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<b>Subject:</b>	<b>FEES AND CHARGES 2023/24</b>
<b>Meeting and Date:</b>	<b>Cabinet – 6 February 2023</b>
<b>Report of:</b>	<b>Helen Lamb, Head of Finance and Investment</b>
<b>Portfolio Holder:</b>	<b>Councillor Chris Vinson, Portfolio Holder for Finance, Governance, Digital and Climate Change</b>
<b>Decision Type:</b>	<b>Executive Key Decision</b>
<b>Classification:</b>	<b>Unrestricted</b>

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**Purpose of the report:** This report has been prepared to obtain formal approval for the levels of fees and charges (F&Cs) for the financial year 2023/24. These F&Cs have been included in the preparatory work on the draft budget for 2023/24 and require approval.

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**Recommendations:** It is recommended that Cabinet:

1. Approves the Fees and Charges (F&Cs) for 2023/24 as set out in Appendices 2.1 to 2.14, and 5.1 (except for the s.106 Monitoring Fee which has been approved by the Planning Committee) and 5.3.<sup>1</sup>
2. Agrees that any F&Cs will be adjusted by Strategic Directors, in consultation with the Portfolio Holders, to comply with any subsequently received government guidelines (when they are received) and any other minor changes 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.
3. Approves 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. Notes the F&Cs approved separately by the Licensing and Regulatory Committees set out in Appendices 3 and 4.

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## 1. **Summary**

1.1 The Council's constitution specifies that fees and charges (F&Cs) shall be reviewed annually. To meet this requirement, the Strategic 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 2023/24. 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. To obtain appropriate approval, the following reports have been prepared:

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<sup>1</sup> Appendices 5.1 & 5.2 have been reviewed & noted by the Planning Committee which also approved the s.106 Monitoring Fee.

- Licensing Committee  
Report to the meeting on 19 October 2022 of all F&Cs to be set by the Licensing Committee.
  - Regulatory Committee  
Report to the 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 06 February 2023 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, 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.

#### 2023/24 Charge Inc VAT

The charge has been provided inclusive of VAT for two reasons. First, it shows what the customer will 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 the estimated income 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

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, Members' approval is sought to enable officers to adopt such fees at or close to government directed levels without a further report.

### 3. **New and Amended Fees and Charges**

3.1 An allowance for increase in inflation was applied across most areas – the amount of increase was decided considering several factors specific to each area and after consultation within each team.

3.2 While most of the fees and charges remain consistent to prior years, the following new charges and significant changes have been introduced. The following key has been used in the appendices.

- Green – This is a new fee and/or charge to be approved

- Yellow – This identifies a fee change greater than 12%

- Red – This identifies the proposal to remove a fee and/or charge.

### Beaches and Foreshores

3.3 Appendix 2.2, line 21 – Boat Plot Charges removed.

### Port Health

3.4 On April 28 2022, the Government announced that they would be delaying the implementation of EU imported food controls until approximately December 2023. Clear direction and instruction on when fee generating EU import controls will be implemented remains outstanding and is not expected within this financial year (2023/24). It is therefore anticipated that no EU fee generating checks will be conducted within this financial year. Charges have been set for 2023/24 but are anticipated to generate zero income.

3.5 Therefore, Defra have confirmed they will fund the service for the financial period 2023/2024.

3.6 The remaining pre-Brexit Port Health service (non-EU related checks, infectious diseases, ship inspections etc.), will continue independently as it always has.

### Environmental Health

3.7 Appendix 2.4, lines 98-102, Health Act and Noise Act charges removed. Similarly, 103 removed relating to Clean Neighbourhoods Act and also lines 105 and 106 for Graffiti and fly posting. 109 and 110 removed in respect of abandoning a vehicle and Failure to nominate key holder for alarm notification areas.

### Museum

3.8 Appendix 2.5, line 149, New charge reflecting introduction of new store.

### Kearsney Café

3.9 New fees have been proposed under appendix 2.6, lines 167-170, for Wedding Ceremonies. There are also 2 charges removed for Maintenance and Maintenance and Planting, these are lines 183 and 184.

### Waste

3.10 Appendix 2.7, line 209 and 210 include the supply of purple sacks for domestic refuse.

### Land Charges

- 3.11 The land charges are due for a review which occur each three years. This year the inflation increases of 10% was given priority. This reflects in the cost of the service and as a result reflects similar fees and charges set by other authorities.

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

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

##### 4.1 Housing Rents and Service Charges

Housing rents are approved as part of the budget setting process or 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 the terms of leases and tenancy agreements, statutorily prescribed consultation processes and are calculated to ensure the recovery of all allowable costs. As a result, the Council has no real discretion to determine service charges differently.

##### 4.2 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 consider the need to maximise income at a time of challenging budget positions, whilst also considering comparable charges at neighbouring authorities and what the market can bear.

- 6.2 Members should also consider the checklist of issues to consider (at Appendix 1) when reviewing the fees and charges included in the subsequent Appendices.

#### 7. **Resource Implications**

See Appendices

#### 8. **Climate Change and Environmental Implications**

- 8.1 Fees and Charges do not have any direct climate change and environmental implications.

#### 9. **Corporate Implications**

- 9.1 Comment from the Strategic Director (Finance and Housing), linked to the MTFP: Accountancy has produced this report and has no further comment to add.

- 9.2 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.

- 9.3 Comment from the Equalities Officer: This report which sets out the fees and charges for 2023/24 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>

10. **Appendices**

- Appendix 1 – F&C checklist
- Appendices 2.1 – 2.14 – F&C for which Cabinet approval is sought
- Appendices 3.1 – 3.2 – F&C to be approved by Licensing Committee
- Appendices 4.1 – 4.3 – F&C to be approved by Regulatory Committee
- Appendices 5.1 – 5.3 – Planning application fees

11. **Background Papers**

- Fees and Charges 2023/24 Report - Licensing Committee 19 October 2022
- Fees and Charges 2023/24 Report - Regulatory Committee 13 December 2022
- Fees and Charges 2023/24 Report - Planning Committee 17 November 2022
- 2023/24 Fees and Charges Working Papers

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