

Meeting: Environment Directorate - Corporate Director &

Executive Member for Managing our Environment

To: Councillor Greg White.

Date: Friday, 26th January, 2024

Time: 3.00 pm

Venue: Via Microsoft Teams

AGENDA

Items for Corporate Director Decision

1. Procurement of Suppliers for the Acceptance and Processing of (Pages 3 - 16) Garden Waste

2. Fees and Charges for the Registrar, Coroner and Bereavement (Pages 17 - 26) Services

3. Fees and Charges - Hackney Carriage and Private Hire Licensing (Pages 27 - 62)

Barry Khan Assistant Chief Executive (Legal and Democratic Services)

County Hall Northallerton

maureen.wilson@northyorks.gov.uk

19 January 2024

Enquiries relating to this agenda please contact Maureen Wilson - maureen.wilson@northyorks.gov.uk Tel:

or e-mail

Website: www.northyorks.gov.uk Page 1



North Yorkshire Council

Environment Executive Members

26 January 2024

Procurement of suppliers for the acceptance and processing of garden waste

Report of the Assistant Director – Environmental and Climate Change Services

This report contains information of the type defined in paragraph 3 or Part 1 of Schedule 12A Local Government Act 1972) as amended

1.11 PURPOSE OF REPORT

1.1 To seek the necessary approvals to procure new contracts for the acceptance and processing of garden waste in Craven, Ryedale, Scarborough and Selby localities.

2.0 BACKGROUND

2.1 A kerbside garden waste collection service is offered to residents throughout North Yorkshire. The collection of this waste is a chargeable service. Garden waste is accepted at the household waste recycling centres (HWRCs) at no cost.

Current contracts

- 2.2 There are a number of contracts for garden waste across North Yorkshire. The processing of green waste for Craven, Hambleton, Harrogate, Richmondshire and the HWRCs is delivered by the Yorwaste Teckal Services Contract. The processing of the garden waste is undertaken directly by Yorwaste, or via a sub-contract arrangement.
- 2.3 The contracts for Ryedale, Scarborough and Selby were previously procured by the former district and borough councils. Some tonnage from these localities is delivered to Yorwaste's compost processing sites. This tonnage is not included in this procurement, as permission will be sought separately to award to Yorwaste through the Teckal Exemption.
- 2.3 The Ryedale locality contracts expired on 30 November 2023, when green waste collections ceased for the winter. The service is provided by three suppliers, Elleteq, Beck House Farm, and Givendale Head (for four sites all located within Ryedale locality). The number of collection points allows for short driving distances between the collection rounds and disposal points. The sites are all farms that process the garden waste to be spread to land.
- 2.4 Two of the farms use an external weighbridge facility, as there is not one onsite. This arrangement is currently between the weighbridge facility and North Yorkshire Council. In the new contract it will be a requirement of the delivery point to deliver this service through a sub-contract arrangement.
- 2.5 The Scarborough locality contract with Broadings Farm ends on 29 February 2024. The farm composting facility does not have a weighbridge, and a public weighbridge is not within the vicinity, so tonnages are determined using the vehicle's on-board weighing system.

- 2.6 Selby contracts have been extended to 30 November 2024. Contracts are with C S Backhouse, Maltings Organics and Ryedale Farm Ltd.
- 2.7 Yorwaste are unable to source a processing point within Craven locality, so garden waste is delivered to Halton East waste transfer station, bulked up and then transported to Yorwaste's Harewood Whin (Rufforth, near York) or Tancred (Catterick Bridge) sites for processing, which would seem to increase the cost of the service.
- 2.8 Skipton, Settle and West Harrogate Household Waste Recycling Centres (HWRCs) also use Halton East for tipping off green waste as this is their nearest transfer station. If a potential processing site is identified within Craven locality, these HWRCs will also utilise this site.
- 2.9 This procurement will combine the service requirements for the three localities into one framework, with the same contract terms and conditions, and test the market for potential green waste processing sites within Craven locality.

Current processing costs

- 2.10 The value of the contracts over the previous year are listed in Appendix A (Confidential). The total cost for Selby will decrease as charging for green waste was implemented part way through 2023/24 (1 September 2023) so it is anticipated that tonnages will decrease. Selby have had an uptake of 55% of households in 23/24, following the start of charging. Based on evidence from other local authorities, it is estimated that tonnages will drop by 25%. There is sufficient budget available to cover the existing tonnage of garden waste produced.
- 2.11 The total cost for Beck House Farm and Eden Farm includes the additional weighbridge costs, which are charged per tip.
- 2.12 The HWRC costs are for the variable tipping fee and transport cost the fixed charge for Tancred is not included.

3.0 PROCUREMENT OF PROCESSING SITES FOR GARDEN WASTE

- 3.1 The combined value of the existing contracts requires a procurement exercise to be undertaken. A framework exercise will be undertaken, allowing one procurement to be carried out for all suppliers. The scoring of the price element of the tender returns will be calculated based on the mileage cost from the last property collected to the disposal point added to the gate fee for the disposal point. The gate fee will be multiplied by the average tonnage for the round.
- 3.2 A single procurement with the same contractual requirements will allow for a streamlined approach to contract management. The procurement is due to be out to tender March 2024, with evaluation and award April 2024 and new contracts starting 1 June 2024.
- 3.3 The requirement for the suppliers without weighbridges to set up sub-contract arrangements rather than the Council will allow for better communications between the weighbridges and processing points. It will also reduce the number of invoices to be processed each month.
- 3.4 The existing contract for Scarborough will be extended to 1 June 2024, when the new contract will start. Temporary arrangements for Ryedale between 1 March 2024 and 31 May 2024 are being arranged.

4.0 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 The option of delivering all garden waste to Yorwaste through the Teckal Services Contract has been explored. A round restructure would be required, which due to the current short distances between the end of the collection round, and delivery point, would identify the need to purchase additional vehicles, and employment of drivers and loaders due to the additional distances between the end of the collection rounds and delivery points. The cost of procuring new outlets is a cheaper option, due to the short drive times between the end of the collection rounds and delivery points. As a minimum, the cost would be the hire of three RCVs (one per locality), 3 drivers and 6 loaders.
- 4.2 There would be additional costs to the Council for waste delivered to Kirby Misperton waste transfer station as this site does not have a garden waste processing pad so waste would have to be bulked up and transported to another site, incurring transport costs.

5.0 FINANCIAL IMPLICATIONS

- 5.1 There is an expectation that costs will increase with CPI following the award of the contract. The tonnage collected may fluctuate depending on the weather. The current budget available for disposal of garden waste to the sites listed above is £481,000.
- 5.2 Since the existing contracts were awarded there has been a change in legislation for Red Diesel tax increasing fuel costs of the site vehicles by 43p per litre. This cost has not currently been passed to the Council by the Suppliers so the overall impact of this additional cost is unknown but expected to impact new rates.
- 5.3 The price per tonne for Broadings Farm, Whitby is also expected to increase as Scarborough have been providing the site with Technical Competence Manager (TCM) cover (approximately 4 hours per month). It is a legal requirement for all permitted waste sites to have a TCM to ensure any risks to the environment are properly managed. The undertaking of this service by the Council will not be offered in the procurement, with the site operator being liable for ensuring that the service is being delivered to the permit requirements.
- 5.4 A saving may be delivered if a delivery point in Craven is sourced as part of the procurement.

6.0 LEGAL IMPLICATIONS

- 6.1 The Environmental Protection Act (1990) requires at 'least two types of recyclable waste to be collected together or separately' (section 45A). The consistency in household and business recycling consultation outcome 2023 (Simpler Recycling) requires that 'all local authorities in England must collect the same recyclable waste streams for recycling or composting from households. The recyclable waste streams include paper and card, plastic, glass, metal, food waste, and garden waste.' Following approval by Parliament, the Environment Act (2021) will then be updated.
- The changes to the Environment Act will not impact on this contract as garden waste collections are established in all the localities and there is no requirement to collect food and garden waste together. The Council have also agreed Transitional Arrangements with DEFRA, delaying the requirement for separate food waste collections to February 2043 due to the existing long-term contract with Thalia for Allerton Waste Recovery Park, which includes an anaerobic digester to process food waste.
- 6.3 Procurement of the garden waste processing points is being undertaken in accordance with the Council's Procurement and Contract Procurement Rules and the Public Contracts Regulations 2015.

7.0 EQUALITIES IMPLICATIONS

7.1 There are no impacts on any of the protected characteristics for equalities as a result of the matters discussed in this report. An Equalities Impact Assessment screening form is attached at Appendix B.

8.0 CLIMATE CHANGE IMPLICATIONS

8.1 A Climate Change Impact Assessment has been completed and concluded that there is little impact on the environment. (Climate Change Impact Assessment attached at Appendix C).

9.0 REASONS FOR RECOMMENDATIONS

- 9.1 Garden waste delivery points are required within the localities due to the current round routes for kerbside collections.
- 9.2 A procurement is required as the existing contracts are due to end in 2024 and there are no further extensions available.

10.0 RECOMMENDATION(S)

10.1 It is recommended that the Corporate Director of Environment, in consultation with the Executive Member for Managing our Environment approves the procurement of suppliers for the acceptance and processing of garden waste.

APPENDICES:

Appendix A - Current Processing Costs - CONFIDENTIAL

Appendix B – Equality Impact Assessment

Appendix C – Climate Impact Assessment

Michael Leah Assistant Director - Environmental and Climate Change Services County Hall Northallerton 10 January 2024

Report Author – Joanne Kearney Waste Contracts Manager
Presenter of Report – Kerry Green Contracts and Compliance Manager Waste

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted



Initial equality impact assessment screening form

This form records an equality screening process to determine the relevance of equality to a proposal, and a decision whether or not a full EIA would be appropriate or proportionate.

Directorate	Environment
Service area	Environmental Services
Proposal being screened	Procurement of suppliers for the acceptance and
	processing of garden waste
Officer(s) carrying out screening	Joanne Kearney
What are you proposing to do?	Carry out a procurement to identify garden waste
	processing points within Craven, Ryedale,
	Scarborough and Selby localities.
Why are you proposing this? What are	Award contracts to suppliers within the localities
the desired outcomes?	listed above for the acceptance and processing of
	garden waste.
Does the proposal involve a	Officer time is required to carry out the procurement.
significant commitment or removal of	
resources? Please give details.	

Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYCC's additional agreed characteristics

As part of this assessment, please consider the following questions:

- To what extent is this service used by particular groups of people with protected characteristics?
- Does the proposal relate to functions that previous consultation has identified as important?
- Do different groups have different needs or experiences in the area the proposal relates to?

If for any characteristic it is considered that there is likely to be an adverse impact or you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate. You are advised to speak to your <u>Equality rep</u> for advice if you are in any doubt.

Protected characteristic	Potential	for adverse impact	Don't know/No
	Yes	No	info available
Age		X	
Disability		X	
Sex		X	
Race		X	
Sexual orientation		X	
Gender reassignment		X	
Religion or belief		X	
Pregnancy or maternity		X	
Marriage or civil partnership		Х	
People in rural areas		X	
People on a low income		X	
Carer (unpaid family or friend)		X	
Does the proposal relate to an area		e is collected and tran	•
where there are known	processing	g point by the bin colle	ection crews.
inequalities/probable impacts (e.g.			
disabled people's access to public			
transport)? Please give details.			

Will the proposal have a significant	No – this procurement is for the processing of								
effect on how other organisations	garden waste, it would only impact on collection								
operate? (e.g. partners, funding criteria,	and the service delivered to residents if processing								
etc.). Do any of these organisations	points decided	not to te	ender for the work	S.					
support people with protected	However, enga	gement	with the current p	rocessing					
characteristics? Please explain why you	points shows th	nat they	are happy to cont	inue to					
have reached this conclusion.	deliver the serv	ice.							
Decision (Please tick one option)	EIA not		Continue to full						
	relevant or	✓	EIA:						
	proportionate:								
Reason for decision	The procureme	ent of co	ntracts does not d	lirectly					
	impact resident	ts.							
Signed (Assistant Director or	Michael Leah	•							
equivalent)									
Date	18 January 202	24	·	·					

Climate change impact assessment

The purpose of this assessment is to help us understand the likely impacts of our decisions on the environment of North Yorkshire and on our aspiration to achieve net carbon neutrality by 2030, or as close to that date as possible. The intention is to mitigate negative effects and identify projects which will have positive effects.

This document should be completed in consultation with the supporting guidance. The final document will be published as part of the decision making process and should be written in Plain English.

If you have any additional queries which are not covered by the guidance please email climatechange@northyorks.gov.uk

Version 2: amended 11 August 2021

Please note: You may not need to undertake this assessment if your proposal will be subject to any of the following:

Planning Permission

Environmental Impact Assessment

Strategic Environmental Assessment

However, you will still need to summarise your findings in the summary section of the form below.

Please contact <u>climatechange@northyorks.gov.uk</u> for advice.

Title of proposal	Procurement of suppliers for the acceptance and processing of garden waste
Brief description of proposal	Carry out a procurement to identify garden waste processing points within Craven, Ryedale, Scarborough and Selby localities.
Directorate	Environment
Service area	Environmental Services
Lead officer	Joanne Kearney
Names and roles of other people involved in	Joanne Kearney, Waste Contracts Manager
carrying out the impact assessment	
Date impact assessment started	28 November 2023

Options appraisal

Were any other options considered in trying to achieve the aim of this project? If so, please give brief details and explain why alternative options were not progressed.

The kerbside collections of garden waste from householders in North Yorkshire is an established service. The following options were reviewed; Option 1 – procure new garden waste contracts

Option 2 – Yorwaste to process the tonnage through the Teckal Services Contract

Option 1 provides the most desirable outcome as Yorwaste coverage in the localities would require additional staff and vehicles due to additional mileage between the end of the collection round, and the delivery point. Option 2 would also require tonnage to be bulked up at Kirby Misperton waste transfer station before being transported to a processing point.

What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?

Please explain briefly why this will be the result, detailing estimated savings or costs where this is possible.

The existing contracts have been in place for a least 4 years (10 years in one case), and some of the contracts have a gate fee for the duration of the contract, rether than increasing based on CPI. Based on this, there is an expectation there will be some price increases. The change in legislation to the Red Diesel Tax in 2022 was also not passed onto the Councils, with the suppliers absorbing the additional cost.

APPENDIX B

How will this proposal in the environment? N.B. There may be short negative impact and lon positive impact. Please potential impacts over to a project and provide explanation.	t term ger term include all he lifetime	Positive impact (Place a X in the box below where	No impact (Place a X in the box below where	Negative impact (Place a X in the box below where	Explain why will it have this effect and over what timescale? Where possible/relevant please include: • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO ₂ e • Links to relevant documents		Explain how you plan to improve any positive outcomes as far as possible.
Minimise greenhouse gas emissions e.g. reducing emissions from trayel, increasing energy efficiencies etc.	Emissions from travel		х		As the service is looking to procure new delivery points within the localities the expectation is there is little impact on the existing collection round routes and distance between collection and disposal points.	Existing suppliers will be engaged with to encourage them to submit a tender return for the procurement.	N/A
13	Emissions from constructio n		X				
	Emissions from running of buildings		х				
	Emissions from data storage		X				
	Other		X				
Minimise waste: Reduce, recycle and compost e.g. use of single use plastic	•		X		As this is an existing service, there is no expected increase in tonnages from this procurement.	Ensure the service is promoted to residents	

APPENDIX B

How will this proposal impact on the environment? N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.	Positive impact (Place a X in the box below where	No impact (Place a X in the box below where	Negative impact (Place a X in the box below where	Explain why will it have this effect and over what timescale? Where possible/relevant please include: Changes over and above business as usual Evidence or measurement of effect Figures for CO ₂ e Links to relevant documents		Explain how you plan to improve any positive outcomes as far as possible.
Reduce water consumption	T -	X	2 =			
Minimise pollution (including air, land, water, light and noise)		х				
Ensure resilience to the effects of climate change e.g. reducing flood risk, mitigating effects of drier, hotter summers		х				
Enhance conservation and wildlife		Х				
Safeguard the distinctive characteristics, features and special qualities of North Yorkshire's landscape		х		Garden waste is currently either processed to be spread to land to restore nutrients to soil or into compost. There is no expectation that the waste will be processed in a different way.	Tender requires that the garden waste is processed to be used.	

APPENDIX B

How will this proposal impact on the environment? N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.	ositive impact	o impact Place a X in the box below where	Negative impact (Place a X in the box below where	Explain why will it have this effect and over what timescale? Where possible/relevant please include: Changes over and above business as usual Evidence or measurement of effect Figures for CO ₂ e Links to relevant documents	Explain how you plan to mitigate any negative impacts.	Explain how you plan to improve any positive outcomes as far as possible.
	Po	8 a	P P			
Other (please state below)		х				

Pa

Re there any recognised good practice environmental standards in relation to this proposal? If so, please detail how this proposal meets those standards.

The specification requires that the green waste is processed, this may be by being spread to land to restore nutrients to the soil or being processed into a product (compost) for sale.

Summary Summarise the findings of your impact assessment, including impacts, the recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.

It is expected that the existing suppliers, who have delivered the service for the Council for a number of years will supply a tender return. Based on this assumption there will be little change to the service.

If one of the suppliers decides not to bid for the work, this could impact collection rounds by increasing mileages between the end of the collection round and delivery point.

Sign off section

This climate change impact assessment was completed by:

Name	Joanne Kearney
Job title	Waste Contracts Manager
Service area	Environmental Services
Directorate	Environment
Signature	Joanne Kearney
Completion date	

Authorised by relevant Assistant Director (signature): Michael Leah

Date: 18 January 2024

North Yorkshire Council

Environment Executive Members

26 January 2024

Fees and Charges for the Registrar, Coroner and Bereavement Services

Report of the Assistant Director – Regulatory Services, Registration, Coroner and Bereavement Services

1.0 PURPOSE OF REPORT

1.1 To approve Fees and Charges for Registration, Coroner and Bereavement Services for the financial year 2024-2025, and for ceremonies for the financial year 2025-2026.

2.0 SUMMARY

2.1 Approval is sought for fees and charges for the Registration Service for 2024/2025 and for 2025/2026 in respect of ceremonies. In addition, approval is sought for the Coroner Service and the Bereavement Service for 2024/2025. Consideration of inflation, potential harmonisation of former district fees, and comparison with competing other neighbouring local authority provision has been made in recommending a part harmonised approach. The services will undertake further detailed analysis over the next year to monitor the impact of these changes to determine any future harmonisation or rationalisation of fees and charges.

3.0 BACKGROUND

- 3.1 The Registration, Coroner and Bereavement Services provide a range of statutory, judicial, and elective services to the people of North Yorkshire and beyond. This includes in the Registration Service, birth and death notifications, notices of marriage, and ceremonies including citizenship, baby naming, civil partnership, and weddings. The Bereavement Service provide cremation, interment of both the deceased and cremated remains, service tributes and memorialisation.
- 3.2 The Registration Service provides a range of statutory services with fees set by the General Registration Office (a division of the Home Office). Elective ceremonies fees are set by the Council one year in advance to allow prospective couples to book ceremonies both at Council and external venues.
- 3.3 North Yorkshire and York Coroner jurisdiction covers both North Yorkshire and City of York with North Yorkshire Council acting as the lead authority. Most fees and charges are those charged to the Councils for post-mortem and specialist medical investigatory work and fall outside the scope of this Fees and Charges structure, however fees payable to Funeral Directors are set by the Council.
- 3.4 The Bereavement Service provides funeral, cremation and burial services with a further substantial memorialisation offer which differs in each locality. Prior to April 2023 the crematoria were operated independently by former district councils.

4.0 DETAILED PRESENTATION OF THE SUBSTANTIVE ISSUE

4.1 Registration Service

Statutory fees for birth and death certificates are set by the General Registration Office. There has been no published change for 2024/2025 and they will remain at £11 per certificate unless the Council is directed to change these by central government.

4.2 Ceremonies

Elective fees for weddings and civil partnerships including those levied on venues requiring new or continued registration to hold ceremonies will be raised by 6% for 2025/2026. These fees are set one year in advance to ensure that couples planning weddings can book ceremonies registrars to undertake their ceremony. Further work will be undertaken over the year in benchmarking fees against other regional authorities to provide comparative data for future fees and charges. Work is underway to expand the range of ceremony types on offer to the people of North Yorkshire and beyond, and any additional fees and charges will be presented for approval as required.

4.3 Coroner Service

The fees payable to Funeral Directors for transportation of the deceased to a hospital as required by the coroner will be increased by 6% with, for example an out of hours local request resulting in an increase of £6 per callout. The scale of charges will be distributed to all funeral directors from 1st April.

4.4 Bereavement Service

The four crematoria currently operate four independent fees and charges structures. In addition, a fifth former district council set fees for interment in its cemetery. Officers have considered that harmonisation of fees for cremation, direct (or unattended) cremation, purchase of burial plots and interment fees would result in a significant cost increase for some crematoria and cemeteries. A staged approach has been proposed with a combination of harmonisation, increase by inflation, and stand-alone pricing with inflationary increases as follows.

- Fees for purchase of burial rights which are subject to inflation will be based on demand and capacity of locality cemeteries.
- Cremation fees will be based on current locality fees and operating costs with consideration given for local demand and neighbouring crematoria.
- Video and audio tributes displayed during funeral services will be harmonised across the Council and increased by inflation and in line with supplier costs.
- Memorialisation fees will be increased by inflation and harmonised where applicable.
 Further work will be carried out over the next year to determine a Council wide strategic approach to memorialisation.
- Administrative fees will be harmonised across the Council, with inflationary increases applied.

5.0 CONTRIBUTION TO COUNCIL PRIORITIES

- 5.1 These proposals contribute to the following Council priorities. A well led and managed, financially sustainable and forward-thinking council.
 - To deliver a successful transformation programme, maximising the benefits of bringing eight councils into one.
 - To operate on a commercial basis where it is appropriate to do so and invest in council owned assets to drive revenue generation opportunities to fund Corporate Plans.

6.0 ALTERNATIVE OPTIONS CONSIDERED

6.1 Three options were considered by officers, the harmonisation of all fees across the Bereavement Services, part harmonisation and finally individual uplifting of fees for inflation.

7.0 FINANCIAL IMPLICATIONS

- 7.1 Registration Service statutory fees for birth and death registrations, notices of marriage and superintendent registrar weddings are set by the General Registration Office. These fees will be updated in accordance with any direction by central government.
- 7.2 Registration Service fees for weddings and civil partnerships are applicable for 2025/2026. The service is implementing a marketing campaign to promote ceremonies in North Yorkshire. The impact of this campaign alongside inflationary increases will be reported on as part of usual financial performance reporting.
- 7.3 The impact of the mixed approach to Bereavement Services fees will be monitored as part of the transformation process. Future Fees and Charges proposals will report on the impact of part harmonisation alongside progress made towards harmonisation of utility and service contracts and the impact on service costs.
- 7.4 Fees have been increased by an inflationary 6% in line with Council Policy with specific fees set out in Appendix A

8.0 LEGAL IMPLICATIONS

8.1 Timeframe for publication of Fees and Charges

The Funerals Market Investigation Order 2021 requires the Local Authority to supply local Funeral Directors with price information as specified in the Order no later than 15 working days before such change has effect.

8.2 Competition and Markets Authority

The Funerals Market Investigation Order 2021 requires crematoria operators to display in pdf format on their website certain price information. These prices will, once approved be updated on 1st April to comply with this order.

8.3 Exhumations

Exhumations require a Ministry of Justice licence and the attendance of an Environmental Health Officer. For remains interred in closed Church of England churchyards approval (faculty) from the diocese is also required. The individual circumstances of exhumations (which are not common) require a calculation of charge in each case. The service will provide a bespoke quote based on the individual circumstances of any request.

8.4 Children's Funerals

The cost of burial and cremations fees for children under 18 or a baby stillborn after the 24th week of pregnancy can be claimed back by the Local Authority through the Children's Funeral Fund for England. No costs are incurred by bereaved families for cremation or burial by the Council. The fees to be claimed back are required to be published but will not be levied on intermediatory Funeral Directors or bereaved families.

9.0 EQUALITIES IMPLICATIONS

9.1 There are no significant equalities implications arising from this report.

10.0 CLIMATE CHANGE IMPLICATIONS

10.1 All four crematoria operate within Defra's Process Guidance Note 5/2 (12), Statutory Guidance for Crematoria. A consultation on updating this guidance was held by Defra in late 2023. Should Defra update the guidance the service will work with Environmental Health and Climate Change colleagues to ensure that the crematoria continue to operate at best practice and within the emissions limits.

11.0 REASONS FOR RECOMMENDATIONS

11.1 These recommendations increase fees in line with inflation, and within Bereavement Services take a pragmatic staged approach to harmonisation of fees

12.0 RECOMMENDATIONS

12.1 It is recommended that the Corporate Director of Environment, in consultation with the Executive Member for Managing our Environment approve the fees and charges, uplifting by 6% and harmonising where appropriate.

APPENDICES:

Appendix A – Fees and Charges Registration Service – Ceremonies for 2025-2026

Appendix B – Fees and Charges Coroner Service 2024-2025

Appendix C – Fees and Charges Bereavement Service 2024-2025

Callum McKeon

Assistant Director Regulatory Services, Registration, Bereavement, Coroners Services County Hall Northallerton

22 February 2024

Report Author – Adrian Clarke, Head of Registrar, Coroner and Bereavement Services Presenter of Report – Callum McKeown, Assistant Director, Regulatory Services, Registrar, Coroner and Bereavement Services

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.



REGISTRATION SERVICE

FEES AND CHARGES FOR CEREMONIES

EFFECTIVE 1 April 2025 – 31 March 2026

A Statutory Notice Fee of £35.00 per person is payable for all marriage and civil partnership ceremonies in addition to the charges listed below. This Notice Fee is non-refundable.

A £55.00 deposit is required for all ceremony bookings which is non-refundable after 14 days have elapsed from the date the booking is made.

Statutory fees may change without notice.

The Service does not conduct ceremonies on Christmas Day or Boxing Day.

A. Civil Marriages and Civil Partnerships at APPROVED PREMISES

Monday – Friday £510.00 Saturday/Sunday/Public Holiday £610.00

Please note: The above fees are charged by the Registration Service for attendance at ceremonies only. Further costs will be charged by the venue.

B. Civil Marriages and Civil Partnerships at ALL REGISTRATION OFFICES (Including Thornborough Hall and Selby Town Hall)

Monday – Friday £265.00
Saturday £345.00
Sundays/Public Holiday £380.00

C. Ceremonies in the OFFICE OF THE SUPERINTENDENT REGISTRAR and standard ceremonies at other offices

Available one day per month £57.00

All the above fees include the cost of one certificate and are payable in advance when notice is given, no later than 3 months prior to the ceremony.

D. Celebratory Services

Baby Naming and Renewal of Vows in local authority or approved premises

Monday – Friday £265.00 Saturday / Sunday / Bank Holiday £320.00

E. Certificates

Standard Certificates £11.00 per certificate

Priority Certificates (same day if ordered before 3.00 p.m.) £35.00 per certificate

North Yorkshire and York Coroner Service

SCHEDULE OF CHARGES FOR THE REMOVAL AND TRANSPORTATION OF THE DECEASED 1 APRIL 2024 – 31 MARCH 2025

	Monday – Friday 8:00am to 5:00pm (excluding Public Holidays)	Other Times
Call-Out Fee (2 persons)	£64	£102
Call –out Fee (1 person)	£48	£75
Extra Person	£16	£27
Additional mileage (over first 10 miles)	123p	123p

NOTES:

- 1. Payment for "extra person" will not normally be made where the journey is from a chapel of rest or mortuary to a chapel of rest or mortuary. Exceptions include Bank Holidays, Out of normal hours e.g. weekends where a bariatric body is involved.
- 2. Mileages are to be calculated from the "garage" to place of collection to the Chapel of Rest or mortuary. If the Senior Coroner requires a subsequent journey, e.g. the deceased is moved from the Chapel of Rest to the mortuary, a separate payment can be charged.
- 3. Transport of the body from the mortuary is not the responsibility of the Coroner Service and should not be charged for. The exception is where the deceased is being returned to a hospital because the pathologist is requiring further testing e.g. after CAT scanning at Bradford etc.
- 4. Claims will be considered for additional payment for:
 - i. dealing with badly traumatised bodies (up to £22)
 - ii. exceptional waiting time (over 1 hour) at the scene (not at the mortuary) (up to £40 per hour)
 - iii. attendance at a Police ID (up to £40 per hour)
 - iv. provision of a standard body bag and 2 pairs of gloves (up to £13 excluding VAT)
- 5. In "multiple" cases where more than one body has to be moved at the same time, and where this is done with one vehicle in one journey, the charges should be as above for the first body plus 50% of that call out fee for the second or subsequent body. An additional mileage cost should not be charged.
- 6. All invoices should be submitted to the appropriate HM Coroner and <u>must be</u> <u>itemised</u> to show the breakdown of costs. They must always show each journey and its cost separately Non-itemised invoices will not be passed for payment. Invoices are to be submitted on no more than a monthly basis. Failure

to submit invoices regularly may lead to removal of the firm from the list of approved contractors.

- 7. The above rates are exclusive of VAT, which should be charged, where appropriate, at the prevailing rate.
- 8. Attendance at the scene should be within 90 minutes of the request to attend.
- 9. The presence of a Police officer on the scene does NOT indicate it will be a Coroners removal. You should satisfy yourself that the Police are instructing you to remove on behalf of the Coroner
- 10. If you are requested by police to transport the deceased direct to a mortuary for continuity of evidence purposes, because the death is an RTC, a suicide or a potential drugs death, this must be adhered to. Other cases can be taken to your chapel of rest for transportation to the mortuary as soon as practicably possible when requested by the Coroner's officer.
- 11. Please ensure that the deceased is tagged with 3 points of identification. These should be: name, date of birth and home address. If any of these are not known, then please use date of death and place of death.

Other terms and conditions

12 Family only requests

Where the family request a specific undertaker to do the removal, this will be honoured where possible.

13 **Mobile Phone number**

You should supply a mobile phone number that the Police can contact you on.

14 Terms of Business

The Standard Terms of business the Council operates is for payment within 30 days of receipt of the invoice. The time will start from the date the invoice is received at Library Headquarters for processing. However, the Council does have 10-day payment terms that small and medium-sized enterprises can apply for.

15 Out of Hours Attendance

Firms listed on the approved contractors list must be able to attend 24 hours a day, 7 days a week. We accept that there will obviously be occasions when a firm will be unable to respond but this must be the exception, rather than the rule. It is appreciated that particularly with smaller firms, there may be a problems responding during busy times or when staff are on holiday but firms cannot pick and choose which jobs they wish to attend. If this requirement does cause problems, an option may be to nominate another firm or carriage master to do this work on your behalf.

16 Advertising for Business

Touting' for funeral business whilst carrying out Coroners' removals will not be tolerated and it is unacceptable for funeral directors to leave business cards with bereaved families or promote their business in these circumstances. Any evidence of conduct of this nature will result in removal from the approved contractors' list.



t /F upto 3 months Fees claimed back Y	VAT Treatment Non-statutory	Difference Highest v Lowest Comment Remove fee & standardise the claim amount	2022-23 188.00	199.00	2024-25 2024-25 Rounded 210.94 211.0	00 Remove fee & standar	2023-24 rdise the claim amount	Hambleton 2024-25 2024-25 Rounded	Suggestions for Amendments 202	23-24 2024-2	Harrogate 25 2024-25 Rounded	Suggestions for Amendments	2023-24	Richmondshire 2024-25 2024-25 Rounde	Suggestions for Amendments	2022-23	Scarborough 2023-24 2024-25)24-		Notes 20 Dec Incorporate chapel fee into this fee
s to 5 years old to 18 years old Terment - Adult - Resident to 2 Interments - Adult - Resident Y Y Y Y	Non-statutory Non-statutory Non-statutory Non-statutory Non-statutory	Remove fee & standardise the claim amount Remove fee & standardise the claim amount 795.04 Remove fee & standardise the claim amount 124.00 17.60	300.00 817.00	318.00 866.00	337.08 337.0	00 Remove fee & standar 00 Remove fee & standar 00 Remove fee & standar 00 950.00	dise the claim amount		950.00	arge 912.00	966.72 967.00	950.00	116.00	122.96 123. 933.86 004	00 Remove fee & standardis	180.00 e the claim amount 730.00	195.00 206.70 e fe 795.00 842.70	210.00 rdise the claim amount ee & standardise the claim amount 843.00 965.00 £ 950.00	Incorporate chapel fee into this fee Incorporate chapel fee into this fee Incorporate chapel fee into this fee Remove - replace by upto 2 intermen Harmonised
p to 3 Interments - Adult - Resident Y erment Surcharge Y r casket exceeding 29" Y	Non-statutory Non-statutory Non-statutory	270.40 No Fee Advertised	1,193.00 Double 1,274.00	1,265.00	1,340.90 1,341.0 1,431.00 1,431.0	00			930.00	204.00	207.00	330.00	007.00	333.00	330.00	950.00	1,010.00 1,070.60	1,071.00 £ 1,340.00 Double £ 1,430.00	Double - subject to availability American caskets
mains Y Ye in Woodlands Y ial in Woodlands, includes a granite marker Y	Non-statutory Non-statutory Non-statutory Non-statutory	No Fee Advertised No Fee Advertised Scarborough Only	188.00	188.00	199.28 199.0	00				281.00	297.86 298.0		227.00	240.62 241.	00	1,580.00	175.00 185.50 1,725.00 1,828.50	£ 200.00 POA	Harmonised Construction of vault - only available in Exclusive + Intermet + Granite market
orks beyond standard grave excavations per request Y nter of constructed vault Y ent at depth exceeding 6 feet 6 inches per additional foot or Y ns	Non-statutory Non-statutory Non-statutory	No Fee Advertised Craven Only Harrogate Only	720.00	763.00	808.78 809.0	00				254.00	269.24 269.00	0						£ 810.00	Open and interment of constructed va DNow 3 interment fee
on of body from grave or vault for re-burial in another grave nation (exclusive of interment fees) Remains Y	Non-statutory Non-statutory	No Fee Advertised No Fee Advertised	POA												F	POA POA POA			Charge is per
e of Exclusive Right of Burial Grave - Resident ill & Grove Road cemeteries per right Y stillborn - Resident Claimed back from Y	Non-statutory Non-statutory Non-statutory	596.00 Harrogate Only Remove fee & standardise the claim amount	1,107.00	1,173.00 392.00	1,243.38 1,243.0 415.52 416.0	00 Remove fee & standar	rdise the claim amount			1,334.00 1,334.00	1,414.04 1,414.04 1,414.04	0 1,400.00 0 1,400.00	772.00	818.32 818. 240.62 241.	00 1,200.00	1,030.00 No Charge No Cha	1,125.00 1,192.50	1,193.00 £ 1,200.00 £ 416.00	Inc Skipton, Woodland and Richmond REMOVE Baby grave in baby section
old up to 5 year old (half grave) I up to 18 year old (full grave) Cceeding 29" - Resident of Burial Rights for a Vault/Bricked/Wooden Grave - y Y Y Y Y Y Y Y Y	Non-statutory Non-statutory Non-statutory Non-statutory	Remove fee & standardise the claim amount Remove fee & standardise the claim amount Craven Only Craven Only	556.00 1,107.00 2,214.00 1,660.00	589.00 1,173.00 2,347.00 1,760.00	624.34 624.0	Remove fee & standar Remove fee & standar	dise the claim amount									280.00	305.00 323.30	323.00 £ 624.00 £ 1,243.00 £ 2,488.00 £ 1,866.00	Half grave Same as full size
d remains - Resident per right Y d remains - Out of Borough	Non-statutory Non-statutory	397.00	556.00	589.00	624.34 624.0	00				602.00 903.00	638.12 638.00 957.18 957.00	0 0	227.00	240.62 241.	00	515.00 720.00	565.00 598.90 565.00	1,000.00	Harmonised at mid-level BINNED
n of burial rights by 50 years per right Y ction of Vault / Bricked Grave Y Single Burial chased grave per right Y	Non-statutory Non-statutory Non-statutory	Harrogate Only Harrogate Only No Fee Advertised No Fee Advertised	Double cost POA							229.00	242.74 243.00	0						PO	Up 6% DA Discontinue
and grave per right Y earer Fee (per member of staff) Y	Non-statutory Non-statutory	Harrogate only 3.00								1,111.00 32.00	1,177.66 1,178.00 33.92 34.00	0 1,180.00				35.00	35.00 37.10	£ 1,180.00	Discontinue
eed amendments per operation Y ansfer of exclusive rights ownership per transfer Y deeds Y hapel for burial Y	Non-statutory Non-statutory Non-statutory Non-statutory	Harrogate only 58.00 Richmond Only	94.00	94.00	99.64 100.0	00				35.00 59.00 198.00	37.10 37.00 62.54 63.00 209.88 210.00	0	40.00 40.00 40.00	42.40 42. 42.40 42. 42.40 42.	00 00 00	55.00	60.00 63.60	64.00	
napel - non council burial ipon chapel per service Y earch / Historical Search	Non-statutory Non-statutory Non-statutory	Craven Only Harrogate only 14.00	250.00	265.00 16.00	280.90 281.0 16.96 17.0	00				71.00 18.00	75.26 75.00 19.08 19.00	0				26.00	29.00 30.74	31.00	
of bariatric lowering device per burial Y hire charge for bariatric lowering device per burial Y aintenance Summer and winter flowering plants azebo per burial Y y N	Non-statutory Non-statutory Non-statutory Non-statutory	Harrogate only 652.00 Craven Only Craven Only	135.00 100.00	143.00 100.00	151.58 152.0 106.00 106.0	00 00				278.00 668.00	708.08 708.00 708.08 708.00	0	53.00	56.18 56.	00				
e flower vase insert Ils - Permit fees, for which the Exclusive Right of Burial granted onsent For the 'Right to erect' (some size restrictions may per headstone Y	Non-statutory Non-statutory	Craven Only	8.00	8.50	9.01 9.0	00										185.00	199.00 210.94	211.00 £ 212.00	GraVE
consent to place headstone (including 1st inscription) on a Y Bricked / Wooden Grave	Non-statutory	31.00	331.00	331.00	350.86 351.0	00							302.00	320.12 320.	00	165.00	199.00 210.94	£ 318.00	eXTRA WIDE
onsent to place headstone (including 1st inscription) on a Y grave ne - not exceeding 1 Metre per tablet Y to place kerbs on half grave Y	Non-statutory Non-statutory Non-statutory	Craven Only Harrogate Only	442.00	442.00	468.52 469.0	00				88.00	93.28 93.00	0	110.00	116 60 117	00			£ 424.00	dOUBLE reMOVE - GO TO VASE
to place kerbs on full grave to place kerbs on full grave or Vase onsent for additional incription on memorial y y y per vase Y y per inscription Y	Non-statutory Non-statutory Non-statutory Non-statutory	93.00 Craven Only 93.00 74.00	440.00 101.00 109.00	440.00 101.00 109.00	307.40 307.0 466.40 466.0 107.06 107.0 115.54 116.0	00 00 00				142.00 94.50	150.52 151.00 100.17 100.00	0	110.00	116.60		50.00 36.00	55.00 58.30 40.00 42.40	58.00 42.00 £ 107.00	SMall vase - no stone base Additionals
to place inscription on stone plaque or granite desktop Memorial concrete shoe per shoe als - Craven District	Non-statutory Non-statutory	Craven Only Harrogate Only	101.00	101.00	107.06 107.0 0.0 0.0 371.00 371.0	00 00 00 00				49.00	51.94 52.00	0							Combine with above
umn - Lease of plaque, including inscription umn - additional inscription Y umn - reserve plaque of a member of staff to undertaken reading (interment of	Non-statutory Non-statutory Non-statutory Non-statutory		350.00 150.00 25.00 25.00	350.00 150.00 25.00 25.00	371.00 371.0 159.00 159.0 26.50 27.0 26.50 27.0	00 00 00 00													DOUBLE SERVICE /CHAPEL CHAP 3PM SURCHARGE
rave side) Above Ground Vault 30 years lease period Inscription including Consent Y	Non-statutory Non-statutory		720.00 130.00	720.00 130.00	763.20 763.0 137.80 138.0	00 00													
Placement of one set Cremated remains in vault rave B - Exclusive Rights fe fe fe fallery Y Y Y Y Y Y Y Y Y	Non-statutory Non-statutory Non-statutory Non-statutory		90.00 450.00 162.00	90.00 450.00 162.00 108.00	95.40 95.6 477.00 477.0 171.72 172.0 114.48 144.6	00 00 00 00													
Plaque - full fee due at time of inscription Al Garden Vase and bronze plaque - 15 year lease Al Garden Vase replacement / additional plaque Y	Non-statutory Non-statutory Non-statutory		25.00 535.00 105.00	25.00 535.00 105.00	26.50 27.0 567.10 567.0 111.30 111.0	00 00 00 00													
of Rest - Bronze plaque on a spike 6"x4" of Rest - Bronze plaque on a spike for Garden of Rest 6"x6" Y morative bench with bronze plaque Y	Non-statutory Non-statutory Non-statutory		190.00 270.00	201.00 286.00 POA	213.06 213.0 303.16 303.0 0.0	00 00													
al bronze plaque on a Commemorative bench als - Scarborough erb with Bronze Plaque - 5 years Y	Non-statutory Non-statutory		100.00	106.00	112.36 112.0 0.0 0.0	00 00 00 00										135.00	145.00 153.70	154.00	
erb with Bronze Plaque - 10 years n Bronze Plaque - 5 years n Bronze Plaque - 10 years Y Plaque in Memorial bed (Rose/flowers/heather) - 5 years Y	Non-statutory Non-statutory Non-statutory Non-statutory				0.0 0.0 0.0	00 00 00 00										225.00 275.00 465.00	145.00 153.70 240.00 254.40 295.00 312.70 495.00 524.70 299.00 316.94 465.00 492.90	254.00 313.00 525.00 317.00	
Plaque in Memorial bed (Rose/flowers/heather) - 10 years N Memorial Block (Single) - 5 years N Memorial Block (Single) - 10 years Y	Non-statutory Non-statutory Non-statutory				0.0 0.0 0.0	00 00 00 00										280.00 435.00 225.00 375.00	465.00 492.90 240.00 254.40 399.00 422.94	493.00 254.00 423.00	
que on granite mushroom - 5 years Y que on granite mushroom - 10 years Y ment plaque (all types) Y	Non-statutory Non-statutory Non-statutory Non-statutory				0.0 0.0 0.0	00 00 00										265.00 315.00 100.00 POA POA	240.00 254.40 399.00 422.94 285.00 302.10 335.00 355.10 110.00 116.60	302.00 355.00 117.00	
laque emorials aria(elephant plaque) - 5 years ria(elephant plaque) - 10 years Y	Non-statutory Non-statutory				0.0	00 00 00 00										365.00 620.00 290.00			
plaque - 5 years plaque - 10 years n plaque (add) que - 5 years Y Y Y	Non-statutory Non-statutory Non-statutory Non-statutory				0.0 0.0 0.0	00 00 00										290.00 435.00 52.00 290.00	389.00 412.34 659.00 698.54 310.00 328.60 465.00 492.90 55.00 58.30 310.00 328.60 465.00 492.90	329.00 493.00 58.00 329.00	
aque - 5 years Y aque - 10 years Y Plaques on only	Non-statutory Non-statutory Non-statutory Standard rate (20%)				0.0 0.0 0.0	00 00 00										290.00 435.00 130.00	310.00 328.60 465.00 492.90 140.00 148.40		
n with engraved motif	Non-statutory Standard rate (20%)				0.0	00										150.00	160.00 169.60 185.00 196.10	170.00	
on with engraved and hand painted motif Y on with photograph Y	Non-statutory Standard rate (20%)				0.0	00										210.00	225.00 238.50	239.00	
of 5 year lease only als - Harrogate I seat (inclusive of plaque) for 12 years per seat of seat for 12 years retaining existing seat / plaque / base per seat	Non-statutory Non-statutory				0.0 0.0 0.0	00 00 00 00				247.00	226.00					85.00	95.00 100.70	101.00	
I of seat for 12 years, retaining existing seat / plaque / base per seat Y I of seat for 12 years, with new seat / plaque on existing per seat Y	Non-statutory Non-statutory				0.0	00				317.00	336.02								
al seat plaque within existing period per plaque Y plaque on kerb side for a period of 12 years per plaque Y g of plaque on kerb side for further 12 years per plaque Y ment plaque on seat / kerb side (existing period) per plaque Y	Non-statutory Non-statutory Non-statutory Non-statutory			_	0.0 0.0 0.0	00 00 00 00				479.00 243.00 232.00	507.74 257.58 245.92								
al tree with label only for 12 years per tree Y I of memorial tree for 12 years, retaining existing block / per tree Y	Non-statutory Non-statutory Non-statutory				0.0	00 00				232.00 240.00 363.00	254.40 384.78								
I of memorial tree for 12 years, including new block / plaque per tree Y al tree plaque on block within existing period per plaque Y	Non-statutory Non-statutory				0.0	00				738.00 370.00	782.28 392.20								
al tree plaque on block within existing period per plaque Y memorial board plaque for 12 year period per plaque Y paby plaque for 12 year period per plaque Y parium r two (inclusive of fascia tablet with 80 letters) for a 25 year per niche Y	Non-statutory Non-statutory Non-statutory				0.0 0.0 0.0	00 00 00				114.00 180.00 560.00	190.80								
including first disposal of cremated remains I of niche for two for 25 years, retaining existing fascia tablet per niche Y I of niche for two for 25 years, including new tablet with 80 per niche Y	Non-statutory Non-statutory				0.0	00				465.00 546.00	492.90 578.76								
ters per letter Y	Non-statutory Non-statutory				0.0	00 00				5.50	5.83								
e deposit of cremated remains in Niche per niche Y plaque on niche tablet per plaque Y design on niche tablet per design Y ock (inclusive of plaque and flower holder) for a period of 12 per block Y	Non-statutory Non-statutory Non-statutory				0.0 0.0 0.0	00 00 00				480.00	508.80								
l of vase block for 12 years Inc. existing plaque per block Y I of vase block for 12 years with new plaque per block Y ment plaque for block within existing period per plaque Y	Non-statutory Non-statutory Non-statutory				0.0 0.0 0.0	00 00 00 00 00 00 00 00 00 00 00 00 00				262.00 472.00 235.00	277.72 500.32 249.10								
I of vase block for 12 years with new plaque per block Y ment plaque for block within existing period per plaque Y plaque 6" x 3" for 12 year period per plaque Y plaque 7.5" x 3" for 12 year period per plaque Y plaque 8.5" x 3" for 12 year period per plaque Y plaque 9.75" x 3" for 12 year period per plaque Y plaque 9.75" x 3" for 12 year period per plaque Y plaque 11" x 3" for 12 year period per plaque Y penblem design on birdbath plaque per photo / design Y	Non-statutory Non-statutory Non-statutory Non-statutory				0.0 0.0 0.0 0.0	00 00 00 00				211.00 259.00 421.00 438.00	274.54 446.26 464.28								
	Non-statutory Non-statutory Standard rate (20%)				0.0	00 00				457.00	484.42								
tablet 8" x 4" for 12 year period per tablet Y per photo / design Y als - Hambleton	Non-statutory Non-statutory Standard rate (20%)				0.0	00 00 00 00				293.00	310.58								
rium Niche with one inscription - 10 year lease rium Niche with one inscription - 10 year renewal rium Niche with one inscription - 20 year lease rium Niche with one inscription - 20 year renewal N	Non-statutory Non-statutory Non-statutory Non-statutory				0.0 0.0 0.0	00 00 00 00 00 00 00 00 00 00 00 00 00	1,000.00 477.00 2,000.00	1,060.00 505.62 2,120.00 955.06	Do not publish Do not publish										
rodsworth garden Boulder - 10 year lease N rodsworth garden Boulder - 10 year renewal N rodsworth garden Boulder - 20 year lease N	Non-statutory Non-statutory Non-statutory				0.0 0.0 0.0	00 00 00	318.00 159.00 636.00	337.08 168.54 674.16	REMOVE REMOVE REMOVE										
rodsworth garden boulder - 20 year renewal N Garden - 50 Years Y e Stone Boulder - 10 Years Y e Stone Boulder - 10 Year renewal N	Non-statutory Non-statutory Non-statutory Non-statutory				0.0	00 00 00	318.00 5,000.00 700.00 344.50	337.08 5,300.00 742.00 745.00 365.17	Po not publish										
e Stone Boulder - 20 Years e Stone Boulder - 20 Years renewal 's Memorial Plague - 10 Years N	Non-statutory Non-statutory Non-statutory				0.0 0.0 0.0	00 00 00 00	1,400.00 689.00 371.00	1,484.00 1,485.00 730.34 393.26	Do not publish REMOVE										
s Memorial Plaque - 10 Years renewal s Memorial Plaque - 20 Years N s Memorial Plaque - 20 Year Renewal N 5 Year	Non-statutory Non-statutory Non-statutory Non-statutory				0.0 0.0 0.0	00 00 00	148.40 742.00 296.80 200.00	157.30 786.52 314.61 212.00 215.00	REMOVE REMOVE										
S Memorial Plaque - 20 Year Renewal N	Non-statutory Non-statutory Non-statutory				0.0 0.0 0.0	00 00 00 00	200.00 200.00 200.00	212.00											
Y Y Y Y Y Y Y Y Y Y	Non-statutory Non-statutory Non-statutory Non-statutory				0.0 0.0 0.0	00 00 00 00	200.00 200.00 400.00 400.00	212.00 215.00 215.00 212.00 215.00 212.00 215.00 215.00 215.00 215.00 215.00 215.00 215.00 215.00 215.00 215.00 424.00 425.00 424.00 425.00 424.00 425.00 424.00 425.00 424.00 425.00 424.00 425.00 424.00 425.00 424.00 425.00 425.00 424.00 425.00 425.00 424.00 425.00 425.00 425.00 425.00 425.00 425.00 425.00 425.00 425.00 425.00											
Y 10 Year Vit - 10 Year Reg's Garden - 10 Year	Non-statutory Non-statutory Non-statutory				0.0	00 00 00 00	400.00 400.00 400.00	424.00											
The second of th	Non-statutory Non-statutory Standard rate (20%)		65.00	72.00	76.32 76.0	00 00	400.00	425.00		110.00	116.60 117.00					83.00	89.00 94.34		
try per 5 lines Y ntry per 8 lines Y	Non-statutory Standard rate (20%) Non-statutory Standard rate (20%)		94.00	103.00 129.00	109.18 109.0 136.74 137.0					170.00 216.00	180.20 180.00 228.96 229.00					127.00	135.00 143.10 205.00 217.30	217.00	
fs, Badges, Coats of Arms (available with five and eight sonly) emembrance - 5 line entry with floral emblem Y	Non-statutory Standard rate (20%) Non-statutory Standard rate (20%)		154.00	169.00	179.14 179.0	00				80.00	84.80 85.00	0				70.00	75.00 79.50	80.00	
emembrance - 8 line entry with floral emblem	Non-statutory Standard rate (20%)		169.00	186.00	197.16 197.0	00													
Remembrance - 5 line entry with badge shield crest Y Remembrance - 8 line entry with badge shield crest Y	Non-statutory Standard rate (20%) Non-statutory Standard rate (20%)		192.00 200.00	211.00	223.66 224.0 233.20 233.0	00													
emembrance - 5 line entry with illuminated capital Y emembrance - 8 line entry with illuminated capital Y	Non-statutory Standard rate (20%) Non-statutory Standard rate (20%)		189.00 205.00	208.00	220.48 220.0 239.56 240.0														
next entry - full inscription fee due at time of inscription Y Inties in Book of Rememberance	Non-statutory Standard rate (20%)		25.00	25.00	26.50 27.0	00													
try - two lines per 2 lines Y try - five lines per 5 lines Y	Non-statutory Standard rate (20%) Non-statutory Standard rate (20%)				0.0	00				34.00 39.00	36.04 36.00 41.34 41.00								
ry - eight lines Y	Non-statutory Standard rate (20%)				0.0	00				41.00	43.46 43.00								
Replica Books In two lines In two lines In two lines In the lines In t	Non-statutory Standard rate (20%) Non-statutory Standard rate (20%)				0.0	000				103.00	109.18 109.00 144.16 144.00								
n eight lines per book Y	Non-statutory Standard rate (20%) Non-statutory Standard rate (20%)				0.0	00				144.00	152.64 153.00								
I Entries in Miniature Books per 2 lines Y	Non-statutory Standard rate (20%) Non-statutory Standard rate (20%)				0.0	00 00				45.00	47.70 48.00	0							
ner 5 lines V	Non-statutory Standard rate (20%) Non-statutory Standard rate (20%)				0.0	00				58.00	61.48 61.00	0							
per 8 lines Y	Non-statutory Standard rate (20%) Non-statutory Standard rate (20%)		14.00	15.00	15.90 16.0	00													
per 8 lines Y I Cards Card Y	Non-statutory Standard rate (20%)		26.00	25.00	26.50 42.0 27.0	00				24.00	25.44 25.00	0				35.00	39.00 41.34		
Cards Card Oklet Per 8 lines Y Y Y	Non-statutory Standard rate (20%)	<u> </u>	40.00	42.00	44.52 45.0	00				31.00 36.00	32.86 33.00 38.16 38.00	0				60.00 70.00	65.00 68.90 75.00 79.50		
per 8 lines Y Cards Card Y Oklet Y ntry per card Y per card Y	Non-statutory Standard rate (20%) Non-statutory Standard rate (20%) Non-statutory Standard rate (20%)		56.00	59.00	02.04					•			•	I .		,	l '		
per 8 lines Y I Cards Card Y Poklet Y Intry per card Y Pentry per card Y Pentry per card Y Ifs, Badges, Coats of Arms (available with five and eight sonly)	Non-statutory Standard rate (20%) Non-statutory Standard rate (20%) Non-statutory Standard rate (20%)			59.00	0.0	00				56.00	59.36 59.00	0				70.00	75.00 79.50		
per 8 lines Y I Cards Card Y Cooklet Y Centry per card Y entry with floral emblem Y entry with floral emblem Y	Non-statutory Standard rate (20%)		123.00 141.00	130.00 149.00	137.80 138.0 157.94 158.0					56.00	59.36 59.00	0							
per 8 lines Y I Cards Card Y poklet Y Intry per card Y entry per card Y entry per card Y ifs, Badges, Coats of Arms (available with five and eight sonly) entry with floral emblem Y	Non-statutory Standard rate (20%) Non-statutory Standard rate (20%) Non-statutory Standard rate (20%) Non-statutory Standard rate (20%)		123.00			00 00				56.00	59.36 59.00	0							
Cards Card Y Intry Intr	Non-statutory Standard rate (20%) Non-statutory Standard rate (20%)		123.00 141.00 139.00	149.00 147.00	157.94 158.0 155.82 156.0	00 00 00 00 00				56.00	59.36 59.00	0							

OFFICIAL

Additional electronic page	per page	Y Non-statutory	Standard rate (20%				0.00					78.00	82.68						
Digital Book of Rememberance		Y Non-statutory	Standard rate (20%				0.00		55.00	58.30 60.00									
Other Items Cremated Remains Casket Bio Cremation Casket		Y Non-statutory		55.00	58.00	61.48	0.00 61.00					78.50	83.21				55.00	65.00 68.90	
Baby urn	nor urn	Y Non-statutory Y Non-statutory V Non-statutory		10.00	12.00	12.72	13.00					50.00	53.00						
Metal urns to hold cremated remains Scatter Tubes - various sizes Flower container (inclusive of VAT).	per urn per container	Y Non-statutory Y Non-statutory Y Non-statutory	Standard rate (20%				0.00		32.00	33.92 32.00	d no point putting price up	13.00	13.78				15.00	16.00 16.96	
	·		(2011)				0.00												
Ash Glass Designs Sculptures, rings, pendants, charm beads, engraving Cremation Adult Cremation Reduced Cremation - With Service - Various Time and Lengths Direct (Drep off Cremation - No Service - Various Times		Y Non-statutory					0.00									PC	OA POA		
Adult Cremation Reduced Cremation - With Service - Various Time and Lengths Direct (Dans of Cremation - No Service - Various Timese)	Per cremation	Y Non-statutory Y Non-statutory	Exempt Exempt	797.00 600.00	845.00 636.00	895.70 674.16	896.00 674.00	896.00 674.00	1,010.00 690.00	1,070.60 1,060.00 731.40 730.00 561.80 560.00	1,060.00	987.00	1,046.22	1,060.00 674.00			940.00 855.00 499.00	999.00 1,058.94 910.00 964.60	£ 1,06
Direct /Drop-off Cremation - No Service - Various Times Cremation - Same day surcharge Premium service charges - various times and lengths	Per cremation	Y Non-statutory Y Non-statutory Y Non-statutory	Exempt Exempt Exempt	463.00 37.00 875.00	39.00 923.00	490.78 41.34 978.38	490.00 41.00 978.00	Bradford 350 Leeds 350	530.00	561.80 560.00	560.00	529.00	560.74	560.00			940.00	499.00 528.94 999.00 1,058.94	£ 56
Body parts Body parts	Per cremation Per cremation	Y Non-statutory Y Non-statutory	Exempt Exempt	55.00	58.00	61.48	61.00 0.00	Burnley 463				52.00 114.00	55.12 120.84				0.0.00	1,000.01	
Hospital batch of foetal remains Weekend service - (subject to prior agreement)	Per batch	Y Non-statutory Y Non-statutory	Exempt Exempt	1,594.00	1,690.00	1,791.40	0.00 1,791.00					63.00	66.78				1,690.00	1,795.00 1,902.70	
Cremation - NVF - under 24 weeks gestation - no service Crematon NVF - under 24 weeks gestation - with service	Claimed back from	Y Non-statutory Y Non-statutory	Exempt Exempt	FOC 168.00	178.00	188.68	0.00 189.00												
Cremation - 1 month - under 5 years old Cremation - 5 years - under 16 years old	the CFF	Y Non-statutory Y Non-statutory	Exempt Exempt	275.00 431.00	291.00 457.00	308.46 484.42	308.00 484.00												
Cremation - 16 years old - under 18 years old - Held over Additional service time		Y Non-statutory Y Non-statutory	Exempt Exempt	742.00 150.00	787.00 160.00	834.22 169.60	834.00 170.00												
Misc Medical referee		Y Non-statutory					0.00										40.00	42.00 44.52	
Use of Chapel of Rest - each 24 hour period	per 24 hours or part	Y Non-statutory Y Non-statutory Y Non-statutory		150.00	160.00	160.60	0.00					30.00	31.80 209.88				62.00 45.00	66.00 69.96 50.00 53.00	
Use of Service Chapel other than for an existing booking (per session) Additional Chapel Time 1 hour		Y Non-statutory		150.00	160.00	169.60	170.00		320.00	339.20 340.00		198.00	209.88				210.00	225.00 238.50	
Saturday service Strewing / scatting of cremated remains		N Non-statutory Y Non-statutory	Exempt	100.00	100.00	106.00	0.00 0.00 106.00		2,000.00	2,120.00			2,120.00				90.00	95.00 100.70	
Scatter of cremated remains from another crematoria Scatter of Cremated Remains from own or another crematorium	n for	Y Non-statutory Y Non-statutory	Exempt Exempt	115.00 207.00	115.00 207.00	121.90 219.42	122.00 219.00		80.00	84.80 85.00		78.00	82.68						
Saturday and evenings Cancellation of service within 2 working days of scheduled serv		Y Non-statutory					0.00										123.00	135.00 143.10	
Change service time (after 2 hours of booking) Retention of cremated remains beyond one month		Y Non-statutory Y Non-statutory	Standard rate (20%	20.00	20.00	21.20	0.00 21.00		27.00	28.62 28.00		27.50	29.15				30.00 51.00	35.00 37.10 55.00 58.30	
Retention of remains per month (First month free)		Y Non-statutory	Standard rate (20%				0.00												
Split ashes		Y Non-statutory	Standard rate (20%				0.00										34.00	40.00 42.40	
Despatch of cremated remains via carrier service - Price on Application (POA)		Y Non-statutory	Standard rate (20%)				0.00					78.50	83.21			PC	OA POA		
Over running funeral service Late delivery: All forms / paperwork must be provided and com	plete	Y Non-statutory Y Non-statutory					0.00										55.00 123.00	60.00 63.60 135.00 143.10	
no later than 48 hours (2 working days) prior to cremation / bur	ial																		
Consultation and assistance with completing cremation forms findependent funerals	or	Y Non-statutory	Standard rate (20%				0.00										154.00	165.00 174.90	
Issue replacement documents Duplicate cremation certificate Lice of Standfall shapel for mamorial continues	per contine	Y Non-statutory Y Non-statutory Non-statutory		15.00	15.00	15.90	16.00					198.00	200.88				27.00	29.00 30.74	
Use of Stonefall chapel for memorial services Media Webcast	per service	Y Non-statutory					0.00					196.00	209.00						
Webcasting per service	per right	N Non-statutory	Standard rate (20%)		34.00	36.04	36.00		37.00	39.22 REMO	VE- NO LONGER OFFER	35.00	37.10				30.00	35.00 37.10	
Live + 28 day watch again	per grave	Y Non-statutory	Standard rate (20%		59.00	62.54	63.00		53.00	56.18 56.00		51.00	54.06				46.00	50.00 53.00	
Audio recording of webcast onto (USB/DVD/CD) - first copy	per grave	Y Non-statutory	Standard rate (20% Standard rate (20%		61.00	64.66	65.00		58.00	61.48 61.00		57.00	60.42				50.00	55.00 58.30	
Additional copy of any media format (per copy) Photo Tributes		Y Non-statutory	Standard rate (20%)		28.00	29.68	30.00										21.00	25.00 26.50	
Single photo	per photo	Y Non-statutory	Standard rate (20%	13.00	14.00	14.84	15.00		16.00	16.96 17.00		15.00	15.90				12.00	15.00 15.90	
Extra single photo		Y Non-statutory	Standard rate (20%		12.00	12.72	13.00												
Simple slideshow	per 25 photos	Y Non-statutory	Standard rate (20%		49.00	51.94	52.00		45.00	47.70 49.00		43.00	45.58				39.00	45.00 47.70	
Music slideshow	per 25 photos	Y Non-statutory	Standard rate (20%)		74.00	70.44	0.00		70.00	74.20 74.00		04.00	05.00				70.00	75.00 70.50	
Professionally edited photo tribute	per 25 priotos	Y Non-statutory Y Non-statutory	Standard rate (20% Standard rate (20%		95.00	78.44 100.70	78.00		95.00	100.70 95.00		81.00	85.86				70.00	75.00 79.50	
Themed Tribute		N Non-statutory	Standard rate (20%		500.00	530.00	530.00		00.00	100.10									
Bespoke Tribute Family supplied video	each	Y Non-statutory	Standard rate (20%			000.00			500.00	530.00 Currently not on offe									
Extra photos	per 25 photos	N		19.00	25.00	26.50	27.00		500.00 27.00	530.00 Currently not on offe 28.62 30.00		21.00	22.26				18.00	20.00 21.20	
Physical copy		Y Non-statutory	Standard rate (20%				27.00		27.00 27.00			21.00	22.26 22.26				18.00 21.00	20.00 21.20 25.00 26.50	
	per copy	N Non-statutory N Non-statutory	Standard rate (20%) Standard rate (20%)	21.00			27.00		27.00 27.00 31.80	28.62 30.00							18.00 21.00 21.00		
Download copy of tribute	per copy	_		21.00	22.00	26.50 23.32	27.00		27.00 27.00 27.00 31.80 16.00	28.62 30.00			22.26				18.00 21.00 21.00 10.00		
Additional Keepsake Copies	per copy	N Non-statutory Y Non-statutory Y Non-statutory	Standard rate (20%) Standard rate (20%) Standard rate (20%)	21.00 25.00) 15.00	22.00	26.50 23.32	27.00		27.00 27.00 27.00 31.80 16.00 28.00	28.62 30.00 28.62 28.00 33.71 N/A			22.26				18.00 21.00 21.00 10.00	25.00 26.50 25.00 26.50 15.00 15.90	
Additional Keepsake Copies Extra Work	per copy	N Non-statutory Y Non-statutory Y Non-statutory Y Non-statutory	Standard rate (20% Standard rate (20% Standard rate (20% Standard rate (20%)	21.00 25.00) 15.00) 21.00	22.00	26.50 23.32	27.00		500.00 27.00 27.00 31.80 16.00 28.00	28.62 30.00 28.62 28.00 33.71 N/A			22.26				18.00 21.00 21.00 10.00	25.00 26.50 25.00 26.50	
Additional Keepsake Copies Extra Work Video Book	per copy	N Non-statutory Y Non-statutory Y Non-statutory Y Non-statutory Y Non-statutory Y Non-statutory	Standard rate (20%)	21.00 25.00))))))))	22.00 61.00 16.00 22.00 95.00	26.50 23.32 64.66 16.96 23.32	27.00 23.00 65.00 17.00 0.00 23.00		27.00 27.00 31.80 16.00 28.00 27.00 95.00	28.62 30.00 28.62 28.00 33.71 N/A 16.96 17.00 29.68 30.00 28.62 28.00 100.70 95.00			22.26				18.00 21.00 21.00 10.00	25.00 26.50 25.00 26.50 15.00 15.90	
Additional Keepsake Copies Extra Work Video Book Memory Book	per copy	N Non-statutory Y Non-statutory Y Non-statutory Y Non-statutory Y Non-statutory Y Non-statutory Y Non-statutory	Standard rate (20%)	21.00 25.00 15.00 10 21.00	22.00 61.00 16.00	26.50 23.32 64.66 16.96	27.00 23.00 65.00 17.00 0.00 23.00 101.00		27.00 27.00 31.80 16.00 28.00 27.00 95.00 130.00	28.62 30.00 28.62 28.00 33.71 N/A 16.96 17.00 29.68 30.00 28.62 28.00 100.70 95.00 137.80 130.00			22.26				18.00 21.00 21.00 10.00	25.00 26.50 25.00 26.50 15.00 15.90	
Additional Keepsake Copies Extra Work Video Book Memory Book Obitus Bundle	per copy	N Non-statutory Y Non-statutory Y Non-statutory Y Non-statutory Y Non-statutory Y Non-statutory	Standard rate (20%)	21.00 25.00 15.00 10 21.00	22.00 61.00 16.00 22.00 95.00	26.50 23.32 64.66 16.96 23.32	27.00 23.00 65.00 17.00 0.00 23.00		27.00 27.00 31.80 16.00 28.00 27.00 95.00	28.62 30.00 28.62 28.00 33.71 N/A 16.96 17.00 29.68 30.00 28.62 28.00 100.70 95.00			22.26				18.00 21.00 21.00 10.00	25.00 26.50 25.00 26.50 15.00 15.90	
Additional Keepsake Copies Extra Work Video Book Memory Book Obitus Bundle NEW - Webcast - Tribute BUNDLES Simple Bundle		N Non-statutory Y Non-statutory Y Non-statutory Y Non-statutory Y Non-statutory Y Non-statutory Y Non-statutory	Standard rate (20%)	21.00 25.00 15.00 10 11 11 11 11 11 11 11 11	22.00 61.00 16.00 22.00 95.00	26.50 23.32 64.66 16.96 23.32	27.00 23.00 65.00 17.00 0.00 23.00 101.00		27.00 27.00 31.80 16.00 28.00 27.00 95.00 130.00	28.62 30.00 28.62 28.00 33.71 N/A 16.96 17.00 29.68 30.00 28.62 28.00 100.70 95.00 137.80 130.00			22.26				18.00 21.00 21.00 10.00	25.00 26.50 25.00 26.50 15.00 15.90	
Additional Keepsake Copies Extra Work Video Book Memory Book Obitus Bundle NEW - Webcast - Tribute BUNDLES Simple Bundle Live & On Demand Webast, Single Photo and Basic Slideshow under 18 years old	v for	N Non-statutory Y Non-statutory	Standard rate (20%	21.00 25.00 15.00) 21.00	22.00 61.00 16.00 22.00 95.00 130.00	26.50 23.32 64.66 16.96 23.32 100.70 137.80	27.00 23.00 65.00 17.00 0.00 23.00 101.00 138.00 0.00		27.00 27.00 31.80 16.00 28.00 27.00 95.00 130.00	28.62 30.00 28.62 28.00 33.71 N/A 16.96 17.00 29.68 30.00 28.62 28.00 100.70 95.00 137.80 130.00			22.26				18.00 21.00 21.00 10.00	25.00 26.50 25.00 26.50 15.00 15.90 25.00 26.50	
Additional Keepsake Copies Extra Work Video Book Memory Book Obitus Bundle NEW - Webcast - Tribute BUNDLES Simple Bundle Live & On Demand Webast, Single Photo and Basic Slideshow under 18 years old Use of Chapel Organ	v for Per service	N Non-statutory Y Non-statutory	Standard rate (20%	21.00 25.00 15.00) 21.00) 21.00	22.00 61.00 16.00 22.00 95.00 130.00	26.50 23.32 64.66 16.96 23.32 100.70 137.80	27.00 23.00 65.00 17.00 0.00 23.00 101.00 138.00 0.00 169.00 0.00 0.00		27.00 27.00 31.80 16.00 28.00 27.00 95.00 130.00	28.62 30.00 28.62 28.00 33.71 N/A 16.96 17.00 29.68 30.00 28.62 28.00 100.70 95.00 137.80 130.00			22.26				18.00 21.00 21.00 10.00	25.00 26.50 25.00 26.50 15.00 15.90	
Additional Keepsake Copies Extra Work Video Book Memory Book Obitus Bundle NEW - Webcast - Tribute BUNDLES Simple Bundle Live & On Demand Webast, Single Photo and Basic Slideshow under 18 years old	v for Per service	N Non-statutory Y Non-statutory	Standard rate (20%	21.00 25.00 15.00) 21.00	22.00 61.00 16.00 22.00 95.00 130.00	26.50 23.32 64.66 16.96 23.32 100.70 137.80	27.00 23.00 65.00 17.00 0.00 23.00 101.00 138.00 0.00 169.00 0.00		27.00 27.00 31.80 16.00 28.00 27.00 95.00 130.00	28.62 30.00 28.62 28.00 33.71 N/A 16.96 17.00 29.68 30.00 28.62 28.00 100.70 95.00 137.80 130.00			22.26				18.00 21.00 10.00	25.00 26.50 25.00 26.50 15.00 15.90 25.00 26.50	
Additional Keepsake Copies Extra Work Video Book Memory Book Obitus Bundle NEW - Webcast - Tribute BUNDLES Simple Bundle Live & On Demand Webast, Single Photo and Basic Slideshov under 18 years old Use of Chapel Organ Comments- To be added for Hambleton ONLY: Additional	v for Per service	N Non-statutory Y Non-statutory	Standard rate (20%	21.00 25.00 15.00) 21.00) 21.00	22.00 61.00 16.00 22.00 95.00 130.00	26.50 23.32 64.66 16.96 23.32 100.70 137.80	27.00 23.00 65.00 17.00 0.00 23.00 101.00 138.00 0.00 169.00 0.00 0.00		27.00 27.00 31.80 16.00 28.00 27.00 95.00 130.00	28.62 30.00 28.62 28.00 33.71 N/A 16.96 17.00 29.68 30.00 28.62 28.00 100.70 95.00 137.80 130.00			22.26				18.00 21.00 10.00	25.00 26.50 25.00 26.50 15.00 15.90 25.00 26.50	
Additional Keepsake Copies Extra Work Video Book Memory Book Obitus Bundle NEW - Webcast - Tribute BUNDLES Simple Bundle Live & On Demand Webast, Single Photo and Basic Slideshow under 18 years old Use of Chapel Organ	v for Per service	N Non-statutory Y Non-statutory	Standard rate (20%	21.00 25.00 15.00 21.00 21.00 21.00 21.00 21.00 21.00 21.00 21.00	22.00 61.00 16.00 22.00 95.00 130.00	26.50 23.32 64.66 16.96 23.32 100.70 137.80	27.00 23.00 65.00 17.00 0.00 23.00 101.00 138.00 0.00 169.00 0.00 0.00		27.00 27.00 31.80 16.00 28.00 27.00 95.00 130.00	28.62 30.00 28.62 28.00 33.71 N/A 16.96 17.00 29.68 30.00 28.62 28.00 100.70 95.00 137.80 130.00			22.26				18.00 21.00 10.00	25.00 26.50 25.00 26.50 15.00 15.90 25.00 26.50	
Additional Keepsake Copies Extra Work Video Book Memory Book Obitus Bundle NEW - Webcast - Tribute BUNDLES Simple Bundle Live & On Demand Webast, Single Photo and Basic Slideshow under 18 years old Use of Chapel Organ Comments- To be added for Hambleton ONLY: Additional Pet Cremations Direct Sales, incl. VAT	v for Per service	N Non-statutory Y Collection and re-laying of Y	Standard rate (20% orkshire stone boulder	21.00) 25.00) 15.00) 21.00) 21.00) (10.00)) (10.00	22.00 61.00 16.00 22.00 95.00 130.00	26.50 23.32 64.66 16.96 23.32 100.70 137.80	27.00 23.00 65.00 17.00 0.00 23.00 101.00 138.00 0.00 169.00 0.00 0.00		27.00 27.00 31.80 16.00 28.00 27.00 95.00 130.00	28.62 30.00 28.62 28.00 33.71 N/A 16.96 17.00 29.68 30.00 28.62 28.00 100.70 95.00 137.80 130.00		21.00	22.26				18.00 21.00 10.00	25.00 26.50 25.00 26.50 15.00 15.90 25.00 26.50	
Additional Keepsake Copies Extra Work Video Book Memory Book Obitus Bundle NEW - Webcast - Tribute BUNDLES Simple Bundle Live & On Demand Webast, Single Photo and Basic Slideshow under 18 years old Use of Chapel Organ Comments- To be added for Hambleton ONLY: Additional Pet Cremations Direct Sales, incl. VAT Small animal e.g. rabbit or smaller Cat Small dog (up to 9.9kg)	v for Per service	N Non-statutory Y Non-statutory Non-statutory	Standard rate (20%	21.00 25.00 15.00 21.00 21.00 21.00 21.00 21.00 21.00 21.00 21.00 21.00 21.00	22.00 61.00 16.00 22.00 95.00 130.00	26.50 23.32 64.66 16.96 23.32 100.70 137.80	27.00 23.00 65.00 17.00 0.00 23.00 101.00 138.00 0.00 169.00 0.00 0.00		27.00 27.00 31.80 16.00 28.00 27.00 95.00 130.00	28.62 30.00 28.62 28.00 33.71 N/A 16.96 17.00 29.68 30.00 28.62 28.00 100.70 95.00 137.80 130.00		21.00	22.26 22.26 80.56 95.40 132.50				18.00 21.00 10.00	25.00 26.50 25.00 26.50 15.00 15.90 25.00 26.50	
Additional Keepsake Copies Extra Work Video Book Memory Book Obitus Bundle NEW - Webcast - Tribute BUNDLES Simple Bundle Live & On Demand Webast, Single Photo and Basic Slideshow under 18 years old Use of Chapel Organ Comments- To be added for Hambleton ONLY: Additional Pet Cremations Direct Sales, incl. VAT Small animal e.g. rabbit or smaller Cat Small dog (up to 9.9kg) Medium dog (10kg - 24.9kg)	v for Per service	N Non-statutory Y Non-statutory Non-statutory Non-statutory Non-statutory Non-statutory N Non-statutory N Non-statutory N Non-statutory N Non-statutory N Non-statutory N Non-statutory	Standard rate (20%	21.00 25.00 15.00 21.00 21.00 21.00 21.00 21.00 21.00 21.00 21.00	22.00 61.00 16.00 22.00 95.00 130.00	26.50 23.32 64.66 16.96 23.32 100.70 137.80	27.00 23.00 65.00 17.00 0.00 23.00 101.00 138.00 0.00 169.00 0.00 0.00		27.00 27.00 31.80 16.00 28.00 27.00 95.00 130.00	28.62 30.00 28.62 28.00 33.71 N/A 16.96 17.00 29.68 30.00 28.62 28.00 100.70 95.00 137.80 130.00		21.00 21.00 76.00 90.00	22.26 22.26 80.56 95.40 132.50 180.20				18.00 21.00 10.00	25.00 26.50 25.00 26.50 15.00 15.90 25.00 26.50	
Additional Keepsake Copies Extra Work Video Book Memory Book Obitus Bundle NEW - Webcast - Tribute BUNDLES Simple Bundle Live & On Demand Webast, Single Photo and Basic Slideshov under 18 years old Use of Chapel Organ Comments- To be added for Hambleton ONLY: Additional Pet Cremations Direct Sales, incl. VAT Small animal e.g. rabbit or smaller Cat Small dog (up to 9.9kg) Medium dog (10kg - 24.9kg) Large dog (25kg or over)	v for Per service	N Non-statutory Y Non-statutory Non-statutory Non-statutory Non-statutory N Non-statutory	Standard rate (20%	21.00 25.00 25.00 25.00 21.00	22.00 61.00 16.00 22.00 95.00 130.00	26.50 23.32 64.66 16.96 23.32 100.70 137.80	27.00 23.00 65.00 17.00 0.00 23.00 101.00 138.00 0.00 169.00 0.00 0.00		27.00 27.00 31.80 16.00 28.00 27.00 95.00 130.00	28.62 30.00 28.62 28.00 33.71 N/A 16.96 17.00 29.68 30.00 28.62 28.00 100.70 95.00 137.80 130.00		76.00 90.00 170.00 215.00	22.26 22.26 80.56 95.40 132.50 180.20 227.90				18.00 21.00 10.00	25.00 26.50 25.00 26.50 15.00 15.90 25.00 26.50	
Additional Keepsake Copies Extra Work Video Book Memory Book Obitus Bundle NEW - Webcast - Tribute BUNDLES Simple Bundle Live & On Demand Webast, Single Photo and Basic Slideshov under 18 years old Use of Chapel Organ Comments- To be added for Hambleton ONLY: Additional Pet Cremations Direct Sales, incl. VAT Small animal e.g. rabbit or smaller Cat Small dog (up to 9.9kg) Medium dog (10kg - 24.9kg) Large dog (25kg or over) Collection fee	v for Per service	N Non-statutory Y Non-statutory N Non-statutory	Standard rate (20%	21.00 25.00 15.00 21.00 21.00 21.00 21.00 21.00 21.00 21.00 21.00 21.00 21.00 21.00 21.00 21.00 21.00	22.00 61.00 16.00 22.00 95.00 130.00	26.50 23.32 64.66 16.96 23.32 100.70 137.80	27.00 23.00 65.00 17.00 0.00 23.00 101.00 138.00 0.00 169.00 0.00 0.00		27.00 27.00 31.80 16.00 28.00 27.00 95.00 130.00	28.62 30.00 28.62 28.00 33.71 N/A 16.96 17.00 29.68 30.00 28.62 28.00 100.70 95.00 137.80 130.00		21.00 21.00 76.00 90.00	22.26 22.26 80.56 95.40 132.50 180.20				18.00 21.00 10.00	25.00 26.50 25.00 26.50 15.00 15.90 25.00 26.50	
Additional Keepsake Copies Extra Work Video Book Memory Book Obitus Bundle NEW - Webcast - Tribute BUNDLES Simple Bundle Live & On Demand Webast, Single Photo and Basic Slideshov under 18 years old Use of Chapel Organ Comments- To be added for Hambleton ONLY: Additional Pet Cremations Direct Sales, incl. VAT Small animal e.g. rabbit or smaller Cat Small dog (up to 9.9kg) Medium dog (10kg - 24.9kg) Large dog (25kg or over) Collection fee Same day cremation surcharge	v for Per service inscription per letter: £4	N Non-statutory Y Non-statutory Non-statutory Non-statutory Non-statutory N Non-statutory	Standard rate (20%	21.00 25.00 15.00 21.00 21.00 21.00 21.00 21.00 21.00 21.00 21.00 21.00 21.00 21.00 21.00 21.00 21.00	22.00 61.00 16.00 22.00 95.00 130.00	26.50 23.32 64.66 16.96 23.32 100.70 137.80	27.00 23.00 65.00 17.00 0.00 23.00 101.00 138.00 0.00 169.00 0.00 0.00		27.00 27.00 31.80 16.00 28.00 27.00 95.00 130.00	28.62 30.00 28.62 28.00 33.71 N/A 16.96 17.00 29.68 30.00 28.62 28.00 100.70 95.00 137.80 130.00		76.00 90.00 170.00 215.00	22.26 22.26 80.56 95.40 132.50 180.20 227.90				18.00 21.00 10.00	25.00 26.50 25.00 26.50 15.00 15.90 25.00 26.50	
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OFFICIAL

Standardise over time

North Yorkshire Council

Environment Executive Members

26 January 2024

Fees and Charges - Hackney Carriage and Private Hire Licensing

Report of the Assistant Director - Integrated Passenger Transport, Licensing, Public Rights of Way and Harbours

1.0 PURPOSE OF REPORT

1.1 The purpose of this report is to present a proposal for the review of all fees and charges relating to the Council's hackney carriage and private hire licensing functions.

2.0 BACKGROUND

- 2.1 In accordance with section 53 and section 70 of the Local Government (Miscellaneous Provisions) Act 1976, the Council may charge a reasonable fee with a view to recovering costs relating to hackney carriage and private hire licences.
- 2.2 Licence fees should be calculated on a cost-recovery basis in order for the associated costs of the service to be met by individuals and businesses benefiting from the licensed activity. Any failure to recover costs in this regard would result in a subsidisation of private enterprise at the expense of other services that the Council provides to its taxpayers.
- 2.3 The licensing authority cannot make a profit from licence fees. Any surplus or deficit must be carried forward and taken into account for any future fee revisions.
- 2.4 The current fees relating to hackney carriage and private hire licensing functions are attached at Appendix A along with the proposals for the year beginning 01 April 2023.

3.0 PROPOSED HACKNEY CARRIAGE AND PRIVATE HIRE LICENCE FEE REVIEW

- 3.1 According to the Department for Transport's Taxi and Private Hire Vehicle Licensing Best Practice Guidance (November 2023), "it is essential to a well-functioning taxi and private hire vehicle sector that those administering and enforcing the regime are well-resourced... Licensing authorities should regularly review their fees to reflect changes to costs, both increases and reductions".
- 3.2 The cost of the service is determined by several factors including staffing (salaries, National Insurance contributions, pensions etc), accommodation, utilities, IT support, legal costs, software, insurance, printing and postage. The licence fee for each application is then dependent on several other factors including, where applicable, the time spent on administration, inspections, complaints, compliance checks, committees, consultations and advertising.
- 3.3 Service costs associated with specific applications must be recovered accordingly. For instance, any costs relating to hackney carriage stands and the Council's hackney carriage table of fares must only be recovered from hackney carriage vehicle licence fees whereas other costs (such as policy and service development) will apply to all licence fees.

- 3.4 The costs associated with hackney carriage and private hire licensing functions in North Yorkshire have been calculated with due regard to the relevant legislation, case law and guidance. The relevant cost calculations are attached at Appendix B.
- 3.5 Any surplus or deficit must be carried forward and taken into account for any future fee revisions. Although the accounts for the predecessor authorities have not yet been finalised, the data indicates that no overall surplus has been carried forward from the district accounts. Income data from April 2023 to March 2024 will be considered ahead of the next fee review.
- 3.6 The proposed fees arising from the cost calculations reflect an increase in relation to some licences and a reduction in relation to others to account for changes in personnel, salaries, overheads and operational service delivery.
- 3.7 In accordance with Best Practice Guidance recently published by the Department for Transport, the proposed fees relating to private hire operators have been revised to no longer take into account the number of vehicles being operated.
- 3.8 In accordance with section 70 of the Local Government (Miscellaneous Provisions) Act 1976, the Council must publish a notice in a local newspaper setting out any proposed variation to the fees. The notice must also be displayed at the Council offices for a period of at least 28 days.
- 3.9 The notice must specify a date, not less than 28 days from the date of publication, by which objections must be made. If no objections are lodged, the fees will come into effect on that date. The matter will be referred to the Corporate Director for further consideration if any objections are received.

4.0 CONTRIBUTION TO COUNCIL PRIORITIES

- 4.1 The Council is committed to protecting communities, safeguarding children and ensuring the safety and wellbeing of the public.
- 4.2 A regular review of licence fees is essential to ensure that the licensing regime is adequately resourced to deliver its public protection functions. Effective delivery in this regard also supports economic growth.

5.0 ALTERNATIVE OPTIONS CONSIDERED

5.1 The Council may consider retaining the existing licence fees. However, any failure to recover costs permitted by statute would require an unnecessary subsidisation of the hackney carriage and private hire licensing regime at the expense of the Council's taxpayers.

6.0 FINANCIAL IMPLICATIONS

- 6.1 The proposed fees have been calculated with a view to recovering all costs associated with the applications concerned (where permitted by statute).
- 6.2 Any income received must only be used to fund service delivery relating to hackney carriage and private hire licensing and therefore it must be emphasised that a review of the fees will not lead to any additional revenue for the Council.

7.0 LEGAL IMPLICATIONS

7.1 The legislative framework for setting hackney carriage and private hire licence fees has been explored at paragraphs 2 and 3 of this report.

- 7.2 In accordance with R (on the application of Cummings) v Cardiff City Council [2014] EWHC 2544 (Admin), the Council must separate its income when collecting licence fees for different licence types to prevent cross-subsidy and the Council must not use licence fees as an income-generating scheme. In the event of any surplus arising from income in relation to a particular licence type, the surplus must be used to reduce the relevant fees charged at the next review.
- 7.3 In accordance with Rehman (On Behalf of the Wakefield District Hackney Carriage and Private Hire Association), R (On the Application Of) v The Local Government Association [2019] EWCA Civ 2166, the cost of monitoring and enforcing the behaviour of licensed drivers can be recovered as an 'administration' cost. However, the cost of enforcement relating to unlicensed activities cannot be recovered through licence fees.
- 7.4 The licence fees cannot be varied unless the Council has satisfied the public notice requirements in section 70 of the Local Government (Miscellaneous Provisions) Act 1976 and considered any objections received during the specified period (as set out in paragraphs 3.7 and 3.8 of this report).

8.0 EQUALITIES IMPLICATIONS

- 8.1 On 21 February 2023, the Executive of North Yorkshire County Council resolved to waive the fees relating to wheelchair accessible vehicles until such time as an Inclusive Service Plan is completed, and any subsequent changes to the Hackney Carriage and Private Hire Licensing Policy are implemented.
- 8.2 This approach was intended to encourage the provision and retention of licensed wheelchair accessible vehicles in North Yorkshire. The costs associated with applications in respect of wheelchair accessible vehicles have been subsidised by the Council's general fund (not by other licence holders) since 1 April 2023.
- 8.3 The formulation of a new Inclusive Service Plan is underway with a view to identifying potential methods of improving service provision for wheelchair users. Its recommendations will be considered alongside the full review of the Hackney Carriage and Private Hire Licensing Policy.
- 8.4 The proposed review of licence fees recommends a continuation of existing arrangements in relation to wheelchair accessible vehicles to make the necessary provision while the policy review progresses.

9.0 CLIMATE CHANGE IMPLICATIONS

9.1 The proposed fees are not considered to be at a level that would discourage the trade from investing in high quality, low-emission vehicles.

10.0 POLICY IMPLICATIONS

- 10.1 In accordance with the Council's Fees and Charges Policy, the default charging method is to recover the full costs (including overheads, capital charges and recharges) with a view to ensuring no element of subsidy from local taxpayers. The Policy is attached at Appendix C.
- 10.2 HM Treasury's Managing Public Money publication promotes a standard approach to calculating costs and setting charges. Annex 6.1 of the document explores how to calculate the cost of public services. The relevant extract is attached at Appendix D.

10.3 The Local Government Association (LGA) has published guidance on locally set fees (June 2017) setting out the legislation, case law and details of the costs that may be recovered. The guidance is attached at Appendix E.

11.0 REASONS FOR RECOMMENDATIONS

11.1 The Council is expected to conduct regular reviews of licence fees to ensure that, where statutory powers exist, the cost of the hackney carriage and private hire licensing regime is recovered from applicants and licence holders.

12.0 RECOMMENDATION

12.1 It is recommended that the Corporate Director of Environment, in consultation with the Executive Member for Managing our Environment to approve the proposed variation to hackney carriage and private hire licence fees and to approve the publication of the relevant statutory notices, with or without amendments.

APPENDICES:

Appendix A – Current licence fees and proposed licence fees

Appendix B – Cost calculations

Appendix C – North Yorkshire Council's Fees and Charges Policy

Appendix D – Extract from 'Managing Public Money' (HM Treasury)

Appendix E – Local Government Association guidance on locally set fees

BACKGROUND DOCUMENTS:

Department for Transport's Taxi and Private Hire Vehicle Licensing Best Practice Guidance (November 2023)

Paula Thompson

Assistant Director Integrated Passenger Transport, Licensing, Public Rights of Way and Harbours County Hall
Northallerton

Report Author: Simon Fisher, Licensing Service Development Lead; and

Gareth Bentley, Head of Licensing

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

Hackney Carriage and Private Hire Licence Fees

Hackney Carriage and Private Hire Driver Licence

Current	Proposed
New (3 years): £400	New (3 years): £430
New (1 year): £320	New (1 year): £265
Renewal (3 years): £265	Renewal (3 years): £285
Renewal (1 year): £235	Renewal (1 year): £140

Private Hire Operator Licence

Current	Proposed
1-year licence 1-2 vehicles: £370 3-10 vehicles: £530	1-year licence (any number of vehicles) £240
11-50 vehicles: £690 50+ vehicles: £950 5-year licence	5-year licence (any number of vehicles)
1-2 vehicles: £490 3-10 vehicles: £690 11-50 vehicles: £850 50+ vehicles: £1,170	£650

Hackney Carriage and Private Hire Vehicle Licence

Current	Proposed
HCV new: £350	HCV new: £365
HCV renewal: £280	HCV renewal: £295
PHV new: £330	PHV new: £350
PHV renewal: £265	PHV renewal: £290
Transfer (HCV or PHV): £50	Transfer (HCV or PHV): £55
Change of registration: £50	Change of registration: £55

Cost calculations (drivers)

			One year Three year						
New Driver		LM	SLO	LEO	TLO	LM	SLO	LEO	TLO
Receiving application (appointments, payments, documents etc)		0.00	5.00	15.00	20.00	0.00	5.00	15.00	20.00
Processing application (validation, NR3, supporting documents)		0.00	10.00	20.00	25.00	0.00	10.00	20.00	25.00
Data entry		0.00	10.00	15.00	20.00	0.00	10.00	15.00	20.00
DBS processing (identification, submission, assessment, recording)		0.00	5.00	15.00	15.00	0.00	5.00	15.00	15.00
Knowledge test		0.00	0.00	42.86	0.00	0.00	0.00	42.86	0.00
DBS Update Service checks (biannual)		0.00	5.00	5.00	5.00	0.00	30.00	30.00	30.00
DVLA checks (including annual check)		0.00	5.00	5.00	5.00	0.00	15.00	15.00	15.00
Issue licences, badges		0.00	0.00	10.00	10.00	0.00	0.00	10.00	10.00
Committee reports/hearings (on application only)		42.86	17.14	17.14	0.00	42.86	17.14	17.14	0.00
Total time (minutes)		42.86	57.14	145.00	100.00	42.86	92.14	180.00	135.00
Time cost (£)		£29.73	£36.14	£81.13	£45.46	£29.73	£58.27	£100.72	£61.38
Annual costs (£)			£55.63 £166.88				6.88		
Applications per year	350								
Badge and necklace (£)	£15.00								
Total cost (£)			£26	3.09			0.00 5.00 15.00 15. 0.00 0.00 42.86 0. 0.00 30.00 30.00 30. 0.00 15.00 15.00 15. 0.00 0.00 10.00 10. 12.86 17.14 17.14 0. 12.86 92.14 180.00 135 29.73 £58.27 £100.72 £61		

			One	year			Three	e year	
Driver Renewal		LM	SLO	LEO	TLO	LM	SLO	LEO	TLO
Receiving application (appointments, payments, documents etc)		0.00	5.00	5.00	15.00	0.00	5.00	5.00	15.00
Processing application (validation, NR3, supporting documents)		0.00	5.00	10.00	15.00	0.00	5.00	10.00	15.00
Data entry		0.00	5.00	5.00	15.00	0.00	5.00	5.00	15.00
DBS Update Service checks (biannual)		0.00	0.00	5.00	5.00	0.00	0.00	30.00	30.00
DVLA checks (including annual check)		0.00	0.00	5.00	5.00	0.00	0.00	15.00	15.00
Tax check		0.00	0.00	5.00	10.00	0.00	0.00	5.00	10.00
Issue licences, badges		0.00	0.00	10.00	10.00	0.00	0.00	10.00	10.00
Total time (minutes)		0.00	15.00	45.00	75.00	0.00	15.00	80.00	110.00
Time cost (£)		£0.00	£9.49	£25.18	£34.10	£0.00	£9.49	£44.75	£50.01
Annual costs (£)		£55.63 £166.88							
Applications per year	500								
Badge and necklace (£)	£15.00								
Total cost (£)			£13	9.39			£28	6.14	

Cost calculations (private hire operators)

			One year			Five	Five year		
PHO (new and renewal)		LM	SLO	LEO	TLO	LM	SLO	LEO	TLO
Receiving application (appointments, payments, documents etc)		0.00	10.00	30.00	30.00	0.00	10.00	30.00	30.00
Processing application (validation, supporting documents, consultation)		0.00	5.00	30.00	30.00	0.00	5.00	30.00	30.00
Data entry		0.00	5.00	15.00	30.00	0.00	5.00	15.00	30.00
DBS basic (annual checks where applicable)		0.00	0.00	5.00	5.00	0.00	0.00	25.00	25.00
Committee reports/hearings (on application only)		17.14	6.86	6.86	5.00	17.14	6.86	6.86	5.00
Determine application		5.00	5.00	5.00	0.00	5.00	5.00	5.00	0.00
Issue licence		0.00	0.00	10.00	10.00	0.00	0.00	10.00	10.00
Total time (minutes)		22.14	31.86	101.86	110.00	22.14	31.86	121.86	130.00
Time cost (£)		£15.36	£20.15	£56.99	£50.01	£15.36	£20.15	£68.18	£59.10
Annual costs (£)		£97.06 £485.31				5.31			
Applications per year	35								
Total cost (£)			£23	9.57			£64	8.10	

Cost calculations (hackney carriage vehicles)

			One	5.00 15.00 25.0 10.00 20.00 30.0 10.00 25.00 15.0 10.00 15.00 30.0 1.62 1.62 1.62 5.00 30.00 20.0 5.00 5.00 0.00 0.00 10.00 25.0 8.47 6.35 0.00 55.09 127.97 146.6 £34.84 £71.61 £66.6 £129.66			
New HCV		LM	SLO	LEO	TLO		
Receiving application (appointments, payments, documents etc)		0.00	5.00	15.00	25.00		
Processing application (validation, supporting documents)		0.00	10.00	20.00	30.00		
Vehicle suitability check		5.00	10.00	25.00	15.00		
Data entry		0.00	10.00	15.00	30.00		
HC fare review		3.24	1.62	1.62	1.62		
Administration/consideration of tests		0.00	5.00	30.00	20.00		
Determine application		5.00	5.00	5.00	0.00		
Issue licence, tariff card, order plates etc		0.00	0.00	10.00	25.00		
Committee reports/hearings (on application only)		21.18	8.47	6.35	0.00		
Total time (minutes)		34.42	55.09	127.97	146.62		
Time cost (£)		£23.88	£34.84	£71.61	£66.66		
Annual costs (£)			£129.66				
Applications per year	170						
Plates, door stickers	£40.00						
Total cost (£)			£36	6.64			

			One	year		
HCV Renewal		LM	SLO	LEO	TLO	
Receiving application (appointments, payments, documents etc)		0.00	5.00	15.00	25.00	
Processing application (validation, supporting documents)		0.00	10.00	15.00	25.00	
Data entry		0.00	5.00	5.00	15.00	
HC fare review		1.62	0.81	0.41	0.41	
Administration/consideration of tests		0.00	5.00	20.00	20.00	
Determine application		5.00	5.00	5.00	0.00	
Issue licence, tariff card, order plates etc		0.00	0.00	10.00	25.00	
Committee reports/hearings (on application only)		10.53	4.21	4.21	0.00	
Total time (minutes)		17.15	35.02	74.62	110.41	
Time cost (£)		£11.90	£22.15	£41.75	£50.19	
Annual costs (£)		£129.66				
Applications per year	570					
Plates, door stickers	£40.00					
Total cost (£)			£29	0.81 0.41 0.41 5.00 20.00 20.00 5.00 5.00 0.00 0.00 10.00 25.00 4.21 4.21 0.00 35.02 74.62 110.41 £22.15 £41.75 £50.19		

Cost calculations (private hire vehicles)

			One	year		
New PHV		LM	SLO	LEO	TLO	
Receiving application (appointments, payments, documents etc)		0.00	5.00	15.00	25.00	
Processing application (validation, supporting documents)		0.00	10.00	20.00	30.00	
Vehicle suitability check		5.00	10.00	25.00	15.00	
Data entry		0.00	10.00	15.00	30.00	
Administration/consideration of tests		0.00	5.00	30.00	20.00	
Determine application		5.00	5.00	5.00	0.00	
Issue licence, order plates etc		0.00	0.00	10.00	25.00	
Committee reports/hearings (on application only)		10.29	4.11	4.11	0.00	
Total time (minutes)		20.29	49.11	124.11	145.00	
Time cost (£)		£14.07	£31.06	£69.45	£65.92	
Annual costs (£)		£129.66				
Applications per year	350					
Plates, door stickers	£40.00					
Total cost (£)			£35	5.00 15.00 25.0 10.00 20.00 30.0 10.00 25.00 15.0 10.00 15.00 30.0 5.00 30.00 20.0 5.00 5.00 0.0 0.00 10.00 25.0 4.11 4.11 0.0 49.11 124.11 145.0 £69.45 £65.5		

			One	year		
PHV Renewal		LM	SLO	LEO	TLO	
Receiving application (appointments, payments, documents etc)		0.00	5.00	15.00	25.00	
Processing application (validation, supporting documents)		0.00	10.00	15.00	25.00	
Data entry		0.00	5.00	5.00	15.00	
Administration/consideration of tests		0.00	5.00	20.00	20.00	
Determine application		5.00	5.00	5.00	0.00	
Issue licence, order plates etc		0.00	0.00	10.00	25.00	
Committee reports/hearings (on application only)		7.20	2.88	2.88	0.00	
Total time (minutes)		12.20	32.88	72.88	110.00	
Time cost (£)		£8.46	£20.79	£40.78	£50.01	
Annual costs (£)		£129.66				
Applications per year	500					
Plates, door stickers	£40.00					
Total cost (£)			£28	5.00 20.00 20.00 5.00 5.00 0.00 0.00 10.00 25.00 2.88 2.88 0.00 32.88 72.88 110.00 £20.79 £40.78 £50.01		

Cost calculations (all vehicles)

Vehicle transfer		LM	SLO	LEO	TLO
Receiving application (appointments, payments, documents etc)		0.00	5.00	5.00	20.00
Processing application (validation, supporting documents)		0.00	5.00	5.00	20.00
Data entry		0.00	5.00	5.00	15.00
Issue licence		0.00	0.00	10.00	15.00
Total time (minutes)		0.00	15.00	25.00	70.00
Applications per year	30				
Time cost (£)		£0.00	£9.49	£13.99	£31.82
Total cost (£)			£55	.30	

Vehicle registration change		LM	SLO	LEO	TLO
Receiving application (appointments, payments, documents etc)		0.00	0.00	5.00	10.00
Processing application (validation, supporting documents)		0.00	0.00	5.00	10.00
Data entry		0.00	0.00	5.00	10.00
Issue licence, order plates etc		0.00	0.00	10.00	25.00
Total time (minutes)		0.00	0.00	25.00	55.00
Applications per year	10				
Plates	£16.00				
Time cost (£)		£0.00	£0.00	£13.99	£25.00
Total cost (£)			£54	1.99	

Annual costs

	Drivers			Vehicles				Operators							
	HOS	LIM	SLO	LEO	TLO	HOS	LM	SLO	LEO	TLO	H05	LM	SLO	LEO	TLO
Policy and service development	75.00	100.00	15.00	25.00	15.00	67.50	90.00	13.50	22.50	13.50	7.50	10.00	1.50	2.50	1.50
Enforcement operations	0.00	10.00	20.00	200.00	0.00	0.00	40.00	80.00	800.00	0.00	0.00	0.00	0.00	0.00	0.00
Enforcement actions (suspensions, warnings etc)	0.00	30.00	30.00	120.00	0.00	0.00	70.00	70.00	280.00	0.00	0.00	0.00	0.00	0.00	0.00
Visual vehicle inspections	0.00	0.00	0.00	0.00	0.00	0.00	400.00	300.00	1000.00	0.00	0.00	0.00	0.00	0.00	0.00
Operator/booking record inspections	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	50.00	50.00	100.00	0.00
Complaints and investigations	25.00	50.00	100.00	300.00	50.00	22.50	45.00	90.00	270.00	45.00	2.50	5.00	10.00	30.00	5.00
Committee hearings and appeals (outside application periods)	20.00	150.00	50.00	50.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Fee setting and budget management	10.00	10.00	5.00	0.00	0.00	9.00	9.00	4.50	0.00	0.00	1.00	1.00	0.50	0.00	0.00
System maintenance	0.00	10.00	5.00	0.00	5.00	0.00	9.00	4.50	0.00	4.50	0.00	1.00	0.50	0.00	0.50
Data protection and Fol requests	1.50	7.50	7.50	5.00	7.50	27.00	135.00	135.00	90.00	135.00	1.50	7.50	7.50	5.00	7.50
Training and research	75.00	50.00	30.00	100.00	100.00	67.50	45.00	27.00	90.00	90.00	7.50	5.00	3.00	10.00	10.00
cedures, forms, guidance and website	15.00	25.00	25.00	15.00	15.00	13.50	22.50	22.50	13.50	13.50	1.50	2.50	2.50	1.50	1.50
aff (performance, meetings etc)	50.00	50.00	37.50	125.00	125.00	45.00	45.00	33.75	112.50	112.50	5.00	5.00	3.75	12.50	12.50
Additional items (address change, copy licences, queries etc)	0.00	100.00	100.00	50.00	100.00	0.00	90.00	90.00	45.00	90.00	0.00	10.00	10.00	5.00	10.00
Datal time (hours)	271.50	592.50	425.00	990.00	417.50	252.00	1000.50	870.75	2723.50	504.00	26.50	97.00	89.25	166.50	48.50
Total cost (£)	£14,210.12	£24,664.33	£16,125.43	£33,236.75	£11,388.61	£13,189.50	£41,648.38	£33,038.15	£91,434.65	£13,748.16	£1,385.99	£4,037.87	£3,386.34	£5,589.82	£1,322.99
Active licences			1,791					1,489					162		
Natal annual cost per licence	£7.93	£13.77	£9.00	£18.56	£6.36	£8.86	£27.97	£22.19	£61.41	£9.23	£8.56	£24.93	£20.90	£34.51	£8.17
			£55.63					£129.66					£97.06		

North Yorkshire Council

Fees & Charges Policy

1.0 Introduction and Context

- 1.1 Income generation is an important part of the Council's overall resources. Fees and charges can help to achieve income to support frontline service delivery and future investment, can influence customer behaviour and can help to ensure the council's policy objectives are achieved.
- 1.2 In total in 22/23 the former eight councils in North Yorkshire expect to generate £113m from discretionary fees and charges 11% of total income budgeted for the year. An effective Fees and Charges Policy will help to maximise income raised and lower the burden to Council Tax payers of providing various council services, instead ensuring that where appropriate, it is the direct users of these services that are paying towards the costs of these services.
- 1.3 The principle aims of this Fees and Charges Policy are to support future budget setting and medium-term financial planning processes and to provide a framework for the Council's approach to charging for services.
- **1.4** With this in mind, this Policy has been developed, to provide Service Managers with a centralised framework to consider when reviewing their fees and charges, helping to ensure a consistent approach across the Council.

2.0 Scope

- **2.1** This Policy applies to:
 - Non-Discretionary (Statutory) Services that a Local Authority is mandated, or has a duty to provide, where charging is permissible in the legislation;
 - Discretionary Services that a Local Authority has the power, but is not obliged, to provide and may cost recover for providing such services.
- **2.2** This Policy does not apply to:
 - Any service where there is no ability to cost recover (charge) for such services;
 - Council Tax and Business Rates local taxation charges are covered by separate legislation;
 - Fees and Charges that are set in statute and regulations, for example, Planning Application Fees;
 - Services that are free of charge at the point of delivery, under legislation, for example domestic general waste collection;
 - Contributions to the cost of care, as defined by social care legislation;
 - Housing Revenue Account (HRA) housing rents a separate HRA rents policy covers these particular charges;
 - Services traded through North Yorkshire Education Services (NYES) and
 - Wholly controlled companies as separate legal entities (within the NYC Group) fees and charges are set separately in accordance with their approved objectives, business plans and governance arrangements.

3.0 Roles and Responsibilities

3.1 Within the Council's Constitution, Directors are responsible for establishing and reviewing fees and charges for their directorate in accordance with this corporate policy framework, the legal framework which enables such charges and the approved budget envelope.

3.2 The Corporate Director of Resources is responsible for reviewing this policy and providing advice and guidance for its implementation.

4.0 Objectives

- **4.1** With the ever-increasing budget pressures facing the public sector, it is important for the Council to increase resilience and independence wherever possible. One of the main areas this can be explored through is Fees and Charges.
- 4.2 In line with the Council's savings requirements and commercial stance, it is vital to regularly review the continuing provision of those discretionary services where the council is unable, or unwilling, to recover the full costs of service. It is also important to ensure that where there is an opportunity to introduce new fees and charges, this opportunity is investigated fully to understand the implications of doing so.
- **4.3** The Fees and Charges Policy therefore has the following objectives:
- 4.3.1 Maximising consistency across services:

As part of local government reorganisation, there is a need to move towards a consistent approach to fees and charges to ensure charges reflect service costs and are fair across the whole of North Yorkshire. This Policy acknowledges that there will be different fees and charges in operation across North Yorkshire as services work towards single operating models. This Policy does not specify if, when or how the various fees and charges across all 8 former councils should be harmonised but as services are brought together, it provides a unified set of principles for services to follow.

Any departure from the agreed Policy should be clearly documented and clearly explained. A corporate list of fees and charges is maintained by Finance and will allow Directors and Service Managers to record when a charge was last reviewed and what was considered. To assist with this process, a Fees and Charges calculation tool/guidance has been developed. (Link to Intranet)

4.3.2 Ensuring Fees and Charges are robust and up to date:

All fees and charges are to be reviewed on an annual basis. Whilst it is acknowledged that a full review of each fee and charge implemented by the Council is not practicable each financial year, it is considered that as a minimum the fees and charges already charged by the Council are to be adjusted in line with inflation each year. This will ensure that any inflationary change to the costs of providing a service will be matched by a corresponding change to the charge made for the service. The inflation rate to be applied each year will be notified by the Corporate Director of Resources as part of the budget setting process. All fees and charges must be subject to a detailed review at least every 3 years.

4.3.3 Ensuring that Fees and Charges are clearly understood:

As part of the review of Fees and Charges, the cost of providing each service, and any legislation pertaining to this service, is to be considered. As services start to work together under local government reorganisation and budgets are re-worked, services will be better placed to understand the costs of providing services and will help inform future decisions around fees and charges. The Fees and Charges calculation tool will allow Directors and service Managers to calculate the cost of providing a service and record any relevant legislation and store this information for future reference.

4.3.4 Maximising Council income:

When reviewing existing fees and charges, or when considering the implementation of a new charge, the charge should be set at such a level as to maximise the income received by the Council. Please see (Link to intrant) for further guidance on the approach to use when determining a fee and charge.

Service income budgets will rise in line with inflation in each year. As budgeted income targets are set to increase, it is important for fees and charges to be regularly reviewed and updated to help in meeting this increased level of budgeted income.

It is also important to ensure that fees and charges are reflective of the council's costs of service provision, to ensure that services are not being inadvertently subsidised without a positive decision to this effect.

5.0 Implementation

- 5.1. The following costing approach to fees and charges should be adopted:
 - When introducing or reviewing a fee or charge, the Council will follow one of three models set out below.
 - As a general rule, Fees and Charges should be aimed towards full-cost recovery, including an appropriate share of corporate and departmental overheads.
 - If the Council is unable, or unwilling, to recover the full costs of providing a discretionary service, then as part of the annual review, the continued provision of this service should be considered along with the rationale of the charging policy adopted.
 - When finalising the costs of each fee and charge, consideration should be given to any
 wider implications of setting the charge at the proposed rate, to avoid any unintended
 consequences.

Costing Model	Objective	Key Considerations
1. Full Cost Recovery	To cover the full costs of delivering the service ensuring no element of subsidy from local taxpayers.	 This is the Council's default charging method; Charges should recover the full costs, including overheads, capital charges and recharges;
2. Cost Plus	To cover the full costs of delivering the service plus a margin to contribute to reinvestment in services.	In limited circumstances it may be appropriate to add a margin to full cost recovery, for example to contribute to re-investment in services where the income will not generate a surplus or profit against the service in totality. Guidance from Finance should be obtained before considering such charges
3. Subsidised	To cover all or part of the costs of service delivery with support from local taxpayers.	The level of subsidy should have regard to the full cost of service delivery and there should be a clear and agreed rationale for subsidy

- 5.2 Fees and Charges should be benchmarked against other local authorities to help identify potential best practice. When appropriate to the Fee and Charge in question, benchmarking against other relevant competitors in the market should also be undertaken.
- 5.3 Each Directorate is responsible for ensuring that their Fees and Charges are appropriately monitored and up to date. Each Directorate's list of Fees and Charges is to be overseen by the Directorate's lead Finance Business Partner.
- 5.4 Annual reviews should consider the following factors:
 - Inflationary pressures, and when a flat rate uplift might not be the most appropriate option due to specific changes to the cost-of-service delivery;
 - Service-level budget targets, with the context of council-wide targets and advice from lead Finance Business Partners;
 - Cost of administration;
 - Scope for new charging areas, this might be entirely new discretionary service to deliver, or existing services that are currently not charged for;
 - Demand/volume and sensitivity to price changes;
 - Use stakeholder engagement and comparative data, where appropriate, to ensure that charges do not adversely affect the take up of services or restrict access to services (other than where this is a desirable outcome).
- 5.5 If a decision is taken to not increase some fees and charges the budget shortfall that this creates will need to be bridged through other operational and cost savings. Conversely, if charges are increased above inflation this can contribute to Directorate savings targets.
- 5.6 Service users should be given a reasonable period of notice before the introduction of new or increased charges and there may be a requirement to consult.
- 5.7 To ensure cost effectiveness and efficiency when setting and amending charging levels, the following are to be considered:
 - The desirability of increasing the Council's market share e.g., temporarily reducing a fee or charge in order to stimulate demand for a service, leading to increased income generation;
 - Obstacles to maximising full cost recover when providing the service;
 - Future investment required to improve or maintain the service;
 - If full cost recovery would require a sudden and large uplift and may reduce market share, it may be prudent to phase-in that price rise over a longer period with a temporary agreed discount;
 - The desirability of reducing the uptake of a given service, i.e., raising charges during peak times.
- 5.8 Once the review of existing fees and charges has been completed, or any proposal for a new fee or charge has been developed, these will need to pass through each Directorate's agreed approval process before implementation.
- 5.9 Further guidance is available as part of the Fees and Charges Calculation Tool.

6.0 Regularity of Review

6.1 The Policy is to be reviewed every four years as a minimum and any required amendments will be subject to approval of the Executive.

Annex 6.1

How to calculate charges

This annex discusses how to calculate the cost of public services for which a fee is charged.

Introducing a new or updated charge bearing service

A6.1.1. Public sector organisations planning to set up or update a service for which a fee may be charged shall ensure early engagement with Treasury. Advice should be sought at the earliest opportunity if there are any variations on the standard model. Proposed variations may be agreed in certain instances, considering each on its merits. Each will need to be justified in the public interest and on value for money grounds.

A6.1.2. Practical issues which organisations will need to consider when setting up or refreshing a charge bearing service include: the definition of the service and its rationale; the proposed financial objective (for instance, full cost recovery; 70% of full cost plus a 30% public subsidy); how the service is to be delivered and which organisation is to deliver it; whether the provider should retain any income from charges; the proposed charging structure (for instance, a single service or several sub-services). Organisations will also need to refer to the checklist in box 4.9 of factors to consider when planning policies and projects.

Measuring the full cost of a service

A6.1.3. With agreed exceptions, fees for services should generally be charged at cost, sometimes with an explicit additional element to match the returns of commercial competitors. So to set fees for public services it is essential to calculate the cost of providing them accurately.

A6.1.4. The main features to be taken into account in measuring the annual cost of a service are set out in box A6.1A. Not everything in the list will apply to every service and the list may not be exhaustive. It is important that the calculation is comprehensive, including all relevant overheads and non-cash items.

A6.1.5. So far as possible the calculation should use actual costs, where they are known. For services just starting, there may be no alternative to using best estimates, geared to estimated consumption patterns.

A6.1.6. Start-up costs which are capitalised in the accounts and the cost of fixed capital items are scored in the accounts in full. These costs should be attributed to the cost of the service as the depreciated value each year.

A6.1.7. Start-up costs which cannot be capitalised in the accounts are scored as they are incurred. Such costs may be recovered through fees and charges by spreading them over the first few years of service provision. It is also good

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practice to set fees to recover costs which cannot be capitalised in the accounts and which have been incurred to improve efficiency and effectiveness so that charges are lower or offer better value. This needs explicit Treasury agreement and may require statutory backing.

A6.1.8. For services which are charged at different rates, the same procedure should be used to set the different rates. That is, the cost of any premium service should be objectively justifiable by its additional cost (e.g. where faster shipping is offered); or conversely any discount should be justifiable by saving to the supplier (e.g. using the internet rather than over the counter). Note, however, that sometimes the legislation permits differential pricing unrelated to the relative underlying costs – though even then there should be good policy reason for the difference.

Box A6.1A: elements to cost in measuring fees

- Accommodation, including capital charges for freehold properties
- Fixtures and fittings
- Maintenance, including cleaning
- Utilities
- Office equipment, including IT systems
- Postage, printing, telecommunications
- · Total employment costs of those providing the service, including training
- Overheads, e.g. (shares of) payroll, audit, top management costs, legal services, etc
- Raw materials and stocks
- Research and development
- Depreciation of start upstart-up and one-off capital items
- Taxes: vat, council tax, stamp duty, etc
- Capital charges
- Notional or actual insurance premiums
- · Fees to sub-contractors
- Distribution costs, including transport
- Advertising
- Bad debts
- · Compliance and monitoring costs
- Provisions

But not:

- Externalities imposed on society (e.g. costs from pollution and crime)
- · Costs of policy work (other than policy on the executive delivery of the service)
- Enforcement costs⁹²
- Replacement costs of items notionally insured
- Start-up costs (those which are capitalised in the accounts) and one-off capital
 items

Financial objectives

A6.1.9. The standard approach to setting charges for public services (including services supplied by one public sector organisation to another) is full cost recovery. It normally means recovering the standard cost of capital, currently 3.5% in real terms. Some exceptions are noted in section 6.4.

A6.1.10. One other exception is commercial services, i.e. those services which compete or may compete with private sector suppliers of similar services. These should aim to recover full costs including a real rate of return in line with the rates achieved by comparable businesses facing a similar level of risk. The normal range of rates is 5-10% but rates as high as 15% may be appropriate for the very highest risk businesses.

A6.1.11. Great care should be taken in pricing commercial services where public sector suppliers have a natural dominant position. The market prices of competitors will often be a good guide to the appropriate rate of return if there is genuine competition in the market. Where there are limited numbers of buyers and sellers in a market, it may be better to take other factors into account as well. These might include past performance, the degree of risk in the underlying activity and issues bearing on future performance.

Accidental surpluses and deficits

A6.1.12. Despite every effort to measure and forecast costs, surpluses and deficits are bound to arise from time to time. Causes may include variations in demand, in year cost changes, and so on. It is good practice to consider mid-year adjustment to fee levels if this is feasible.

A6.1.13. It is also good practice to set fees to recover accumulated past deficits. This may require statutory backing through a s102 order (see paragraph 6.3.3).

A6.1.14. Where significant surpluses have arisen, these should usually be refunded to the payees at the earliest opportunity.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/226421/PUI548_final.pdf

⁹² See HMT guidance on receipts



Open for business

LGA guidance on locally set licence fees

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Introduction

Councils are responsible for administering a range of licences and approvals relating to both national legislation and discretionary functions that are agreed locally. For the majority of these regimes the costs are recovered through fees set by each council and paid by the licence applicant. It is an accepted principle in relation to these schemes that those who benefit from the system (eg licence holders) should cover the cost of it. Locally set fees are a vital means of ensuring both that full costs can be recovered by each and every council, reducing the risk of a subsidy from local tax payers, and that businesses do not pay more than they should.

While the licensing role within local government may be long established, the decisions that are being made by individual councils in this area are facing increased scrutiny from businesses, the public and in the media, particularly in relation to fee setting. Recent case law resulting from the European Services Directive, the introduction of new licences for scrap metal dealers and the potential introduction of locally set fees for alcohol licensing have all placed an added emphasis on the need for every council to set fees in a legally robust and transparent manner. In particular, a recent case under the Services Directive has significant implications for the way in which councils apply their licence fees

This guidance aims to help councils understand the full breadth of issues that should be considered when setting local licence fees in order to meet legal obligations and provide the necessary reassurances to local businesses. It does not contain a fees calculator because this assumes a uniformity of service design and associated costs, when it is vital that councils are free to design the service that best serves the needs of their community and recover costs accordingly.

Key issues

Understanding the role of licensing

Licensing is an integral part of councils' broader regulatory services. Regulatory services are increasingly recognised as being at the heart of councils' approaches to economic growth, and it is believed that over fifty per cent of a business' contact with a council takes place through regulatory services. Officers working in licensing, environmental health and trading standards have regular interactions with businesses and can therefore have an important role in helping them become established and grow, at the same time as ensuring they adhere to important safeguards.

While economic growth is a priority for every council in the country, there is also the need to ensure that licensing regimes can continue to protect communities and visitors; manage public health risks; and remain responsive to local concerns.

Licensing also has an important role to play in helping councils shape the areas in which people live and work; by determining what types of premises open there, how long they are open for, and what sort of activities take place. Councillors, as democratic representatives of local communities, should be able to take licensing decisions that are in line with the preferred wishes of those communities.

The balance of all these factors will vary for each local area. Councils can take the opportunity to work with businesses, community groups and residents to design a licensing service based on local priorities and understand the implications that this will have for the fees charged.

All of this work requires funding, and it is an accepted principle that licensed activities should be funded on a cost-recovery basis, paid for by those benefiting from the licensed activity, rather than drawing on the public purse.

Where councils have the flexibility to set local fees, it is possible to consider how resources can be focused on risk; whether business support is effective; and how the burden of inspections can simply be removed where it is not necessary. A streamlined approach to licensing will ensure that fees are kept to a minimum and businesses can be encouraged to prosper.

How does the European Services Directive impact on locally set licence fees?

The European Services Directive¹ aims to make it easier for service and retail providers to establish a business anywhere within Europe. The principle of ensuring that regulation is transparent and that the burdens placed on businesses are kept to a minimum is an objective that all councils can support. However, the legal requirements in the Directive do have practical implications for local licensing regimes, including fee setting.

Further guidance about the entirety of the European Services is available on the GOV. UK website².

EU Services Directive:
http://eur-lex.europa.eu/legal-content/EN/LSU/?uri=CELEX:
32006L0123&qid=1446478137741

² BIS guidance on the EU Services Directive: https://www.gov.uk/eu-services-directive

Councils should specifically note that the Directive does not apply to licensing of taxis, or gambling activities; however, the principles remain a helpful way of providing a transparent and business-friendly approach to licensing.

Principles of the Services Directive

The general principles of the Services Directive apply to all processes and administrative procedures that need to be followed when establishing or running a service or retail business, including the setting, charging and processing of fees for licences. The core principles of the Directive – non-discriminatory; justified; proportionate; clear; objective; made public in advance; transparent and accessible – apply to fee setting and are already practiced by a large number of councils with the aim of ensuring a fair and transparent approach for local businesses and communities.

Most principles are self-explanatory, but the principle of 'non-discrimination' requires a little more explanation. In the Services Directive it is defined as meaning 'the general conditions of access to a service, which are made available to the public at large by the provider [and] do not contain discriminatory provisions relating to the nationality or place of residence of the recipient'.

This applies at the local level when considering fee setting meaning that all applicants must be treated equally irrespective of location and/ or nationality. Councils should not, for instance, seek to subsidise businesses operating in one geographical area by offering comparatively lower fees than required of those operating in another. Such an approach discriminates against those businesses located elsewhere in the locality.

The importance of this approach has also been established by case law on taxi and PHV licensing which, as it is not covered by the Services Directive, demonstrates that some core principles are shared between UK and EU legislation.

Cummings v Cardiff ruled that the charges within a licensing regime for different categories of licence should not subsidise each other; so a surplus gained on hackney carriage licences should not reduce the cost of a private hire vehicle licence. This can be logically extended to mean that the fees received under one licensing regime must not subsidise fees charged under another. For instance, a surplus generated by taxi fees must be reinvested back into taxi licensing and not used to reduce the cost of, for instance, a scrap metal dealers licence.

All councils should therefore ensure that they have individual, discrete cost-calculations for each of the licensing regimes that they operate. This may require a change in the way that some councils operate.

One of the LGA's priorities for ongoing Brexit negotiations is that fees covering licensing continue to be upheld in domestic law.

Administering payment of fees

Under the Services Directive councils need to ensure that details of any fees are easily accessible online, including the ability to make payments online.

Councils should be able to separate out the cost of processing an initial application from those costs associated with the ongoing administration of a scheme, because this latter element cannot be charged to unsuccessful licence applicants.

This was a key issue in the Hemming v
Westminster case (see case law,
page 13), in which the Supreme Court asked
the European Court of Justice (ECJ) to rule
on how Westminster applied its licence fees.
The Supreme Court identified two different
approaches to charging fees:

(a) Whereby a council charged a fee upon application (covering the costs of authorisation procedures) and a subsequent fee to successful applicants (covering the cost of administering and enforcing the framework) - the 'type A' approach.

(b) Where a council charged a single fee on application covering all costs, on the basis that the relevant proportion of the fee would be refunded to unsuccessful applicants – the 'type B' approach.

The ECJ published its ruling on the issue on 16 November 2016, following an earlier opinion by the Advocate General in July 2016.

The ECJ ruled that the type B approach of fee setting is not compatible with the Services Directive, arguing that the Directive 'precludes the requirement for the payment of a fee, at the time of submitting an application for the grant or renewal of a authorisation, part of which corresponds to the costs relating to the management and enforcement of the authorisation scheme concerned, even if that part is refundable if that application is refused.'

Therefore, licensing authorities will need to amend their fee structures for fees covered by the Services Directive to ensure that application fees relate solely to the cost of authorisation procedures (ie, the costs associated with reviewing an application and granting / refusing a licence). Under the type A approach, on which the Supreme Court ruling still holds, successful licence applicants should subsequently be charged an additional fee relating to the costs of administering and enforcing the relevant licensing framework. An example of amended licensing fees which separate out administration and enforcement costs can be found on Westminster council's website³.

It is worth noting on this point that the Supreme Court view – which again still holds – was that there is nothing to stop licensing authorities making the payment of such a fee a condition of holding a licence. This would mean that authorities could withhold a licence until payment of the relevant fee had been received:

"...nothing in article 13(2) precludes a licensing authority from charging a fee for the possession or retention of a licence, and making this licence conditional upon payment of such fee. Any such fee would however have to comply with the requirements, including that of proportionality, identified in section 2 of Chapter III and section 1 of Chapter IV. But there is no reason why it should not be set at a level enabling the authority to recover from licensed operators the full cost of running and enforcing the licensing scheme, including the costs of enforcement and proceedings against those operating sex establishments without licences.'

Not all legislation in England and Wales permits councils to separate out elements of the fee in this way. For instance, the Licensing Act 2003 has fees set nationally, which constrains councils' ability to adopt this approach. It is therefore unclear whether a council could offer a refund of the enforcement element if an application is refused under this Act: the LGA view is that this is not possible, as the legislation requires that the specified amount (fee) must be paid on application.

Nevertheless, despite these constraints, councils should calculate the notional costs of administration and enforcement separately and make applicants aware of the two elements to the fee. In addition to meeting the transparency requirements of the Services Directive, this enables councils to examine the efficiency of their internal processes and make improvements where necessary. The process adopted and information available about this should be simple and cost effective for both the council and businesses.

Reasonable and proportionate

The Directive also includes specific requirements that apply to the charging of fees. Charges must be reasonable and proportionate to the cost of the processes associated with a licensing scheme. Councils must not use fees covered by the Directive to make a profit or act as an economic deterrent to deter certain business types from operating within an area.

³ https://www.westminster.gov.uk/sites/www.westminster.gov.uk/files/licensing_fees_list.pdf

Keeping fees under review

Fees should be broadly cost neutral in budgetary terms, so that, over the lifespan of the licence, the budget should balance. Those benefitting from the activities permitted by the various licences should not, so far as there is discretion to do so, be subsidised by the general fund.

To ensure that fees remain reasonable and proportionate it is necessary to establish a regular and robust review process. This has particular advantages in the early stages of a new licensing regime, as with the Scrap Metal Dealers Act, where fees have been set on best guess estimates of the number of applications that will be received.

Annual reviews allow for the fine tuning of fees and allow councils to take steps to avoid either a surplus or deficit in future years. This will not immediately benefit licence holders where the licence has been granted for a number of years and paid for in a lump sum, but will ensure new entrants to the licensing scheme are charged appropriately.

Councils that divert fees income from the relevant licensing scheme to fund other licensing work, or to fund other council activities, will be breaking the law.

Where fees charged result in a surplus, both Hemming v Westminster and Cummings v Cardiff state that this surplus must be used to reduce the fees charged in the following year. It is possible to extend the reinvestment of the surplus over more than one year⁴, but this will need careful consideration about whether contributors may leave the licensing system over that period and therefore lose out on the return.

Deficits can similarly be recovered⁵, although where there is a significant deficit, councils may want to consider how recovery can be undertaken over more than one year so as not to financially harm otherwise viable businesses.

The case of R v Tower Hamlets LBC (1994)⁶ may also be of relevance, as the High Court indicated that "a council has a duty to administer its funds so as to protect the interests of what is now the body of council tax payers".

Open route for challenge

In the interests of transparency it is helpful to give an indication of how the fee level has been calculated; the review process in place and a contact method for businesses to query or challenge the fees. Open consultation with businesses and residents to design a local service, including understanding the implications for fees, helps to provide a robust answer to challenge.

It may also prove helpful to engage elected members in the scrutiny of fees. They will use their knowledge as local representatives to consider councils' assumptions and challenge them where necessary.

⁴ R v Manchester City Council ex parte King (1991) 89 LGR 696

http://www.lawindexpro.co.uk/cgi-bin/casemap.php?case=197719&rf=scu%2520target=

⁵ R v Westminster City Council ex parte Hutton (1985) 83 LGR 516.

R v London Borough of Tower Hamlets ex parte Tower Hamlets Combined Traders Association, 19 July 1993; [1994] COD 325 QBD Sedley J. Although the decision was about the London Local Authorities Act 1990, it would appear to have general effect as a principle. http://www.lawindexpro.co.uk/cgi-bin/casemap.php?case=1 97718&rf=scu%2520target=

So what can be included in a licence fee?

Councils may want to consider the following elements when setting licence fees. It should be noted that this list is for consideration only, as councils may choose not to charge for all the elements listed if they do not apply locally, or there may be additional areas of work carried out during the licensing process that were not highlighted during the development of this guidance.

Individual pieces of legislation may also have specific items that may or may not be chargeable under the scheme. The lists below will apply for most schemes, but should always be checked against the relevant piece of legislation. If councils have any concerns they should seek the advice of their in-house legal department.

Initial application costs could include:

Administration – this could cover basic office administration to process the licence application, such as resources, photocopying, postage or the cost of handling fees through the accounts department. This could also include the costs of specialist licensing software to maintain an effective database, and printing licences.

Initial visit/s – this could cover the average cost of officer time if a premises visit is required as part of the authorisation process. Councils will need to consider whether the officer time includes travel. It would also be normal to include 'on-costs' in this calculation. Councils will need to consider whether 'on-costs' include travel costs and management time.

Third party costs – some licensing processes will require third party input from experts, such as veterinary attendance during licensing inspections at animal related premises.

Liaison with interested parties – engaging with responsible authorities and other stakeholders will incur a cost in both time and resources.

Management costs – councils may want to consider charging an average management fee where it is a standard process for the application to be reviewed by a management board or licensing committee. However, some councils will include management charges within the 'on-costs' attached to officer time referenced below.

Local democracy costs – councils may want to recover any necessary expenditure in arranging committee meetings or hearings to consider applications.

On costs – including any recharges for payroll, accommodation, including heating and lighting, and supplies and services connected with the licensing functions. Finance teams should be able to provide a standardised cost for this within each council.

Development, determination and production of licensing policies – the cost of consultation and publishing policies can be fully recovered.

Web material – the EU Services Directive requires that applications, and the associated guidance, can be made online and councils should effectively budget for this work.

Advice and guidance – this includes advice in person, production of leaflets or promotional tools, and online advice.

Setting and reviewing fees – this includes the cost of time associated with the review, as well as the cost of taking it to a committee for approval.

Further compliance and enforcement costs could include:

Additional monitoring and inspection visits

- councils may wish to include a charge for risk based visits to premises in between licensing inspections and responding to complaints. As with the initial licensing visit, councils can consider basing this figure on average officer time, travel, administration, management costs and on costs as suggested above.

Local democracy costs – councils may want to recover any necessary expenditure in arranging committee meetings or hearings to review existing licences or respond to problems.

Registers and national reporting –

some licensing schemes require central government bodies to be notified when a licence is issued. The costs of doing this can be recovered.

Charging for action against unlicensed traders

Councils' ability to charge for these costs as part of a licensing scheme depends on the licensing scheme in question. In Hemming v Westminster (see page 13), the Supreme Court ruled that the Services Directive made no mention of enforcement costs. Councils' ability to charge these costs to applicants for licences is therefore dependent on the UK legislation.

The Court ruled that licensing authorities are entitled under the Local Government (Miscellaneous Provisions) Act 1982 to impose fees for the grant or renewal of licences covering the running and enforcement costs of the licensing scheme; in this case, the licensing scheme for sex shops.

However, legal interpretation of taxi and PHV licensing suggests that councils do not have the power to recover the costs of any enforcement against licensed or unlicensed drivers at all, although they may recover the costs of enforcement against vehicles⁷. The LGA believes that section 70(1) of the 1976 Act makes it clear that the costs of enforcement against licensed operators can also be recovered through a fee; however, the position on recovering these costs is contested.

Home Office guidance under the Scrap Metal Dealers Act, which councils must have regard to, prevents the recovery of enforcement costs against unlicensed dealers only. Great care must therefore be taken when setting fees to check what is and is not permitted under that specific licensing regime.

Unrecoverable costs

It is worth considering that the costs of defending appeals in the magistrate's court or via judicial review can be recovered through the courts. Including these costs within the fees regime could lead to recovering the costs twice, which would be inconsistent with the Services Directive.

⁷ http://www.guildford.gov.uk/cHttpHandler. ashx?id=6647&p=0

Appendix E

Do	Don't	Maybe
Check the relevant legislation	Use a surplus from one fee to subsidise another	Include the costs of enforcement against unlicensed traders
Calculate processing costs and enforcement costs separately and ensure that any fees covered by the Services Directive are charged to applicants and new licensees in two stages	Allow fees income to be drawn into the council's general fund	Include a condition on the issued licence that requires the payment of the enforcement part of the fee, where this is not charged upfront
Clearly communicate to applicants the elements that make up the fee	Allow fee levels to roll-over each year without a review	
Ensure fees are determined by the right person	Forget to ask the courts to award costs during a prosecution	
Include staff on-costs		
Include training costs for officers and councillors		

Further support

The practical approach to designing a local licensing service, allocating costs accurately and considering legal implications can be a difficult task; therefore it is strongly recommended that licensing teams work with their legal advisors and finance teams to make the best use of all expertise.

In addition, councils should consider working collaboratively with neighbouring authorities to provide mutual support. Working with other councils and reviewing fees set by similar authorities can be an extremely valuable way of ensuring that fees are not perceived to be disproportionate by businesses.

This document sets out high-level, overarching principles for fee setting that apply across most licensing regimes. It is always important to check the specific details of the regime in question.

The All Wales Licensing Expert Panel has compiled a series of helpful documents to assist councils with the practical aspects of setting fees, including data capture guidance and a basic time recording method. They can be accessed at:

http://www.npt.gov.uk/default. aspx?page=11958 The following links will take you to relevant legislation or guidance for the most common licensing regimes, current at the time of publication:

Licensing Act 2003 https://www.gov.uk/government/publications/alcohol-licensing-fee-levels

Gambling Act 2005 http://www.legislation.gov.uk/ukpga/2005/19/ section/212 and

http://www.legislation.gov.uk/uksi/2007/479/contents/made

Scrap Metal Dealers 2013 http://tinyurl.com/SMDAfees

Taxis and PHV Licensing (Local Government Miscellaneous Provisions Act 1976) http://www.legislation.gov.uk/ukpga/1976/57/section/70

Sexual Establishments (Local Government Miscellaneous Provisions Act 1982) http://www.legislation.gov.uk/ukpga/1982/30/schedule/3

Street Trading (Local Government Miscellaneous Provisions Act 1982) http://www.legislation.gov.uk/ukpga/1982/30/schedule/4

Provision of Services Regulations 2009 (The UK legislation applying the EU Services Directive to UK law) https://www.detini.gov.uk/publications/guidance-business-provision-services-regulations

Case law

Hemming v Westminster

The Hemming v Westminster case tested the degree to which fees and processes must be proportionate, as well as the administrative processes for calculating fees, in the context of licensing sex establishments. The case established a number of key points about setting fees under the Services Directive.

The case has passed through a number of courts, including the Court of Appeal, Supreme Court and European Court of Justice, with different elements of the case being settled at different stages.

In 20138, the Court of Appeal ruled that the fees set must not exceed the costs of administering the licensing regime. This meant that the council was no longer able to include the cost of enforcement against unlicensed sex establishment operators when setting the licence fee. The Court of Appeal held that such costs could not be deemed to fall within the EU Services Directive 2006 and associated UK Provision of Services Regulations 2009.

The Directive states that charges levied by a competent body on applicants under an authorisation scheme must be reasonable and proportionate to the cost of the 'procedures and formalities' of the scheme and must not exceed these costs. However, the cost of visits to licensed premises to monitor compliance could be recovered through fees.

The judgement also found that the annual reviews conducted by an officer of Westminster City Council were no substitute for determinations by the council. The judge rejected the council's submission that the fee had been fixed on an open-ended basis in 2004 so that the fee rolled over from one year to the next. Westminster City Council was consequently ordered to repay fees charged over that period.

The judgement would have left Westminster, and potentially other councils, liable to refund the proportion of sex shop licence fees deemed to be unlawful, dating back to the introduction of the Regulations in 2009.

Westminster appealed the Court of Appeal's judgement on the recovery of enforcement costs, and the case was heard by the Supreme Court in January 2015. Other matters determined by earlier hearings, such as the need to review fees annually and the requirement for councils to ring-fence income from licensing fees so that any surplus or deficit is carried forward to the next year's budget, were not contested.

The council's position that it was lawful for it to seek to recover all enforcement costs was supported by the LGA, which submitted written interventions to the Supreme Court. A range of regulatory bodies, as well as HM Treasury, also submitted written interventions in the case.

⁸ Court of Appeal ruling for Hemming v Westminster – 24 May 2013

http://cornerstonebarristers.com/wp-content/uploads/2013/05/Hemming-APPROVED-Judgement.pdf

The Supreme Court ruled⁹ that licensing authorities are entitled under the Local Government (Miscellaneous Provisions)
Act 1982 to impose fees for the grant or renewal of licences covering the running and enforcement costs of the licensing scheme. Crucially, it reasoned that the Services Directive deals only with the issue of authorisation procedures and fees relating to applications to exercise a service activity (such as operating a sex shop). The Supreme Court sought an opinion from the European Court of Justice regarding how such fees should be levied. It identified two different approaches to charging fees:

- whereby a council charged a fee upon application (covering the costs of authorisation procedures) and a subsequent fee to successful applicants (covering the cost of administering and enforcing the framework) - the 'type A' approach, or
- where a council charged a single fee on application covering all costs, on the basis that the relevant proportion of the fee would be refunded to unsuccessful applicants – the 'type B' approach.

The Supreme Court found the type A approach of charging two fees is permissible under the Services Directive but considered that the type B approach of charging a single fee was more problematic.

The ECJ published its ruling on the issue on 16 November 2016, following an earlier opinion by the Advocate General in July 2016, and concluded that only type A fees are permissible under the Services Directive.

However, the opinion of the Advocate General and the commentary contained in the judgement of the ECJ went beyond the specific issues that had been referred to it. Of particular concern, both the opinion and the commentary in the ruling appeared to reopen the issue of whether including the costs of administering and enforcing licensing regimes within licence fees is compatible with the Services Directive, with a strong indication that the Advocate General and ECJ

9 https://www.supremecourt.uk/cases/uksc-2013-0146.html

believed that it is not. While the Supreme Court's view on this issue remains in place at the current time, meaning councils can continue to include these costs in their licence fees, it seems inevitable that there will be a further challenge on this issue at some point in future.

Where councils receive claims for previously paid type B licence fees on the grounds that they have now been ruled incompatible with the Services Directive, the only legitimate claim for restitution relates to the loss of interest that a licence holder can be deemed to have suffered by virtue of paying the entirety of the fee upfront, rather than the fee being split into two payments on application and on successfully being awarded a licence.

The fact that the opinion expressed by the Advocate Generate in July appears to dissent from the view expressed by the Supreme Court as regards the legality under the Services Directive of including enforcement costs in licence fees is not relevant to claims for reimbursement. The opinion is just that - an opinion - rather than a ruling, and did not form part of the final ECJ ruling on the narrow issue at stake.

The LGA has received legal guidance on the form of words that councils can use in respect of such claims. This is available from rebecca.johnson@local.gov.uk

Cummings v Cardiff¹⁰

Cardiff Council had proposed a significant increase to hackney carriage and private hire vehicle charges in July 2013. Cummings and other claimants then challenged Cardiff City Council to a judicial review over the way these costs had been calculated. In 2014, Mr Justice Hickinbottom granted the claim for the review on the grounds that:

 the level of fees set failed to have regard to and/or account for any surplus or deficit generated in previous years dating back to 1 May 2009

¹⁰ http://www.stjohnschambers.co.uk/dashboard/wp-content/ uploads/Cummings-Others-v-Cardiff-11.pdf

- the level of fees set failed to account for any surplus or deficit accrued under each of the hackney carriage and private hire licensing regimes within the regime under which they have accrued
- the level of fee set for hackney carriage licences in 2013 included part of the cost of funding taxi marshals for the Council's administrative area.

The Judge also made declarations that:

- (1) A local authority when determining hackney carriage and private hire licence fees under ss.53 and 70 of the LG(MP) Act 1976 must take into account any surplus or deficit generated from fees levied in previous years in respect of meeting the reasonable costs of administering the licence fees as provided by ss.53 and 70 above.
- (2) A local authority must:
 - keep separate accounts for hackney carriage and PHV licence fees under ss.53 and 70 of the LG(MP) Act 1976
 - ensure that any surplus or deficit identified under each part of the hackney carriage and private hire licensing regimes is only applied to the part of the system from which it has been raised/lost
 - ensure that any surplus from one licensing regime shall not to be used to subsidise a deficit in another.

Acknowledgments

This document was updated in 2017 to reflect the ECJ decision Hemming v Westminster.

The original document was put out to public consultation between 5 and 29 November 2013 and updated in November 2015 to reflect the Supreme Court decision in Hemming v Westminster. On both occasions it was reviewed and cleared by the LGA's in-house legal team and external Counsel: similar, the amendments in 2017 were based upon guidance from Counsel.

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- · Bolton Council
- · Bristol City Council
- · Broadland District Council
- Members of the LGA Licensing Forum
- Oxford City Council
- Southampton City Council
- West of England Group of Local Authorities



Local Government Association

Local Government House Smith Square London SW1P 3HZ

Telephone 020 7664 3000 Fax 020 7664 3030 Email info@local.gov.uk www.local.gov.uk

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