

Subject:	Fees and Charges 2021-22		
Date of Meeting:	14 January 2021		
Report of:	Executive Director, Economy, Environment & Culture		
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Ward(s) affected:	(All Wards);		

FOR GENERAL RELEASE

The special circumstances for non-compliance with Council Procedure Rule 3, Access to Information Procedure Rule 5 and Section 100B(4) of the Local Government Act 1972 (as amended), (items not considered unless the agenda is open to inspection at least five days in advance of the meeting) was due to an administrative error which meant the report was not completed in time for the deadline for this committee.

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 The purpose of this report is to set out the proposed 2021/22 fees and charges for the service areas covered by the Tourism, Equalities, Communities and Culture Committee, including Planning and Building Control, in accordance with corporate regulations and policy.

2. RECOMMENDATIONS:

- 2.1 That the Committee approves the proposed fees and charges for 2021/22 as set out within the report.
- 2.2 That Committee delegates authority to the Executive Director of Economy, Environment & Culture (in relation to paragraphs 3.4-3.6) to change fees and charges as set out in the report and as set by central Government during the year.

Note: If the above recommendations are not agreed, or if the committee wishes to amend the recommendations, then the item will need to be referred to the Policy & Resources Committee meeting on 11 February 2021 to be considered as part of the overall 2021/22 budget proposals. This is because the 2021/22 budget proposals are developed on the assumption that fees and charges are agreed as recommended and any failure to agree, or a proposal to agree different fees and charges, will have an impact on the overall budget proposals, which means it needs to be dealt with by Policy & Resources Committee as per the requirements of the constitution. This does not fetter the committee's ability to make recommendations to Policy & Resources Committee.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 The council's Corporate Fees and Charges Policy requires that all fees and charges are reviewed at least annually and should normally be increased by either: the standard rate of inflation, statutory increases, or actual increases in the costs of providing the service.
- 3.2 Policy & Resources Committee in July 2020 specified the assumption of a standard inflation increase to fees and charges of +1% with exceptions including Penalty Charge Notices (parking fines) where the level of fines are set by government and cannot be changed independently. The council's Standard Financial Procedures states that service committees shall receive a report from Executive Directors on fees and charges variations above or below the corporately applied rate of inflation.
- 3.3 It is not always possible when amending fees and charges to increase by the exact inflation figure due to rounding. As a result, some fees and charges are rounded for ease of payment and administration.

City Development and Regeneration

Building Regulations Applications Fees

- 3.4 It is proposed to increase the Building Control Fees by +6% which is the corporate inflation rate of +1% plus an additional 5%. As Building Control operates in competition with the private sector there is a risk of reduced demand. However, Building Control provide an efficient and professional service that is valued by their customers and customer loyalty is high. In addition, recent benchmarking suggests that the service charges are average for comparable authorities and anecdotally more cost effective than private sector equivalents. The service does not consider that this increase will adversely affect potential income to the council. The estimated value of the potential additional income is £43k.
- 3.5 Full details of the existing building control fees are set out on the council's website: [Building Regulations Application Fees 2020-21](#).

Pre-Application Planning Advice Service

- 3.6 For the avoidance of doubt, it is only proposed to increase the planning pre-application advice by the corporate inflation increase of +1%. Full details of the existing planning pre-application advice fees are set out on the council's website: <https://www.brighton-hove.gov.uk/content/planning/planning-applications/pre-application-planning-advice-service>

4 ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The proposed fees and charges in this report have been prepared in accordance with the council's fees and charges policy and form part of the proposed budget strategy. They take account of the requirement to increase by the corporate inflation rate of +1.0% (unless otherwise stated) and consideration has been

given to other factors such as statutory requirement, cost recovery and prices charged by competitor / comparator organisations.

5 COMMUNITY ENGAGEMENT & CONSULTATION

5.1 None undertaken.

6. CONCLUSION

6.1 Fees and charges are considered to be an important source of income in enabling services to be sustained and provided. A wide range of services are funded or part funded by fees and charges including those detailed in this report. The overall budget strategy aims to ensure that fees and charges are maintained or increased as a proportion of gross expenditure through identifying income generating opportunities, ensuring that charges for discretionary services and trading accounts cover costs, and ensuring that fees and charges keep pace with price inflation and/or competitor and comparator rates.

6.2 Fees and charges budgets for 2021/22 are assumed to increase by a standard inflation rate of +1.0% with the exception of those listed within this report. The council's Corporate Fees and Charges Policy requires that all fees and charges are reviewed at least annually and should normally be increased by either; the standard rate of inflation, statutory increase or increases in the costs of providing services.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

7.1 The fees and charges recommended in this report have been reviewed in line with the Corporate Fees & Charges Policy and all relevant regulations and legislation. The anticipated recurring financial impacts of fee changes will be reflected within service revenue budgets. Increases to meet the corporate rate of inflation of +1% are normally applied to all council income budgets to ensure income is maintained as a proportion of the net cost of service. Increases above or below the corporate rate of inflation must be approved by the relevant service committee or Policy & Resources Committee and can result in additional contributions toward either the cost of services and/or overheads. This can also result in the achievement of a net budget saving to the council. Where this is the case, this will be reflected in proposals for the relevant service and will be incorporated within the revenue budget report to Policy & Resources Committee and Budget Council in February 2021. Income from fees and charges is monitored as part of the Targeted Budget Monitoring (TBM) process.

Finance Officer Consulted: Jill Fisher/Nigel Manvell Date: 05/01/2021

Legal Implications:

7.4 The council needs to establish for each of the charges imposed both the power to levy charges of that type, and, where applicable, the power to set the charge at a particular level. In some cases the amount of the charges is set by

Government. In other cases where a figure is not prescribed, for example the general power to charge for discretionary services under the Local Government Act 2003, the amount that can be charged is restricted to cost recovery. In some prescribed cases legislation enables the Council to set charges at a commercial rate. In all cases the council must act reasonably and ensure that any statutory formalities which govern the particular charge are complied with.

Lawyer Consulted: Elizabeth Culbert

Date: 29/12/2020

Equalities Implications:

- 7.6 Management of fees and charges is fundamental to the achievement of council priorities. The council's fees and charges policy aims to increase the proportion of costs met by the service user. Charges, where not set externally, are raised by corporate inflation rates unless there are legitimate anti-poverty considerations.

Sustainability Implications:

- 7.7 There are no direct sustainability implications arising from the recommendations in this report.

Any Other Significant Implications:

- 7.8 There are no other significant implications arising from the recommendations in this report.

SUPPORTING DOCUMENTATION

Appendices:

1. None

Documents in Members' Rooms

1. None

Background Documents

1. None