

	<p><b>ACTION TAKEN UNDER DELEGATED POWERS BY OFFICER 22/01/2018</b></p>
<p><b>Title</b></p>	<p><b>Barnet Council Fees and Charges for Services provided by Regional Enterprise</b></p>
<p><b>Report of</b></p>	<p>Chief Executive</p>
<p><b>Wards</b></p>	<p>All</p>
<p><b>Status</b></p>	<p>Public</p>
<p><b>Enclosures</b></p>	<p>Appendix A; Barnet Council Fees and Charges for services provided by Re</p>
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## Summary

The report seeks approval for named charges to be increased by inflation plus 2% (4.9%) or below. The report includes such fees and charges for: Highways; Trading Standards; Licensing; Environmental Health; Planning; Land Charges; Cemetery and Crematorium Street Naming and Numbering and Building Control.

## Decisions

- 1. That the fees and charges listed in Appendix A be approved for increase by less than inflation plus 2% (4.9), for implementation from 1<sup>st</sup> April 2018**

### 1. WHY THIS REPORT IS NEEDED

- 1.1 Increases to Fees and charges are considered annually to comply with legislative changes, to reflect cost changes and to consider the impact of inflation (where applicable). This report seeks approval for fees and charges for the coming year to be increased/amended. Increases in this report are limited to below inflation plus 2% (4.9%); increases more than this amount have

been referred to Theme Committee, Planning Committee or Licensing Committee.

- 1.2 Some fees in the Appendix are not proposed to be increased as they are prescribed through central Government departments or have been approved through another approval body. These are included for information only and are marked as such in the Appendix.

## **2. REASONS FOR RECOMMENDATIONS**

- 2.1 The review of fees and charges is good practice and is undertaken annually, to ensure that costs of providing services are being recovered where appropriate.

## **3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

- 3.1 The alternative is to not approve the new fees and charges, but this would result in the Council not recovering the full cost of service provision for many services.

## **4. POST DECISION IMPLEMENTATION**

- 4.1 If the new fees and charges are approved they will be implemented on the 1<sup>st</sup> April 2018 or as soon as practicable thereafter. They will be published on the Council's website.

## **5. IMPLICATIONS OF DECISION**

### **5.1 Corporate Priorities and Performance**

- 5.1.1 The revision of fees and charges contributes to the core principles of Fairness, Responsibility and Opportunity.
- 5.1.2 The proposed fees and charges will help the Council to meet the financial challenges that it is facing ensuring cost recovery, contributing to the medium term financial strategy, which will in turn benefit the residents of the Borough.

### **5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

- 5.2.1 The schedule of proposed charges is attached at Appendix 1. Financial Regulations require that increases in fees and charges, above inflation by 2% or more, be referred to theme Committees, Planning Committee and Licensing Committee for approval. This report concerns increases below that threshold, and largely reflects inflationary increases.
- 5.2.2 Reviewing fees and charges ensures that they are being charged at a correct rate and without a subsidy or excess charge being applied incorrectly. This is good practice and ensures the costs of the services provided are reviewed and accurately charged for on a regular basis.

5.2.3 The Fees and Charges contained within this report have been reviewed for VAT implications to comply with appropriate VAT legislation.

### 5.3 **Social Value**

5.3.1 Not applicable

### 5.4 **Legal and Constitutional References**

5.4.1 Local authorities have a variety of powers to charge for specific services. The Local Government Act 2003 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. The power to charge for discretionary services is not available to local authorities if there is a statutory duty to provide the service, or if there is a prohibition on charging.

5.4.2 Paragraph 4.3.10 of Barnet Council's Financial Regulations provides that Chief Officers may approve changes to fees and charges annually where the change is broadly in line with inflation.

### 5.5 **Risk Management**

5.5.1 Increasing fees and charges always poses an element of risk around the proportionate level of increase when compared to residents' ability to pay. Every effort has been made to manage the charge increase to an appropriate level and to reflect cost recovery; however, some element of reputational risk will remain.

### 5.6 **Equalities and Diversity**

5.6.1 The Equality Act 2010 sets out the Public-Sector Equality Duty which requires public bodies to have due regard to the need to:

- eliminate discrimination, harassment and victimisation and other conduct prohibited by the Act
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it

The relevant protected characteristics are age, race, disability, gender reassignment, pregnancy and maternity, religion or belief, sex and sexual orientation. The duty also covers marriage and civil partnership, but to a limited extent.

5.6.2 The broad purpose of this duty is to integrate considerations of equality in to day to day business and keep them under review in decision making and the design delivery of services. It is not considered that the fees and charges

subject of this report will have an adverse impact on any of the protected groups, but the outcomes and impact of these charges will be monitored and measured against current information to ensure that different groups are not adversely affected.

## **5.7 Corporate Parenting**

5.7.1 Not applicable

## **5.8 Consultation and Engagement**

5.8.1 No consultation has taken place for the fees increases proposed in this report, consultation did take place for fees that went to Planning Committee.

## **5.8 Insight**

5.8.1 Not applicable

## **6. BACKGROUND PAPERS**

6.1 For information only: Planning-related fees were increased this year, from January 20th so that users of the planning system, rather than taxpayers in general, meet the costs incurred by local planning authorities in deciding planning applications. More information can be found at: <https://www.legislation.gov.uk/ukdsi/2017/9780111160749>

## **7. DECISION TAKER'S STATEMENT**

7.1 *I have the required powers to make the decision documented in this report. I am responsible for the report's content and am satisfied that all relevant advice has been sought in the preparation of this report and that it is compliant with the decision-making framework of the organisation which includes Constitution, Scheme of Delegation, Budget and Policy Framework and Legal issues including Equalities obligations. The decision is compliant with the principles of decision making in Article 10 of the constitution.*