
Subject:	FEES AND CHARGES 2013/14
Meeting and Date:	Licensing Committee – 20 November 2012 Regulatory Committee – 20 November 2012 Cabinet (for information) – 7 January 2013 (part of larger report)
Report of:	Roger Walton, Director of Environment and Corporate Assets
Portfolio Holder:	Councillor N J Collor, Portfolio Holder for Access and Property Management
Decision Type:	Key
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 2013/14. These revised F&Cs will be included in the budget estimates for 2013/14.

- Recommendation:**
1. Members approve the Fees and Charges for 2013/14 as set out in Annex 2 & 3.
 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. Approval is sought for officers to adopt fees at, or close to government directed levels without the need for further reporting, in cases where the Council is awaiting for Government guidance and it has not been possible to set a fee level at this stage.
 4. Minor adjustments to the fees and charges be delegated to the Director of Environment and Corporate Assets in consultation with the Director of Finance, Housing and Community.
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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 and to produce recommended levels for 2013/14.

Fees and charges made under the Licensing Act 2003 are set by Central Government and remain unchanged from 2012/13. Fees and charges made under the Gambling Act 2005 remain largely unchanged from 2012/13, except for a revision of the fee charged for a notification of change which has risen from £25 to £50. Under Miscellaneous Licensing a new charge has been introduced to cover the administration of permit applications for performance of Hypnotism issued under the Hypnotism Act 1952. Pleasure Boat licensing has also been transferred to the licensing budget from property services. An additional charge for minor variations to acupuncture, cosmetic piercing, ear piercing, electrolysis, skin colouring and

tattooing licences of £50 has also been introduced to cover administration costs. Hackney Carriage and Private Hire licensing fees and charges remain unchanged for the second year running.

Introduction and Background

- 1.1 The Council's constitution specifies that F&Cs shall be reviewed annually.
- 1.2 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
- 1.3 In order to meet this requirement it is proposed to submit the following reports:
 - Licensing and Regulatory Committees - Report to the joint meeting on 20 November 2012 of all F&Cs to be set by the Licensing and Regulatory Committees.
 - Planning Committee – Report (for information) to the meeting on 13 December 2012 of all F&Cs relevant to the Planning Committee.
 - Cabinet – Report to the meeting on 7 January 2013 of all F&Cs, but seeking specific approval of those F&Cs set by Cabinet.
- 1.4 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.
- 1.5 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 Annex 1.
- 1.6 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 Annexes 2 and 3.

Detail and Narrative (Columns 2 & 3)

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

Statutory (Column 4)

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.

2012/13 Charge Inc VAT (Column 5)

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.

Total Expected Income ex VAT (Columns 6 and 9)

These give a broad indication as to how much income DDC will receive and have been included to provide Members with a sense of the relative importance of individual charges. It may therefore save Members from debating the merits of an increase in a charge level, where the overall amount of income is not significant.

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.

2013/14 Proposed Charge Inc VAT (Column 7)

This is the recommended charge for 2013/14 and will, subject to Members' approval, be included in the 2013/14 budget.

Reason for the Change in Charges (Column 11)

This provides Members with a brief explanation for the change. This will often be due to inflation or "catch up" inflation if the increase has been previously deferred until it can be made to a sensible rounded figure.

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 set 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.

Director, Service Manager and Portfolio Holder

These show the responsibilities for specific F&Cs.

Significant Charges

To assist Members the more significant charges (generating over £5,000 per annum) are highlighted in bold text.

2. Identification of Options

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

3. Evaluation of Options

- 3.1 The recommended fees and charges take into account the need to maximise income at a time of grant cuts and council tax freezes, while taking into account comparable charges at neighbouring authorities and what the market can bear.

3.2 Members should also take into account the checklist of issues to consider (at Annex 1) when reviewing the fees and charges included in the subsequent Annexes.

4. **Resource Implications**

See Annexes.

5. **Corporate Implications**

5.1 Comment from the Section 151 Officer (linked to the MTFP): Finance have been consulted on this report and have no further comments to make. (SG)

5.2 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.

5.3 Comment from the Equalities Officer: This report does not specifically highlight any equalities implications however, in discharging their responsibilities 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>.

6. **Appendices**

Annex 1 – Fees and Charges checklist

Annex 2 & 3 – Schedule of recommended F&Cs

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