



FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

CABINET

Thursday, 14 March 2024

Report of the Director - Finance and ICT

Fees and Charges 2024/25

(Cabinet Member for Corporate Services and Budget)

1. Divisions Affected

1.1 County-wide.

2. Key Decision

2.1 This is a key decision because it is likely to result in the Council incurring expenditure which is, or savings and income which are significant having regard to the budget for the service or function concerned (this is currently defined as £500,000).

3. Purpose

3.1 This report is seeking Cabinet approval for the refreshed Corporate Charging Policy, which provides a framework for setting and reviewing discretionary fees and charges.

3.2 The report also seeks Cabinet approval for proposed fees and charges to be levied from 1 April 2024.

4. Information and Analysis

Corporate Charging Policy

4.1 The Council adopted a Corporate Charging Policy in 2011, and this policy was last subject to review in 2018. The Corporate Charging

Policy has been reviewed and refreshed, with some minor updates for 2024.

- 4.2 The updated Corporate Charging Policy is attached at **Appendix 2**. Deletions from the policy are identified as ~~deleted text~~, and additions to the policy are **highlighted yellow italics**.

Fees and Charges

- 4.3 As part of the budget setting process for 2024/25, Fees and Charges have been subject to review. The proposed fees and charges to be levied from 1 April 2024 are set out in **Appendix 3**. Cabinet are asked to approve only the schedules attached in Appendix 3 and other fees and charges may require subsequent separate approval or have already been approved under delegated authority. These schedules do not include Adult Social Care fees and charges which are subject to a separate report.

5. Consultation

- 5.1 The amendments to the Corporate Charging Policy are minor, seeking to provide clarification and context. There is no change to the substance of the Corporate Charging Policy and consultation is not required.
- 5.2 The proposed Fees and Charges from 1 April 2024 reflect increases arising from the annual budget setting process. Increases to fees and charges have been proposed to reflect increases in costs, in accordance with the Corporate Charging Policy and consultation is not required.

6. Alternative Options Considered

- 6.1 Option 1 – Do nothing. The Council could decide not to review and increase fees and charges. This would not be compliant with the Corporate Charging Policy and would mean that charges did not reflect the cost of delivering services.
- 6.2 Option 2 – Increase Fees and Charges by different amounts. The proposals listed in Appendix 3 reflect the assessment of the increase required to reflect the increased costs of service delivery, as required by the Corporate Charging Policy. Uplifting fees and charges by a lesser or greater amount would mean that either costs were not being recovered, or that the Council could be generating a surplus.

7. Implications

7.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

8. Background Papers

8.1 None identified.

9. Appendices

9.1 Appendix 1 – Implications

9.2 Appendix 2 – Corporate Charging Policy

9.3 Appendix 3 – Fees and Charges 2024/25

10. Recommendation(s)

That Cabinet:

- a) Approves the minor revisions and additions to the Corporate Charging Policy as set out at Appendix 2.
- b) Approves the proposed Fees and Charges from 1 April 2024 as set out at Appendix 3.
- c) Notes that other fees and charges may require subsequent separate approval or have already been approved under delegated powers.

11. Reasons for Recommendation(s)

- 11.1 The Corporate Charging Policy has been created to ensure that fair charges are made for services across the Council. In line with good practice, the policy should be subject to periodic review to ensure it remains valid and up to date.
- 11.2 The Council levies a range of discretionary fees and charges for services which should be subject to annual review, in accordance with the Corporate Charging Policy. Annual increases to Fees and Charges should be subject to Cabinet review and approval.

12. Is it necessary to waive the call in period?

12.1 No.

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Implications

Financial

- 1.1 Fees and Charges represent an important source of revenue for the Council. Discretionary fees and charges should be set to recover full cost unless there is an explicit policy decision to set charges at a different level. In accordance with the Corporate Charging Policy, charges should be subject to an annual review to ensure the charge continues to reflect the cost of service provision.

Legal

- 2.1 The Council may rely on a number of specific and general statutory powers to charge for discretionary services. General powers include section 93 of the Local Government Act 2003 and section 2 of the Localism Act 2011. It is important to understand the basis upon which a charge is being made as some charges are prescribed nationally by central government and the Council does not have the discretion to agree a different rate. In addition, some legislation imposes restrictions or specifically prohibits charging for that particular service.
- 2.2 The Council's Corporate Charging Policy is intended to ensure that when setting and reviewing fees and charges, the Council is compliant with all relevant legal requirements.

Human Resources

- 3.1 None.

Information Technology

- 4.1 None.

Equalities Impact

- 5.1 None. An Equality Impact Assessment should be carried out for any new charges or substantive changes to the charging approach.

Corporate objectives and priorities for change

- 6.1 The Council Plan values commit to spending money wisely, making the best use of the resources that the Council has. Discretionary Fees and Charges are a key source of revenue to support the best of resources.

Other (for example, Health and Safety, Environmental Sustainability, Property and Asset Management, Risk Management and Safeguarding)

7.1 None.