

## Position on General Contingency

	£'000	£'000
<b>Original Allocation</b>		<b>800.0</b>
Releases approved to date		370.1
<b>Balance Remaining</b>		<b>429.9</b>
 <u>Requests for funding in this report, detailed overleaf:</u>		
a) LCCS: Fostering Costs	80.0	
b) LCCS: Legal Fees	70.0	
c) LCCS: Court Fees	72.0	
d) LCCS: Music Service Income	40.0	
e) LCCS:	44.0	306.0
<b>Balance Remaining if Approved</b>		<b>123.9</b>
 <u>Funding earmarked</u>		
a) Dealing with Flooding	75.0	
b) Concessionary Travel	50.0	125.0
<b>Potential Year-End Position</b>		<b>-1.1</b>

Fostering Costs (Contingency request £80k)

The total number of Looked After Children placed with York Foster Carers has been increasing throughout 2008/09 as follows:

Age bands	2007/08	2008/09		
	31/03/08	Quarter 1	Quarter 2	31/10/08
0 to 4	22	31	32	32
5 to 10	30	34	37	37
11 to 15	49	50	52	56
16 to 17	14	17	20	20
Total	115	132	141	145

The 2008/09 fostering budget has sufficient funding for 106 children to be placed with foster carers at any one time. By the end of October 2008 there were 39 more children in foster care than was allowed for in the budget, at an additional cost of £4,746 a week (£246.8k p.a). This is calculated using the statutory weekly rates for foster carers and does not take account of additional allowances (such as birthday allowance, Christmas allowance, Specialist Teenage fee, etc) which increase the cost further.

Legal Fees (Contingency request £70k)

	2006/07	2007/08	2008/09 to 30/11/08
Experts	25,908	44,668	35,371
Counsel	66,570	88,932	68,052
Court Fees	8,115	8,887	37,201
Framework Solicitors	-	-	19,818
Other	6,807	14,433	10,990
Total Legal Fees	107,400	156,920	171,432
Legal Fees excluding Court Fees	99,285	148,033	134,231
			Projected
Number of Cases in Year	80	78	83
Total New Cases in Year	30	38	48

The total expenditure on legal cases, excluding fees paid to the Courts, has risen from £99k in 2006/07 to £148k in 2007/08. Expenditure in the first 8 months of 2008/09 has been £134k (excluding court fees): a straight line projection of this would suggest total spend of £201k by the end of the year.

As can be seen from the above table, the number of cases has remained fairly steady over the last three years. The rise in costs is due to the increasing complexity of some cases, together with a general increase in the cost of cases resulting from a national trend for courts to call in more expert witnesses.

### Court Fees (Contingency request £72k)

The Government has recently increased the court fees payable for Child Protection Cases from £150 per case to a maximum of £4,950 per case. The effect of this has been to impose a massive increase on the legal fees payable by City of York Council. The total bill for court fees in 2006/07 was £8,115 and for 2007/08 was £8,887. To date in 2008/09 (from invoices for the period to 30 September 2008) the Council has paid over £37k in court fees directly to Her Majesty's Court Service and York County Court. In addition to this there have been court fees of around £3k paid in relation to cases handled by our framework solicitors. A rough straight line projection to the end of the year would suggest that court fees for 2008/09 will be in the region of £80k, an increase of £71k over 2007/08.

### Music Service Income (Contingency request £40k)

The total number of pupils accessing the service has declined significantly over recent years from 2,001 in 2005/06 down to an estimated 1,704 for the Spring 2009 term. This reduction combined with ever increasing income targets for the service has resulted in the current net deficit position.

### Library Income (Contingency request £44k)

There is currently a shortfall of £73k against the core library income, partially offset by savings of £18k. As previously reported a number of valuable obsolete stock items have been sold at auction and raised £95k. This income was intended to support the first phase of redeveloping the central library into a library learning centre, but is being used instead to fund the net deficit on the library service. There is therefore little scope to contribute to the refurbishment project in 2008/09. In the overall council budget for 2008/09 a sum of £44k was identified in the Corporate Contingency budget against a possible shortfall in library income. The release of this sum is requested to allow it to be used to contribute towards the refurbishment project.