
Subject: FEES AND CHARGES 2019/20

Meeting and Date: Licensing Committee – 13 November 2018
Regulatory Committee – 13 November 2018
Cabinet (for information) – 14 January 2019 (part of larger report)

Report of: Diane Croucher, Head of Regulatory Services

Decision Type: Non- Executive

Classification: Unrestricted

Purpose of the report: 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 revised F&Cs will be included in the budget estimates for 2019/20. It is also requested that the fees for animal licensing are approved with immediate effect.

Recommendation:

1. The Licensing Committee approve the Fees and Charges for 2019/20 as set out in Appendix 3
2. The Regulatory Committee approve the Fees and Charges for 2019/20 as set out in Appendix 4.
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.
4. Members approve the general principle that, unless the fee is set by statute, licensing fees will be set on a cost recovery basis.
5. That the Head of Regulatory Services is authorised to adopt fees at, or close to government directed levels without the need for further reporting, in cases where the Council is awaiting Government guidance and it has not been possible to set a fee level at this stage.
6. That the Head of Regulatory Services be authorised in consultation with the Director of Governance and the Director of Finance, Housing and Community to make minor adjustments to the fees and charges as necessary

1. Summary

1.1 The Council's constitution specifies that F&Cs shall be reviewed annually. In order to meet this requirement all Directors / Heads of Service have been asked to review the F&Cs within their areas of responsibility and to produce recommended levels for 2019/20.

2. Introduction and Background

- 2.1 The Council's constitution specifies that F&Cs shall be reviewed annually.
- 2.2 The level of Member approval required is dependent upon the types of F&Cs raised and therefore reports have to be submitted to:
- Licensing Committee
 - Regulatory Committee
 - Planning Committee (for information only)
 - Cabinet
- 2.3 In order to meet this requirement it is proposed to submit the following reports:
- Licensing Committee - Report to meeting on 13 November 2018 of all F&Cs to be set by the Licensing Committee.
 - Regulatory Committee – Report to 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.
- 2.4 Members are reminded that in 2004/05 a Member and Officer Review group developed a framework of broad guidelines to be considered in formulating proposals for F&Cs.
- 2.5 A copy of the checklist produced at that time and since updated to maintain currency, 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.
- 2.6 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 3 and 4.

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 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 (inc Reason for the Change in Charges)

The licensing fees are reviewed each year as part of a rolling programme. The reviews include a detailed time/cost breakdown of each licence type. A review was planned for 2019/20 of the gambling fees, however this has had to be deferred due to changes in the legislation for animal licensing.

On 1 October 2018, a new statutory instrument came into force, namely The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018. The introduction of the legislation and the guidance has triggered a national need to revise fee structures. It is therefore requested that the fees in respect of animals are adopted with immediate effect.

The in-depth review of the animal charges, incorporating the new additional inspections mid licence term, has resulted in some proposed amendments as highlighted on the relevant spreadsheet (Appendix 4). It is anticipated that next year a detailed review will be undertaken of the Gambling related licences. This review cycle will then continue to ensure a thorough review is undertaken for each licence type every 3 years.

It should be noted that the Licensing Act fees and charges (Appendix 3) are all set centrally by government.

3. Identification of Options

- 3.1 The recommended figures for consideration by Members are included in the Appendices. Members may approve these proposed figures.
- 3.2 Members may propose and approve alternative figures with reasons recorded for their decisions.

4. Evaluation of Options

4.1 The recommended fees and charges take into account the actual cost of providing the service and seek to ensure full cost recovery. This is the recommended approach.

4.2 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.

5. **Resource Implications**

See Appendices.

6. **Corporate Implications**

6.1 Comment from the Director of Finance, Housing and Community (linked to the MTFP): Finance have been involved in the production of this report and have no further comment to make (NR).

6.2 Comment from the Solicitor to the Council: The Solicitor to the Council has been consulted in the preparation of this report and has no further comments to make.

6.3 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>

7. **Appendices**

Appendix 1 – Fees and Charges checklist

Appendices 3 & 4 – Schedule of recommended F&Cs

Contact Officers: Rebecca Pordage, Licensing Team Leader and
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