

## LICENSING - REVIEW OF PRE-APPLICATION ADVICE CHARGES & OTHER ADMIN FEES

Cabinet - 18 January 2024

**Report of:** Deputy Chief Executive and Chief Officer - Planning & Regulatory Services

**Status:** For Decision

**Also considered by:** Cleaner and Greener Advisory Committee - 23 November 2023

**Key Decision:** No

**This report supports the Key Aim of:** Supporting and developing the local economy and providing value for money.

**Portfolio Holder:** Cllr. Margot McArthur

**Contact Officer:** Sharon Bamborough , Ext. 7325

**Recommendation to Cleaner & Greener Advisory Committee:**

That Cabinet be recommended to approve the appropriate fee levels as set out in Appendix A.

**Recommendation to Cabinet:**

That, subject to the comments of the Cleaner & Greener Advisory Committee, the fees set out in Appendix A be approved.

**Reason for recommendation:**

To ensure that the licensing function is self-financing, in accordance with the Council's Service and Budget Plan.

### Introduction and Background

- 1 The pre-application advice service exists to offer applicants a value-for-money option of coming to experienced officers and being provided very clear advice on how to complete an application, what to apply for etc.

- 2 In addition to reviewing those charges, it is proposed to introduce a new charge for the Licensing Hub Team to offer pre-application advice/in depth assistance on completing applications for Special Treatments licensing.
- 3 Last year Licensing introduced some small admin charges, this had been driven by increasing demands on our processing team to:
  - Update / amend records with new contact details on lottery registrations,
  - to raise replacement invoices in circumstances where the licence holder hasn't advised on change of details but insists on having an invoice to pay the annual fee due.

## **Fees**

- 4 The fees have been set for 2024-2025 to include the current inflationary cost and staffing costs of 7% set by Sevenoaks District Council and in liaison with Finance.

## **Available Options**

- 5 To approve the proposed fees as set out in Appendix A.
- 6 To reject the proposed fees and continue to provide discretionary services at the existing rates. However, due to resourcing pressures, this option is not considered viable.

## **Preferred option**

- 7 That the proposed fees set out in Appendix A be approved to come into effect 1<sup>st</sup> April 2024.

## **Key Implications**

### Financial

There are no specific financial implications resulting from the matters considered in this report, as the intent is to cover costs of this discretionary service and to maintain a 'self-financing' position for the service. The proposals contained in this report will achieve this.

### Legal Implications and Risk Assessment Statement.

Section 93 of the Local Government Act 2003 introduced a general power for Best Value authorities to charge for discretionary services subject to having regard to the statutory guidance issued by the Secretary of State. The power came into force on 18 November 2003 and at the same time the ODPM (Office of the Deputy Prime

Minister) issued guidance for local authorities on how to use this power: ‘General power for Best Value Authorities to Charge for Discretionary Services - Guidance on the Power in the Local Government Act 2003’.

The Guidance on the Power in Section 93 of the Local Government Act 2003 sets out the underlying principles for the introduction of charges for Page 73 Agenda Item 8 discretionary services. It stipulates that such charges must not provide a new source of income and should only cover the cost of provision, i.e. not make a profit. Charges must be based on principles set out in the Chartered Institute of Public Finance and Accountancy’s (CIPFA) Best Value Accounting Code of Practice. A charge can only be made if the recipient agrees to the service.

### Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.]

### Net Zero Implications

The decisions recommended through this paper have a remote or low relevance to the council’s ambition to be Net Zero by 2030. There is no perceived impact regarding either an increase or decrease in carbon emissions in the district, or supporting the resilience of the natural environment

### **Conclusions**

It is considered that resourcing costs will be better covered, because as a principle, Licensing should be self-financing.

#### **Appendices**

**Appendix A** - existing pre-application advice and other charges and proposed charges for 2024/25.

#### **Background Papers**

None

**Richard Morris**

**Deputy Chief Executive and Chief Officer - Planning & Regulatory Services**