

Item No:	Classification: OPEN	Date: 12 March 2011	Meeting Name: Overview & Scrutiny Committee
Report Title:		Call-in: Setting Fees & Charges for Public Realm Division for 2012/13 & Addendum report (Cabinet Member for Transport, Environment and Recycling – 1 & 20 February 2012)	
Ward(s) or Group affected:		All	
From:		Head of Overview & Scrutiny	

BACKGROUND INFORMATION

1. On 1 and 20 February 2012 the Cabinet Member for Transport, Environment and Recycling considered a report and addendum report on Setting Fees & Charges for Public Realm Division for 2012/13 (included as appendices).
2. The Cabinet Member agreed:
 1. That the proposed non-statutory fees be agreed and the statutory fees and charges for 2012/13 be noted, with an implementation date of 1 April 2012
 2. That the indicative non-statutory fees and charges for 2013/14 and 2014/15 be noted
 3. That the addendum to the report 'Setting of fees and charges for Public Realm Division for 2012/13' be agreed such that the charge for an annual Car Club permit should increase by 5% from £450 to £472.50 per annum, with an implementation date of 1 April 2012

REASONS FOR CALL-IN

1. On 27 February 2012 the Chair of Overview & Scrutiny Committee - Councillor Cathy Bowman - and three members of the committee (Councillors David Hubber, David Noakes and Geoffrey Thornton) requested a call-in of the decisions on the following grounds:

The report proposes a number of significant increases in the cost of a range of council services and/or facilities. Members have concerns relating to three key areas:

1. The report displays a worrying lack of evidence for the rationale underpinning its proposals.
2. The report evidences no consultation at all with the many groups that will be affected. While the legal officer's comments are duly noted, even while there may be no statutory requirement to hold formal consultations, the Council frequently consults where there is no strict requirement to do so. Indeed, it is good practice to do so whenever – as here - vulnerable groups may be affected by significant policy changes.

3. The effect of some policies contained in the report is to contradict and undermine existing Council policy

Specific call-in grounds:

Road Network & Parking Services Fees & Charges (App. 1)

The new chargeable category of Professional Health Workers permit includes “carers” without defining who comprises that category.

If the intention is to include non-professional carers, this will likely adversely affect vulnerable people across the Borough. If the intention is to include Council sub-contracted carers, will the costs simply pass between one department and another?

Nor has there been any consultation either externally with recipients of carer support or internally with adult social care. Where vulnerable people are adversely affected consultation should happen.

Call in grounds b – lack of due consultation & e – clarity of aims & desired outcomes.

Parks & Open Spaces Fees & charges (App. 4)

New charges for touch rugby & school sports days.

The introduction of fees in these two areas is incompatible with the Council’s cornerstone free School meal policy which aims include tackling childhood obesity.

Call-in ground f – gap between key strategy & implementation.

Cemeteries & Crematorium Fees & Charges (App. 5)

On the issue of hefty increases for “non-residents”, there is a lack of clarity regarding exactly who would be affected – what are the residency requirements? This leaves the way open for muddle and unfairness i.e. regarding elderly people who may end their days in an out of borough facility.

Call in ground e – lack of clarity regarding aims and desired outcomes.

CALL-IN MEETING

2. The committee will consider the call-in request and in particular whether or not the decision might be contrary to the policy framework or not wholly in accordance with the budget.
3. If, having considered the decision and all relevant advice, the committee is still concerned about it then it may either:
 - a) refer it back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns, or

- b) Refer the matter to council assembly if the decision is deemed to be outside the policy and budget framework.
4. If the committee does not refer the matter back to the decision making person or body, the decision shall take effect on the date of the scrutiny meeting.

BACKGROUND DOCUMENTS

Background Papers	Held at	Contact
Report and addendum to Cabinet Member for Transport, Environment and Recycling	160 Tooley Street London SE1 2TZ	Bola Roberts Constitutional Team 020 7525 7221

APPENDICES
Report and Appendices Addendum Report

Audit Trail

Lead Officer	Shelley Burke, Head of Overview & Scrutiny	
Report Author	Peter Roberts, Scrutiny Project Manager	
Version	Final	
Dated	March 2012	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
Officer Title	Comments Sought	Comments included
Communities, Law & Governance	No	-
Cabinet Member	No	-