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| Subject: | FEES AND CHARGES 2023/24 |
| Meeting and Date: | Regulatory Committee – 13 December 2022 Cabinet (for information) – 16 January 2023 (part of larger report) |
| Report of: | Louise May - Strategic Director (Corporate and Regulatory) |
| Portfolio Holder: | Councillor M Bates Portfolio Holder for Transport, Licensing and 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 2023/24. These revised F&Cs will be included in the budget estimates for 2023/24.

Recommendation:

1. The Regulatory Committee approve the Fees and Charges for 2023/24 as set out in Appendix 4.
2. 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.
3. Members approve the general principle that, unless the fee is set by statute, licensing fees will be set on a cost recovery basis.
4. That the Strategic Director (Corporate and Regulatory) 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.
5. That the Strategic Director (Corporate and Regulatory) be authorised in consultation with the Strategic Director (Finance and Housing) 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 2023/24.

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 19 October 2022 of all F&Cs to be set by the Licensing Committee.
 - Regulatory Committee – Report to meeting on 13 December 2022 of all F&Cs to be set by the Regulatory Committee.
 - Planning Committee – Report (for information) to the meeting on 17 November 2022 of all F&Cs relevant to the Planning Committee.
 - Cabinet – Report to the meeting on 16 January 2023 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.

2022/23 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, car parking for example, which are not simply a direct recovery of costs, are set at a level, inclusive of VAT, having regard to relevant considerations including market level, where appropriate. 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.

2023/24 Proposed Charge Inc VAT

This is the recommended charge for 2023/24 and will, subject to Members' approval, be included in the 2023/24 budget.

2023/24 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.

3. **Identification of Options**

3.1 The recommended figures for consideration by Members are included in the Appendices. Members may approve these proposed figures.

4. Members may propose and approve alternative figures with reasons recorded for their decisions. Alternative figures should not however result in a total income which exceeds the cost of providing the service.

5. **Evaluation of Options**

5.1 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.

5.2 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.

6. **Resource Implications**

See Appendices.

7. **Climate Change and Environmental Implications**

7.1 There are no climate change implications.

8. **Corporate Implications**

8.1 Comment from the Strategic Director of Corporate Resources (linked to the MTFP);

8.2 Comment from the Solicitor to the Council:

8.3 Comment from the Equalities Officer - 'This report relating to regulatory fees and charges does not specifically highlight any equality implications, however in discharging their duties members are required 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/section/149>'

9. **Appendices**

Appendix 1 – Fees and Charges checklist

Appendix 4 – Schedule of recommended F&Cs

Contact Officers: Rebecca Pordage, Licensing Manager and
Shane Kempster – Systems Reconciliation Officer