



Executive Manager: Jan-Robert Riise
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Date: 19 February 2020

Dear Sir/Madam

You are invited to the following meeting:

**Special Shetland Islands Council
Council Chamber, Town Hall, Lerwick
Wednesday 26 February 2020 at 10.00am**

Apologies for absence should be notified to Anne Cogle at the above number.

Yours faithfully

Executive Manager – Governance and Law

Convener: Malcolm Bell
Depute Convener: Cecil Smith

AGENDA

- (a) Hold circular calling the meeting as read.
- (b) Apologies for absence, if any.
- (c) Declarations of Interest - Members are asked to consider whether they have an interest to declare in relation to any item on the agenda for this meeting. Any Member making a declaration of interest should indicate whether it is a financial or non-financial interest and include some information on the nature of the interest. Advice may be sought from Officers prior to the meeting taking place.

Items

1. Approval of the Band D Council Tax and Housing Rent Charges for 2020/21
F-012

The following item contains **EXEMPT** information

2. Asset Investment Plan – Business Justification Case – Health and Social
Care Information System Replacement
ACP-02-20



Meeting(s):	Shetland Islands Council	26 February 2020
Report Title:	Approval of the Band D Council Tax and Housing Rent Charges for 2020/21	
Reference Number:	F-012-F	
Author / Job Title:	Jamie Manson, Executive Manager - Finance	

1.0 Decisions / Action required:

- 1.1 That the Shetland Islands Council **NOTES** the advice received from the Executive Manager – Finance regarding setting Council Tax in advance of confirmation of the 2020/21 Revenue Budget.
- 1.2 That the Shetland Islands Council **RESOLVES** to:
 - 1.2.1 **APPROVE** an increase to the Band D Council Tax for 2020/21 by 4.84%.
 - 1.2.2 **ADOPT** the formal resolution confirming the Band D Council Tax for the year beginning 1 April 2020 as £1,206.33 (Appendix 3).
 - 1.2.3 **APPROVE** an increase to housing rents and charges.

2.0 High Level Summary:

- 2.1 The Local Government Finance Act 1992 (the Act) requires Local Authorities to set Council Tax for the forthcoming financial year by 11 March. The Council Tax set should be sufficient to meet total estimated expenditure for the forthcoming year, after taking into account any other means of funding the Council's total estimated expenditure.
- 2.2 Due to the practicalities involved in Council Tax billing, it would not be possible to wait until 11 March 2020 to set Council Tax and issue bills in sufficient time to enable Council Tax to be collected from 1 April 2020.
- 2.2 The Scottish Government issued the 2020/21 provisional Local Government Financial Settlement on 6 February 2020. The Council anticipates total income in 2020/21 of £112.9m. At the time of writing, the Council's total estimated expenditure amounts to £125.2m.
- 2.3 The funding gap between total estimated expenditure and anticipated income in 2020/21 is estimated to be £12.3m, before considering any increase to Council Tax.
- 2.4 The Scottish Government has confirmed Local Authorities have the ability to increase Council Tax by a maximum of 4.84% for 2020/21. Increasing the Council Tax by the maximum permitted 4.84% is estimated to generate an additional £569k. This has the effect of reducing the funding gap to £11.7m. A substantial funding gap remains however, despite increasing Council Tax by the maximum permitted by Scottish Ministers.

- 2.5 The Council is considering a number of options in order to reduce or meet the remaining funding gap, namely by reducing expenditure through efficiencies, or increasing anticipated income through a further use of reserves, albeit in excess of the amount considered sustainable.
- 2.6 Based on the above, there is sufficient flexibility for the Council to set Council Tax at today's meeting, and to confirm the final budget on 11 March 2020. This enables the Council to meet its statutory obligation as outlined above in 2.1.
- 2.7 Separately, the Housing Revenue Account Business Plan, covering the period 2017-2022, proposed a series of annual increases to rents on an annual basis. For 2020/21 the proposal would see rent increased on average by 2.39%.
- 2.8 The Council has a statutory obligation to give a minimum of 4 weeks' notice to tenants of any such increase. Therefore, approval of the proposed increase to housing rents is requested alongside approval of the Council Tax, enabling the Council to meet this obligation.

3.0 Corporate Priorities and Joint Working:

- 3.1 There is a specific objective in the Corporate Plan that the Council will have excellent financial management arrangements to ensure that it continues to keep a balanced and sustainable budget, and is living within its means; and that the Council continues to pursue a range of measures which will enable effective and successful management of its finances over the medium to long term. This involves correct alignment of the Council's resources with its priorities and expected outcomes and maintaining a strong and resilient balance sheet.
- 3.2 Financial sustainability continues to be extremely challenging with no indication of a significant changes to Local Government funding, despite the additional burdens and expectations placed upon local authorities to deliver national government initiatives.
- 3.3 The Council must address the underlying challenges that have already been highlighted in the Medium-Term Financial Plan, including the anticipation of continued reductions in grant funding and correspondingly reduce service expenditure to ultimately live within its means.

4.0 Key Issues:

- 4.1 The Council's legal obligations in relation to the setting of budgets and Council Tax are contained in the Local Government Finance Act 1992 (the 1992 Act) and the Local Government (Scotland) Act 1973 (the 1973 Act).
- 4.2 Section 93 of the 1992 Act requires Local Authorities to set Council Tax for the forthcoming financial year by 11 March 2020. In practical terms, deferring the setting of Council Tax until 11 March 2020 would mean that bills would not be issued in sufficient time in order for the Council to collect Council Tax from 1 April 2020.
- 4.3 Section 93 of the 1992 Act states that the Council Tax set should be sufficient to meet the total estimated expenses, including any contingencies, for the forthcoming financial year. In order to determine the level of Council Tax to be levied, Local Authorities are required to consider how the total estimated expenses might otherwise be met or provided for. In other words, the Council needs to take

into account funding from government grants, fees and charges and any transfers from reserves.

- 4.4 The Council has developed its 2020/21 budget in line with the Medium Term Financial Plan covering the period 2018/19-2023/24. The Council's total estimated expenditure for 2020/21 is £125.2m.
- 4.5 Meanwhile, the provisional Local Government Financial Settlement, issued on 6 February 2020 contains an indication of the likely level of General Revenue Grant, Non-Domestic Rates and other specific ring-fenced grant funding the Council can expect to receive from the Scottish Government in 2020/21. In addition, the Council also expects to utilise £20.9m from its reserves to supplement the General Fund budget. The Council anticipates total income in 2020/21 of £112.9m.
- 4.6 Appendix 1 contains the latest estimated General Fund budget as at the time of writing this report (19 February 2020).
- 4.7 A funding deficit of £12.3m exists between the level of income the Council anticipates and the total planned expenditure in 2020/21, before considering the impact of any increase to Council Tax.
- 4.8 The Scottish Government has confirmed that Local Authorities have the ability to increase Council Tax by a maximum of 4.84% for 2020/21. Appendix 2 contains a summary of the impact of increasing Council Tax by 4.84%, and by 3.0% for comparison. Increasing Council Tax by the maximum permitted 4.84% is estimated to generate an additional £569k. This has the effect of reducing the funding gap to £11.7m.
- 4.9 Increasing Council Tax by the recommended level would mean the Band D Council Tax for 2020/21 would be £1,206.33, an increase of £1.07 a week or £55.69 a year compared to the current 2019/20 Council Tax rate.
- 4.10 A substantial funding gap remains however, despite applying the maximum possible increase to Council Tax as permitted by Scottish Ministers.
- 4.11 The Council is considering a number of options in order to reduce or meet the remaining funding gap, including the potential to reduce expenditure through efficiencies or reductions in service. Alternatively, the Council has sufficient unallocated reserves that it may consider calling upon in order to meet the funding gap.
- 4.12 The latest budget estimates outlined in Appendix 1 already assumes that £14.1m will be withdrawn from the Council's long-term investments to supplement the General Fund budget on a sustainable basis. A further withdrawal to meet the current funding gap is unsustainable and will have long-term implications on the extent to which the reserves can be relied upon to contribute to future budgets, and ultimately support the delivery of services across Shetland.
- 4.13 Based on the information contained in this report, there is sufficient flexibility for the Council to set Council Tax at today's meeting, and to confirm the final budget on 11 March 2020. This enables the Council to meet its statutory obligation as outlined above in 2.1
- 4.14 The Housing Revenue Account (HRA) budget has been developed in line with the HRA Business Plan 2017-2022 and current rent strategy. The approved Business Plan proposed a series of annual increases to rents. This is the final year of an

agreed 5-year proposal to add an additional increase to smaller sized properties to try to align them more closely with the Scottish average. The proposal for 2020/21 is to increase rents by an inflation rate of 2% plus an additional £1 per week for bedsits and one-bedroom properties. The average increase to housing rents amounts to 2.39%.

4.15 Ordinarily, any increases to housing rent charges are approved when the Council sets its overall annual revenue budget. This is because housing rents form part of the Council's Schedule of Charges. The Council has a statutory obligation to give a minimum of 4 weeks' notice to tenants of any increase to rents. Deferring approval of housing rent charges until 11 March 2020 would mean the Council could not fulfil this obligation. Therefore, approval of the proposed increases is requested alongside approval of Council Tax, enabling the Council to meet this obligation.

4.16 Appendix 4 contains the proposed housing rent charges for 2020/21.

5.0 Exempt and/or confidential information:

5.1 None.

6.0 Implications :

6.1 Service Users, Patients and Communities:	Where proposals for service change require it, an equalities impact assessment and relevant consultation are required to be undertaken prior to implementation. No changes to services are proposed in this report.
6.2 Human Resources and Organisational Development:	None arising from this report.
6.3 Equality, Diversity and Human Rights:	Where proposals for service change require it, an equalities impact assessment and relevant consultation are required to be undertaken prior to implementation. No changes to services are proposed in this report.
6.4 Legal:	Section 93(2) of the Local Government Finance Act 1992 (the 1992 Act) requires the council tax to be set by 11 March in the previous year. Section 93(3) of the 1992 Act requires the amount of council tax collected to be sufficient to meet the part of the total estimated expenses that falls to be met out of council tax, as well as deficits from previous periods and contingencies. Section 93(4) of the 1992 Act requires councils to take into account how else the total estimated expenses may be met. Section 95 of the Local Government (Scotland) Act 1973, requires each local authority to make arrangements for the proper administration of their financial affairs and that the chief

	<p>financial officer/Section 95 officer has responsibility for the administration of those affairs.</p> <p>For the reasons outlined in the body of the report, the Council will meet its legal obligations in respect of the Local Government Finance Act 1992 by setting Council Tax before 11 March 2020.</p>
6.5 Finance:	<p>The proposal to increase Council Tax by the recommended level is estimated to generate an additional £569,000 compared to 2019/20, based on a 98% collection rate and net of any discounts, reliefs and exemptions.</p> <p>There are no additional costs arising from the administration or collection of Council Tax as this will be managed by the existing Revenues and Benefits team within the Finance Service.</p> <p>Despite applying the maximum increase to Council Tax, as permitted by Scottish Ministers, there remains a significant funding gap. The Council is currently considering a range of measures to reduce total expenditure and/or increase anticipated income, as it awaits further clarity regarding the Council's allocation of funding from the Scottish Government.</p> <p>The Council has a strong balance sheet and, as at 31 March 2019, has an unallocated General Fund reserve balance of £24.8m available.</p> <p>The Council therefore has sufficient flexibility to set Council Tax on 26 February 2020 and confirm a final budget in March which satisfies the legal requirements of the Local Government Finance Act 1992 (as set out in section 6.4).</p>
6.6 Assets and Property:	<p>The proposal to increase housing rent charges is consistent with the Housing Revenue Account Business Plan 2017-2022, which sets out an evidence-based approach to managing planned, preventative maintenance of the housing stock.</p>
6.7 ICT and new technologies:	<p>None arising from this report.</p>
6.8 Environmental:	<p>None arising from this report.</p>
6.9 Risk Management:	<p>In determining the level of Council Tax to be levied in the forthcoming financial year, the Council has developed its draft budget (i.e. its total estimated expenditure) for 2020/21, predicated on a number of assumptions that include:</p> <ul style="list-style-type: none"> • Likely demand for services • Anticipated income from a variety of sources • Cost pressures arising internally or externally <p>These assumptions have been updated to reflect the latest information, data and trends, but there is a risk these assumptions may prove incorrect as actual demand, income and expenditure may fluctuate through the year.</p> <p>The Council's anticipated income – which is a key consideration in arriving at the level of Council Tax to be set – has been</p>

	<p>determined using information supplied in the Local Government Finance Circular 01/2020, issued on 6 February 2020. The Circular contains the provisional allocation to the Council and will not be confirmed until the Scottish Government confirms its own budget and the subsequent Local Government Finance (Scotland) Order 2020 becomes law.</p> <p>The Council's provisional allocation may change as the Scottish Government Budget Bill passes through the Scottish Parliament, however, the risk that the settlement will change significantly and/or sufficiently to warrant a lesser amount of Council Tax is considered extremely low.</p> <p>There is a significant risk of the Council failing to demonstrate financial sustainability as the Council continues to draw more from its reserves than deemed to be sustainable. To do so will erode the investment base and jeopardise future investment income, which ultimately affects future anticipated income levels.</p> <p>The Council has a strong balance sheet and, as at 31 March 2019, has an unallocated General Fund reserve balance of £24.8m available to meet any unforeseen or significant cost pressures.</p>	
6.10 Policy and Delegated Authority:	The decisions required in this report may only be determined by the Council, in accordance with Section 2.1.3 of the Council's Scheme of Administration and Delegations, including the power to fix the Council Tax and the power to fix Council House Rent Levels.	
6.11 Previously considered by:	n/a	n/a

Contact Details:

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Appendices:

Appendix 1 - Latest estimated General Fund budget summary (as of 19 February)

Appendix 2 - Effect of increases to Council Tax

Appendix 3 - Formal Resolution to confirm Council Tax Band D for the year commencing 1 April 2020

Appendix 4 - Housing Rents – Proposed Schedule of Charges

Background Documents:

[Housing Revenue Account Business Plan 2017-2022](#)

[Medium Term Financial Plan 2018/19 – 2023/24](#)

Draft 2020/21 Revenue Budget	<i>as at 19 February</i>
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Directorate	£
Corporate & Executive Services	13,644,379
Children's Services	47,570,665
Community Health & Social Care	22,300,501
Development Services	14,452,272
Infrastructure Services	28,585,994

Total Service Expenditure	126,554,111
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Cost Pressures & Contingency	1,794,828
Spend to Save (Unallocated)	250,000
Crown Estate (Unallocated)	1,008,000
Financing Costs & Recharges to Other Funds	(4,444,390)

Total Estimated General Fund Expenditure	125,162,549
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Funded by:

General Revenue Grant	(55,361,000)
Non-Domestic Rates	(25,662,000)
Council Tax	(9,737,520)
Spend to Save	(250,000)
Crown Estate	(1,008,000)
Sustainable contribution from Reserves	(20,880,139)

Total Anticipated Income	(112,898,659)
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Funding Gap	12,263,890
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Additional Council Tax generated by 4.84% increase	568,671
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Funding Gap after Council Tax increase	11,695,219
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Effect of a 4.84% Increase to Council Tax

Band	Band Value	Multiplier	No. Properties in Band	Annual Increase	Weekly Increase	2020/21 Council Tax
A	£0 - 27,000	240/360	2,968	£ 37.13	£ 0.71	£ 804.22
B	£27,000 - £35,000	280/360	1,846	£ 43.32	£ 0.83	£ 938.26
C	£35,000 - £45,000	320/360	2,838	£ 49.50	£ 0.95	£ 1,072.29
D	£45,000 - £58,000	360/360	1,875	£ 55.69	£ 1.07	£ 1,206.33
E	£58,000 - £80,000	473/360	1,460	£ 73.17	£ 1.41	£ 1,584.98
F	£80,000 - £106,000	585/360	300	£ 90.50	£ 1.74	£ 1,960.29
G	£106,000 - £212,000	705/360	68	£ 109.06	£ 2.10	£ 2,362.40
H	£212,000 +	882/360	2	£ 136.44	£ 2.62	£ 2,955.51

No. Chargeable Properties

11,357

Total Estimated Council Tax:

assuming a 98% collection plus effect of discounts & exemptions

10,306,191

Additional Council Tax raised:

compared to 2019/20

568,671

Effect of a 3% Increase to Council Tax

Band	Band Value	Multiplier	No. Properties in Band	Annual Increase	Weekly Increase	2020/21 Council Tax
A	£0 - 27,000	240/360	2,968	£ 23.02	£ 0.44	£ 790.11
B	£27,000 - £35,000	280/360	1,846	£ 26.85	£ 0.52	£ 921.79
C	£35,000 - £45,000	320/360	2,838	£ 30.69	£ 0.59	£ 1,053.48
D	£45,000 - £58,000	360/360	1,875	£ 34.52	£ 0.66	£ 1,185.16
E	£58,000 - £80,000	473/360	1,460	£ 45.36	£ 0.87	£ 1,557.17
F	£80,000 - £106,000	585/360	300	£ 56.10	£ 1.08	£ 1,925.89
G	£106,000 - £212,000	705/360	68	£ 67.60	£ 1.30	£ 2,320.94
H	£212,000 +	882/360	2	£ 84.57	£ 1.63	£ 2,903.64

No. Chargeable Properties	11,357
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Total Estimated Council Tax: <i>assuming a 98% collection plus effect of discounts & exemptions</i>	10,128,021
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Additional Council Tax raised: <i>compared to 2019/20</i>	390,501
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Shetland Islands Council – Budget Estimates 2020/21**The Formal Resolutions Required:****Recommendation**

It is recommended that to provide for the expenses foreseen in the Budget Estimates for 2020/21, the Council RESOLVE THAT:-

1. they IMPOSE and LEVY the following assessments for the period from 1 April 2020 to 31 March 2021.

NON DOMESTIC RATES

- (a) **THE SHETLAND ISLANDS COUNCIL DO DECERN AND ORDAIN** the whole occupiers in Shetland Islands liable for the aforesaid assessments, to make payment thereof to the Executive Manager - Finance, either by ten instalments, as near equal amounts as practicable, the first on or before 1 April 2020 and at monthly intervals thereafter, or in a single payment on or before 30 September 2020.

COUNCIL TAX

- (b) **Council Tax:** Council Tax of £1,206.33 – Band D equivalent, on all chargeable dwellings in Shetland and to be paid by the persons liable therefor under the Local Government Finance Act 1992, as amended by the Local Government etc. (Scotland) Act 1994.
- (c) **THE SHETLAND ISLANDS COUNCIL DO DECERN AND ORDAIN** the persons liable as described in the Local Government Finance Act 1992, in respect of chargeable dwellings referred to in paragraph 1 (b) for the aforesaid assessments to make payment thereof to the Executive Manager - Finance, either by 10 monthly instalments, as near equal in amount as practicable, the first on or before 1 April 2020 and at intervals thereafter, or in a single payment before 1 June 2020.

2. NON DOMESTIC RATES APPEALS

- (a) The Council adopt the following regulations with regard to the lodging and hearing of appeals against rates, in terms of Section 238 of the Local Government (Scotland) Act 1947, viz:
 - (b) persons complaining that they have been improperly charged, must lodge their appeals with the Executive Manager - Finance not later than 28 days after receipt of a rates demand note and these appeals will be heard by Council on a date to be notified to appellants. Appellants may appeal personally in support of their appeals or be represented by an agent.
 - (c) no appeal against the valuation entered in the valuation roll is competent.
3. The de minimis sum (used to establish whether expenditure of a capital nature should be charged to capital or revenue) for the year commencing 1 April 2020 should be set equal to £10,000.

Charges 2020/21

F-012-F Appendix 4

ALL CHARGES ARE EXCLUSIVE OF VAT, WHERE APPLICABLE

Directorate	Service	Director or Executive Manager	Activity	Charge	Unit	2019/20 Charge £	2020/21 Charge £	Variance %
Development	HRA	Anita Jamieson	Garages	Garage rents (no electricity)	per week	11.45	11.75	2.62
Development	HRA	Anita Jamieson		Garage rents (electricity)	per week	16.35	16.80	2.75
Development	HRA	Anita Jamieson		Double garage (electricity)	per week	24.55	25.20	2.65
Development	HRA	Anita Jamieson		Garage site rent	per week	5.20	5.35	2.88
Development	HRA	Anita Jamieson	Council Houses	4 bedroom - Lerwick	per week	110.53	112.74	2.00
Development	HRA	Anita Jamieson		3 bedroom - Lerwick	per week	94.85	96.75	2.00
Development	HRA	Anita Jamieson		2 bedroom - Lerwick	per week	78.76	80.34	2.01
Development	HRA	Anita Jamieson		1 bedroom - Lerwick	per week	67.64	69.99	3.47
Development	HRA	Anita Jamieson		Bedsit - Lerwick	per week	51.55	53.58	3.94
Development	HRA	Anita Jamieson		7 bedroom - non Lerwick	per week	150.05	153.05	2.00
Development	HRA	Anita Jamieson		5 bedroom - non Lerwick	per week	120.28	122.68	2.00
Development	HRA	Anita Jamieson		4 bedroom - non Lerwick	per week	105.00	107.10	2.00
Development	HRA	Anita Jamieson		3 bedroom - non Lerwick	per week	90.11	91.91	2.00
Development	HRA	Anita Jamieson		2 bedroom - non Lerwick	per week	74.84	76.33	1.99
Development	HRA	Anita Jamieson		1 bedroom - non Lerwick	per week	64.45	66.74	3.55
Development	HRA	Anita Jamieson		Bedsit - non Lerwick	per week	49.18	51.17	4.05
Development	HRA	Anita Jamieson	Other	Housing repairs		variable	variable	n/a
Development	Housing Services	Anita Jamieson	Homeless Persons	Shared accommodation - standard occupancy charge	per week	55.45	56.95	2.71
Development	Housing Services	Anita Jamieson		Shared accommodation - furniture charge	per week	12.80	13.15	2.73
Development	Housing Services	Anita Jamieson		Shared accommodation - electricity charge	per week	19.80	20.35	2.78
Development	Housing Services	Anita Jamieson		Shared accommodation - service charge	per week	17.00	17.50	2.94
Development	Housing Services	Anita Jamieson		89 St Olaf Street - room 5 - occupancy charge	per week	73.15	75.00	2.53
Development	Housing Services	Anita Jamieson		Electricity in communal areas (12a North Road)	per week	5.50	5.65	2.73
Development	Housing Services	Anita Jamieson		General needs stock used for homeless persons - 1 apt - occupancy charge	per week	55.45	56.95	2.71
Development	Housing Services	Anita Jamieson		General needs stock used for homeless persons - 2 apt - occupancy charge	per week	74.15	76.15	2.70

Development	Housing Services	Anita Jamieson		General needs stock used for homeless persons - 3 apt - occupancy charge	per week	90.85	93.35	2.75
Development	Housing Services	Anita Jamieson		General needs stock used for homeless persons - 4 apt - occupancy charge	per week	108.80	111.80	2.76
Development	Housing Services	Anita Jamieson		General needs stock used for homeless persons - 5 apt - occupancy charge	per week	125.75	129.20	2.74
Development	Housing Services	Anita Jamieson		Lerwick chalets - homeless lets - 1 bed - occupancy charge	per week	38.45	39.50	2.73
Development	Housing Services	Anita Jamieson		Lerwick chalets - homeless lets - 2 bed - occupancy charge	per week	48.05	49.35	2.71
Development	Housing Services	Anita Jamieson		Landward chalets - homeless lets - 1 bed - occupancy charge	per week	34.80	35.75	2.73
Development	Housing Services	Anita Jamieson		Landward chalets - homeless lets - 2 bed - occupancy charge	per week	43.90	45.10	2.73
Development	Housing Services	Anita Jamieson		Homeless persons - general needs stock & chalets - B&B accommodation - adult aged 16 or over	per week	124.85	128.30	2.76
Development	Housing Services	Anita Jamieson		Homeless persons - general needs stock & chalets - B&B accommodation - child under 16	per week	62.40	64.10	2.72
Development	Housing Services	Anita Jamieson		Storage charges (storage of property in Gremista store)	per week	6.50	6.70	3.08
Directorate	Service	Director or Executive Manager	Activity	Charge	Unit	2019/20 Charge £	2020/21 Charge £	Variance %
Development	Housing Services	Anita Jamieson	Caravan Site/ Pitch Rents	Caravan site/pitch rents - Hoofields	per week	15.80	16.25	2.85
Development	Housing Services	Anita Jamieson		Caravan site/pitch rents - Other	per week	10.90	11.20	2.75