

Licensing Fees and Charges 2023/2024 (Financial Services, Jill Stockdale)

Synopsis of report:

To recommend the proposed fees and charges under this Committee's remit for the next financial year 2023/2024.

Recommendation(s) that:

the proposed fees and charges as set out in Appendix 'A' be approved, to be effective from the dates within the appendix, or as soon as practical thereafter.

1. Context of report

- 1.1 The Council's Constitution provides delegated authority to Officers to alter fees, charges and prices without reference to Committee in order to respond to market conditions, new needs, changes in tax rates, and so on. Nonetheless, the annual review of charges still remains an important part of the overall budget setting process and the policy framework for service provision in general.
- 1.2 As part of the budget setting process, Service Managers are requested to review their charges each year. Members have previously agreed that Officers put forward recommended increases based on:
 - Current market conditions
 - Local competition
 - The likely yield of any fee increase
 - On-going savings targets and revenue reduction programmes
- 1.3 Members have accepted that in some service areas it may not be possible to significantly increase fees, and in others it may be necessary to decrease them to stimulate demand. However, in order to counteract the high levels of inflation, Officers were asked to aim for an average of 8% for discretionary locally set charges, where to do so would not be detrimental to the service.

2. Report

- 2.1 The current fees and charges were agreed at the meeting of this Committee in November 2021.
- 2.2 This report reviews current levels of fees and charges, with a view to helping to balance next year's budget and is a key strand of the Council's Medium Term Financial Strategy.
- 2.3 The fees and charges proposed by service managers for next year are set out at Appendix 'A' along with the dates that they will take effect. The appendix includes a Yield column showing the budget for each charges/group of charges, so that Members can estimate the financial implications of any price rises.

3. Resource Implications

- 3.1 Premises and personal licence fees are set by statute. The Licensing Act 2003 listed the fees and charges which we could make as a local authority. These fees and charges are set by statute and have not changed since their introduction. This means that as inflation increases the cost base, the net cost of running the service increases. The estimated deficit for 2023/2024 is £25,500.

4. Legal implications

- 4.1 Where the status of a charge is marked as 'statutory' the Council is required under the law to levy a fee. Where the status is given as 'discretionary' the Council may amend the fee charged or choose to make no charge for the service.
- 4.2 All of the regimes (excluding Gambling) are covered by the European Union Services Directive (Directive 2006/123/EC). Members are invited to note that section 2 of the implemented European Union (Withdrawal) Act 2018 has the effect of saving a selected list of EU-derived domestic legislation, of which the Provision of Services Regulations 2009 (which give effect to the said Directive) are included. This ensures that as it has effect in domestic law as from 31 December 2020 and it continues to have effect in domestic law.
- 4.3 Regulation 18 of the Provision of Services Regulations 2009 which implements the EU Services Directive into UK law requires that fees charged in relating to authorisations must be proportionate to the effective cost of the process.
- 4.4 The proposed fees must recover the council's costs in relation to the licensing process and cannot be used as an economic deterrent or to raise funds. The fees as proposed should enable the Council to recover its reasonable costs.
- 4.5 As there is no facility to set fees under the Licensing Act 2003 locally, they cannot be increased to cover the deficit.

5. Equality implications

- 5.1 Where any major changes to the structure of any charging regime are proposed, an Equality Impact Assessment will have been completed by the relevant Budget Manager.

6. Environmental/Sustainability/Biodiversity implications

- 6.1 There are no direct implications from the setting of fees and charges. Environmental, Sustainability and Biodiversity implications are reviewed as part of overall service area planning and decision making.

7. Timetable for Implementation

- 7.1 The proposed fees and charges as set out in this report are to be effective from the dates within the appendix or as soon as practical thereafter.

8. Conclusions

- 8.1 High inflation is a cost to the Council as well as to our customers. Setting fees and charges is a fine balance between generating income for the Council to help support and maintain services and ensuring that the service will not be adversely affected by a drop in usage through over-pricing.

(To resolve)

Background papers

None Stated.