

Report to: **Planning and Licensing Committee**
Date: **10th January 2017**
Title: **Fees and Charges for 2017/18**
Portfolio Area: **Customer First**
Wards Affected: **All**
Relevant Scrutiny Committee: **Internal**

Urgent Decision: **N** Approval and clearance obtained: **Y**

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Recommendations:

- 1) That the Planning and Licensing Committee approves the proposed fees and charges set out in Appendix A for the period 1st April 2017 to 31st March 2018.

1. Executive summary

1.1 This report sets out proposals for fees and charges for 2017/18. It is recommended to keep the fees and charges for 2017/18 at the same level as 2016/17.

2. Background

2.1 The Council has the power to levy fees and charges for various services and functions it undertakes.

3. Proposals for Charges 2017/18

3.1 Environmental Health Charges

It is recommended that there are no increases to fees and charges for Environmental Health Services. Appendix A sets out proposals for Environmental Health Charges for 2017/18.

Environmental Health charges were reviewed for 2016/17 to ensure that the Council charges were consistent across West Devon Borough Council and South Hams District Council and complied with the legislation in terms of the maximum charge being full cost recovery. The charges were changed to reflect this requirement. It is recommended to keep the fees and charges for 2017/18 at the same level as 2016/17.

A wider review will be required this year of all licensing functions to ensure compliance with the European Services Directive and the implications of the new guidance produced by the Local Government Association covering the implications of the European Court of Justice ruling on the Hemming vs Westminster case.

3.2 Planning

A review of the pre-application service (including the fee structure) is to be undertaken in the next six months, as a result of the recommendations arising from the Planning Peer Challenge undertaken in 2016.

The review, which will also cover Planning Performance Agreements and the Duty Planning service, has been subject to a short delay whilst resources have been focussed on performance with regard to determining planning applications and delivery of the Joint Local Plan. In view of this, any changes to charges or projected income cannot be confirmed at this stage.

4. Proposed Way Forward

1) The level of fees and charges will continue to be monitored during the year.

5. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/ Governance	Y	<p>The Council has the power to introduce, maintain and increase charges under S.19 of the Local Government (Miscellaneous Provisions) Act 1976 or as set out in specific pieces of relevant information.</p> <p>The Constitution states under the Terms of Reference for the Planning and Licensing Committee:-</p> <p>To keep under review the fees and charges for the Committee's services where statutory authority exists for the levying of such charges and to levy the same where, in the opinion of the Chief Finance Officer, the levying of such charges will not give rise to a material adverse impact on the overall budget of the Council. In all other circumstances, the Committee to recommend the levying of fees and charges to the Hub Committee.</p>
Financial	Y	There will be no financial impact as the recommendation is to keep the fees and charges for 2017/18 the same as for 2016/17.
Risk	Y	Achieving anticipated income targets in the current financial climate – regular monitoring of corporate income streams and revenue budgets ensures early identification of variances.
Comprehensive Impact Assessment Implications		
Equality and Diversity	Y	Compliance with Human Rights Act 1998
Safeguarding	Y	None
Community Safety, Crime and Disorder	Y	None.

Health, Safety and Wellbeing	Y	None.
Other implications	N	None directly arising from this report.

Supporting Information

Appendix A – 2017/18 Proposed Charges for Environmental Health

Background Papers:

Medium Term Financial Strategy – Hub Committee 20 September 2016

Approval and clearance of report

Process checklist	Completed
Portfolio Holder briefed	Yes
SLT Rep briefed	Yes
Relevant Exec Director sign off (draft)	Yes
Data protection issues considered	Yes
If exempt information, public (part 1) report also drafted. (Committee/Scrutiny)	N/A