
Meeting	Cabinet Resources Committee
Date	2 April 2014
Subject	Fees and charges for Development and Regulatory Services (delivered by Re (Regional Enterprise) Ltd.)
Report of	Cabinet Member for Safety and Resident Engagement Cabinet Member for Planning and Regulatory Services Cabinet Member for Environment Cabinet Member for Housing
Summary	To approve the proposed new and revised fees and charges, which have been subject to a public consultation, for 2014/15.
Officer Contributors	Joe Henry, Assistant Director - Development Management & Building Control, Regional Enterprise Rick Mason, Assistant Director – Regulatory Services, Regional Enterprise Cath Shaw Enterprise and Regeneration Lead Commissioner

Status (public or exempt)	Public
Wards Affected	All Wards
Key Decision	No
Reason for urgency/ Exemption from call-in	Not applicable
Function of	Executive
Enclosures	Appendix A –Fees and Charges Appendix B – Planning Pre – Application Notes Appendix C – Equalities Impact Assessment for increased charges for pre-purchased graves
Contact for Further Information:	Paula O'Dumody, Business Performance & Development Manager (020) 8359 4368

1. RECOMMENDATIONS

- 1.1 To consider and approve the proposed new and revised fees and charges to take effect from 14th April 2014.
- 1.2 The new schedule of fees and charges to be published on the Council's website.

2. RELEVANT PREVIOUS DECISIONS

- 2.1 Cabinet Resources Committee, 23 September 2004 (Decision item 6) – agreed that increases in fees and charges above the rate assumed in the Financial Forward Plan be approved by the Cabinet Resources Committee.
- 2.2 Cabinet Resources Committee, 25 February 2013 (Decision item 7) – Approved.

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 Fees, charges and allowances need to be reviewed to ensure value for money, thereby complying with the 2013/14 strategic objective of promoting growth, development and success across the borough.

4. RISK MANAGEMENT ISSUES

- 4.1 In proposing the fees and charges, consideration has been given to the impact of increases adversely affecting demand for the service as well as the need to recoup the costs of providing the service and in turn on the achievement of the administration's priorities. Any risk associated with fees and charges will be monitored.
- 4.2 Failure to agree the proposed charges for additional services would result in savings targets not being delivered and will hinder the ability to deliver service improvement and increase customer satisfaction.
- 4.3 Failure to agree proposed increases and other changes to charges would result in fees not covering costs of delivery.
- 4.4 There is a perceived risk that introducing chargeable additional services will impact on normal service delivery. The outsourced service delivery contract between the council and Capita PLC includes a large number of performance indicators across all services, including a customer satisfaction performance indicator. These have been set at a level which should ensure excellent service delivery. Failure to deliver expected service level could result in key performance indicators on customer satisfaction not being met.
- 4.5 There is a reputational risk and risk of challenge for example, Judicial Review, if the correct process is not followed.

5. EQUALITIES AND DIVERSITY ISSUES

- 5.1 A public consultation to enable residents and other interested parties to comment on the proposed fees and charges took place for one calendar month from the 18th

February 2014. There have been no responses to the consultation.

- 5.2 An Equalities Impact Assessment (EqIA) (Appendix C) has been undertaken, and identified a greater potential adverse financial impact relating to one of the proposed new approaches to charges for Hendon Cemetery and Crematorium on some communities and particularly the Muslim community, where religious practice can make it unacceptable to use a grave for more than one person. As no comments were submitted on this during the consultation period, the proposed fee has been included in the recommended schedule of fees and charges.

6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)

- 6.1 Value Added Tax (VAT) will only be charged where indicated in the fees and charges schedule (appendix A), subject to advice on application of VAT rules by the Finance service of London Borough of Barnet.

7. LEGAL ISSUES

- 7.1 Local authorities have a variety of powers to charge for specific statutory services set out in statute.
- 7.2 The Local Government Act 2003 also provides a power to trade and a power to charge for discretionary services, the latter on a costs recovery basis. Discretionary services are those that a local authority is permitted to provide under statute but is not obliged to do so.
- 7.3 Where authorities have a duty to provide a statutory service free of charge to a certain standard, no charge can be made for delivery to that standard, however delivery beyond that point may constitute a discretionary service for which a charge could be made.
- 7.4 There is a range of legislation permitting charging for different services, some which set prescribed fees and charges for a given service and others which allow discretion based on costs of providing the service.

8. CONSTITUTIONAL POWERS (Relevant section from the Constitution, Key/Non-Key Decision)

- 8.1 Council Constitution, Responsibility for Functions, paragraph 4.6 sets out the functions of the Cabinet Resources Committee which includes considering income sources and charging policies.
- 8.2 Paragraph 4.3.8 of the Council's Financial Regulations requires the Cabinet Resources Committee (CRC) to 'approve changes to fees and charges that are significantly different from inflation, the introduction of new fees and charges, and changes to fees and charges outside the normal annual cycle'.

9. BACKGROUND INFORMATION

- 9.1 On 1 October 2013, the Council's Development and Regulatory Services transferred to Re (Regional Enterprise) Limited, a joint venture between the Council and Capita

PLC.

- 9.2 The Council has agreed to a number of business cases which Re would deliver and these include the introduction of additional chargeable discretionary services.
- 9.3 Where applicable, the provision of additional services will be delivered by additional resource in order to ensure service delivery is not impacted negatively.
- 9.4 In some cases, the additional discretionary services are designed to give customers the option to receive a more tailored service appropriate to their requirements. It is anticipated that the delivery of these services will improve customer satisfaction.
- 9.5 Planning Services have been providing some of the proposed additional chargeable services as a pilot since November 2013 and this pilot has been a success, with excellent customer feedback.
- 9.6 Some of these fees in the schedule in Appendix A relate to non-executive functions and the fees will be subject to separate approval by the relevant committee - their inclusion in the report is for information only.

10 LIST OF BACKGROUND PAPERS

10.1 None

Cleared by Finance (Officer's initials)	JH
Cleared by Legal (Officer's initials)	PM