

TRAFFORD BOROUGH COUNCIL

Report to: Executive and Council
Date: 21 February 2024
Report for: Decision
Report of: Executive Member for Finance, Change and Governance
and the Director of Finance and Systems

Report Title

FEES, CHARGES & ALLOWANCES 2024/25

Summary

This report summarises the salient features of the annual review and pricing of the Council's main fees and charges. The booklet that details individual fees and charges can be found on the Council's website in the area that supports the agenda.

The Fees and Charges booklet represents the main fees and charges to the public upon which the Executive's proposed budget for 2024/25 has been based. Fees and charges have been reviewed and amended as appropriate either by regulation or as aligned to the budget and service planning process. New charges for 2024/25 or revised wording to existing charges are highlighted in blue on the schedule and significant changes are referred to in paragraph 3.3 below.

The fees and charges are inclusive of VAT, where indicated (V), and delegated authority to Corporate Directors and the Director of Finance and Systems, is sought to amend the level of the relevant fee or charge as appropriate if there are changes to the rate of VAT during 2024/25, which is the Council's traditional practice.

As in previous years, the majority of fees and charges have been coded as to the extent of discretion the Council has to establish the fee or charge, and then the level of discretion to determine the level of fee or charge.

Recommendation(s)

That the Executive:

1. Recommends to Council that it approves the following;

- The Fees and Charges for 2024/25 and those relating to Registration of Births, Death & Marriages and Allotments also shown for 2025/26, as set out in the booklet available on the Council's web site;
- The joint delegation of authority to each Corporate Director and the Director of Finance and Systems to amend fees and charges which are within their respective delegated powers during 2024/25 in the event of any change in the rate of VAT, as appropriate;
- The joint delegation of authority to each Corporate Director and the Director of Finance and Systems to amend fees and charges during 2024/25 which are within their respective delegated powers where the economics of the charge levels have changed (e.g., costs have risen unexpectedly), or for commercial reasons.

Contact person for access to background papers and further information:

Name: Councillor Joanne Harding, Executive Member for Finance, Change and Governance
Graeme Bentley, Director of Finance and Systems Extension: 4884

Background Papers: None

Implications:

Relationship to Policy Framework/Corporate Priorities	Value for Money. The proposed budget for 2024/25 supports all key priorities and policies.
Relationship to GM Policy or Strategy Framework	Not Applicable
Financial	The report sets out the proposed Fees and Charges for 2024/25 and those relating to Registration of Births, Death & Marriages and Allotments also shown for 2025/26.
Legal Implications	It is a statutory requirement for the Council to set and approve a balanced, robust budget and Council Tax level. Budget proposals take account of various legislative changes as they affect Council services. Where appropriate and necessary some of the fees and charges have been the subject of consultation.
Equality/Diversity Implications	The Council will be directed to have regard to its Public Sector Equality Duty in reaching its decision.

	Measures have been subject to equality impact assessments where necessary.
Sustainability Implications	None arising out of this report.
Carbon Reduction	Various budget proposals in the revenue and capital budgets support the carbon neutral action plan.
Resource Implications e.g., Staffing / ICT / Assets	Human Resources – statutory processes have been complied with during the course of these budget proposals in respect of staffing implications where they apply.
Risk Management Implications	The risks associated with the budget proposals have been considered.
Health and Wellbeing Implications	Equality Impact Assessments have been carried out where appropriate. The Council will be directed to have regard to its Public Sector Equality Duty in reaching its decision.
Health and Safety Implications	The health and safety implications of the budget proposals have been considered.

INTRODUCTION

- 1.1 The detailed fees and charges booklet is available on the Council's web site alongside other agenda items. It represents a schedule of the main fees and charges which the Executive is proposing to charge for services in 2024/25 and included in the revenue budget proposals for 2024/25 to be presented to Council on 21 February 2024.
- 1.2 It should be noted that the booklet relates to fees and charges levied on the general public, businesses or service users. Trading income, such as that with Schools, is not covered within the fees and charges booklet as it is subject to individual contracts and negotiations. The Council also charges for certain services on a commercial basis, in competition with other providers, and these are excluded from the booklet for this reason (e.g., trade waste).

2. COUNCIL DISCRETION IN SETTING FEES & CHARGES

- 2.1 All fees and charges are subject to relevant legal constraints. Some fees and charges are required by law to be established and administered by the Council; others can be established at the Council's discretion. Once established, regulations then influence the extent or level of the fee or charge. Some fee or charge levels are set by regulation, others are limited by regulation, and some can be determined freely by the Council, though subject to other influencing factors such as competition.
- 2.2 The schedule of fees and charges indicates which fees are Mandatory (M) and which are Discretionary (D) for both the establishment of the charge (the first indicator) and then setting the level of the charge (the second indicator). For example, a fee that must be established and administered by the Council, but the level of fee or charge can be freely determined by the Council would be marked 'M / D'.

How is it determined that a fee or charge can be levied?	Who or how is the rate of the fee or charge determined?	Example of Fee or Charge	KEY
Regulation	Regulation – the rate of charge is fixed by regulation.	Registrar Certificates Gaming Permits	M / M
Regulation	Regulation –the Council can choose between lower and/or upper limits.	Casino applications Entertainment Licences	M / D*
The Council	Regulation – the Council can only recover costs & reasonable overheads and/or between upper and lower limits or other limit.	Fixed Penalty Notices	D / D*
Regulation	The Council	Environmental searches Marriage & Civil Partnerships	M / D
The Council	The Council	Library charges Land charges & search fees	D / D

2.3 The above table has been RAG shaded in terms of extent of Council discretion from red (top 1) where fees and charges are mostly determined by regulation, to green (bottom 2) where the Council has greater control on establishing and setting fee or charge levels. In the middle, or amber zone, Council's discretion is limited by regulatory rules, and for the fees or charges that are subject to such rules a code of 'D*' is used in the booklet, usually with a statement that describes the relevant rule at the bottom of the page or table.

3. Summary of Fees and Charges movements

3.1 The booklet states the percentage increase for each fee or charge. The following table provides key statistics by the type of charge using the coding system outlined in section 2. It should be noted that an increase in the level of fee or charge may not generate the same increase in actual revenue as purchases or uses of the service may vary. Further, any average increase does not suggest the increase in total revenue as some charges may increase substantially in percentage terms but not in monetary, and that some charges are levied more often than others.

Discretion Code	No. of Charges (No.)	As a % of the Total (%)	Charges yet TBA (No.)	% of Charges that have changed (%)	Average increase # (%)
M / M	70	8%	0	21%	8%
M / D*	80	9%	0	0%	0%
D / D*	16	2%	0	13%	15%
M / D	138	16%	0	80%	6%
D / D	579	65%	0	45%	7%
Total	883	100%	0	44%	6%

Note: This does not represent a 6% increase in income as the averages are calculated as a simple average increase on the unit charges and are not weighted by the level of income generated by each charge.

##. All discretionary charges have been reviewed. However, in a number of areas they have not been increased because of benchmarking against other Greater Manchester councils, competition and statutory limitations, and potential for legal challenge if set at more than full cost recovery.

3.2 Approximately 21% of mandatory fees have changed by an average of 8%. Where the Council has discretion to increase the charge level, all such charges have been reviewed as part of the budget process and consequentially there is much greater movement in those fees and charges. Where the Council has discretion to charge up to a maximum amount set by legislation, many of the current fees are already close to the statutory limit.

3.3 The key highlights with regard to specific charges are:

Place: has the majority of the Council's fees and charges. The main changes within this service are:

- Placing of Tables and Chairs on the Highway – charges in line with new legislation;

- Use of Parks and green spaces for commercial activities – re-alignment of charges to reflect operational needs;
- A number of Environmental Protection charges have been aligned across Greater Manchester (e.g. food hygiene, environmental searches, housing standards);
- Fit & Proper Persons Tests (Mobile Homes) – new fee in line with legislation;
- Pest Control – fees re-aligned to reflect demand and commercial competition;
- Renewal of Annual Safety at Sports Ground Certificate and Special Safety Certificates – – increased to better recover costs and reviewed to align across Greater Manchester.
- Street Trading Provisions of Local Government (Miscellaneous Provisions) Act – fee structure has been amended as previously approved by Council in November 2023;
- Environmental Enforcement - Fixed penalty for Waste receptacle offences brought in line with other charges;
- Planning Fees – fees have been reviewed and extended in line with Planning Advisory Service guidance.

Central Services : The main changes within this service are:

Marriage & Civil Partnership fees at Licensed venues including cost of certificate

- - Standard Certificate application – new mandatory fee;
- Attending a marriage or civil partnership at Waterside Plaza – new fees in line with new service offer.

Cemeteries & Crematorium

- Interment and Crematorium Fees – pre stillbirth fees implemented which fall outside the Children's Funeral Fund for England (CFF) scheme and will be free to Trafford residents.

3.4 The schedule of fees and charges has been reviewed by management, and amendments made to include those fees and charges which should be brought to the attention of Council at the time of setting the budget or exclude those that are superfluous or negotiated on a commercial basis.

4. Recommendations

4.1 That the Executive recommends to Council that it approves the following:

- The Fees and Charges for 2024/25 and those relating to Registration of Births, Death & Marriages and Allotments also shown for 2025/26, as set out in the booklet available on the Council's web site;

- The joint delegation of authority to each Corporate Director and the Director of Finance and Systems to amend fees and charges which are within their respective delegated powers during 2024/25 in the event of any change in the rate of VAT, as appropriate;
- The joint delegation to each Corporate Director with the Director of Finance and Systems to amend fees and charges during 2024/25 which are within their respective delegated powers where the economics of the charge levels have changed (e.g., costs have risen unexpectedly), or for commercial reasons.

Other Options

All options at an individual fee or charge basis have been considered as part of the budget process where the Council has discretion to set the fee or charge. Should the proposed changes not be approved, the fees or charges will remain as set in February 2023 and would mean the relevant financial, commercial and/or policy objectives underpinning the proposed changes would not be met.

Consultation

There are no public consultation requirements in respect of the Fees and Charges proposals for 2024/25.

Reasons for Recommendation

To fulfill statutory obligations and in accordance with the Council’s Constitution, fees and charges have been reviewed and amended as appropriate either by regulation or as aligned to the budget and service planning process.

Key Decision

This is a key decision currently on the Forward Plan: Yes
 If Key Decision has 28-day notice been given: Yes

Finance Officer Clearance

Legal Officer Clearance

CORPORATE DIRECTOR’S SIGNATURE

To confirm that the Financial and Legal Implications have been considered and the Executive Member has cleared the report.