

<b>Committee(s):</b> Planning and Licensing Committee	<b>Date:</b> 17 <sup>th</sup> January 2023
<b>Subject:</b> Fees and Charges	<b>Wards Affected:</b> All
<b>Report of:</b> Phil Drane, Director of Place	<b>Public</b>
<b>Report Author:</b> Sam Wood, Corporate Finance Manager Telephone: 01277 312866 E-mail: sam.wood@brentwood.gov.uk	<b>For Decision</b>

### Summary

Fees and charges made by the Council for various services are reviewed on an annual basis by the relevant Committees relating to the services provided. Recommended amendments to the fees and charges are incorporated into the budget setting process to take effect from the following financial year.

### Recommendation(s)

Members are asked to:

**R1 Approve the proposed charges for 2022/23 as attached in Appendix A, B and C subject to the annual budget setting process.**

### Main Report

#### Background

1. The Council's has a number of fees and charges relating to the services it provides. As part of the budget setting process, these charges are reviewed on an annual basis. Whilst some of the fees and charges are statutory, and therefore determined through legislation., the Council must also review its charges for discretionary services to ensure that they reflect the current costs of service provision.
2. The individual charges that are being proposed are set out in Appendix A, and C of this report

#### Issue, Options and Analysis of Options

3. The proposed fees are based on a calculation of the costs involved in administering the various areas of work, apart from where there is statutory charge or where the fees are set by Government.

4. The Council where possible will adopt a full cost recovery of fees and charges.
5. It is proposed that all current non statutory fees and charges are increased by 13%. This is to reflect increase in costs to maintain the services. However, managers can increase fees and charges above this recommended percentage increase as long as the change can be justified within the supporting covering sheet to the appendix.
6. Within each appendix a covering sheet explains the following
  - Objectives and rationale behind the fees and charges
  - The proposed change in fee
  - Justification for this revision
  - Any benchmarking undertaken to aid in informing the level of charge
  - Whether any consultation needs to be considered
  - Expected income from the proposed fees and charges.
7. The fees and charges with proposed changes are:

#### Planning Development Management

- Pre- application fees have been reviewed and various increases range from 5-13%, with an average of 11%. Work undertaken in reviewing the current fees highlighted that current costs do not recover officer resources and all proposed charges reflect a cost recovery approach.

#### Land Charges

- Increase to the LLC1, CON 29 and additional questions and additional parcels.
- Other charges have been rounded to the nearest whole number if not statutory.

#### Building Control

- Fees have been increased by 4%, this fairly represents increased in cost of delivering services as well as balancing to remain competitive against the benchmarking that has been done to date.

8. Proposed changes identified are explained within each covering sheet appendix.

### **Reasons for Recommendation**

9. Officers review fees and charges annually and this will be used to inform the 2022/23 budget setting process.

## **References to Corporate Plan**

10. To ensure the provision of efficient and effective services of our residents and businesses.

### **Implications**

#### **Financial Implications**

**Name & Title:**

**Tel & Email:**

11. All costs associated with providing chargeable services have been reviewed in order to ensure, fees and charges are fully cost recoverable.
12. Any proposed changes have been considered in terms of Impact on the budgeted income levels along with usage/volume. With the ongoing financial challenges, the Council is facing, members and officers should have a clear understanding of what drives the service income, in order to maintain the level of service at reasonable rates for residents.
13. The fees referred to in this report inform the 2022/23 budget setting process.
14. The Vat liability of each fee and charge have been reviewed by finance and are indicated on the appendices.

#### **Legal Implications**

**Name & Title: Andrew Hunkin, Interim Monitoring Officer**

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15. The recommendations set out within this report are lawful and within the Council's powers and duties. There is an existing legal framework for charging for discretionary services including s93 Local Government Act 2003 and s1 Localism Act 2011 ('the general power of competence'). Where a fee is not prescribed by statute, the Council can set its own charges. As a general rule, those charges should not exceed the costs of providing the service.
16. Decision makers must have due regard to the Council's statutory duty under the Equality Act 2010 to eliminate unlawful discrimination and advance

equality of opportunity between applicants. This includes where the Council sets fees and charges.

17. Publishing the Council's fees and charges as well as providing transparency satisfies the legal process.

## **Appendices**

Appendix A – Proposed fees and charges – Planning Development Management

Appendix B – Proposed fees and charges – Land Charges

Appendix C – Proposed fees and Charges – Building Control

## **Background documents**

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