



Haringey Council

Report for:	Regulatory Committee	Item Number:	
Title:	Review of Fees and Charges 2013-14 - Licences		
Report Authorised by:	Julie Parker Director of Corporate Resources		
Lead Officer:	Neville Murton (020 8489 3176) neville.murton@haringey.gov.uk		
Ward(s) affected: ALL	Report for Key/Non Key Decisions: KEY		

1. Describe the issue under consideration

- 1.1. As part of the Medium Term Financial Plan and income policy the Council is required to carry out an annual review of the level of the Fees and Charges levied upon service users with a view to ensuring that income is maximised commensurate with the full recovery of costs.
- 1.2. The Cabinet considered and approved changes to a number of Fees and Charges at their meeting held on 18 December 2012 however, a small number of items (relating to certain approvals, consents, permits and licenses) cannot be made by the Executive and are, therefore, reserved for consideration and decision by the Council's Regulatory Committee.

2. Recommendations

- 2.1. To approve the increase to the Council's licensing fees and charges, as set out in the attached appendix, with effect from 1st April 2013, subject to an equalities impact assessment being carried out with any subsequent changes then required being delegated to the Director of Place and Sustainability having consulted with the appropriate Cabinet member.



3. Alternative options considered

- 3.1. Officers have reviewed fees and charges firstly as part of the annual consideration of fee levels and secondly due to the need for the Council to maximise its sources of income in order to mitigate against service cuts.

4. Background information

- 4.1. The Regulatory Committee have responsibility for the determination of certain specified fees and charges.
- 4.2. At its meeting of 18 December 2012 Cabinet agreed that, based on an assessment of prevailing economic and inflationary pressures, a general increase of 3% should be applied to Fees and Charges levied by the Council.
- 4.3. This report meets the requirements of the Council's external income policy for the 2013-14 financial year. Appendix 1 contains the full details of current licensing fees and charges and the proposed charge and corresponding increases. All non-statutory charges are proposed to be increased in overall terms by 3% in line with the corporate requirement and the Council's MTFP.
- 4.4. In a number of instances, as a result of rounding to the nearest pound for the convenience of administration and collection, the actual increase for individual fees and charges is slightly more or less than 3%.

5. Comments of the Chief Finance Officer and financial implications

- 5.1. The fees and charges proposals are in line with the Council's Medium Term Financial Plan for 2013/14 – 2015/16. The total amount of additional income estimated to be generated from the proposed increases (assuming no impact on volumes) is approx £10k.

6. Head of Legal Services and legal implications

- 6.1. Certain fees for services provided by local authorities are set out in the parent legislation or in regulations made under the parent legislation. In such instances the Council has no discretion as to the level of the charge.
- 6.2. Section 93 Local Government Act 2003 permits local authorities to charge for discretionary services, provided that there is no alternative power allowing the local authority to charge and provided that there is nothing in the parent legislation preventing the local authority from charging for these discretionary services. Where the Council charges for such discretionary services, it has a duty to secure that, taking one financial year with another, the income from charges does not exceed the costs of provision. Section 93 permits the Council to charge only some



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persons for providing the discretionary service and also permits the Council to charge different persons different amounts for providing a service.

- 6.3. In reviewing fees and charges, services need to demonstrate that they have had due regard to the overarching Public Sector Equality Duty as set out in the Equality Act 2010. Services need to demonstrate that they have considered whether an equalities impact assessment should be carried out and undertake such an assessment if found to be necessary.
- 6.4. Certain fees may not be set by the Cabinet. Regulation 2 (6) of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 provides that decisions on certain approvals, consents permits and licenses (for example premises licences; licenses for street trading) cannot be made by the Executive (Cabinet). Likewise, charges for such approvals, consents, permits and licenses may not be made by the Cabinet. These fees are to be set by the Regulatory Committee and are the subject of this report.

7. Equalities and Community Cohesion Comments

- 7.1. As in the previous year, managers will do an initial assessment of the charges to determine if they have a high, medium or low impact. The initial assessments will be evidence of our test of relevance for equality.
- 7.2. The following guidelines will be applied to the assessments:
 - Proposed fees and charges that are identified as low impact will require screening.
 - Where a fee or charge has been increased as a result of a statutory requirement, we have decided not to do a full equality impact assessment, as the authority has no control over the increase.
 - The charges and fees identified as medium will be subject to either a screening or full equality impact assessment, dependant upon whether the impact is disproportionate on any one of the protected groups.
 - All fees and charges that are assessed as having a high impact will be subject to a full equality impact assessment.

- 7.3. There are no cohesion implications.

8. Head of Procurement Comments

Not applicable

9. Policy Implication

- 9.1. The Council's income policy requires that an annual review takes place and this report together with the Cabinet Report on all other fees and charges, meets that policy obligation.



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10. Reasons for Decision

10.1. It is a requirement to review Fees and Charges annually. The financial position that the Council finds itself in supports the view that levels of fees and charges should be maximised taking into account all relevant factors including the effect on service users and any consequent demand for services.

11. Use of Appendices

Appendix 1 Schedule of fees

12. Local Government (Access to Information) Act 1985