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9 January 2019

To: All Councillors

As a Member or Substitute of the **Governance and Resources Committee**, please treat this as your summons to attend a meeting on **Thursday 17 January 2019 at 6.00pm in the Council Chamber, Town Hall, Matlock.**

Yours sincerely



Sandra Lamb  
Head of Corporate Services

## **AGENDA**

### **1. APOLOGIES/SUBSTITUTES**

Please advise Democratic Services on 01629 761133 or e-mail [committee@derbyshiredales.gov.uk](mailto:committee@derbyshiredales.gov.uk) of any apologies for absence and substitute arrangements.

### **2. APPROVAL OF MINUTES OF PREVIOUS MEETING**

22 November 2018

### **3. PUBLIC PARTICIPATION**

To enable members of the public to ask questions, express views or present petitions, **IF NOTICE HAS BEEN GIVEN**, (by telephone, in writing or by electronic mail) **BY NO LATER THAN 12 NOON OF THE WORKING DAY PRECEDING THE MEETING.**

### **4. INTERESTS**

Members are required to declare the existence and nature of any interests they may have in subsequent agenda items in accordance with the District Council's Code of Conduct. Those interests are matters that relate to money or that which can be valued in money, affecting the Member her/his partner, extended family and close friends.

Interests that become apparent at a later stage in the proceedings may be declared at that time.

**5. QUESTIONS PURSUANT TO RULE OF PROCEDURE NUMBER 15.**

To answer questions from Members who have given the appropriate notice.

**Page No.**

**6. SECTION 106 PLANNING OBLIGATION AGREEMENT – LAND AT OLD COACH ROAD, TANSLEY**

**3 - 7**

To receive and note a report advising of legal proceedings initiated by the District Council to secure payment of an affordable housing contribution of £61,575 pursuant to an agreement under the provisions of section 106 of the Town and Country Planning Act 1990. Furthermore, to consider approval that the outstanding s.106 debt owed to the District Council by Barncroft Homes Limited is written off and the decision not to pursue the respective property owners is endorsed.

**7. EXTERNAL AUDIT APPROACH FOR 2018/19 ACCOUNTS**

**8 - 17**

To receive a report containing information about the incoming external auditor and the approach for the 2018/19 accounts.

**8. HOUSING BENEFITS OVERPAYMENTS RECOVERY**

**18 - 21**

To receive a report on the progress of the enhanced housing benefit overpayments recovery service since it commenced in 2017 and consider approval to continue funding the service.

**9. EXTERNAL AUDIT GRANT ASSURANCE FOR 2017/18**

**22 - 26**

To receive a report detailing the outcome of the external auditor's certification work relating to grant claims for 2017/18.

**10. FRAUD PROSECUTION POLICY FOR COUNCIL TAX SUPPORT**

**27 - 41**

To consider approval of the updated Draft Fraud Prosecution Policy for Council Tax Support as set out in Appendix 1 to the report.

**11. FEES AND CHARGES FOR 2019/20**

**42 - 78**

To consider approval of the Fees and Charges in relation to Community and Environmental Services, Corporate Services and Regulatory Services as recommended in Appendices 1-12 of the report, with effect from 1 April 2019.

Members of the Committee - Councillors Deborah Botham, Albert Catt, Tom Donnelly, Steve Flitter, Chris Furness (Vice Chairman), Alyson Hill, Neil Horton, Angus Jenkins, Jean Monks, Garry Purdy, Mike Ratcliffe, Lewis Rose, Mark Salt, Jacquie Stevens (Chairman), Colin Swindell, John Tibenham, Joanne Wild.

Substitutes – Councillors Jason Atkin, Jennifer Bower, Richard Bright, Sue Bull, Sue Burfoot, David Chapman, Ann Elliott, Richard FitzHerbert, Helen Froggatt, Susan Hobson, Vicky Massey-Bloodworth, Dermot Murphy, Joyce Pawley, Irene Ratcliffe, Philippa Tilbrook.

GOVERNANCE AND RESOURCES COMMITTEE  
17 JANUARY 2019

Report of the Chief Executive

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**SECTION 106 PLANNING OBLIGATION AGREEMENT – LAND AT OLD COACH ROAD, TANSLEY**

**PURPOSE OF THE REPORT**

This report advises of legal proceedings initiated by the District Council to secure payment of an affordable housing contribution of £61,575 pursuant to an agreement under the provisions of section 106 of the Town and Country Planning Act 1990. The report also advises of the District Council's involvement in a company liquidation process and updates the Committee in regard to an offer of payment received by the owner of Barncroft Homes.

**RECOMMENDATION**

1. That the actions taken by the District Council in attempting to secure payment of the affordable housing contribution, and advice that no further action can be taken against Barncroft Homes Limited in light of the company liquidation process are noted.
2. That the outstanding s.106 debt owed to the District Council by Barncroft Homes Limited in the sum of £59,438.32 is written off and the decision not to pursue the respective property owners is endorsed.

**WARDS AFFECTED**

Matlock St. Giles

**STRATEGIC LINK**

The collection of affordable housing contributions through the provisions of s.106 of the Town and Country Planning Act 1990 enables the District Council to support the delivery of affordable housing in accordance with one of its identified corporate priorities.

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**1 BACKGROUND**

- 1.1 At the meeting of Committee on 22<sup>nd</sup> November 2018, a report was considered which summarised the actions taken by the Council to secure payment of an outstanding debt of £59,438.32 relating to an original affordable housing contribution in the sum of £61,575 payable under the provisions of section 106 of the Town and Country Planning Act 1990.
- 1.2 At the meeting, the Committee was informed that an offer had been received from the owner of Barncroft Homes (the liquidated company) to assume personal responsibility for the debt owed to the Council with a potential offer of settlement.

The Committee therefore deferred the matter and requested that an updated report be presented to this meeting. The remainder of this report has been updated as appropriate.

## **2. LAND AT OLD COACH ROAD, TANSLEY**

- 2.1 In April 2009, planning permission was granted for the erection of 2 detached dwellings on land at Old Coach Road, Tansley (Application 08/00594/FUL). The planning permission was subject to a section 106 agreement requiring the payment of an affordable housing contribution in the sum of £61,575. The terms of the agreement required payment after two years from the commencement of development or before first occupation of the development (whichever shall first occur). The terms of the agreement and the payment schedule reflected other similar agreements appertaining to affordable housing payments.
- 2.2 Following completion and subsequent occupation of the development, in early 2011 the District Council formally requested payment of the affordable housing contribution. However, the debt remained unpaid and prolonged discussions were undertaken with the developer in order to agree revised payment terms. Despite extensive efforts, the debt remained outstanding and interest payments were accrued on the original debt owed to the District Council. The total debt owed to the District Council subsequently increased to £69,752.14
- 2.3 In early 2012, the developer was informed that the failure to voluntarily repay the debt plus accrued interest would result in the District Council initiating formal collection arrangements. This resulted in revised payment terms being agreed and payments of £15,000 were received. Unfortunately, the company again failed to continue with the agreed payments and the Council commenced debt recovery proceedings through the Courts. Unfortunately, despite lengthy Court proceedings and enforcement, the District Council was unable to secure full payment of the debt due to the financial position of the company. The outstanding debt (including recovery costs incurred) is £59,438.32.
- 2.4 As part of the debt recovery proceedings, the District Council did secure charging orders against 3 properties owned by Barncroft Homes Limited, however those properties were subject to 999 year leases to various tenants and, as such, the Freehold Title owned by the Company is of nominal value.
- 2.5 In August 2018 the Company was placed in liquidation. As part of the process, the District Council, as a creditor, voted upon the appointment of the liquidator and provided evidence of its proof of debt and the secured charges over the 3 properties owned by the Company. The liquidator received valuations for the properties which are subject to those charging orders and advised that the value of the Freehold Title is £600. The District Council has agreed that the Freehold Title be sold to a management company rather than be disclaimed to the Crown to ensure security for the tenants concerned.
- 2.6 The company liquidation process is yet to be concluded, however the District Council have been informed that there is no prospect of securing payment of the outstanding debt as part of the current proceedings.

- 2.7 The s.106 agreement includes standard clauses which state that no person will be liable for a breach of the restrictions and obligations contained in the agreement after that person has parted with all interest in the Land or with the part in respect of which the breach occurs but without prejudice to any liability for any breach committed prior to such parting. Similarly, the agreement also includes a clause whereby any covenant made under the agreement shall bind whomsoever shall become a successor or successors in title to the Land.
- 2.8 The properties in question have been purchased by individuals who are now the successors in title. It is therefore possible that the District Council could seek to recover the s.106 monies from those persons.

### **3. THE PAYMENT OFFER AND IMPLICATIONS ARISING**

- 3.1 As Members were informed at the Committee meeting on 22<sup>nd</sup> November, the owner of Barncroft Homes has approached the Council with an offer to assume personal responsibility for payment of the outstanding debt. The offer is based upon agreeing a payment schedule which relates to the sale of properties on a development at Thatchers Croft, Tansley which are yet to be granted planning permission (18/00762/FUL and 16/001354/OUT).
- 3.2 In considering this offer, Officers have sought legal advice which has had regard to the value of the debt which is clearly significant. Notwithstanding the value, the Council are advised against accepting a voluntary payment of the debt and would also not be able to seek payment in respect of the payment schedule for a separate development.
- 3.3 Throughout the past 7 years, the directors of Barncroft Homes Limited have had numerous opportunities to pay the debt, either personally or through Barncroft Homes Limited, however, they have consistently failed to adhere to payment terms agreed with the Council before going into liquidation.
- 3.4 As an active developer in the Derbyshire Dales, it is essential that the District Council is not viewed as favouring the developer in any way whatsoever, particularly where outstanding debts are being linked to developments which are yet to be granted planning permission. Planning Obligations imposed on a developer must be directly linked to the development in which planning permission is being sought and therefore it is not appropriate to accept a voluntary payment in respect of the pending applications 18/00762/FUL and 16/001354/OUT.
- 3.5 The developer is not liable for the debt personally and the council has pursued all legitimate legal avenues to recover the debt from his company, therefore, practically, there is also a risk that any standalone payment received voluntarily may be unduly construed by the public or objectors that weight has been given to the payment in the determination of future planning applications. All Members and officers deal with all planning applications on their own merits however, given the fact that the developer is actively seeking planning permission in the District, the legal, financial and reputational risk arising from such allegations or challenge would be high.

- 3.6 It is clearly regrettable that despite pursuing all potential options, the District Council has been unable to secure payment of the affordable housing contribution from Barncroft Homes Limited. However, in the circumstances it is not considered fair or reasonable to now seek to recover these monies from individual property owners who no doubt purchased their properties in good faith and are possibly unaware of the circumstances surrounding this matter. There has been no contact with any of the affected property owners and the District Council is not aware of any discussions between the owners and Barncroft Homes in regard to this matter.
- 3.7 Officers therefore remain of the view that reluctantly, it is not in the interests of the Council to seek to enter into any personal payment arrangements with the developer and that the s.106 debt that is owed should be written-off.

#### **4. RISK ASSESSMENT**

##### **4.1 Legal**

The District Council has sought to pursue all legal avenues available to secure payment from the Company including obtaining Judgment in the County Court for the amount owed and obtaining Charging Orders against properties owned by the Company.

The Company has no assets in which to discharge the remainder of the debt and is now insolvent. As such, no further action can be taken against Barncroft Homes Limited. Enforcement of the s.106 against successors in Title for a breach of the agreement by the former Development Company is permissible under the terms of the Agreement, however, is likely to be resisted by those property owners and result in further civil proceedings which may not be successful. The legal risk of writing off the debt is therefore considered low whereas the legal risk of accepting personal payment of a debt linked to developments which are yet to receive planning permission is high.

##### **4.2 Financial**

In line with generally accepted accounting practice, the income from the transaction was accounted for when the invoice was raised. However, it is the Council's practice to set aside amounts in the grants unapplied reserve pending settlement of section 106 invoices. No expenditure has been committed in respect of this section 106 receipt. Should the committee approve the write off, an amount would be released from the grants unapplied reserve to finance it. The financial risk has been assessed as medium.

#### **5. OTHER CONSIDERATIONS**

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

#### **6. CONTACT INFORMATION**

Paul Wilson, Chief Executive.

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email paul.wilson@[derbyshiredales.gov.uk](mailto:paul.wilson@derbyshiredales.gov.uk)

**7. BACKGROUND PAPERS**

Planning Application 08/00594/FUL

**BACK TO AGENDA**

GOVERNANCE AND RESOURCES COMMITTEE  
17 JANUARY 2019

Report of the Head of Resources

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## **EXTERNAL AUDIT APPROACH FOR 2018/19 ACCOUNTS**

### **PURPOSE OF REPORT**

This report provides information about the incoming external auditor and the approach for the 2018/19 accounts.

### **RECOMMENDATION**

That the report and presentation be noted.

### **WARDS AFFECTED**

None

### **STRATEGIC LINK**

None

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## **1 REPORT**

- 1.1 The Council's incoming external auditor, Mazars LLP, has produced a presentation to introduce themselves and to explain the approach for the external audit arrangements for the 2018/19 accounts. A copy of the presentation is shown at Appendix 1. The external auditor has requested that it be brought to Members' attention and will attend the committee meeting to take Members' questions.

## **2 RISK ASSESSMENT**

### **2.1 Legal**

There are no legal risks arising from this report.

### **2.2 Financial**

Members will recall that the appointment of Mazars took place following a national procurement exercise led by Public Sector Audit Appointments Limited (PSAA). The fees for the audit of the 2018/19 accounts can be contained within existing budgets. The financial risk is therefore low.

## **3 OTHER CONSIDERATIONS**

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.



#### **4 CONTACT INFORMATION**

Karen Henriksen, Head of Resources

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e-mail: [karen.henriksen@derbyshiredales.gov.uk](mailto:karen.henriksen@derbyshiredales.gov.uk)

#### **5 ATTACHMENTS**

**Appendix 1** – Presentation: Introduction to Mazars and our audit approach



# Introduction to Mazars and our audit approach

Year ending 31 March 2019

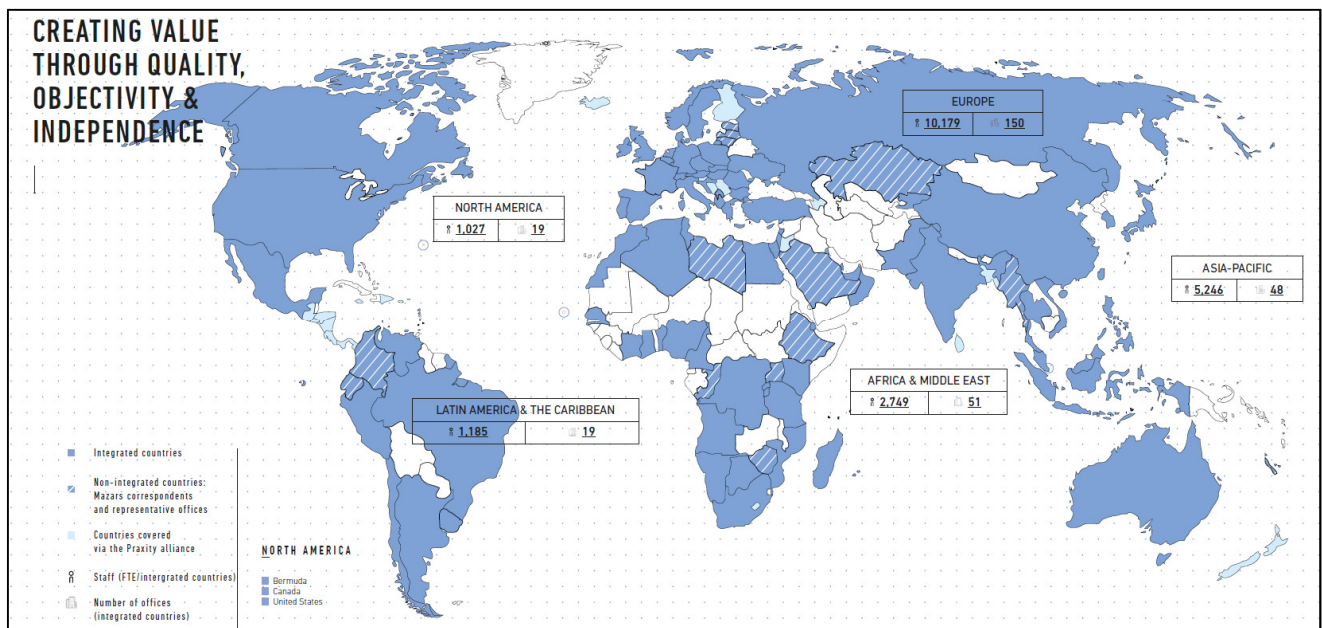
Strictly private and confidential

# 1. MAZARS AT A GLANCE

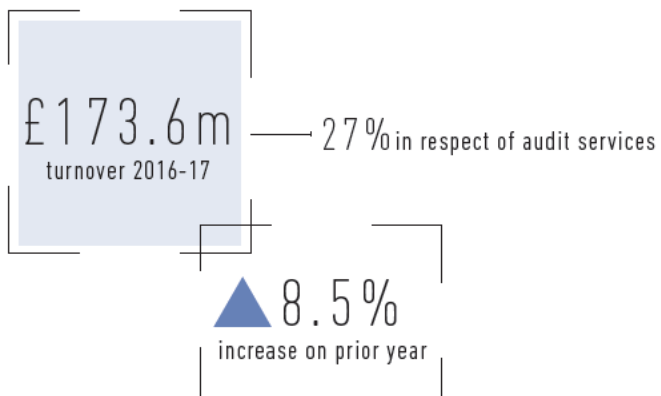
## Mazars LLP

- Fee income €1.5 billion
- Over 86 countries and territories
- Over 300 locations
- Over 20,000 professionals
- International and integrated partnership with global methodologies, strategy and global brand

## Mazars Internationally



## Mazars in the UK



## 2. AUDIT TEAM



### Lee Cartwright - FCA

#### Role

- Lee will be the key contact for management and the Governance and Resources Committee. He will have overall responsibility for delivering a high quality audit.

#### Relevant experience

- Lee is the Office Managing Partner of our Birmingham Office. He has worked at Mazars since 1995. Lee is a qualified Chartered Accountant with a background in audit, governance, risk management and business assurance. His client portfolio spans the public, not for profit and commercial sectors.
- Lee operates at board level with clients, where he is an auditor and advisor to a wide range of clients. He utilises the full breadth of his experience to bring value and business insight to his clients.
- His current clients include a number of district councils in Derbyshire and Leicestershire.

### John Pressley – FCPFA, FCMA

#### Role

- John will be responsible for the work performed on-site and will be your regular contact throughout the audit year.

#### Relevant experience

- John has over ten years public sector audit experience gained at local government bodies, NHS Trusts, CCGs and colleges across Derbyshire, Nottinghamshire, Lincolnshire and Leicestershire.
- John joined Mazars in September 2018 and currently has a portfolio of county, pension fund and district councils in Derbyshire and Leicestershire.

## 3. ENGAGEMENT AND RESPONSIBILITIES SUMMARY

### Overview of engagement

We are appointed to perform the external audit of Derbyshire Dales District Council (the Council) for the year to 31 March 2019. The scope of our engagement is set out in the Statement of Responsibilities of Auditors and Audited Bodies, issued by Public Sector Audit Appointments Ltd (PSAA) available from the PSAA website: [www.psa.co.uk/audit-quality/terms-of-appointment/](http://www.psa.co.uk/audit-quality/terms-of-appointment/).

### Our responsibilities

Our responsibilities are principally derived from the Local Audit and Accountability Act 2014 (the 2014 Act) and the Code of Audit Practice issued by the National Audit Office (NAO), as outlined below:

#### Audit opinion

We are responsible for forming and expressing an opinion on the financial statements.

Our audit is planned and performed so to provide reasonable assurance that the financial statements are free from material error and give a true and fair view of the financial performance and position of the Council for the year.

#### Reporting to the NAO

We report to the NAO on the consistency of the Council's financial statements with its Whole of Government Accounts (WGA) submission. We expect that Derbyshire Dales District Council will be below the thresholds required for this reporting to the NAO.

#### Value for Money

We are required to conclude whether the Council has proper arrangements in place to secure economy, efficiency and effectiveness in its use of resources. We will outline our approach to Value for Money work further in our Audit Strategy Memorandum which we will present to this Committee.

#### Electors' rights

The 2014 Act requires us to give an elector, or any representative of the elector, the opportunity to question us about the accounting records of the Council and consider any objection made to the accounts. We also have a broad range of reporting responsibilities and powers that are unique to the audit of local authorities in the United Kingdom.

Our audit does not relieve management or the Governance and Resources Committee, as those charged with governance, of their responsibilities. The responsibility for safeguarding assets and for the prevention and detection of fraud, error and non-compliance with law or regulations rests with both those charged with governance and management. In accordance with International Standards on Auditing (UK), we plan and perform our audit so as to obtain reasonable assurance that the financial statements taken as a whole are free from material misstatement, whether caused by fraud or error. Our audit, however, should not be relied upon to identify all such misstatements.

As part of our audit procedures in relation to fraud we are required to enquire of those charged with governance as to their knowledge of instances of fraud, the risk of fraud and their views on management controls that mitigate the fraud risks.

The Council is required to prepare its financial statements on a going concern basis by the Code of Practice on Local Authority Accounting. As auditors, we are required to consider the appropriateness of the use of the going concern assumption in the preparation of the financial statements and the adequacy of disclosures made.

## 4. AUDIT SCOPE, APPROACH AND TIMELINE

### Audit scope

Our audit approach is designed to provide an audit that complies with all professional requirements.

Our audit of the financial statements will be conducted in accordance with International Standards on Auditing (UK), relevant ethical and professional standards, our own audit approach and in accordance with the terms of our engagement. Our work is focused on those aspects of your business which we consider to have a higher risk of material misstatement, such as those affected by management judgement and estimation, application of new accounting standards, changes of accounting policy, changes to operations or areas which have been found to contain material errors in the past.

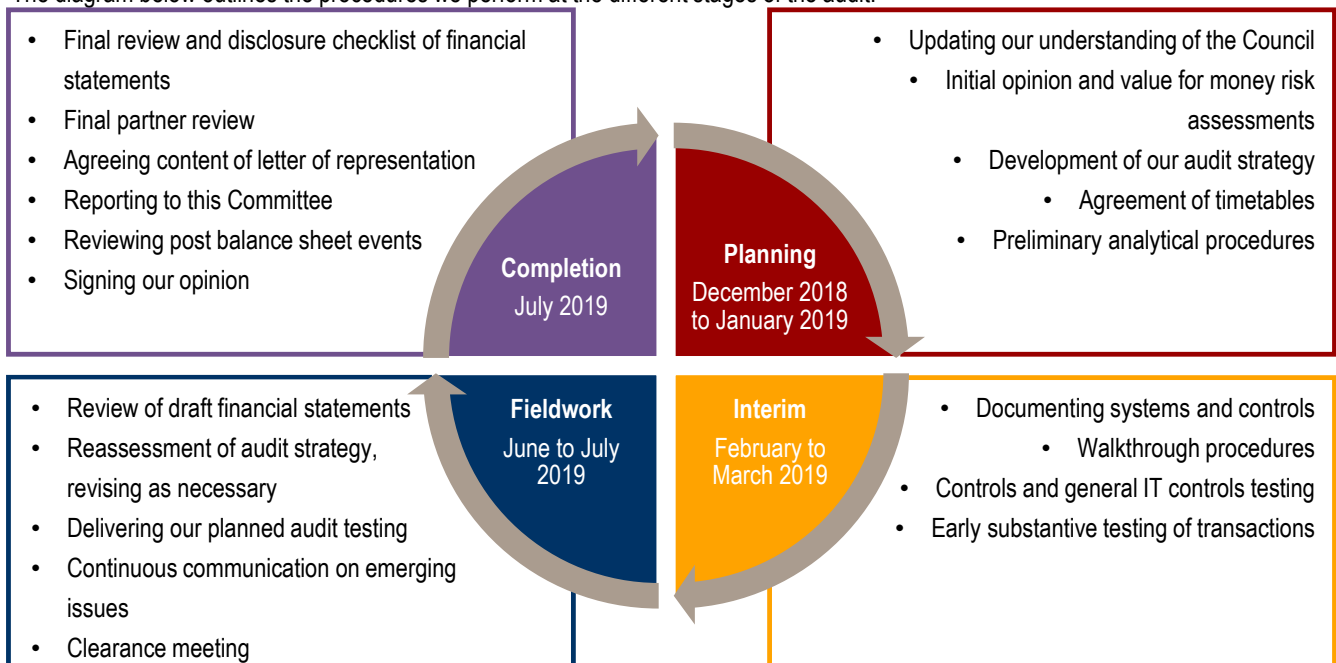
### Audit approach

Our approach is risk-based and primarily driven by the factors we consider lead to a higher risk of material misstatement. Once we have completed our risk assessment, we develop our audit strategy and design audit procedures in response to this assessment. We will work closely with officers to gain an understanding of the financial statements and value for money risks and we will agree the working papers required to support our audit work at an early stage.

If we conclude that appropriately designed controls are in place then we may plan to test and rely upon these controls. If we decide controls are not appropriately designed, or we decide it would be more efficient to do so, we may take a wholly substantive approach to our audit testing. Substantive procedures are audit procedures designed to detect material misstatements at the assertion level and comprise tests of details (of classes of transactions, account balances, and disclosures) and substantive analytical procedures. Irrespective of the assessed risks of material misstatement, which take into account our evaluation of the operating effectiveness of controls, we are required to design and perform substantive procedures for each material class of transactions, account balance, and disclosure.

Our audit will be planned and performed so as to provide reasonable assurance that the financial statements are free from material misstatement and give a true and fair view. The concept of materiality, and how we define a misstatement, will be explained in more detail in our Audit Strategy Memorandum.

The diagram below outlines the procedures we perform at the different stages of the audit.



### Reliance on internal audit

Where possible we will seek to utilise the work performed by internal audit to modify the nature, extent and timing of our audit procedures. We will meet with internal audit to discuss the progress and findings of their work prior to the commencement of our controls evaluation procedures.

## 5. INITIAL RISK ASSESSMENT

### Significant Audit Risks

We have listed below our initial view of the risks requiring specific audit attention and procedures to address the likelihood of a material financial statement error in relation to the Council.

#### PPE

The Code requires that where assets are subject to revaluation, their year end carrying value should reflect the appropriate fair value at that date. The Council has adopted a rolling revaluation model which sees all land and buildings revalued over a five year cycle. As a result of this, however, individual assets may not be revalued for four years.

This creates a risk that the carrying value of those assets not revalued in year differs materially from the year end fair value.

#### Pension Liabilities

The net pension liability represents a material element of the Councils balance sheet. The Council is an admitted body of the Derbyshire Pension Fund, which had its last triennial valuation completed as at 31 March 2016. This forms an integral basis of the valuation as at 31 March 2019.

The valuation of the Local Government Pension Scheme relies on a number of assumptions, most notably around the actuarial assumptions, and actuarial methodology which results in the Council's overall valuation.

There are financial assumptions and demographic assumptions used in the calculation of the Council's valuation, such as the discount rate, inflation rates, mortality rates etc. The assumptions should also reflect the profile of the Council's employees, and should be based on appropriate data. The basis of the assumptions should be derived on a consistent basis year to year, or updated to reflect any changes.

There is a risk that the assumptions and methodology used in the valuation of the Council's pension obligation are not reasonable. This could have a material impact on the net pension liability accounted for in the financial statements.

#### Transfer of services

On 1 August 2018 the Council transferred its four leisure facilities to Freedom Leisure. The staff members previously employed by the Council transfer over to this new employer under this arrangement which is embodied in a 10 year contract. This is the key change management task the Council has been engaged in during 2018/19 and there is a risk that not all the associated requirements will have been fully addressed and appropriately reflected in the financial statements.

## 5. INITIAL RISK ASSESSMENT (CONTINUED)

### Standard Audit Risks

Auditing standards require us to also consider two standard risks for all organisations. We consider these as a matter of course.

#### Management override of controls

Management is typically in a powerful position to perpetrate fraud owing to its ability to manipulate accounting records and prepare fraudulent financial statements by overriding controls that otherwise appear to be operating effectively. Our audit methodology incorporates the risk of management override as a default significant risk. In line with our methodology, we carry out appropriate controls testing and substantive procedures, including over journal entries, accounting estimates and significant transactions that are outside the normal course of business, or are otherwise unusual.

#### Fraudulent revenue recognition

Professional standards require us to make a rebuttable presumption that the fraud risk from revenue recognition is a significant risk. We will carry out work with a view to rebutting this risk as for the Council there is unlikely to be an incentive to fraudulently recognise revenue.

### VFM Risk

The need for savings (or income generation) will continue to have a significant impact on the Council's financial resilience. As a result we will review the arrangements the Council has in place to ensure financial resilience, specifically that the Medium Term Financial Plan has duly taken into consideration the latest available information.



## 6. MAZARS' CLIENT SERVICE COMMITMENT

We are here because of our clients; serving them in the best way we can is part of our DNA. We operate a Code of Conduct which drives our client service commitment in all areas, as set out below.



[BACK TO AGENDA](#)

## **HOUSING BENEFITS OVERPAYMENTS RECOVERY**

### **PURPOSE OF REPORT**

This report describes progress of the enhanced housing benefit overpayments recovery service since it commenced in 2017 and seeks Members' approval for the continuation of funding for the service.

### **RECOMMENDATION**

That approval is given to continue to fund an enhanced Housing Benefit Overpayment Recovery Service, as set out in this report, until the end of the current revenues and benefits contract on 16 October 2020.

### **WARDS AFFECTED**

None

### **STRATEGIC LINK**

Efficient and effective recovery of housing benefits overpayments will minimise subsidy loss and potential write offs, contributing to the achievement of the Council's corporate savings target.

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## **1 REPORT**

- 1.1 In March 2017, the Governance and Resources Committee approved funding for an enhanced Housing Benefit Overpayment Recovery Service for a period of two years, with a formal review of progress after one year. The purpose of this report is to report the findings of the review of progress and to determine whether the period of funding should be extended.
- 1.2 The costs of the housing benefits service are no longer being fully covered by government subsidy. Where overpayments of Housing Benefit arise there is an in-built incentive for councils to recover the overpaid amounts.
- 1.3 The funding that the Committee approved in 2017 enabled the creation of the Housing Benefit Recovery Assistant post within Arvato for a period of two years, the cost being recharged to the Council. The creation of the new post was intended to serve several purposes. These included:

1. To implement enhanced overpayment recovery activity employing methods successfully used by Arvato at its other sites;
2. To review all of the outstanding overpayments and categorise them so that analysis could be undertaken, and decisions made as to next recovery actions;
3. To implement improved monitoring practices designed to manage debts through appropriate recovery processes;
4. To ensure that collection rates improved, both for in-year generated debt and for all-year debt, and to ensure that successful outcomes were maintained.

Additionally, a Business Plan was to be introduced that defined the aims of the service.

1.4 A business plan was subsequently produced that defined the aims of the service as:

- Maximising income for the council
- Reducing loss to public funds
- Effective administration and procedures
- Prompt recovery action
- Treating customers with respect
- Acknowledging Welfare Reform and its effect on ability to pay
- Ensuring customers receive the maximum benefit and underlying entitlement available to them to minimise negative impact
- Using all recovery methods available
- Prevention of overpayments wherever possible
- Providing appropriate and adequate training
- Continual improvement.

1.5 Performance during Year 1 of the enhanced service (2017/18):

- **Collection rates:** Payments received against debts in 2017/18 were £390,231.04 compared to £274,797.01 for 2016/17; an increase of £115,434.03 (a significant positive increase in recovery);

The following table presents a comparison of % debt recovery rates:

Year	Recovery rate as % of in-year debt	Recovery rate as % of all year debt
2017/18	32.50%	24.42%
2018/19 up to 30/11/18	36.38%	19.85%

The above table demonstrates that there has been a significant improvement in debt recovery rates, for both in-year and all-year. This is important as it reduces the risk of write offs.

- **Arrears outstanding:** Arrears outstanding at 31 March 2018 amounted to £1,139,584.47, compared to £1,132,755.30 at 31 March 2017. The work done in year resulted in no significant increase in arrears at a time when there was an increase in debts raised.

- **Subsidy:** Analysis of the loss of income to Derbyshire Dales District Council from the reduced overpayment subsidy compared to the value of payments against overpayments shows a significant improvement in 2017/18.

Derbyshire Dales – Housing Benefit Overpayment Subsidy Loss and Income

	2015 -16	2016 - 17	2017 - 18
	£	£	£
Overpayments recovery	262,927	274,797	390,231
Subsidy Loss	332,461	273,533	262,883
Loss/profit	-69,534 (loss)	1,264	127,348 (profit)

**Other improvements:**

- Processes are now in place to ensure that an overpayment balance is monitored more frequently and escalated to the next appropriate recovery stage as a natural progression in collecting that debt – this is better for both the customer and the Council;
- Processes are consistent in the treatment of all debts and so the likelihood of mal-administration is minimised.

1.6 The cost of the service for 2018/19 was £25,881. Should Members agree to approve the extended funding, Arvato has agreed to hold the price at £25,881 per annum until the end of the contract.

1.7 Conclusions & Recommendations

- a. It is clear that the introduction of the 2-year post of Benefits Overpayments Assistant has improved overall collection rates: although collection rates will stabilise, there will still be a benefit from the post being extended past the 2-year initial contract;
- b. Welfare reform provides challenges to the future collection of HB-related debt. Currently the Benefits Team collects a large of HB debt by deducting and recovering at source. Should a claimant cease to claim HB and instead claim Universal Credit, then recovery will not be as automatic. This demonstrates that the challenges that we face in terms of recovery of these debts will alter. It is important therefore that alternative methods of recovery are coordinated by this post in the future;
- c. It is recommended that the funding for the enhanced service be extended until the end of the current revenues and benefits contract on 16 October 2020, at the rate of £25,881 per annum. This will allow existing working methods to

continue to be embedded and reviewed alternative methods of collection to be implemented as circumstances alter.

## **2 RISK ASSESSMENT**

### **2.1 Legal**

The proposals to fund an enhanced Housing Benefit Overpayment Recovery Service will maintain or improve recovery rates. The legal risk for the continued funding of an enhanced service is assessed as low.

### **2.2 Financial**

The proposals contained in this report should maintain or improve the collection of housing benefit overpayments and minimise potential loss of government subsidy, reducing the net cost to the Council and contributing to the Corporate Savings Target. The financial risk arising from this report is therefore assessed as low.

## **3 OTHER CONSIDERATIONS**

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

## **4 CONTACT INFORMATION**

Karen Henriksen, Head of Resources  
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## **5 BACKGROUND PAPERS**

None

## **6 ATTACHMENTS**

None

**BACK TO AGENDA**

GOVERNANCE AND RESOURCES COMMITTEE  
17 JANUARY 2019

Report of the Head of Resources

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## **EXTERNAL AUDIT GRANT ASSURANCE FOR 2017/18**

### **PURPOSE OF REPORT**

This report provides information about the outcome of the external auditor's certification work relating to grant claims for 2017/18.

### **RECOMMENDATION**

That the report be noted.

### **WARDS AFFECTED**

None

### **STRATEGIC LINK**

None

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## **1 REPORT**

- 1.1 The Council's outgoing external auditor, KPMG, has provided an annual report on the claims and returns that were certified for the Council for 2017/18. A copy of the letter is shown at Appendix 1. It is the usual practice to bring the report to Members' attention.
- 1.2 The report shows that the work did not identify any issues or errors and the claim was certified by the external auditor without amendment.
- 1.3 The external auditor has not felt is necessary to make any recommendations to the Council to improve its claims completion process.

## **2 RISK ASSESSMENT**

### **2.1 Legal**

There are no legal risks arising from this report.

### **2.2 Financial**

The fees for the work that the external auditor carries out on grant claim certification can be contained within existing budgets. The financial risk is therefore low.

### **3 OTHER CONSIDERATIONS**

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

### **4 CONTACT INFORMATION**

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### **5 ATTACHMENTS**

**Appendix 1** – Certification of Claims and Returns Annual Report 2017/18 Letter from KPMG dated 5 December 2018



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Karen Henriksen  
Head of Resources  
Derbyshire Dales District Council  
Town Hall, Matlock  
Derbyshire  
DE4 3NN

Our ref DDDC JC/KS

Contact John Cornett  
0116 256 6064

05 December 2018

Dear Karen

### **Derbyshire Dales District Council - Certification of claims and returns - annual report 2017/18**

Public Sector Audit Appointments requires its external auditors to prepare an annual report on the claims and returns certified for each audited body. This letter is our annual report for the certification work we have undertaken for 2017/18.

In 2017/18 we carried out certification work on only one claim/return, the Housing Benefit Subsidy claim. The certified value of the claim was £12,860,200, and we completed our work and certified the claim on 28 September 2018.

### **Matters arising**

Our certification work on Housing Subsidy Benefit claim included:

- agreeing standard rates, such as for allowances and benefit incomes, to the DWP Circular communicating the value of each rate for the year;
- sample testing of benefit claims to confirm that the entitlement had been correctly calculated and was supported by appropriate evidence;
- undertaking an analytical review of the claim form considering year-on-year variances and key ratios;
- confirming that the subsidy claim had been prepared using the correct benefits system version; and
- completing testing in relation to modified schemes payments, uncashed cheques and verifying the accurate completion of the claim form.



Our work did not identify any issues or errors and we certified the claim unqualified without amendment.

Consequently we have made no recommendations to the Council to improve its claims completion process. There were no recommendations made last year and there are no further matters to report to you regarding our certification work.

### **Certification work fees**

Public Sector Audit Appointments set an indicative fee for our certification work in 2017/18 of £5,393. Our actual fee was the same as the indicative fee, and this compares to the 2016/17 fee for this claim of £5,393.

Yours sincerely



John Cornett  
Engagement Lead  
KPMG LLP



This report is addressed to the Council and has been prepared for the sole use of the Council. We take no responsibility to any member of staff acting in their individual capacities, or to third parties. We draw your attention to the Statement of Responsibilities of auditors and audited bodies, which is available on Public Sector Audit Appointment's website ([www.psaa.co.uk](http://www.psaa.co.uk)).

External auditors do not act as a substitute for the audited body's own responsibility for putting in place proper arrangements to ensure that public business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively.

We are committed to providing you with a high quality service. If you have any concerns or are dissatisfied with any part of KPMG's work, in the first instance you should contact John Cornett, the engagement lead to the Authority, who will try to resolve your complaint. If you are dissatisfied with your response please contact the national lead partner for all of KPMG's work under our contract with Public Sector Audit Appointments Limited, Andrew Sayers, by email to [andrew.sayers@kpmg.co.uk](mailto:andrew.sayers@kpmg.co.uk). After this, if you are still dissatisfied with how your complaint has been handled you can access PSAA's complaints procedure by emailing [generalenquiries@psaa.co.uk](mailto:generalenquiries@psaa.co.uk), by telephoning 020 7072 7445 or by writing to Public Sector Audit Appointments Limited, 3rd Floor, Local Government House, Smith Square, London, SW1P 3HZ.

**BACK TO AGENDA**

GOVERNANCE AND RESOURCES COMMITTEE  
17 JANUARY 2019

Joint Report of the Head of Corporate Services and Head of Resources

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## **FRAUD PROSECUTION POLICY FOR COUNCIL TAX SUPPORT**

### **PURPOSE OF REPORT**

This report asks the Committee to approve an updated policy that deals with offences relating to fraud associated with Council Tax Support.

### **RECOMMENDATION**

1. That the Draft Fraud Prosecution Policy for Council Tax Support as set out in Appendix 1 is approved.
2. That the “Question & Answers” relating to housing benefit and council tax support fraud cases, as set out in Appendix 2, are noted.

### **WARDS AFFECTED**

All of the District

### **STRATEGIC LINK**

The implementation of this policy will assist the Council in achieving a sustainable budget.

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## **1 BACKGROUND**

In the past, the Department for Work and Pensions (DWP) had carried out prosecutions relating to both Housing Benefit Fraud and Council Tax Benefit Fraud. The DWP indicated at 1<sup>st</sup> April 2013 that, with the abolition of Council Tax Benefit and the introduction of Council Tax Reduction Scheme (known as Council Tax Support), they were no longer willing to take prosecutions related to Council Tax Support. This meant that separate arrangements were necessary for the punishment of offences under the local scheme.

The current Fraud Prosecution Policy for Council Tax Support, along with a scheme of delegation to officers to administer the policy, was approved in January 2018. The policy has generally worked well but is now due for revision.

## **2 REPORT**

- 2.1 Attached, as Appendix 1, is a draft revised Fraud Prosecution Policy for Council Tax Support. Changes to the policy are shown in **red text**. The policy sets out the approach that will be taken to each type of offence and the factors that will be taken into account. An equalities impact assessment has been included.

- 2.2 Local authorities have a statutory duty to administer and arrange their financial affairs appropriately in accordance with section 151 of the Local Government Act 1972. It is therefore extremely important that the District Council applies an appropriate and effective anti-fraud process as part of the administration of Council Tax Support.
- 2.3 No changes are proposed to the scheme of delegation approved in 2018. The table below sets out current delegations:

Subject	Act	Functions Delegated	Officer
Council Tax Support	Local Government and Finance Act 2012	<p>Authority to institute prosecution proceedings to combat fraud</p> <p>Authority to offer a Simple Caution in appropriate cases</p> <p>Imposition of financial penalties in accordance with the policy</p>	<p>Head of Corporate Services</p> <p>Head of Corporate Services</p> <p>Benefits Manager</p>

- 2.4 Taking action against fraud, and publicising prosecutions, helps to deter fraudsters and also often results in anonymous tip-offs indicating other potentially fraudulent cases. The policy, therefore, will not only assist the council in achieving a sustainable budget but will also ensure that the support is only paid to those who are genuinely in need.
- 2.5 In October 2018, the Leader and Chief Executive provisionally accepted an invitation from Marcus Jones MP, Minister for Local Government (DCLG) and Baroness Buscombe, Parliamentary Under Secretary of State (DWP) concerning the participation of Derbyshire Dales in a joint working initiative for the investigation and prosecution of Local Council Tax Support alongside similar social security offences. It should be noted that the Council's Fraud Investigating resource had to be transferred to the DWP in September 2015 on the creation of the Government's Single Fraud Directorate.

Discussions between the DWP and the Council's Benefits Manager have continued during 2018 but regrettably the implementation plan has been subject to delays around its original 'go-live' dates. It is also suggested that the DWP has changed its model in that only Councils retaining an investigating resource can now participate and this is contrary to how the original joint working model was originally described. Of the 380 local councils considering involvement, less than 180 are now expected to participate.

Although Derbyshire Dales District Council retains a commitment to considering future participation, it is proposed that, for the moment, we suspend active involvement. Instead, where an offence is identified and likely to lead to a successful prosecution

and recovery of costs are assessed as high, the Council will consider an arrangement where fraud investigating officers are sourced from other Councils.

2.6 The implementation of the policy will be monitored annually.

2.7 At the Governance and Resources Committee meeting held on 20 September 2018, while considering an updated Anti-Fraud, Bribery and Corruption Strategy (including Money Laundering Policy), Members raised questions regarding failure of the public to disclose suspected fraud, and whether this itself was a crime; the Head of Resources said she would refer the matter to the Benefits Manager and would bring a report back to a future meeting of this committee. At Appendix 2 to this report is a list of Questions and Answers relating to housing benefit and council tax support fraud cases. This is intended to give background information on the working processes that currently exist and clarify the approach adopted in decision making. Question 7 relates to the reporting of suspected fraud.

### **3. RISK ASSESSMENT**

#### **3.1 Legal**

The relevant legislation is set out in Appendix 1. The legal risk of implementing the policy is therefore low.

#### **3.2 Financial**

The implementation of this policy should reduce the amount of council tax support that is paid relating to fraudulent claims. Therefore, it will assist the Council in meeting its priority to achieve a sustainable budget and the financial risk is assessed as low.

### **4 OTHER CONSIDERATIONS**

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

### **5 CONTACT INFORMATION**

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### **6 BACKGROUND PAPERS**

None

## **7 ATTACHMENTS**

Appendix 1 – Draft Fraud Prosecution Policy for Council Tax Support

Appendix 2 – Questions & Answers relating to housing benefit and council tax support fraud cases



## **Fraud Prosecution Policy for Council Tax Support (CTS)**

### **Background**

This document describes Derbyshire Dales District Council's Fraud Prosecution Policy in relation to the Council Tax Reduction Scheme known as Council Tax Support.

Local authorities have a statutory duty to administer and arrange their financial affairs appropriately in accordance with section 151 of the Local Government Act 1972. It is therefore extremely important that the council applies an appropriate and effective anti-fraud process as part of the administration of Council Tax Support.

**It should be noted that since April 2013, Council Tax Support ceased to be a Social Security benefit and thereafter is neither investigated nor prosecuted by the Department for Work & Pensions.**

### **Investigating Offences**

Derbyshire Dales District Council will in its partnership with Arvato public services employ suitably trained officers to investigate cases of alleged Council Tax Support Fraud. All investigations will be undertaken in accordance with:

- Derbyshire Dales District Council's Anti-Fraud, Bribery and Corruption Strategy
- Code of practice for Fraud Investigators
- Police and Criminal Evidence Act 1984 Codes of Practice
- Derbyshire Dales District Council's Corporate Enforcement Policy
- Derbyshire Dales District Council's Equality and Diversity Policy 2011
- RIPA (Regulation of Investigatory Powers Act 2000)

All investigations undertaken are investigations of potential criminal offences. This means that every investigation can result in a prosecution. Every investigation is conducted in accordance with current legislation governing investigation of potential offences and with regard to other relevant legislation.

- The Council Tax Reduction Scheme (Detention of fraud and Enforcement (England) Regulations 2013)
- Local Government Finance Act 2012
- PACE (Police and Criminal Evidence Act 1984)
- Code for Crown Prosecutors
- Section 29 Data Protection Act
- Fraud Act 2006
- RIPA (Regulation of Investigatory Powers Act 2000)
- CPIA (Criminal Procedures and Investigations Act 1996)
- Welfare Reform Act 2012
- Human Rights Act 1998
- Equality Act 2010

This is not an exhaustive list and all officers should act in accordance with any appropriate legislation, corporate/departmental policies and codes of practice that are relevant to their duties.

Members should be aware that since September 2015, Derbyshire Dales District Council is no longer funded by the Government to investigate Housing Benefit Fraud. Instead, all instances of Social Security fraud are investigated by the Department for Work & Pensions Counter Fraud & Compliance Directorate, without direct Council involvement.

Where there is a shortage of experienced investigators at Derbyshire Dales District Council, and the chances of a successful prosecution and recovery of costs are assessed as high, the Council will consider an arrangement where fraud investigating officers are sourced from other Councils.

### **Equalities impact**

All investigations will be carried out with respect to pertinent legislation and without prejudice when executing its procedures and policies.

Investigations will ensure that all suspects of fraud will receive clear and understandable correspondence making them aware of their legal rights and informing them of all the possible outcomes to an investigation.

The anti-fraud process will not discriminate for or against any individual according to gender, race, sexuality, gender identity, age, pregnancy, maternity, disability or religion and belief. Officers involved in investigations will never knowingly release information in relation to an investigation where it is contrary to current legislation or is believed to cause harm or vulnerability to any individual's security or beliefs.

### **Council Tax Support Fraud**



## **Offences**

Section 14B of the Local Government Finance Act 1992 Act gave the power to the Secretary of State to make Regulations to provide for the creation of offences in respect of Council Tax and the Council Tax Reduction Scheme Detection of Fraud and Enforcement (England) Regulations 2013 came into force in March 2013. Offences include:

- (1) Intentional delay or obstruction of an authorised officer
- (2) Making a false statement to obtain a reduction and
- (3) Knowingly fails to give a prompt notification of a change in circumstances affecting a reduction.

Derbyshire Dales District Council may grant discretionary assistance to vulnerable households in addition to Main Scheme CTS. An offence will extend to any fraudulently claimed award of Council Tax Support Hardship, granted as part of its local scheme.

## **Sanctions and Prosecutions**

Consideration will be given in all cases to the Code for Crown Prosecutors and whether:

1. there is sufficient evidence for a realistic prospect of a conviction
2. a prosecution is in the public interest

Any case failing to meet the requirements associated with either test should not be considered suitable for sanction or prosecution.

In making the decision, the following 'public interest test' factors are taken into account: -

- The seriousness of the offence committed
- The level of culpability of the suspect
- The impact on the community
- The amount of money obtained and the duration of the alleged offence;
- Any abuse of position or privilege;
- The suspect's physical and mental condition;
- Voluntary disclosure;
- Any previous incidence of fraud
- The proportionality of a prosecution and whether a conviction is likely to result in a significant sentence, or a nominal Penalty;
- Whether there is evidence that the defendant was a ring leader or an organiser of the offence;

- Whether there is evidence of the offence being premeditated;
- Whether the claim was false from inception;
- Whether there are grounds for believing that the alleged offence is likely to be continued or repeated, for example, by a history of recurring conduct;
- Whether the alleged offence, although not serious in itself, is widespread in the area where it was committed.

The final decision to sanction the offender rests with the Derbyshire Dales District Council Head of Corporate Services, as the Decision Maker in each case. The various considerations listed above both for and against prosecution are not exhaustive. The factors that apply will depend on the facts in each individual case.

## **Simple Caution**

A Simple Caution is a non-statutory disposal for offenders aged 18 years or over. It is issued as an alternative to prosecution. A Simple Caution can only be considered when there is sufficient evidence to institute criminal proceedings and the offender has admitted the offence.

The purposes of a Simple Caution are -

- to offer a proportionate response to low level offending
- to deliver effective justice outside of the Criminal Court Process that carries a deterrent effect
- to reduce the likelihood of re-offending

## **Offering a Simple Caution**

The offer of a Simple Caution is generally considered when the value of any potential overpayment is less than £2000. The issue of a Simple Caution is recorded locally on the Capita provided academy software system. It may be cited in any subsequent court proceedings. In order to safeguard the offender's interests, the following conditions must be met before a Simple Caution can be administered: –

- there must be evidence of the offender's guilt sufficient to give a realistic prospect of conviction, and
- the offender must admit the offence, and
- the offender must understand the significance of a caution and give informed consent to being cautioned.

## **Penalty as alternative to Prosecution**

The legislation governing the use of a financial penalty as an alternative to prosecution where a person has fraudulently claimed Council Tax Support is contained in section 14C of the Local Government Finance Act 1992. The conditions by which a penalty might be used are described in regulation 11 of the Council Tax Reduction Schemes (Detection of Fraud and Enforcement) (England) Regulations 2013.

Penalties may be offered as an alternative to prosecution when a fraudulent claim has:-

- Caused excess Council Tax Support to be awarded
- Could have caused excess Council Tax Support to be awarded

Any case considered appropriate for a penalty must also be suitable for prosecution.

In accordance with the legislation a penalty offered as an alternative to prosecution will be a minimum of £100 or 50% of the fraudulent excess Council Tax Support claimed by the offender (rounded down to the nearest penny) whichever figure is greater. A penalty should not exceed £1000.00. A person does not have to accept the penalty.

Where an offender accepts a penalty as an alternative to prosecution the Council shall not instigate any prosecution proceedings against the offender for an offence relating to the excess reduction for which the penalty was accepted.

An offender who has agreed to pay the penalty is entitled to withdraw their agreement within 14 days ('the cooling off period') of signing the original agreement. If an agreement is withdrawn by the offender, the local authority will be legally entitled to prosecute the offender for the identified offences relating to Council Tax Support.

Factors considered in deciding whether to offer an administrative penalty as an alternative to prosecution are:

- The evidential criteria for prosecution are satisfied
- The seriousness of the offence and value of fraud, this generally applies to any overpayment less than £2000
- Any known previous offences for fraud.

A penalty is offered to an offender at a specially arranged interview. At the interview the offender should be told:

- It is not an interview under caution, and
- Acceptance of the Penalty is not a declaration of guilt, and
- The recovery of the Penalty will occur in the same way as the recovery of the excess, and
- The claimant will have 14 days in which to change their mind should they accept the penalty, in the event of non-acceptance prosecution would be instituted, and
- Withdrawal of the agreement to the penalty will mean they are no longer immune of proceedings for the offence and
- That the payment of the penalty does not give immunity from prosecution in relation to any other excess reduction or any other act or omission and
- That the person may appeal to the Valuation Tribunal if they allege there is no power to impose a penalty.

The penalty can be added to the appropriate person's Council Tax Liability but the preferred option is raise a separate invoice for payment.

All conditions relating to the penalty will be stated at the point of notification.

Refusal to accept a penalty or withdrawal from an agreement to accept a penalty will result in

an offender losing immunity to prosecution for a Council tax support offence.

### **Prosecution of offenders**

Prosecutions will normally be undertaken by the Council's own solicitor or authorised legal representative. The arrangements for the joint prosecution of DWP benefits and Council benefits in conjunction with the Crown Prosecution Service had been subject to change from 1st April 2013. This meant that CTS offences had to be prosecuted separately by the Council, as they had ceased to be social security offences.

Council Tax Support can be prosecuted alongside Housing Benefit where Derbyshire Dales District Council are using their own solicitor.

Legal proceedings for an offence may be begun at any time within 3 months on which sufficient evidence to justify a prosecution comes to the prosecutor's knowledge or within 12 months from the commission of the offence whichever period expires last.

### **Sanction Guidelines**

#### **Excess Council Tax Support (or excess CTS and Housing Benefit overpayment combined) where the value or potential value of overpayment is less than £2,000:**

Consideration will be given of offering either a Penalty or Simple Caution where no sanction had previously been applied. Prosecution would normally be appropriate for subsequent offences committed within a five year period from the date of the initial sanction.

A Simple Caution and an Administrative Penalty, as an alternative to prosecution would be considered if the claimant admits the offence.

Refusal of any offer of a Penalty or Simple Caution would normally result in the case being forwarded to Council Solicitor for consideration of prosecution.

Attempted fraud that is discovered before benefits have been put into payment (ie where there is no overpayment of benefits) will also be considered for simple caution or prosecution.

#### **Excess Council Tax Support (or combined with Housing Benefit) where the value or potential value of overpayment is over £2000:**

Prosecution will normally be considered, however, all cases are assessed on their own merits and other factors may lead to an alternative sanction being offered.

### **Additional penalties**

Under the Council Tax Reduction Schemes (Detection of Fraud and Enforcement) (England) Regulations 2013 the Local Authority has discretion to impose financial penalties where offenders have provided an incorrect statement or failed to notify a change in circumstances as detailed below.

**£70 for an incorrect statement**

- For incorrect statement or negligently gives incorrect information or evidence in connection with a claim for Council Tax Support and
- Reasonable steps are not taken to correct the error and
- The error results in an incorrect award of Council Tax Support and
- Other action has not been taken in accordance with the prosecution policy.

**£70 for failing to notify a change of circumstance**

- Where without a reasonable excuse a change of circumstance is not notified within the timescales specified in Derbyshire Dales District Council's Council Tax Support Scheme and
- The failure to report the changes resulted in an excess Council Tax Support reduction and
- No other proceedings are taken in accordance with this prosecution policy

An authority may quash a penalty imposed by it under this regulation.

*January 2019*

## **Questions & Answers relating to housing benefit and council tax support fraud cases**

*The following is intended to give background information on the working processes that currently exist and clarify the approach adopted in decision making.*

### **1. How does the council receive information about suspected fraud cases?**

We receive information from a range of Department for Work and Pensions (DWP) data match referrals that are designed to identify unreported changes in circumstances linked to the claiming of Housing Benefit (HB). These are also useful in highlighting discrepancies on Council Tax Support (CTS) claims leading to reassessments of entitlement and the collection of overpaid CTS from a customer. For CTS-only claims we instigate a range of yearly checks designed to identify unreported changes in circumstances linked to earnings and income, household members and claimant capital.

The general public will also routinely report concerns where they believe that a claimant hasn't been truthful in reporting their circumstances. This makes it vitally important to publicise successful sanction / prosecution outcomes to raise public awareness and also to deter an individual from making a false claim.

### **2. How does the Council investigate suspected cases?**

Since September 2015, legal responsibility for the investigation and prosecution of Social Security offences (including Housing Benefit) transferred to the Department for Work & Pensions Counter Fraud & Compliance Directorate. Council Tax Support is not a social security benefit and so separate arrangements for the investigation of CTS fraud using Arvato staff, supported by the Council's solicitor, have been put in place.

### **3. Does the Council investigate all reports of suspected fraud? If not, how does it decide which to investigate?**

All reports or referrals are considered with an outcome being recorded on that case as an audit trail. Sometimes an allegation can be found to be incorrect (the benefits team is already aware of the circumstances) or 'malicious' (it is unfounded or intended to trouble cause).

Remember, the Benefits Section routinely completes targeted reviews of its CTS caseload throughout the year. This is facilitated by the daily information downloads received from DWP and reduces the traditional reliance we have had on claimants reporting changes in their benefits, earnings or tax credits.

Where a potential discrepancy is identified, the claim is holistically reviewed using the electronic data matching methods available, with a reassessment of that entitlement being completed.

To reassure, all overpaid CTS is recovered by debiting the council tax account concerned. Benefit Officers will discuss any large overpayments or unusual cases with the Benefits Manager with further appropriate follow up action being decided.

#### **4. How many suspected cases of CTS fraud were investigated from 1 October 2017 to 30 September 2018?**

Only two cases have been identified in the last year and these resulted from the DWP having a separate but parallel investigation underway for potential HB fraud. Information gathered by DWP was used in each case to reassess entitlement to CTS with the resultant overpayments being debited to the claimants' council tax accounts.

No sanction outcomes occurred because the financial amounts concerned did not trigger a fine or a sanction.

#### **5. What level / type of evidence does the Council ask for?**

A decision that fraud has been committed relies on our demonstrating that a claimant has **acted** in a certain way with clear **intent** and **knowledge** that their actions are wrong.

This means that we request the appropriate level of information and original documents linked to the circumstances of complexity of each case. A consistent approach is adopted.

The claimant would be interviewed under caution as part of a recorded interview. They would be cautioned and reminded of their right and responsibilities. Signed statements could also be made by the claimant concerned.



## **6. How likely is it that a household would be prosecuted for fraud?**

It is unlikely that most cases would ever have an overpayment amount that would trigger the prosecution of the offence. Nevertheless we are obliged to still consider this sanction should the circumstances merit it.

Other forms of punishment include the administering of a Local Authority caution i.e. an official warning of their future conduct. Alternatively a financial fine can be administered in a penalty of £100 or a 50% fine based on the overpayment total. Regulations also support a fine of £70 for an incorrect statement or failing to notify changes. Each case is of course judged on its own merits.

## **7. Are people obliged to report i.e. is it a crime to fail to report?**

Social security legislation is clear that a claimant has a responsibility to report changes in their circumstances. If they fail to do so and this is intentional they have committed an offence. If a third party was aware that someone had made a fraudulent claim they are complicit in allowing a fraudulent claim to be made.

Even though Council Tax Support is not a social security benefit, it remains an offence to make a false statement or claim.

**Paul Radcliffe, Benefits Manager 26/11/18**

**BACK TO AGENDA**

GOVERNANCE AND RESOURCES COMMITTEE  
17 JANUARY 2019

Joint report of the Heads of Resources, Community and Environmental, Regulatory and Corporate Services

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## **FEES AND CHARGES FOR 2019/20**

### **PURPOSE OF REPORT**

This report details recommendations in respect of fees and charges in relation to Community and Environmental Services, Corporate Services and Regulatory Services.

### **RECOMMENDATION**

That the fees and charges recommended in Appendices 1 – 12 of the report are approved and implemented with effect from 1 April 2019.

### **WARDS AFFECTED**

All

### **STRATEGIC LINK**

The Council charges reasonable fees to cover the cost of services that are provided to make progress in delivering its Aims and Priorities.

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## **1 BACKGROUND**

- 1.1 The Committee is asked to consider an annual review of the fees and charges for services provided across the Council.
- 1.2 It is proposed that the majority of fees and charges are increased with effect from 1<sup>st</sup> April 2019 by approximately 3%, with VAT applied, (current rate 20%) and rounded up or down as appropriate. Any proposals to freeze fees for 2019/20, or to increase them by significantly more than 3%, are explained in the report below or the relevant appendix.

Appendices 1 – 12 contain schedules of the existing and recommended charges.

## **2 REPORT**

### **2.1 Community and Environmental Services**

**Appendix 1** details the existing and proposed fees and charges for Pest Control and Stray Dog Service. The Stray Dog service is currently provided under contract by a privately run animal boarding kennel, Crowfoot Kennels.

The pest control fees have been increased by 3% however an exercise is currently underway to review prices and benchmark against the private sector to make the service more competitive.

**Appendix 2** details charges for waste and recycling collections. The recommended fees have increased by 3%.

**Appendix 3** details the existing and recommended fees and charges in respect of cemeteries and burials.

**Appendix 4** details the existing and recommended fees and charges in respect of farmer's markets and room hire at the Bakewell Agricultural Business Centre.

**Appendix 5** details the existing fees and charges and those recommended for approval with effect from 1st April 2019 in respect of Bakewell stall market and Matlock indoor market.

### **Bakewell Stall Market**

A price comparison exercise was undertaken to compare current pricing structure with a mix of local and similar occupancy level markets. The results are shown in the table below:

Market	Stall size	Price
Bakewell	9ft/12ft	£26.30/£34.20
Chesterfield	8ft/12ft	£9.70 - £20.10
Ormskirk	10' x 4'	£25.30
Beverley	12ft	£24
Beverley	12ft	£47.40
Louth	10ft	£15.00
Loughborough	10ft	£20.62
Retford	N/A	£15
Stamford	10ft	£23.85
Bulwell	N/A	£21.60

- To help with the retention of current traders and to support with attracting new ones, the recommendation is to freeze the hire of stalls to licensed traders. This proposal is supported by Bakewell being the second most expensive of the 10 markets included in a comparison where prices ranged from £15.00 to £47.40 per stall.
- It is proposed that the fee for casual rates be increased from £2.80 to £5.00 over two years in order to encourage casual traders to become licensed. From April 2019 casual traders would pay £3.50 and this would increase to £5.00 from April 2020. Phasing in the increase over 2 years will give the market team time to sign casual traders up to licences before a large increase.
- The car parking fee for traders is to be increased in line with those at the ABC. This will see the fee rise by 20p to £4.00. In order to keep this in line with ABC we propose a freeze on trader car parking which has already risen to £4.00 with increases over the last two years.

**Appendix 6** details the existing fees and charges and those recommended for approval with effect from 1st April 2019 in respect of parks and recreation grounds. Further to all prices being increased by CPI, we propose further increases are applied to a small number of categories as detailed below.

### Hire of Cricket, Rugby and Football pitches

Due to prices not being reviewed for a number of years, a benchmarking exercise was undertaken in order to assess how our pitch prices for the above facilities compare to other neighbouring facility operators and Local Authorities. The results are shown in the table below:

Grass Pitch Benchmarking Exercise			
Organisation	Football	Rugby	Cricket
Derbyshire Dales (current)	£42.95/£21.55	£42.55/£21.55	£44.25/£22.55
Derbyshire Dales (proposed)	£46.00/£25.00	£46.00/£25.00	£49.00/£25.00
Cavendish Fields Sports Association	£50.00/£38.00		
Anthony Gell School	£57.50/£47.50		
Erewash Borough Council	£40.00/£25.50	£40.00/£25.50	
Derby City Council	£51.90/£33.40		£80.55/£67.00
Chesterfield Borough Council	£67.00/£53.00		
South Derbyshire District Council	£45.83/£23.75		
Bolsover District Council	£35.00		
Amber Valley Borough Council			£87.00/£105.00
Key – first price is full / second price is concession			

#### Football

District Council price for full football pitch hire is currently third lowest out of the eight organisations benchmarked. District Council price for concession football pitch hire is the lowest across the same eight organisations.

Of the organisations we benchmarked against, the proposed increases would place us in the middle range for full pitch hire prices and the second lowest for concession prices.

#### Rugby

There is only one benchmarked comparison for Rugby and the District Council full price is currently higher than this and the concession price is lower. Proposals would raise the full price but keep it in line with the proposed football pitch hire price. Concession pitch price would also increase but still remain lower than the other benchmarked price.

#### Cricket

Of the organisations we benchmarked against, both District Council prices are the lowest by a significant amount, therefore price increase is recommended.

## **Proposed changes to definitions**

It is proposed to change the definition of a hire time from a session to a match or per hour where indicated in Appendix 6. The purpose of this is to ensure the period of hire is clear and equitable. For example, some clubs are currently hiring a football pitch for a session and using it for 90 minutes whilst other clubs are hiring a football pitch and using it for 4 hours.

Of the three sports where this change applies, Cricket is played for a longer period and therefore the cost to do so is higher.

The proposed price increase for training booking brings the price closer to that of a full match price. Clubs/groups making a booking would receive a very similar offer to that of a full match price however, as training often lasts for a shorter period to that of a match, we have retained a lower price.

It is also proposed to reclassify bookings for our Tennis Courts and Multi Use Games Areas (MUGA) as some are single courts and some are double courts. There are now proposed prices for both categories.

Day to day use of these facilities remains free of charge for those wanting to turn up on spec and use their own equipment. Charges would only apply to commercial organisations wanting to use the facilities to run paid for sessions, groups/individuals wanting to guarantee use at a specific time or to cover the use of the facilities for events.

## **Leisure Centres**

Under the terms of the contract with Freedom Leisure, fees and charges for leisure centres have passed to them to manage from 1 August 2018. Prices are protected for the first contract year, meaning any changes could only happen after August 1 2019.

Any future prices changes which Freedom would like to make after this point would need to be proposed to the District Councils Contract Manager no later than 31 December for implementation on 1 April of the following year.

**Appendix 7** outlines fees relating to car parking permits, passes and season tickets. An increase of 3% is recommended, except for charges for replacement or second residents' free parking concession badges, where the charge has been frozen.

**Appendix 8** outlines fees relating to events. The current fees and charges were approved by Members as part of the Events Strategy.

The fees for Matlock Bath Illuminations will be discussed and agreed by the Illuminations working group.

## **2.2 Corporate Services**

**Appendix 9** details the current fees and those recommended for the various streams of Corporate Services.

In terms of Local Land Charges, the basic level of fee is recommended to remain unchanged in order to maintain the current level of market share with the private sector. The level of fees charged by the District Council must also accord with the Local Authorities (England) (Charges for Property Searches) Regulations 2008. The Regulations specify that the charge made in connection with a property search must not amount to more than the actual cost of providing the service. No increase is proposed for this next financial year to maintain market share and to comply with the charging regulations.

The appendix also incorporates fees to recover officer time spent in the preparation of Planning Obligations, other legal agreements and street naming and numbering. External fees are shown as currently procured. Internal fees have been increased in line with inflation and reflect the actual time spent undertaking particular tasks that have not been updated for some time.

A new concession is recommended for inclusion in 2019/20 applicable to parish and town councils only when applying for temporary permissions.

### **2.3 Regulatory Services**

**Appendix 10** details the existing fees and charges and, those recommended for approval with effect from 1st April 2019 in respect of food hygiene, private sector housing and private water supplies.

**Appendix 11** details the existing fees and charges and, those recommended for approval with effect from 1<sup>st</sup> April 2019 in respect of licensing.

The majority of fees in respect of Miscellaneous Licensing and Taxi Licensing are proposed to be increased by 5% in order to reduce the subsidy in this area. The Licensing Review highlighted this as an area of concern and recommended above inflation increases for 3 years to address the issue. This is now the third year for which these increases have been proposed.

If the proposed increases to the Taxi Licensing fees are approved, the information must be published in at least one local newspaper for a period of 28 days. All Taxi and Private Hire Vehicle Owner/Operators licensed by the District Council must also be informed of any proposed increases to the fees. Any relevant objections received must be reported back to a meeting of this Committee within 2 months, for consideration.

Many of the animal welfare licences administered by the District Council have now been replaced by the Animal Activity Licences considered by the Licensing and Appeals Committee in November 2018. As such the previous schedule of charges has been discontinued and replaced by the new fees agreed at Governance and Resources Committee.

No increase has been applied to fees in respect of Gambling as the current levels cover the cost of the service. Fees for applications made under the Licensing Act 2003 in respect of alcohol, entertainment and late night refreshment are set centrally by Government.

**Appendix 12** is an addition to the published scheme of fees and charges and sets out a proposed schedule of charges for the services provided by our Estates and Facilities Team. Although this work has previously been charged for, a schedule of charges has not previously been published. It is considered that publication will aid transparency in our dealings with partner agencies, business and the general public. The charges are calculated to reflect the actual costs incurred in undertaking each work task and it is proposed that we offer a reduction in these fees where the work relates to temporary installations on District Council land by town and parish councils. It is also proposed that no charge be levied in relation to work on community asset transfers or emergency works licences.

### **3 RISK ASSESSMENT**

#### **3.1 Legal**

Section 19 of the Local Government (Miscellaneous Provisions) Act 1976 enables the Council to provide and charge for recreational facilities in its area.

Section 93 of the Local Government Act 2003 enables the Council to charge for a discretionary service where the recipient agrees to its provision.

The risk in relation to the report's recommendations is therefore low.

#### **3.2 Financial**

The income resulting from the recommended revised fees and charges will be included in the draft revenue spending proposals for the financial year 2019/20 to be considered at the 5 March 2019 meeting of the full Council. The proposed increases of 3% and 5% are higher than the current level of inflation. However, the additional income that this increase will generate plays an important part in balancing the Council's budget.

As some fees have been frozen (e.g. stall market rents and land charges), and others increased by 3% and 5%, it is hoped that customer resistance to the proposed fees will not be significant.

The financial risk is therefore assessed as low.

### **4 OTHER CONSIDERATIONS**

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

### **5 CONTACT INFORMATION**

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## 6 BACKGROUND PAPERS

None

## 7 ATTACHMENTS

Schedule of Fees

Appendix 1	Pest and Dog Control
Appendix 2	Waste and Recycling
Appendix 3	Cemeteries
Appendix 4	Agricultural Business Centre
Appendix 5	Stall Markets
Appendix 6	Parks & Recreation Grounds
Appendix 7	Car Parks
Appendix 8	Events
Appendix 9	Corporate Services
Appendix 10(a)(b)(c)	Environmental Health
Appendix 11	Licensing
Appendix 12	Estates and Facilities

**BACK TO AGENDA**



## PEST AND DOG CONTROL

<b>PEST CONTROL</b>			
<b>DOMESTIC PREMISES</b>	<b>Existing Charge 2018-2019 inclusive VAT</b>	<b>Proposed Charge 2019-2020 exclusive of 20% VAT</b>	<b>Proposed Charge 2019-2020 inclusive of 20% VAT and rounded</b>
50% concession charges to those in receipt of housing benefit or Council tax benefit who are also aged 65 and over. The concession applies to one treatment from each category per financial year.			
	(concessions in brackets) £	(concessions in brackets) £	(concessions in brackets) £
<b>Rats</b> Charge: up to 3 visits	26.80 (13.40)	23.00 (11.50)	<b>27.60</b> <b>(13.80)</b>
<b>Mice</b> Charge: up to 3 visits	53.60 (26.80)	46.00 (23.00)	<b>55.20</b> <b>(27.60)</b>
<b>Wasps</b> Charge: per visit	66.90 (33.45)	57.42 (28.75)	<b>68.90</b> <b>(34.50)</b>
<b>Cockroaches</b> Charge: up to 4 visits	80.25 (40.15)	68.92 (34.42)	<b>82.70</b> <b>(41.30)</b>
<b>Ants</b> Charge: per visit	66.85 (33.45)	57.42 (28.67)	<b>68.90</b> <b>(34.40)</b>
<b>Bedbugs</b> Charge: up to 2 visits	80.25 (40.15)	68.92 (34.42)	<b>82.70</b> <b>(41.30)</b>
<b>Fleas</b> Charge: per visit	66.86 (33.45)	57.42 (28.67)	<b>68.90</b> <b>(34.40)</b>
<b>Non public health pests</b> Charge: up to 2 visits	86.75 (43.40)	74.50 (37.25)	<b>89.40</b> <b>(44.70)</b>
<b>Advice Only charge per visit</b>	16.00 (no concession)	13.75 (no concession)	<b>16.50</b> <b>(no concession)</b>

<b>PEST CONTROL</b>			
<b>COMMERCIAL PREMISES</b>	<b>Existing Charge 2018-2019 inclusive VAT £</b>	<b>Proposed Charge 2019-2020 exclusive of 20% VAT £</b>	<b>Proposed Charge 2019-2020 inclusive of 20% VAT and rounded £</b>
<b>Rats and Mice</b> (includes one revisit to remove bait)	142.90 per hour <b>(minimum charge)</b>	122.67	<b>147.20</b>
<b>Insect Pests</b>	71.90 per hour <b>(minimum charge)</b>	61.75	<b>74.10</b>

**Note: Rats and Mice and Insect Pests**

Commercial premises are liable for a minimum charge equal to 1 hour.

Where treatment takes more than 1 hour additional whole hours are charged at the hourly rate and part hours are charged pro rata in 15 minute bands.

<b>DOG CONTROL</b>	<b>Existing Charge 2018-2019 £</b>	<b>Proposed Charge 2019-2020 £</b> Outside the scope of VAT
These charges are plus Vet's Fees if necessary, and VAT on Vet's Fees.		
<b>STRAY DOGS</b> Penalty for stray dogs collected or returned by Dog Warden	58.95	<b>58.95</b>
<b>Above penalty charge plus kennel fees as follows:</b>		
Each day or part day	15.25 Daily kennel fee (or part day)	<b>15.75</b> Daily kennel fee (or part day)

## WASTE AND RECYCLING

The following fees are outside the scope of VAT

<b>HOUSEHOLD WASTE</b>	<b>Existing Charge 2018-19 £ (concessions in brackets)</b>	<b>Proposed Charge 2019-20 £ (concessions in brackets)</b>
50% concession charges to those in receipt of housing benefit or Council tax benefit who are also aged 65 and over. The concession applies to one bulky and one electrical collection per financial year.		
Up to 3 items	20.95 (10.45)	<b>21.50</b> <b>(10.75)</b>
Up to 6 items	34.00 (17.00)	<b>35.00</b> <b>(17.50)</b>
Electrical item One item	17.95 (8.95)	<b>18.50</b> <b>(9.25)</b>
Electrical items 2-3 items	23.80 (11.90)	<b>24.50</b> <b>(12.25)</b>
<b>COMPOSTING</b>	<b>Existing Charge 2018-19 £</b>	<b>Proposed Charge 2019-20 £</b>
Supply of 240 litre wheeled bin (Collection free thereafter)	25.75	<b>26.50</b>
<b>WHEELED BINS FOR NEW PROPERTIES</b>		
140 litre grey wheeled bin (green bin given free if possible with grey bin)	20.60	<b>21.25</b>
240 litre grey wheeled bin (green bin given free if possible with grey bin)	25.75	<b>26.50</b>
<b>WHEELED BINS –REPLACEMENTS</b>		
140 litre grey wheeled bin replacement.	20.60	<b>21.25</b>
240l grey wheeled bin replacement (if qualify)	25.75	<b>26.50</b>

240l green wheeled bin replacement	15.45	<b>15.90</b>
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<b>ABANDONED SHOPPING TROLLEYS</b>		
Return of shopping trolley	38.05	<b>39.20</b>

<b>TRADE WASTE</b>		<b>Existing Charge 2018-2019</b>	<b>Proposed Charge 2019-2020</b>
<b>GREEN SACKS</b>			
Per pack of 25		67.50	<b>69.50</b>
<b>WHEELED BINS</b>			
<b>Commercial Per lift:</b>	1100 litre capacity	18.05	<b>18.60</b>
	660 litre capacity	12.40	<b>12.80</b>
	360 litre capacity	8.25	<b>8.50</b>
	240 litre capacity	6.60	<b>6.80</b>
<b>Commercial Recycling:</b>	240 litre capacity	3.50	<b>3.60</b>
<b>Schools &amp; Not- for-profit Organisations NB</b> Collection charge only per lift:	1100 litre capacity	9.20	<b>9.50</b>
	660 litre capacity	7.85	<b>8.10</b>
	360 litre capacity	5.60	<b>5.80</b>
	240 litre capacity	5.30	<b>5.50</b>

The following charges are subject to VAT:

<b>COMMERCIAL WASTE</b>			
<b>CLINICAL WASTE</b>	<b>Existing Charge 2018-2019 inclusive VAT £</b>	<b>Proposed Charge 2019-2020 exclusive of 20% VAT £</b>	<b>Proposed Charge 2019-2020 inclusive of 20% VAT and rounded £</b>
<b>Collection of each yellow sack per annum</b>	444.00	379.17	<b>455.00</b>

## CEMETERIES

These charges apply to purchasing the Exclusive Right of Burial (including ashes) before or after death of a resident in the Derbyshire Dales District Council area and in the case of a stillborn child where one of the parents was resident at the time of interment.

### Double Fees

Where the Exclusive Right of Burial is purchased for a non-resident of the Derbyshire Dales, fees for all services will be doubled ie for all interments; for the Right to Erect a Memorial; for the right to fix plaques or reserve spaces in a Garden of Remembrance; for the erection of memorials and for additional inscriptions. The fees will not be doubled where the Exclusive Right of Burial was purchased at the single fee at an earlier date. The appropriate Officer of the Council has the discretion to waive these double fees when there are grounds to do so, i.e. past residency in the District or other connections.

**(NB: All fees for cemeteries fall outside the scope of VAT, with the exception of the supply of slabs and plaques)**

EXCLUSIVE RIGHT OF BURIAL	Existing Charge 2018/2019 £	Proposed Charge 2019/2020 £
<b>Earthen Graves</b>		
<b>For the exclusive right of burial for a period not exceeding 100 years:</b>		
a) grave size 2.4m x 1.2m	624.65	<b>643.00</b>
b) grave size 2.4m x 2.4m	1175.00	<b>1210.00</b>
<b>Garden of Remembrance</b>		
For the exclusive right of burial of cremated remains for a period not exceeding 100 years, in an earthen grave not exceeding 450mm x 600mm	201.10	<b>207.00</b>

## INTERMENTS

The fees indicated:

- a) include the digging of the grave;
- b) apply only where the interment is made between the hours of:
  - 9:30am – 3.30pm, Mondays – Thursdays;
  - 9.30am – 3pm, Fridays (excluding Bank and public holidays)';
  - or on the certificate of a Coroner or Registered Medical Practitioner that immediate interment is necessary.
- c) Apply provided that the interment is made within fifteen minutes of the time arranged with Derbyshire Dales District Council. If not, an additional charge of **£15.30** (£14.85 in 2018/19) is payable per fifteen minutes

<b>INTERMENT IN ANY GRAVE</b>	<b>Existing Charge 2018/2019 £</b>	<b>Proposed Charge 2019/2020 £</b>
<b>All of the following fees for cemeteries fall outside the scope of VAT)</b>		
a) of the body of a stillborn child or of a child whose age at the time of death did not exceed <b>one month</b> .	No charge	<b>No charge</b>
b) of the body of a child whose age at the time of death exceeded one month but did not exceed <b>16 years</b> .	111.00	<b>114.00</b>
c) of the body of a person whose age at the time of death exceeded <b>16 years</b> .	701.30	<b>722.00</b>
Interment in existing vault or bricked grave	Daywork rates apply	<b>Daywork rates apply</b>
Interment of cremated remains	147.70	<b>152.00</b>
Turfing of grave after interment on request	46.45	<b>48.00</b>
<b>SCATTERING OF ASHES</b>		
In the case of purchased graves, or in the Garden of Remembrance: Fee for right to scatter ashes	51.90	<b>53.50</b>
<b>LONG-TERM MEMORIALS IN GARDENS OF REMEMBRANCE</b>		
Please Note: Within the designated lawn sections, only one stone vase or block is permitted per plot, not exceeding 200mm in height and 200mm in width.		
Right to Erect a Memorial on a grave for cremated remains with respect to which an exclusive right of burial has been granted	67.50	<b>69.50</b>

<b>LONG-TERM MEMORIALS IN GARDENS OF REMEMBRANCE</b>	<b>Existing Charge 2018/2019 £</b>	<b>Proposed Charge 2019/2020 £</b>
Supply of a memorial plaque (150mm x 75mm) at ground level including fixing	67.50 plus cost of plaque plus VAT	<b>69.50</b> plus cost of plaque plus VAT
Supply of a stone slab level with the surrounding ground for the fixing of a memorial plaque including installation	86.40 (plus VAT)	<b>89.00</b> (plus VAT)
Supply of a plaque 150mm x 75mm for the memorial wall, including fee for space and fixing	67.50 plus cost of plaque plus VAT	<b>69.50</b> plus cost of plaque plus VAT
Reservation of up to 3 plaque spaces under the first plaque on the memorial wall (fee per space)	17.50	<b>18.00</b>
Permission for erection of a vase not exceeding 300mm in height, including first inscription	67.50	<b>69.50</b>
Permission for kerb or border stones enclosing a space not exceeding 450mm x 600mm including first inscription	67.50	<b>69.50</b>
Permission for each inscription after the first on vases, kerbs, border stones, etc.	51.35	<b>53.00</b>
<b>LONG-TERM MEMORIALS ON EARTHEN GRAVES</b>		
Please Note: Within the designated lawned sections, the only long-term memorial permitted on a grave is a single headstone.		
Right to Erect a Memorial on a grave in respect of which an exclusive right of burial has been granted	157.10	<b>162.00</b>
Permission for a memorial headstone not exceeding 1 metre in height and 900mm in width, and including the cost of the foundation already provided	240.40	<b>248.00</b>
Permission for a memorial headstone not exceeding 1 metre in height and 900mm in width, in those areas where <b>no</b> concrete foundation is provided	77.90	<b>80.00</b>



<b>LONG-TERM MEMORIALS ON EARTHEN GRAVES</b>	<b>Existing Charge 2018/2019 £</b>	<b>Proposed Charge 2019/2020 £</b>
Permission for a flat stone or tablet, level with surrounding ground not exceeding 2.4m x 1.2m, including first inscription	82.35	<b>85.00</b>
Permission for kerb or border stones enclosing a space not exceeding 2.4m x 1.2m, including first inscription	141.95	<b>146.00</b>
Permission for a vase not exceeding 300 mm in height, including first inscription	67.50	<b>69.50</b>
Permission for each inscription after the first	51.35	<b>53.00</b>
<b>ASSISTED BURIALS</b>		
Standard Charge (Minimum)	461.00	<b>475.00</b>
<b>RECORD SEARCHES</b>		
Record Searches	15.45	<b>15.91</b>

## AGRICULTURAL BUSINESS CENTRE

Livestock Markets and Farmers' Markets	Existing Charge 2018-2019 inclusive VAT £	Proposed Charges 2019-2020 exclusive 20% VAT £	Proposed Charges 2019-2020 inc. of 20% VAT & rounded £
<b>Farmers' Markets</b>			
<b>Farmers' Market Stalls</b>			
4.5 foot stall	16.50	14.17	17.00
6 foot stall	20.90	17.92	21.50
9 foot stall (Standard)	32.65	28.00	33.60
12 foot stall	41.70	35.83	43.00
2 foot extension table	4.45	3.83	4.60
<b>Farmers' Market Parking</b>			
Parking for Farmers' Market Traders (per vehicle)	4.00	3.33	4.00
<b>Room Hire</b>			
<b>Conference Room</b>			
Hire per Day	246.35	199.17	239.00
Hire per Half Day	127.65	109.58	131.50
Hire per Hour	41.40	35.50	42.60
Hire per Evening/Weekend	20% applied to charges for half day/full day		
Maximum discount for non-commercial local organisations 40%			
<b>Meeting Room 1</b>			
Hire per Day	127.65	109.58	131.50
Hire per Half Day	65.85	56.50	67.80
Hire per Hour	20.80	17.83	21.40
Hire per Evening/Weekend	20% applied to charges for half day/full day		
Maximum discount for non-commercial local organisations 40%			
<b>Meeting Room 2 &amp; 3</b>			
Hire per Day	64.20	55.17	66.20
Hire per Half Day	33.25	28.58	34.30
Hire per Hour	12.55	10.75	12.90
Hire per Evening/Weekend	20% applied to charges for half day/full day		
Maximum discount for non-commercial local organisations 40%			
<b>Concourse</b>			
Hire per Day	246.35	211.42	253.70
Hire per Half Day	127.65	109.58	131.50
Hire per Hour	41.40	35.50	42.60
Hire per Evening/Weekend	20% applied to charges for half day/full day		
Maximum discount for non-commercial local organisations 40%			

## STALL MARKETS

(All Stall Market charges are exempt from VAT)

	Existing Charge 2018/19 £	Proposed Charge 2019/20 £
<b>Bakewell Market</b>		
9ft Stall	<b>26.30</b>	<b>26.30</b>
12ft Stall	<b>34.20</b>	<b>34.20</b>
Butcher's Lorry	<b>77.20</b>	<b>77.20</b>
Fast Food Catering Trailer	<b>38.50</b>	<b>38.50</b>
Hot Drinks Trailer	<b>34.20</b>	<b>34.20</b>
Charges per additional foot	<b>3.90</b>	<b>3.90</b>

<b>Matlock Market</b>		
Large Internal cabin	<b>181.20</b>	<b>186.60</b>
Greengrocer (external cabin)	<b>240.20</b>	<b>247.40</b>
Small Internal Cabin	<b>102.30</b>	<b>105.40</b>
Butcher (Cabin)	<b>102.30</b>	<b>105.40</b>

<b>CASUAL TRADERS</b>		
(stall fee as above to be added to this fee)	<b>2.80</b>	<b>3.50</b>
<b>CHARITY MARKET STALL – NOT FOR PROFIT ORGANISATIONS</b>		
Hire of stall	<b>8.90</b>	<b>8.90</b>
<b>TRADER PARKING</b>		
Parking for Stall Market Traders (per vehicle)	<b>3.80</b>	<b>4.00</b>

## PARKS AND RECREATION GROUNDS

ACTIVITY	Existing Charge 2018-19 inclusive VAT £	Proposed Charge 2019-2020 exclusive of 20% VAT £	Proposed Charge 2019-2020 inclusive of 20% VAT and rounded £
<b>Tennis Court / Multi Use Games Areas</b> - [VAT applicable]			
Hire of single tennis court/MUGA per hour			
Full	7.45	6.42	7.70
Concession	3.75	3.25	3.90
Hire of double tennis court/double MUGA per hour			
Full	14.85	12.75	15.30
Concession	7.45	6.42	7.70
<b>Bowling Greens</b> [VAT applicable]			
Reservation per club per match			
Full	6.60	5.67	6.80
Full Concession	3.30	2.83	3.40
Season Ticket			
Full	46.40	39.83	47.80
Full Concession	23.15	19.83	23.80
Lease per season of Bakewell Bowling Green			
Special	90.20	Exempt from VAT	92.90
<b>Sports Pitches and Pavilions</b> [VAT applicable]			
Football and Rugby - Hire of pitch per match (inc marking out, preparation & use of pavilion) (inc marking out, preparation & use of pavilion)			
Full	42.95	38.33	46.00
Concession	21.55	20.83	25.00
Cricket - Hire of pitch per match (inc marking out, preparation and use of pavilion)			
Full	44.95	40.83	49.00
Concession	22.55	20.83	25.00
Football and Rugby - Hire of Pitch, per hour for Training (inc pavilion)			
Full	33.75	30.00	36.00
Concession	16.90	15.83	19.00
Pavilion - Hire of pavilion (inc changing rooms)			
Full	14.75	12.67	15.20
Concession	7.45	6.42	7.70
Croquet Lawn - Hire of Croquet Lawn (inc marking out, preparation and use of pavilion)			
Full	22.85	19.58	23.50
Concession	11.45	9.83	11.80
Artificial Cricket wicket - Hire of Artificial Cricket Wicket per match (inc use of pavilion)			
Full	33.45	28.75	34.50
Concession	£16.60	14.25	17.10

## CAR PARKS

	Existing Charge 2018-2019 inclusive VAT £	Proposed Charge 2019-2020 exclusive of 20% VAT £	Proposed Charge 2019-2020 inclusive of 20% VAT £
Discount Season Ticket by Zone – 6 months	228.00	195.83	<b>235.00</b>
Discount Season Ticket by Zone – 12 months	456.00	391.67	<b>470.00</b>
Discount Season Ticket District Wide – 6 months	286.00	245.83	<b>295.00</b>
Discount Season Ticket District Wide –12 months	572.00	490.83	<b>589.00</b>
Rover Pass - 3 Day	9.90	8.50	<b>10.20</b>
Rover Pass - 7 Day	23.10	19.83	<b>23.80</b>
Annual Permit for Residents Only Car Park - Full	331.00	284.17	<b>341.00</b>
Annual Permit for Residents Only Car Park – Daytime (08.30–17.30) weekdays	186.00	160.00	<b>192.00</b>
Annual Permit for Residents Only Car Park – Evening/weekend – all hours outside those covered by the ‘Daytime Permit’	145.00	124.17	<b>149.00</b>

Annual Permit for Residents Reserved Bay <i>(to be phased out by April 2021 – C&amp;E Minute 242/1)</i>	92.00	147.50	<b>177.00</b>
Replacement or second Residents Free Parking Concession Badge – if purchased <u>before</u> 1 <sup>st</sup> October	60.00	50.00	<b>60.00</b>
Replacement or second Residents Free Parking Concession Badge – if purchased <u>from</u> 1 <sup>st</sup> October	40.00	33.33	<b>40.00</b>

\*The base rates 2018 were set by the Community & Environment Committee on 5 December 2017 and are (with the exception of Residents Free Parking Concession Badges) to be subject to annual fees and charges review.

## EVENTS

	Existing Charge 2018-2019 inclusive VAT £	Proposed Charge 2019- 2020 exclusive of 20% VAT £	Proposed Charge 2019-2020 inclusive of 20% VAT and rounded £
<b>OPENING, CLOSING AND CLEANSING OF PUBLIC TOILETS</b> Free during normal working hours			
Charge for each additional hour outside normal working hours: After 3:30pm Monday to Friday, or Saturdays	21.75 (26.10 incl VAT)	22.40	<b>26.88</b>
Charge for each additional hour outside normal working hours: Sundays or Bank Holidays	27.30 (32.76 incl VAT)	28.12	<b>33.75</b>
<b>EMPTYING LITTER BINS</b>			
During working hours : Charge per person per hour.	17.20 (20.64 incl VAT)	17.72	<b>21.26</b>
Charge for each person per hour outside normal working hours: After 3:30pm Monday to Friday, or Saturdays	23.30 (27.96 incl VAT)	24.00	<b>28.80</b>
Charge for each person per hour outside normal working hours: Sundays or Bank Holidays	29.40 (35.28 incl VAT)	30.28	<b>36.34</b>
<b>HIRE OF WHEELED BINS</b>			
Hire of wheeled bin per week plus cost of delivery, collection and washing	10.00 (12.00 Incl. VAT) minimum charge £150.00 (£180.00 incl. VAT)	10.30 minimum charge £155.00	<b>12.36 minimum charge £186.00</b>

## CORPORATE SERVICES

### LOCAL LAND CHARGES

Charge	Existing 2018/19	Proposed 2019/20
Official Search Fee (LLC1 + Con29R)	£128.80	£128.80
LLC1 only	£31.00	£31.00
Con29R	£94.80	£94.80
Con 29O (per question)	£12.00	£12.00
Additional Parcel of Land	£13.20	£13.20
Written enquiries (solicitors own questions)	£14.40	£14.40
Personal Search of the Register	£0	£0

### LEGAL

Charge	Existing 2017/18	Proposed 2018/19
Authorising proof of life for overseas pensioners	£26	£27
Planning Obligations - S.106 Fees	£550 plus £65 p/h after 4 hours	<p>The agreements are drafted and finalised externally. The estimated fee per agreement is £2000.</p> <p>All fees are based on the following hourly rates:</p> <p>Partner - £160            Senior Solicitor - £145            Associate - £135            Solicitor - £125            Trainee - £90</p> <p>Disbursements are charged separately.</p>
Planning Obligations S.106 Discharge	£360	£370
Planning Obligations S.106 Deed of Variation	£360	£370
Easements, Covenants and one off Deeds	£350	£360
Commercial Licences to occupy Council Land	£250	£258
Licences to occupy Council Land for community benefit	£75	£77



Charge	Existing 2017/18	Proposed 2018/19
Leases and renewals	£350 plus £65 p/h after 5 hours	£360 plus £65 p/h after 5 years
Licences to assign, sublet, carry out works under a Lease	£300	£310
Emergency work licences relating to Public Safety		Nil
Sales of Council Land, Sales by Land by Tender and Sales of Land by Auction	Maximum of 1.5% of the sale price (subject to minimum of £450)	Maximum of 1.5% of the sale price (subject to minimum of £450)
Transfer of land for affordable housing at nil consideration in exchange for nomination rights	£500 and £65 p/h after 5 hours	£500 and £65 p/h after 5 hours
Temporary (<1 year) installations on Council Land by Town or Parish Councils		Reduction of 33% of standard fee
Community Asset Transfers	Nil charge	Nil charge
Footpath Diversion Orders	<p><u>Unopposed Order</u>  Preparation of Order £1,450  Plan £160  Actual advertising costs £700 (estimate)  Total £2,310</p> <p><u>Opposed Orders</u>  £2310 (As above) plus Consultant's fee at £65 per hour for time spent:</p> <ul style="list-style-type: none"> <li>• dealing with objections, representations and associated correspondence</li> <li>• negotiating to resolve objections</li> <li>• submitting the order to the Planning Inspectorate where objections are maintained and preparing the statement of case</li> <li>• liaison with the Planning Inspectorate and representing the Council in the determination of the case by means of a hearing, public inquiry or written representations.</li> </ul>	<p><u>Unopposed Order</u>  Preparation of Order £1,450  Plan £160  Actual advertising costs £700 (estimate)  Total £2,310</p> <p><u>Opposed Orders</u>  £2310 (As above) plus Consultant's fee at £65 per hour for time spent:</p> <ul style="list-style-type: none"> <li>• dealing with objections, representations and associated correspondence</li> <li>• negotiating to resolve objections</li> <li>• submitting the order to the Planning Inspectorate where objections are maintained and preparing the statement of case</li> <li>• liaison with the Planning Inspectorate and representing the Council in the determination of the case by means of a hearing, public inquiry or written representations.</li> </ul>

## ROAD CLOSURES

Charge	Existing 2018/19	Proposed 2019/20
Events where there is a charge for participation or for spectators	£60	£61
Events that primarily benefit businesses or other commercial organisations	£60	£61
Carnivals/fetes or any other events that raise funds through collections/donations	£21	£22
Remembrance/well dressing or other commemorative parades	£0	£0

## STREET NAMING AND NUMBERING

Charge	Existing 2018/19	Proposed 2019/20
Allocate a house name, rename or remove a house name to an existing property  Change a company name on a property  Allocate a house number, renumber or remove a house number of an existing property	£53	£55
Naming or renaming of new streets and numbering or renumbering new / existing properties on that street	£159	£164
Naming of new streets at residents request	£318	£328
Naming and numbering of new properties or properties on an existing street:		
1 property	£79	£82
2 – 5 properties	£106	£110
6 – 10 properties	£159	£164
11 – 25 properties	£212	£219
26 – 50 properties	£265	£273
51 – 100 properties	£424	£437
101+ properties	£794	£818
Division of Properties – same as numbering of new properties (and based on number of properties created including the original)	No Change	
Confirmation of address to solicitors / conveyancers / occupiers or owners ( <i>Royal Mail – external confirmation</i> )	£27	£28

Charge	Existing 2018/19	Proposed 2019/20
Renumbering of scheme following development re-plan (after notification of numbering scheme issued)	£106 + £11	£110 + £12
Address issued / confirmation when replacement property built (as the original address will have been removed following the demolition as address may be different to original property) reactivation of address	£53	£55
1 <sup>st</sup> Set of Nameplates erected for each new Street	£239	£247
For each additional nameplate that is required to be erected at other junctions and entrances onto the new street	£106	£110
Challenges / requests / revisions to existing street naming and numbering schemes Confirm minimum charge	£27 minimum charge	£28 minimum charge
Rectification of existing address / postcode issues where no change involved Confirm minimum charge	£27 minimum charge	£28 minimum charge

## ENVIRONMENTAL HEALTH

<b>FOOD HYGIENE</b>	<b>Existing Charge 2018-2019 inclusive VAT £</b>	<b>Proposed Charge 2019-2020 exclusive of 20% VAT £</b>	<b>Proposed Charge 2019-2020 inclusive of 20% VAT (where applicable) and rounded £</b>
<b>FOOD HYGIENE COURSES</b>  Basic Food Hygiene Course - Charge per Candidate	91.50	78.54	<b>94.25</b>
<b>FOOD PREMISES REGISTER</b>  Photocopying of Register  Per entry Whole Register	4.00 988.00	3.46 850.00	<b>4.15 1020.00</b>
<b>HEALTH CERTIFICATES</b>  Standard Charge (VAT not applicable)	43.50	N/A	<b>45.00</b>
<b>HOUSING</b> (Outside the scope of VAT)			
<b>HOUSES IN MULTIPLE OCCUPATION</b>  HMO Licensing	470.00	N/A	<b>484.00</b>
<b>HOUSING ENFORCEMENT NOTICES</b>  Housing Act 2004 sections 11 & 12 Improvement Notice	260.00	N/A	<b>268.00</b>

## HOUSING ENFORCEMENT NOTICES

(Outside the scope of VAT)

Housing Act 2004 sections 20 & 21 Prohibition Order	260.00	N/A	<b>268.00</b>
Housing Act 2004 sections 28 & 29 Hazard Awareness Notice	260.00	N/A	<b>268.00</b>
Housing Act 2004 section 40 Emergency Remedial Action	260.00	N/A	<b>268.00</b>
Housing Act 2004 section 43 Emergency Prohibition Order	260.00	N/A	<b>268.00</b>
Housing Act 1985 section 265 Demolition Order	260.00	N/A	<b>268.00</b>

## PRIVATE WATER SUPPLIES

(Outside the scope of VAT)

Risk Assessment	396.00	N/A	<b>408.00</b>
Desktop Risk Assessment	165.00	N/A	<b>170.00</b>
Sampling Visit	54.00	N/A	<b>55.50</b>
Investigation	86.50	N/A	<b>89.00</b>
Granting an authorisation	40.50	N/A	<b>42.00</b>
Analysing a sample under Regulation 10	Lab Charge	Lab Charge	<b>Lab Charge</b>
Analysing a check monitoring sample	Lab Charge	Lab Charge	<b>Lab Charge</b>
Analysing an audit monitoring sample	Lab Charge	Lab Charge	<b>Lab Charge</b>

## ANIMAL WELFARE & MISCELLANEOUS LICENSING

(The following fees fall outside the scope of VAT with the exception of Vets' Fees)

An average increase of 5% is proposed for the following fees:

<b>ANIMAL WELFARE</b>	<b>Existing Charge 2018-2019 £</b>	<b>Proposed Charge 2019-2020 rounded + inclusive of VAT where applicable £</b>
<p><b>Animal Boarding Establishments Act 1963</b></p> <p>New application for licence to operate a boarding establishment</p> <p>Renewal of licence to operate a boarding establishment</p>	<p style="text-align: center;"><b>147.00</b> Plus Vet Fees and VAT on Vets Fees and arrangement fee of <b>17.00 + VAT</b></p> <p style="text-align: center;"><b>103.00</b> Plus Vet Fees and VAT on Vets Fees and arrangement fee of <b>17.00 + VAT</b></p>	<b>Discontinued</b>
<p><b>Pet Animals Act 1951</b></p> <p>New application for licence to operate a retail pet shop</p> <p>Licence to operate a retail pet shop</p>	<p style="text-align: center;"><b>147.00</b> Plus Vet Fees and VAT on Vets Fees and arrangement fee of <b>17.00 + VAT</b></p> <p style="text-align: center;"><b>103.00</b> Plus Vet Fees and VAT on Vets Fees and arrangement fee of <b>17.00 + VAT</b></p>	<b>Discontinued</b>
<p><b>Riding Establishment Acts 1964 and 1970</b></p> <p>New application for licence to operate a riding establishment</p> <p>Renewal of licence to operate a riding establishment</p>	<p style="text-align: center;"><b>158.00</b> Plus annual Vet Fees and VAT on Vets Fees and arrangement fee of <b>17.00 + VAT</b></p> <p style="text-align: center;"><b>125.00</b> Plus annual Vet Fees and VAT on Vets Fees and arrangement fee of <b>17.00 + VAT</b></p>	<b>Discontinued</b>

<b>ANIMAL WELFARE</b>	<b>Existing Charge 2018-2019 £</b>	<b>Proposed Charge 2019-2020 rounded + inclusive of VAT where applicable £</b>
<p><b>Dangerous Wild Animals Act 1976</b></p> <p>New application for licence to keep a dangerous wild animal as defined in Schedule</p> <p>Renewal of licence to keep a dangerous wild animal as defined in Schedule</p>	<p><b>168.00</b> Plus Vet Fees and VAT on Vets Fees and arrangement fee of <b>17.00 + VAT</b></p> <p><b>140.00</b> Plus Vet Fees and VAT on Vets Fees and arrangement fee of <b>17.00 + VAT</b></p>	<p><b>176.00</b> Plus Vet Fees and VAT on Vets Fees and arrangement fee of <b>17.500 + VAT = 21.00</b></p> <p><b>147.00</b> Plus Vet Fees and VAT on Vets Fees and arrangement fee of <b>17.50 + VAT = 21.00</b></p>
<p><b>Breeding of Dogs Act 1973</b></p> <p>New application for licence to operate a dog breeding establishment</p> <p>Renewal of licence to operate a dog breeding establishment</p>	<p><b>147.00</b> Plus Vet Fees and VAT on Vets Fees and arrangement fee of <b>17.00 + VAT</b></p> <p><b>103.00</b> Plus Vet Fees and VAT on Vets Fees and arrangement fee of <b>17.00 + VAT</b></p>	<p><b>Discontinued</b></p>
<p><b>Zoo Licensing Act 1981</b></p> <p>Licence to operate a Zoo</p>	<p><b>310.00</b> Plus annual Vet Fees and VAT on Vets Fees and arrangement fee of <b>17.00 + VAT</b></p>	<p><b>325.00</b> Plus annual Vet Fees and VAT on Vets Fees and arrangement fee of <b>17.92 + VAT = 21.50</b></p>

<b>MISCELLANEOUS</b>	<b>Existing Charge 2018-2019</b>	<b>Proposed Charge 2019-2020  (VAT not applicable)</b>
<b>Local Government (Miscellaneous Provisions) Act 1982 as amended by Local Government Act 2003</b>  Registration of Persons and Premises to allow Practice of Acupuncture, Semi-Permanent Skin Colouring, Cosmetic Piercing and Electrolysis	<b>82.00</b>  (separate registrations required for person and premises)	<b>86.00</b>  (separate registrations required for person and premises)
<b>Local Government (Miscellaneous Provisions) Act 1982</b> Licence to Operate a Sex Establishment	<b>2020.00</b>	<b>2120.00</b>
Licence to Operate a Sex Entertainment Venue	<b>2020.00</b>	<b>2120.00</b>
<b>Local Government (Miscellaneous Provisions) Act 1982</b>  Street Trading Consent	<b>55.00</b>	<b>58.00</b>
<b>Public Health Acts Amendment Act 1907</b>  Licence to Operate Pleasure Boats	<b>38.00</b>	<b>40.00</b>
Pleasure Boat and Vessel Licence	<b>38.00</b>	<b>40.00</b>
<b>Scrap Metal Dealers Act 2013</b>  Site Licence (3 years) – New/Renewal	<b>312.00</b>	<b>328.00</b>
Site Licence (3 years) – Variation	<b>147.00</b>	<b>155.00</b>
Collectors Licence (3 years)	<b>175.00</b>	<b>185.00</b>



## Hackney Carriage and Private Hire – Taxi Licensing

(All of these fees fall outside the scope of VAT). An average increase of 5% is proposed for the following fees:

	Existing Charge 2018/2019	Proposed Charge 2019/2020
<b>Private Hire Operator's Licence - (Renewable every 5 years)</b>		
Application Fee	<b>£440.00</b> new fee set 1st October 2015. Due to change in legislation.	<b>462.00</b>
Criminal Record Disclosure (Basic)	Fee set by Disclosure and Barring Service (DBS) or Disclosure Scotland.	(DDDC will charge an admin fee if assisting – see Driver's Licence below).
** Operator will only need a basic criminal record check, if not a licensed driver with the District Council and have a current Enhanced Disclosure Certificate.		
<b>Vehicle Licence (Renewable every year)</b>		
Hackney Carriage Licence Application Fee	<b>£328.00</b>	<b>£344.00</b>
Private Hire Vehicle Licence	<b>£328.00</b>	<b>£344.00</b>
Vehicle FULL Re-test (3 or more items requiring attention)	<b>£66.00</b>	<b>£69.00</b>
Vehicle MINOR re-test (2 items or less requiring attention)	<b>£31.00</b>	<b>£33.00</b>
Refund of vehicle test if vehicle sold or licence is surrendered within 6 months of being licensed	<b>£65.00</b>	<b>£69.00</b>
Vehicle Transfer	<b>£33.00</b>	<b>£35.00</b>
Meter Test (if seal is broken – requiring checking at Testing Depot)	<b>£33.00</b>	<b>£35.00</b>
<b>Vehicle Licence (miscellaneous charges)</b>		
Breaking an Appointment (without 24 hours notification)	<b>£33.00</b>	<b>£35.00</b>
Trailer and Top Box Test	<b>£33.00</b>	<b>£35.00</b>
<b>Driver's Licence (Renewable every 3 years)</b>		
Application for new/renewal of Driver's Licence	<b>£176.00</b> (3 year renewals introduced in 2015).	<b>£185.00</b>
DVLA Check (required each year during 3 year period of licence)	<b>£24.00</b> paid on application for Driver's Licence, to cover 3 year period of licence.	<b>£25.00</b>
DBS Enhanced Criminal Records Check (due every 3 years)	DBS Fee of £44.00 + £10.00 Admin Fee (Derbyshire County Council) + £2.20 DDDC Admin Fee.	<b>DBS Fee of £44.00 + tbc Admin Fee (Derbyshire County Council) + £2.30 DDDC Admin Fee.</b>

## Hackney Carriage and Private Hire – Taxi Licensing

	Existing Charge 2018/2019	Proposed Charge 2019/2020
Driver's Knowledge Test/Resit	£33.00	£35.00
Driver's Knowledge Test Cancellation Fee	£10.00	£11.00
<b>Sundries/Replacement</b>		
	<b>Prices include VAT</b>	
Driver's Badge	£3.50	£3.50
Driver's Badge Holder	£3.50	£3.50
Council Door Stickers (for front doors)	£11.00	£11.25
Licence plate for rear of vehicle	£10.00	£10.25
Licence plate fixings for rear licence plate	£2.50	£2.50
Licence plate for inside windscreen	£7.00	£7.25
Plastic wallet for windscreen plate	£1.75	£1.80
Duplicate licence (paper copy)	£11.00	£11.25

**GAMBLING LICENSING**

(The following fees fall outside the scope of VAT). It is proposed that the following fees for applications made during the period 1<sup>st</sup> April 2018 - 31<sup>st</sup> March 2019 are frozen.

<b>GAMBLING ACT 2005 PREMISES LICENCES APPLICATIONS</b>	<b>Maximum Fees prescribed by regulations (Gambling Act 2005)</b>	<b>Existing Charge 2018/19</b>	<b>Proposed Charge 2019/2020 plus %age and Rounded</b>
<b>Small Casino</b>	<b>£</b>	<b>£</b>	<b>£</b>
New application	<b>8,000.00</b>	£6,980.00	<b>£6,980.00</b>
1 <sup>st</sup> Annual Fee ***	<b>50% of annual fee</b>	£2,300.00	<b>£2,300.00</b>
Annual Fee	<b>5,000.00</b>	£4,600.00	<b>£4,600.00</b>
Variation	<b>4,000.00</b>	£3,420.00	<b>£4000.00</b>
Transfer	<b>1,800.00</b>	£1,450.00	<b>£1,450.00</b>
Reinstatement	<b>1,000.00</b>	£1,000.00 (max)	<b>£1,000.00 (max)</b>
Provisional Statement	<b>8,000.00</b>	£7,230.00	<b>£7,230.00</b>
Licence for Provisional Statement Holders	<b>3,000.00</b>	£2,628.00	<b>£2,628.00</b>
<b>Large Casino</b>			
New application	<b>10,000.00</b>	£8,545.00	<b>£8,545.00</b>
1 <sup>st</sup> Annual Fee ***	<b>50% of annual fee</b>	£4273.00	<b>£4,273.00</b>
Annual Fee	<b>10,000.00</b>	£8,546.00	<b>£8,546.00</b>
Variation	<b>5,000.00</b>	£4,223.00	<b>£4,223.00</b>
Transfer	<b>2,150.00</b>	£1,710.00	<b>£1,710.00</b>
Reinstatement	<b>2,150.00</b>	£1,710.00	<b>£1,710.00</b>
Provisional Statement	<b>10,000.00</b>	£8,415.00	<b>£8,415.00</b>
Licence for Provisional Statement Holders	<b>5,000.00</b>	£4,223.00	<b>£4,223.00</b>
<b>Bingo Club</b>			
<b>New application</b>	<b>3,500</b>	£3,023.00	<b>£3,023.00</b>
1 <sup>st</sup> Annual Fee ***	<b>50% of annual fee</b>	£440.00	<b>£440.00</b>
Annual Fee	<b>1,000</b>	£880.00	<b>£880.00</b>
Variation	<b>1,750</b>	£1,510.00	<b>£1,510.00</b>
Transfer	<b>1,200</b>	£1,005.00	<b>£1,005.00</b>
Reinstatement	<b>1,200</b>	£1,005.00	<b>£1,005.00</b>

\*\*\* 1<sup>st</sup> Annual Fee is due 30 days after licence is granted, and annual fee is due on anniversary date of grant

<b>GAMBLING ACT 2005 PREMISES LICENCES APPLICATIONS</b>	<b>Maximum Fees prescribed by regulations (Gambling Act 2005)</b>	<b>Existing Charge 2018/19</b>	<b>Proposed Charge 2019/2020 plus %age and Rounded</b>
<b>Bingo Club (cont'd)</b>			
Provisional Statement	<b>3,500</b>	£2,890.00	<b>£2,890.00</b>
Licence for Provisional Statement Holders	<b>1,200</b>	£1,005.00	<b>£1,005.00</b>
<b>Betting Premises (excluding tracks)</b>			
New application	<b>3,000.00</b>	£2,370.00	<b>£2,370.00</b>
1 <sup>st</sup> Annual Fee ***	<b>50% of annual fee</b>	£263.00	<b>£263.00</b>
Annual Fee	<b>600.00</b>	£526.00	<b>£526.00</b>
Variation	<b>1,500.00</b>	£1,180.00	<b>£1,180.00</b>
Transfer	<b>1,200.00</b>	£920.00	<b>£920.00</b>
Reinstatement	<b>1,200.00</b>	£920.00	<b>£920.00</b>
Provisional Statement	<b>3,000.00</b>	£2,370.00	<b>£2,370.00</b>
Licence for Provisional Statement Holders	<b>1,200.00</b>	£920.00	<b>£920.00</b>
<b>Betting Tracks</b>			
New application	<b>2,500.00</b>	£1,970.00	<b>£1,970.00</b>
1 <sup>st</sup> Annual Fee ***	<b>50% of annual fee</b>	£395.00	<b>£395.00</b>
Annual Fee	<b>1,000.00</b>	£790.00	<b>£790.00</b>
Variation	<b>1,250.00</b>	£1,050.00	<b>£1,050.00</b>
Transfer	<b>950.00</b>	£790.00	<b>£790.00</b>
Reinstatement	<b>950.00</b>	£790.00	<b>£790.00</b>
Provisional Statement	<b>2,500.00</b>	£1,970.00	<b>£1,970.00</b>
Licence for Provisional Statement Holders	<b>950.00</b>	£825.00	<b>£825.00</b>
<b>Family Entertainment Centre (FEC)</b>			
New application	<b>2,000.00</b>	£1,575.00	<b>£1,575.00</b>
1 <sup>st</sup> Annual Fee ***	<b>50% of annual fee</b>	£329.00	<b>£329.00</b>
Annual Fee	<b>750.00</b>	£658.00	<b>£658.00</b>

\*\*\* 1<sup>st</sup> Annual Fee is due 30 days after licence is granted, and annual fee is due on anniversary date of grant thereafter.

<b>GAMBLING ACT 2005 PREMISES LICENCES APPLICATIONS</b>	<b>Maximum Fees prescribed by regulations (Gambling Act 2005)</b>	<b>Existing Charge 2018/19</b>	<b>Proposed Charge 2019/2020 plus %age and Rounded</b>
<b>Family Entertainment Centre (FEC)</b>			
Variation	<b>1,000.00</b>	£790.00	<b>£790.00</b>
Transfer	<b>50.00</b>	£50.00 (max)	<b>£50.00 (max)</b>
Reinstatement	<b>950.00</b>	£790.00	<b>£790.00</b>
Provisional Statement	<b>2,000.00</b>	£1,577.00	<b>£1,577.00</b>
Licence for Provisional Statement Holders	<b>950.00</b>	£790.00	<b>£790.00</b>
<b>Adult Gaming Centre (AGC)</b>			
New application	<b>2,000.00</b>	£1,577.00	<b>£1,577.00</b>
1 <sup>st</sup> Annual Fee ***	<b>50% of annual fee</b>	£394.00	<b>£394.00</b>
Annual Fee	<b>1,000.00</b>	£788.00	<b>£788.00</b>
Variation	<b>1,000.00</b>	£788.00	<b>£788.00</b>
Transfer	<b>1,200.00</b>	£1,050.00	<b>£1,050.00</b>
Reinstatement	<b>1,200.00</b>	£1,050.00	<b>£1,050.00</b>
Provisional Statement	<b>2,000.00</b>	£1,577.00	<b>£1,577.00</b>
Licence for Provisional Statement Holders	<b>1,200.00</b>	£1,044.00	<b>£1,044.00</b>

\*\*\* 1<sup>st</sup> Annual Fee is due 30 days after premises licence is granted, and annual fee is due on anniversary date of grant thereafter.

<b>GAMBLING ACT 2005 PREMISES LICENCES APPLICATIONS</b>	<b>Maximum Fees prescribed by regulations (Gambling Act 2005)</b>	<b>Existing Charge 2018/19</b>	<b>Proposed Charge 2019/2020 plus %age and Rounded</b>
<b>Occasional Use Notices (OUNs)</b>	<b>No Fee Permitted</b>	No Fee Permitted	<b>No Fee Permitted</b>
<b>Temporary Use Notices (TUNs)</b>	<b>500.00</b>	£306.00	<b>£306.00</b>
<b>Notification of Change of Details</b>	<b>50.00</b>	£46.25	<b>£50.00</b>
<b>Copy of Licence/Notice</b>	<b>25.00</b>	£19.50	<b>£19.50</b>

## REGULATORY SERVICES

### ESTATES AND FACILITIES

Charge	Proposed 2019/20
Easements, Covenants and one off Deeds	£250 plus £45 per hour after 5 hours
Commercial Licences to occupy Council Land	£250
Licences to occupy Council Land for community benefit	£75
Leases and renewals	£250 plus £45 per hour after 5 hours
Licences to assign, sublet, carry out works under a Lease	£250
Sales of Council Land, Sales by Land by Tender and Sales of Land by Auction	Maximum of 1.5% of the sale price (subject to minimum of £250)
Transfer of land for affordable housing at nil consideration in exchange for nomination rights	£250 and £45 p/h after 5 hours
Temporary (less than 1 year) installations on Council Land by Town and Parish Councils	Reduction of 33% on standard fee.
Community Asset Transfers	Nil charge
Emergency Works Licences affecting public safety.	Nil charge

BACK TO AGENDA