

**PERTH AND KINROSS COUNCIL****Licensing Committee****31 March 2016****REVIEW OF CIVIC LICENCE FEES****Report by Head of Legal Services****PURPOSE OF REPORT**

This report recommends that the Committee approves an increase fees shown in Appendix 1 for licences issued under the Civic Government (Scotland) Act 1982.

**1. BACKGROUND / MAIN ISSUES**

- 1.1 The Civic Government (Scotland) Act 1982 gives the Council power to set fees for individual civic licenses in order to recover the cost of providing the civic licensing service. In setting the fees, the Council must ensure that the income received by the Council meets the expenses incurred in exercising its functions under the Act.
- 1.2 This review has been undertaken in accordance with the recommendations of the Scrutiny Committee report Charging for Services (report 15/65 refers) and the revised Corporate Charging Policy for full cost recovery of providing a service.
- 1.3 Additional fees require to be approved which are supplementary to the previous report 16/63 considered by the Committee (Review of Civic Licensing Fees).

**2. PROPOSED AMENDMENTS TO FEES**

- 2.1 It is proposed that the revised fees detailed in Appendix 1 attached to the report will be adopted with effect from 1 April 2016. These fees are subject to an inflationary increase of approximately 5.2%, in keeping with the Bank of England composite inflation index from 2012 to 2014. Fees are rounded up to the nearest £5.
- 2.2 Indicative costs for the Civic licensing function have been calculated. These costs have been based upon an estimate of the time spent on processing licences by relevant officers. It is projected that for the financial year 2015/16, the cost to the Council in exercising its functions under the Act will be £140,177 whilst income is forecast to be £129,013.
- 2.3 There is no prescribed statutory consultation process required to increase the licence fees under the Civic Government (Scotland) Act 1982 as the legal requirement is to ensure that income is sufficient to cover expenditure and this is a question of fact. In setting fees however the Service has carried out some

benchmarking activity to ensure that charging proposals are fair and reasonable. It is proposed that a review of the fees be carried out annually to determine any impact that the fee increase may have on the number of licences and to ensure that the fees recovered continue to meet the cost of delivering the civic licensing function.

2.4 These proposals are consistent with the projected increase in the forecasted income of approximately £135,463 which allows a balanced budget.

2.5 These proposals would assist the Council in meeting the general duty imposed on it by the Equality Act 2010 to:-

- (i) Eliminate unlawful discrimination, harassment and victimisation
- (ii) Advance equality of opportunity; and
- (iii) Foster good relations

### 3. CONCLUSION AND RECOMMENDATION(S)

3.1 The report proposes an increase in fees charged in terms of the Civic Government (Scotland) Act 1982 as set out in this report, to take effect from 1<sup>st</sup> April 2016.

3.2 The Committee is asked to note the contents of the report and approve the charges.

#### Author(s)

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#### Approved

Name	Designation	Date
Lisa Simpson	Head of Legal Services	08 March 2016

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## 1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

<b>Strategic Implications</b>	<b>Yes / None</b>
Community Plan / Single Outcome Agreement	<b>None</b>
Corporate Plan	<b>Yes</b>
<b>Resource Implications</b>	
Financial	<b>Yes</b>
Workforce	<b>None</b>
Asset Management (land, property, IST)	<b>None</b>
<b>Assessments</b>	
Equality Impact Assessment	<b>Yes</b>
Strategic Environmental Assessment	<b>Yes</b>
Sustainability (community, economic, environmental)	<b>Yes</b>
Legal and Governance	<b>None</b>
Risk	<b>None</b>
<b>Consultation</b>	
Internal	<b>None</b>
External	<b>None</b>
<b>Communication</b>	
Communications Plan	<b>None</b>

### 1. Strategic Implications

Community Plan / Single Outcome Agreement

Corporate Plan

- 1.1 The Council's Corporate Plan 2013 – 2018 lays out five outcome focussed strategic objectives which provide clear strategic direction, inform decisions at a corporate and service level and shape resources allocation. They are as follows:-

- (i) Giving every child the best start in life;
- (ii) Developing educated, responsible and informed citizens;
- (iii) Promoting a prosperous, inclusive and sustainable economy;
- (iv) Supporting people to lead independent, healthy and active lives; and
- (v) Creating a safe and sustainable place for future generations.

This report relates to all objectives.

### 2. Resource Implications

Financial

- 2.1 There are no direct financial implications arising from this report other than those reported within the body of the main report.

### **3. Assessments**

#### Equality Impact Assessment

- 3.1 Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allows the Council to demonstrate that it is meeting these duties.

Assessed as **relevant** and the following positive outcomes expected following implementation:-

- (i) Eliminate unlawful discrimination, harassment and victimisation
- (ii) Advance equality of opportunity; and
- (iii) Foster good relations

#### Strategic Environmental Assessment

- 3.2 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals.
- 3.3 Under the provisions of the Local Government in Scotland Act 2003 the Council has to discharge its duties in a way which contributes to the achievement of sustainable development. In terms of the Climate Change Act, the Council has a general duty to demonstrate its commitment to sustainability and the community, environmental and economic impacts of its actions.
- 3.4 The information contained within this report has been considered under the Act. However, no action is required as the Act does not apply to the matters presented in this report.

### **4. Consultation**

#### Internal

- 4.1 None

#### External

- 4.2 None

### **2. BACKGROUND PAPERS**

None

### **3. APPENDICES**

- 3.1 Perth and Kinross proposed List of Fees – appendix 1

## Appendix 1

Perth and Kinross Council Civic Government (Scotland) Act 1980 Licence Fees Proposal from 1st April 2016		
Application Type	Current Fee 1yr / 3yr	Proposed Fee 1yr / 3yr
Knife Dealers (Fairs)	55	60
Cabinet	55/140	60/150
Street Trader Variation	95	100
Material Change Civic	60	65
Taxi / Private Hire Cars	Current Fee 1yr / 3yr	Proposed Fee 1yr / 3yr
Booking office	180/240	190/255
Test Fee with meter	95	95
Meter Test	37.50	37.50
HMO		
Occupancy 76+	870	915
Variation to HMO	60	65

