

RECORD OF CABINET PORTFOLIO HOLDER DECISION

Local Government Act 2000 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Decision Ref. No.	PH077
Decision made by	Portfolio Holder for Corporate Governance, Finance & Resources
Decision Title	Corporate Charging Policy
Key decision?	Yes
Date of decision	8 December 2022
Name and job title of Officer requesting the decision	David Scott – Assistant Director for Resources
Officer contact details	dscott@melton.gov.uk
Decision	1. To approve updated Corporate Charging Policy 2022-25
Background	<p>The current Corporate Charging policy was last approved in October 2019 for a 3 year period and therefore is due to be revisited for any changes.</p> <p>There are no significant changes from the previous policy which included strengthening of guidance on the Legal areas plus a greater emphasis on commercialisation and marketing which are still relevant for this policy.</p>
Reason for Decision/Main Considerations	<p>The Council is committed to having a sustainable Medium-Term Financial Strategy (MTFS) of which income from fees and charges represent an important source of funds to the Council, and enable a wide range of services to be delivered. In order to ensure fees and charges are being used effectively, the Council will ensure its overall charging policy links with its corporate aims and objectives.</p> <p>The setting of fees and charges is incorporated within the MTFS and budget setting process which will also link to cross cutting issues and impacts that will need to be considered in the context of wider policy objectives. This document sets out an overall policy framework to support and guide a practical approach to fees and charges that is consistent with Melton's Corporate Strategy.</p>

	<p>This policy also provides guidance to managers on how to cost services in order to determine the amount to be charged taking into account concessions, exemptions etc. along with the governance arrangements for approval</p>
Alternative options rejected	<p>Not to update the policy which would mean the Council does not have an up to date policy on this matter</p>
Legal implications	<p>The Corporate Charging Policy outlines the legal powers the Council can use with setting fees and charges.</p> <p>The Local Government Act 2003 (the 2003 Act) provides a general power to charge for discretionary services. To be able to make use of the power to charge for a discretionary service, authorities must have an existing power to provide that service.</p> <p>Local Government Act 2000: Local Authorities have wide powers to provide discretionary services including powers in the Local Government Act 2000 (section 2) to do anything they consider likely to achieve the promotion or improvement of the economic, social and environmental well-being of their areas.</p> <p>For the purposes of the power to charge in the 2003 Act, the prohibition on raising money in relation to their power to promote well-being is to be disregarded. This dis-application of the prohibition on raising money fulfils the commitment to provide a general power to charge for services provided under well being</p> <p>Local Authority (Goods and Services) Act 1970: Local authorities are enabled to trade with other local authorities and designated public bodies for the supply of goods or materials; provision of any administrative, professional or technical services; use of any vehicle plant or apparatus including appropriate staff; works of maintenance in connection with land or buildings. Under this act, authorities can make a profit on services, if sold to another local authority, but are not allowed to trade with private sector or individual customers for profit</p>
Financial implications	<p>The Corporate charging policy sets out the approach budget holders should adopt when setting the fees and charges for their services which is focused income maximisation and through a commercial approach.</p> <p>Fees and charges represent a key income generation source for the council and therefore it is important budget holders engage and follow the key principles set out in the Corporate Charging Policy.</p>
Other implications	<p>None</p>

Background papers considered	Copy of Policy attached			
List consultees (Where applicable)		Name	Outcome	Date
	Ward Councillors	N/A	N/A	N/A
	Human Resources	N/A	N/A	N/A
	Equalities	N/A	N/A	N/A
	Communications	N/A	N/A	N/A
Confidential Decision?	No			
Call In Waived by Scrutiny Committee Chair?	No			
Has this been discussed by Cabinet Members?	No			
Cabinet Portfolio Holder Signature	Email approval received Councillor Ronnie de Burle Portfolio Holder for Corporate Governance, Finance & Resources 8 December 2022			
Declarations/conflict of interest?	None			

ONCE SIGNED, THIS FORM MUST BE HANDED TO DEMOCRATIC SERVICES IMMEDIATELY.

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Form Received	13 December 2022	
Date published to all Councillors	18 January 2023	
Call In Deadline	23 January 2023	