individual partner Councils had the services been hosted individually.

5.19 At the Committee meeting on the 7th November 2019 the Committee approved a methodology for local service reduction should any partner authority wish to propose this. The methodology recognised the nature of the partnership and the need to maintain 'agreed percentages' and cover the costs of shared resource with respect to core service delivery costs.

5.20 The proposed fees and charges for 2023/24 are set out in Appendix A. The fees comprise both discretionary and statutory fees and charges. The discretionary fees are based on a cost recovery model with an hourly rate set at £64. The statutory fees are included for ease of reference and will be updated in line with any published amendments.

5.21 Statutory consultations for variations to taxi and private hire vehicles and private hire operator fees will be undertaken in accordance with Sections 53 and 70 of the Local Government (Miscellaneous Provisions) Act 1976.

6. Concluding Observations

- 6.1 It is a key responsibility for the Committee to recommend a revenue budget including a fees and charges structure. The Committee also has a responsibility to keep under review the budget and consider the outturn and any variance.
- 6.2 The Joint Management Board has considered the budget. Whilst it remains the view that the integrity of the PPP is best maintained by delivering any savings collectively as has happened in previous years the methodology for local service disinvestment has been agreed should any Council determine a lower contribution than that set out at paragraph 5.17.
- 6.3 It has been a consistent view of Joint Management Board and Committee that cost recovery forms the basis of all decisions relating to the setting of discretionary fees and any other charges or cost recovery levied or otherwise to deliver the service e.g. recovery of court costs.
- 6.4 The recommendations aim to meet the requirements of the IAA, the approved priorities plan and current indicated budget position of the partners.

7. Appendices

- 7.1 Appendix A – Draft 2023/24 Fees and Charges

8. Background Papers:

- 8.1 None

Subject to Call-In:

Yes: No:

- The item is due to be referred to Council for final approval
- Delays in implementation could have serious financial implications for the Council
- Delays in implementation could compromise the Council's position
- Considered or reviewed by Overview and Scrutiny Management Committee or associated Task Groups within preceding six months
- Item is Urgent Key Decision
- Report is to note only

Wards affected: All Wards

Officer details:

Name: Sean Murphy
Job Title: Public Protection Manager

Tel No: 01635 519840
E-mail: Sean.Murphy@westberks.gov.uk
