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| <b>Subject:</b>          | <b>FEES AND CHARGES 2014/15</b>  |
| <b>Meeting and Date:</b> | <b>Licensing Committee – 27 November 2013</b><br><b>Regulatory Committee – 26 November 2013</b><br><b>Cabinet (for information) – 6 January 2014 (part of larger report)</b> |
| <b>Report of:</b>        | <b>David Randall, Director of Governance</b>   |
| <b>Portfolio Holder:</b> | <b>Councillor N Collor, Portfolio Holder for Access and Property Management</b>  |
| <b>Decision Type:</b>    | <b>Non- Executive</b>  |
| <b>Classification:</b>   | <b>Unrestricted</b>  |

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**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 2014/15. These revised F&Cs will be included in the budget estimates for 2014/15.

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- Recommendation:**
1. The Licensing Committee approve the Fees and Charges for 2014/15 as set out in Annex 3
  2. The Regulatory Committee approve the Fees and Charges for 2014/15 as set out in Annex 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. Approval is sought for the Head of Regulatory Services 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.
  6. Minor adjustments to the fees and charges can be delegated to the Head of Regulatory Services in consultation with the Director of Governance and the Director of Finance, Housing and Community.
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## 1. Summary

- 1.1 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 2014/15.

- 1.2 Fees and charges for the Licensing Act 2003, Gambling Act 2005, Cosmetic treatments (tattooing, piercing and Electrolysis etc.), Scrap metal dealers, Animal Licensing, Street Trading and Sexual Entertainment Venues have remain unchanged from 2013/14.
- 1.3 In relation to Hackney Carriage and Private Hire licensing, a new charge has been introduced to cover the administrative costs associated with changes to vehicle ownership. A small reduction in fees for short term licences following a change of vehicle is proposed to reflect costs in providing the service and there is a proposal to remove the Driver Identity deposit fee for new drivers. This refundable deposit held by DDC until such a time as the driver surrenders their badge, is no longer considered necessary. Deposits retained in relation to existing drivers will continue to be refunded upon surrender of their badge. The remaining Hackney Carriage / Private Hire Charges remain unchanged.

## 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 27 November 2013 of all F&Cs to be set by the Licensing Committee.
  - Regulatory Committee – Report to meeting on 26 November 2013 of all F&Cs to be set by the Regulatory Committee.
  - Planning Committee – Report (for information) to the meeting on 21 November 2013 of all F&Cs relevant to the Planning Committee.
  - Cabinet – Report to the meeting on 6 January 2014 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 Annex 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 Annexes 3 and 4.

### 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.

#### 2013/14 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..

#### 2013/14 Total Expected Income ex VAT (Column 8)

This gives a broad indication as to how much income DDC will receive and has 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.

#### 2014/15 Proposed Charge Inc VAT (Column 9)

This is the recommended charge for 2014/15 and will, subject to Members' approval, be included in the 2014/15 budget.

#### Reason for the Change in Charges (Column 12)

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 may still be 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.

#### Service Manager and Portfolio Holder (Columns 13, 14)

These show the responsibilities for specific F&Cs.

#### Significant Charges

To assist Members the more significant charges (generating over £3,000 per annum) are highlighted in bold text.

### **3. Identification of Options**

- 3.1 The recommended figures for consideration by Members are included in the Annexes. 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 due to the need to maximise income at a time of grant cuts and council tax freezes.
- 4.2 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.

### **5. Resource Implications**

See Annexes.

### **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. CB
- 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: The Equality officer has been consulted during the development of this report and has no further comments to make other than to remind members that in discharging their responsibilities they 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>

### **7. Appendices**

- Annex 1 – Fees and Charges checklist
- Annex 3 & 4 – Schedule of recommended F&Cs

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