

<b>Subject:</b>	<b>FEES AND CHARGES 2019/20</b>
<b>Meeting and Date:</b>	<b>Cabinet – 14 January 2019</b>
<b>Report of:</b>	<b>Mike Davis, Strategic Director (Corporate Resources)</b>
<b>Portfolio Holder:</b>	<b>Councillor Mike Conolly, Portfolio Holder for Corporate Resources and Performance</b>
<b>Decision Type:</b>	<b>Key</b>
<b>Classification:</b>	<b>Unrestricted</b>
<b>Purpose of the report:</b>	This report has been prepared in order to obtain formal approval for the levels of fees and charges (F&Cs) for the financial year 2019/20. These F&Cs have been included in the preparatory work on the draft budget for 2019/20 and require approval.
<b>Recommendation:</b>	<ol style="list-style-type: none"> <li>1. Cabinet approve the Fees and Charges (F&amp;Cs) for 2019/20 as set out in Appendices 2.1 to 2.6, and 5.1 and 5.3.<sup>1</sup></li> <li>2. Members agree that any F&amp;Cs will be adjusted by Service Directors, in consultation with the Portfolio Holders, to comply with any subsequently received government guidelines (when they are received) without being the subject of a further report unless they are materially different from current charges, or have a material impact on the level of income.</li> <li>3. Members approve the general principle that fees are set at an appropriate inclusive level, irrespective of VAT status, and that the VAT element within the overall fee level is then determined.</li> <li>4. Members note the fees and charges approved separately by Licensing and Regulatory Committees set out in Appendices 3 and 4.</li> </ol>

## 1. Summary

The Council's constitution specifies that F&Cs shall be reviewed annually. In order to meet this requirement all Directors have been asked to review the F&Cs within their areas of responsibility (see checklist of issues to consider – Appendix 1) and to produce recommended levels for 2019/20. The fees and charges are tabulated in the further Appendices for consideration and/or approval by Members.

## 2. Introduction and Background

2.1 The level of Member approval required is dependent upon the types of F&Cs raised. In order to obtain appropriate approval the following reports have been prepared:

- Licensing Committee  
Report to the meeting on 13 November 2018 of all F&Cs to be set by the Licensing Committee.
- Regulatory Committee

<sup>1</sup> Appendices 5.1 & 5.2 have been reviewed & noted by the Planning Committee.

Report to the meeting on 13 November 2018 of all F&Cs to be set by the Regulatory Committee .

- Planning Committee

Report (for information) to the meeting on 22 November 2018 of all F&Cs relevant to the Planning Committee.

- Cabinet

Report to the meeting on 14 January 2019 of all F&Cs, but seeking specific approval of those F&Cs set by Cabinet.

2.2 Members are reminded that a framework of broad guidelines to be considered in formulating proposals for F&Cs is in place. This includes a checklist which has been circulated to all Service Directors and to all officers considering F&Cs so that a rigorous and consistent approach is taken. A copy is attached at Appendix 1.

2.3 As in previous years, in order to assist Members, the data on F&Cs has been tabulated into a standard format that has been used for Appendices 2 to 5.

2.4 The main points to note are set out below.

#### Detail and Narrative

These give a brief summary of the type of service being provided.

#### Set by Government

This indicates whether a charge is statutory or not. If a charge is statutory then it is effectively set by Government and although formal Member approval is still sought, there is little or no scope to make changes.

#### 2018/19 Charge Inc VAT

The charge has been provided inclusive of VAT for two reasons. First, it shows what the customer will actually pay and is therefore more meaningful.

Second, charges for some services, especially those such as car parking, which are not simply a direct recovery of costs, are set at a level, inclusive of VAT, based on the appropriate market level. The VAT is therefore a deduction from the amount of charge retained by DDC and is not a key factor in determining the appropriate charge. Members are asked to approve this approach.

#### 2019/20 Proposed Charge Inc VAT

This is the recommended charge for 2019/20 and the estimated income will, subject to Members' approval, be included in the 2019/20 budget.

#### 2019/20 Total Expected Income ex VAT

This gives a broad indication as to how much income DDC is expected to receive and has been included to provide Members with a sense of the relative importance of individual charges or group of similar charges. The more significant income streams (generating over £3k) have been highlighted in **bold** type.

In some cases, the level of use is very low, or infrequent, or the service has only recently been introduced and so no level of income has been included.

#### Comments

This provides Members with a brief explanation for the change. In some instances guidance is still awaited from Government as to the basis upon which F&Cs should be set. In these cases it has not always been possible to confirm a fee level, Member's approval is sought to enable officers to adopt such fees at or close to government directed levels without a further report.

### **3. Land Charges**

- 3.1 The Local Land Charges search fees have been revised following a cost neutral exercise being carried out to meet an Audit recommendation. Six months of time monitoring was undertaken by the Council Departments responsible for answering the individual CON29 questions and this was taken in to account when calculating the cost of providing the service. Whilst the overall cost of a standard search (LLC1 and CON29) does not change greatly the individual CON29 questions do. However, the revised fees are now a better reflection of the actual time taken to produce and provide the information and detailed accounts are held to support the proposed fees.
- 3.2 In undertaking the exercise it was considered that it no longer seemed appropriate to charge the administration fee as a separate fee and that each question should be costed to include the element of administration. The administration fee has now been costed across the CON29 questions, which is consistent with the current practice for the majority of Kent Authorities. The cost neutral exercise has resulted in more competitive fees for the individual questions and in view of this it is possible that the authority will see an increase in business, particularly in respect of question 1.1.
- 3.3 The additional enquiry fee has been removed. There is only a very small number of these received per year and, as it is unknown what the question will be in advance, its cost cannot be estimated. As an alternative, it is proposed that additional enquiries are sent directly to the relevant Council Department for them to advise the cost, if any, of providing the information required.
- 3.4 In order to comply with the audit recommendation it is proposed to implement the new Land Charges fee structure as detailed in Appendix 2.5 from 1st February 2019.

### **4. Other Fees and Charges**

- 4.1 The following F&Cs are not included in this report.

#### **4.2 Housing Rents and Service Charges**

Housing rents are approved by the Strategic Director (Corporate Resources) under delegated authority. They are largely prescribed by government and the Council has no real scope to determine rent levels.

Service charges (for both tenants and long term lease holders) are determined through statutorily prescribed consultation processes and the recovery of all allowable costs. As a result the Council has no real scope to determine service charges.

#### **4.3 Car Parking**

Car parking fees are the subject of specific reports from the Strategic Director (Operations and Commercial)

### **5. Identification of Options**

- 5.1 The recommended figures for consideration by Members are included in the Appendices. Members may approve these proposed figures.
- 5.2 Members may propose and approve alternative figures with reasons recorded for their decisions.
- 5.3 Those fees already approved by Licensing and Regulatory Committees are for information only.

6. **Evaluation of Options**

- 6.1 The recommended fees and charges take into account the need to maximise income at a time of challenging budget positions, while taking into account comparable charges at neighbouring authorities and what the market can bear.
- 6.2 Members should also take into account the checklist of issues to consider (at Appendix 1) when reviewing the fees and charges included in the subsequent Appendices

7. **Resource Implications**

- 7.1 See Appendices.

8. **Corporate Implications**

- 8.1 Comment from the Strategic Director (Operations and Commercial), linked to the MTFP: Finance have been involved in the production of this report and have nothing further to add. (NR)
- 8.2 Comment from the Solicitor to the Council: The Solicitor to the Council has been consulted during the preparation of this report and has no further comment to add.
- 8.3 Comment from the Equalities Officer: This report does not specifically highlight any equality implications, however in discharging their duties members are reminded to comply with the public sector equality duty as set out in section 149 of the Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15>

9. **Appendices**

Appendix 1 – F&C checklist

Appendices 2.1–2.6 – F&C for which Cabinet approval is sought

Appendices 3.1–3.2 – F&C to be approved by Licensing Committee

Appendices 4.1–4.2 – F&C to be approved by Regulatory Committee

Appendices 5.1–5.3 – Planning application fees

Please note the appendices take into account the new management structure which came into effect on 1 January 2019.

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