

<b>ARMAGH BANBRIDGE CRAIGAVON DISTRICT COUNCIL</b>	
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<b>Title of Policy:</b>	<b>Fees Policy</b>
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<b>Policy Nominated Officer:</b>	<b>Environmental Health LGR Group</b>
<b>Equality screened by:</b>	<b>Gillian Topping, Head of Environmental Health, Banbridge</b>
<b>Equality screening date:</b>	<b>27.10.14</b>
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<b>Sent out by:</b>	
<b>Approved by:</b>	
<b>Review Date:</b>	<b>October 2020</b>

#### **AMENDMENT RECORD SHEET**

Remove and destroy old pages. Insert new pages as indicated.

<b>Revision Number</b>	<b>Page Number</b>	<b>Date Revised</b>	<b>Description of Revision</b>

## **1. INTRODUCTION**

Councils are responsible for administering a range of licences and approvals resulting from national legislation and many of the fees that are charged are already set within statute . Some legislation however permits Councils to determine their own fees

## **2. AIM/PURPOSE**

The aim of this document is to ensure that where legislation permits Council to set discretionary fees for applications and services that this is carried out in a consistent manner and includes all relevant factors.

The purpose of this document is to provide guidance on the factors to be included in the setting of fees by Council where legislation permits the Council to determine and set its own fee.

## **3. BACKGROUND/SCOPE**

Council has a statutory duty to enforce legislation and this includes many forms of registration, licence or application which is to be accompanied by a fee. Fees generally fall into two categories; those which are set out in the relevant statute or guidance and those which the Council has been given the power within particular legislation to determine.

The policy will therefore apply to Council in making decisions on fee setting and also inform applicants/service users of the principles applied in the decision making process.

## **4. GENERAL PRINCIPLES**

### **4.1 Fee Setting**

Councils may set fees based on the principle of recovering any reasonable administrative or other costs in connection with the discharge of its functions relevant to the legislation under which the fee is applied.

Fees applied for the delivery of services associated with statutory duties, for example in the area of dog control, will be on a cost recovery or partial cost recovery basis.

Reference will be made to the Local Government Association document '*Open for businesses. LGA guidance on locally set fees*'.

Proposals for new fees and charges must be considered within the service and financial planning process or, where necessary, submitted to Council for approval as an in-year change.

Reasonable notice will be given to service users before any new charge is implemented, together with clear advice on any discounts or concessions available.

### **4.3 Refund of fees**

Fees will not be refunded except where legislation specifies, for example, The Street Trading Act (NI) 2001 and The High Hedges Act (NI) 2011.

The refund amount will exclude all administration costs.

In relation to a request for high hedges adjudication, any refund of fee will be in accordance with the procedure for this matter and will be dependent on the extent of investigation completed.

#### **4.1. Review**

**This Policy document will be reviewed as necessary or within a period of three years.**

### **5. RELATED POLICIES**

Policy on Fee setting for Street Trading licences

### **6. EQUALITY SCREENING FORM (to be attached as an appendix to all policies)**

Attached.

### **7. DRAFT EQUALITY IMPACT ASSESSMENT AND OTHER IMPACT ASSESSMENTS**

This Policy has been 'screened out' for an Equality Impact Assessment which is not required as this a technical document.

## Policy Screening Form

**Policy Scoping**

**Policy Title: FEES POLICY**

**Brief Description of Policy (please attach copy if available). Please state if it is a new, existing or amended policy.**

This is a new policy dealing with the legislative and guiding principles to be applied in relation to the setting of discretionary fees.

**Intended aims/outcomes. What is the policy trying to achieve?**

The purpose of this policy is to provide guidance on matters that should be considered when deciding discretionary fees to ensure a consistent approach which includes all relevant variable factors within the final charge.

**Policy Framework**

Has the policy been developed in response to statutory requirements, legal advice or on the basis of any other professional advice? Does this affect the discretion available to Council to amend the policy?

Policy is based on the provisions contained in various legislation that permits the setting of discretionary levels of fees and takes cognisance of any associated guidance.

**Are any Section 75 categories which might be expected to benefit from the policy? If so, please outline.**

No. This policy will have no impact on equality

**Who initiated or wrote the policy (if Council decision, please state). Who is responsible for implementing the policy?**

<p><b>Who initiated or wrote policy?</b> Environmental Health LGR team</p>	<p><b>Who is responsible for implementation?</b></p>
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**Are there any factors which might contribute to or detract from the implementation of the policy (e.g. financial, legislative, other)?**

None foreseen

**Main stakeholders in relation to the policy**

Please list main stakeholders affected by the policy (e.g. staff, service users, other statutory bodies, community or voluntary sector, private sector)

Users of services for which a fee may be levied

**Are there any other policies with a bearing on this policy? If so, please identify them and how they impact on this policy.**

**Available Evidence**

Council should ensure that its screening decisions are informed by relevant data. What evidence/information (both qualitative and quantitative) have you gathered to inform this policy? Specify details for each of the Section 75 categories.

Section 75 category	Evidence
Religious belief	N/A
Political opinion	N/A

Racial group	N/A
Age	N/A
Marital status	N/A
Sexual orientation	N/A
Men and women generally	N/A
Disability	N/A
Dependants	N/A

### **Needs, experiences and priorities**

Taking into account the information gathered above, what are the different needs, experiences and priorities of each of the following categories in relation to this particular policy/decision?

<b>Section 75 category</b>	<b>Needs, experiences and priorities</b>
Religious belief	N/A
Political opinion	N/A
Racial group	N/A
Age	N/A
Marital status	N/A
Sexual orientation	N/A
Men and women generally	N/A
Disability	N/A
Dependants	N/A

## Screening Questions

### 1. What is the likely impact on equality of opportunity for those affected by this policy for each of the Section 75 categories?

Category	Policy Impact	Level of impact (Major/minor/none)
Religious belief	None	None
Political opinion	None	None
Racial group	None	None
Age	None	None
Marital status	None	None
Sexual orientation	None	None
Men and women generally	None	None
Disability	None	None
Dependents	None	None

### 2. Are there opportunities to better promote equality of opportunity for people within the Section 75 categories?

Category	If yes, provide details	If no, provide reasons
Religious belief	None	None
Political opinion	None	None
Racial group	None	None
Age	None	None
Marital status	None	None
Sexual orientation	None	None
Men and women generally	None	None
Disability	None	None
Dependents	None	None

**3. To what extent is the policy likely to impact on good relations between people of different religious belief, political opinion, or racial group?**

Category	Details of Policy Impact	Level of impact (major/minor/none)
Religious belief	None	None
Political opinion	None	None
Racial group	None	None

**4. Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group?**

Category	If yes, provide details	If no, provide reasons
Religious belief	None	None
Political opinion	None	None
Racial group	None	None

**Multiple Identity**

Generally speaking, people fall into more than one Section 75 category (for example: disabled minority ethnic people; disabled women; young Protestant men; young lesbian, gay and bisexual people). Provide details of data on the impact of the policy on people with multiple identities. Specify relevant s75 categories concerned.

N/A

**Disability Discrimination (NI) Order 2006**

Is there an opportunity for the policy to promote positive attitudes towards disabled people?

N/A

Is there an opportunity for the policy to encourage participation by disabled people in public life?

N/A

**A: NO IMPACT IDENTIFIED ON ANY CATEGORY – EQIA UNNECESSARY**

Please identify reasons for this below

This is a technical document which implements legislative requirements

**B: MINOR IMPACT IDENTIFIED – EQIA NOT CONSIDERED NECESSARY AS IMPACT CAN BE ELIMINATED OR MITIGATED**

Where the impact is likely to be minor, you should consider if the policy can be mitigated or an alternative policy introduced. If so, EQIA may not be considered necessary. You must indicate the reasons for this decision below, together with details of measures to mitigate the adverse impact or the alternative policy proposed.

**C: MAJOR IMPACT IDENTIFIED – EQIA REQUIRED**

If the decision is to conduct an equality impact assessment, please provide details of the reasons.

## Timetabling and Prioritising

If the policy has been screened in for equality impact assessment, please answer the following questions to determine its priority for timetabling the equality impact assessment.

On a scale of 1-3 with 1 being the lowest priority and 3 being the highest, assess the policy in terms of its priority for equality impact assessment.

Priority criterion	Rating (1-3)
Effect on equality of opportunity and good relations	
Social need	
Effect on people's daily lives	

The total rating score should be used to prioritise the policy in rank order with other policies screened in for equality impact assessment. This list of priorities will assist the council in timetabling its EQIAs.

Is the policy affected by timetables established by other relevant public authorities? If yes, please give details.

## **Monitoring**

Effective monitoring will help the authority identify any future adverse impact arising from the policy. It is recommended that where a policy has been amended or an alternative policy introduced to mitigate adverse impact, monitoring be undertaken on a broader basis to identify any impact (positive or adverse).

Further information on monitoring is available in the Equality Commission's guidance on monitoring

Identify how the impact of the policy is to be monitored

Policy will be reviewed should complaints or issues arise

## Approval and Authorisation

A copy of the screening form for each policy screened should be signed off by the senior manager responsible for that policy. The screening recommendation should be reported to the relevant Committee/Council when the policy is submitted for approval.

Screened by	Position/Job title	Date
Gillian Topping	Head of Environmental Health (Banbridge DC)	27.10.14
Approved by	Position/Job Title	Date
Roger Wilson	Chief Executive	27.10.14

**Please forward a copy of the completed form with policy attached to XXX Officer who will ensure that screening forms and policies are available on the Council website.**

**This officer is also responsible for issuing reports on a quarterly basis on those policies “screened out for EQIA”. This allows stakeholders who disagree with this recommendation to submit their views. In the event of any stakeholder disagreeing with the decision to screen out any policy, the screening exercise will be reviewed.**