

REPORT TO: Cabinet Member - Corporate Services
Cabinet

DATE: 3rd March 2010
4th March 2010

SUBJECT: Legal and Democratic Services Department -
Fees and Charges 2010/11

**WARDS
AFFECTED:** All

REPORT OF: Caroline Elwood,
Legal Director

**CONTACT
OFFICER:** Andrea Grant
0151 934 2035

**EXEMPT /
CONFIDENTIAL:** No

PURPOSE / SUMMARY:

To seek approval to increase fees and charges for services provided by the Legal and Democratic Services Department.

REASON WHY DECISION REQUIRED:

To bring the charges in line with the costs of providing the services and in the case of Registrars Charges, to generate additional income.

RECOMMENDATION(S):

That Cabinet Member - Corporate Services recommends to Cabinet :

- (i) That the discretionary fees and charges for the Legal and Democratic Services Department, as set out in **Annex A**, be implemented on 1st April 2010:
- (ii) That it be noted that the various Statutory Charges for the Department will be implemented once notified by the relevant Bodies.

That Cabinet :

- (i) Approves the Legal and Democratic Services Department Fees and Charges for 2010/11 as shown in **Annex A** to the report and notes that changes to Statutory Charges will be implemented as and when necessary.

KEY DECISION: No

FORWARD PLAN: Not appropriate

IMPLEMENTATION DATE: Following the expiry of the “call-in” period for the Minutes of the Cabinet meeting.

ALTERNATIVE OPTIONS:

To not increase the fees and charges

IMPLICATIONS:

Budget / Policy Framework: Fees and charges are outside of the budget setting framework.

Financial: None

	2009/ 2010 £	2010/ 2011 £	2011/ 2012 £	2012/ 2013 £
<u>CAPITAL EXPENDITURE</u>				
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
<u>REVENUE IMPLICATIONS</u>				
Gross Increase in Revenue Expenditure				
Funded by:				
Sefton funded Resources				
Funded from External Resources				
Does the External Funding have an expiry date? Y/N	When?			
How will the service be funded post expiry?				

Legal: None

Risk Assessment: Not applicable

Asset Management: Not applicable

CONSULTATION UNDERTAKEN / VIEWS

Finance Department FD 339 The Acting Finance and Information Services Director has been consulted and his comments have been incorporated into this report.

CORPORATE OBJECTIVE MONITORING:

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		√	
2	Creating Safe Communities		√	
3	Jobs and Prosperity		√	
4	Improving Health and Well-Being		√	
5	Environmental Sustainability		√	
6	Creating Inclusive Communities		√	
7	Improving the Quality of Council Services and Strengthening local Democracy		√	
8	Children and Young People		√	

LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT

Fees and Charges 2009/10

1. PROPOSED FEES AND CHARGES:

- 1.1** The consideration of Fees and Charges is currently outside the budget setting framework and it is delegated to the Cabinet Member to determine the need to increase Fees and Charges and make the appropriate recommendations to Cabinet.
- 1.2** The Legal and Democratic Services Department provides a range of services to the public and organisations, which generate income to the Department. This report deals with the annual review of Fees and Charges for implementation in the 2010/11 financial year.
- 1.3** Some of the services provided by the Department have statutorily set fees and charges and at the time of writing this report, it is not known whether these will be changed for the 2010/11 Financial Year. The statutory charges have not therefore been included in this report. The Cabinet Member is asked to note that the Department has no control over the statutory fees and charges for its services. The revised statutory fees and charges will, once notified by the respective bodies, be included in a schedule which will be published on the website.
- 1.4** In terms of discretionary fees and charges, which is the subject of this report, the respective services have reviewed the charges and in certain circumstances, it is not recommended that there shall be an increase. This is because it is felt that the existing charge is appropriate, given market conditions, and in certain cases, because an increase may result in a loss of income as customers choose not to purchase the service.
- 1.5** Members are asked to note that it is proposed that several of the fees and charges for the Registration Service be increased to bring them in line with the costs of provision of the service and with other Authorities.
- 1.6** Members are asked to note the report and to agree the increase in charges with effect from 1st April, 2010, following the expiry of the call-in period for the report.

ANNEX A

REGISTRARS FEES 2010/11

	Current	Proposed
APPROVED PREMISES		
Monday to Thursday	246.50	266.50
Friday – Saturday	296.50	316.50
Sunday / Bank Holiday	386.50	416.50
COUNCIL CHAMBER		
Monday to Friday	116.50	126.50
Saturday	136.50	146.50
INDIVIDUAL CITIZENSHIP CEREMONY	130.00	130.00
PREMISES LICENCE		
New	1,400.00	1,500.00
Renewal	900.00	950.00
NAMING / RENEWALS		
Monday – Friday (council chamber)	135.00	135.00
The fees for naming/renewals at approved premises to be in line with weddings and civil partnership at approved premises.		

LEGAL SERVICES PROPOSED FEES & CHARGES FOR 2010/11

	<u>2009/10</u>	<u>Proposed</u>
	£	£
Vacation of mortgage/removal of charge	150.00	150.00
Registration of charge	120.00	120.00
Copy of documents	50.00 -100 negotiable	£60-100.00 negotiable
Land/property transactions (excluding auctions/development agreements)	2%/ negotiable	2%/ negotiable
Auction sales	2%/negotiable	2%/ negotiable
Commercial leases/tenancy agreement/licences/ [Notice]	350/negotiable	350/negotiable
Licence to assign/underlet/surrender of lease (commercial)	500.00	500.00
Grazing licences	100.00	100.00
Residential licences to assign	150.00	150.00
Development Agreement (ex s 106)	Negotiable	Negotiable
Title upgrade	250.00	250.00
Letter of postponement	125.00	125.00
<u>S.106 Agreements</u>		
<u>Trees and Greenspace Agreements</u>		
Up to £1,000	Nil	Nil
£1001 to £2,500	275	275
£2,501 to £30,000	550	550
Over £30,000	800	800
<u>Complex S.106 Agreements</u>	550 + actual cost	600 + actual cost
<u>Highways Agreements</u> (S.38/S.278 etc. - adoption of Highway)	500	500
<u>Highways Licences</u> (S.184 eg dropping kerbs etc)	150	150
<u>Unopposed Highways Orders</u> (S.116)	100	100
<u>Opposed Highways Orders</u> (2/3 Hearings)	350	350