

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

**CORPORATE SCRUTINY COMMITTEE – THURSDAY, 29
AUGUST 2024**



Title of Report	CORPORATE CHARGING POLICY	
Presented by	Paul Stone Strategic Director of Resources	
Background Papers	General Fund Budget and Council Tax 2023/24 – Council 23 February 2023.	Public Report: Yes
Financial Implications	There are no direct financial implications resulting from this report. However, the Policy allows the Council to charge for services. This generates in excess of £10m per year.	
	Signed off by the Section 151 Officer: Yes	
Legal Implications	No direct legal implications arising out of these changes.	
	Signed off by the Deputy Monitoring Officer: Yes	
Staffing and Corporate Implications	There are no staffing and corporate implications.	
	Signed off by the Head of Paid Service: Yes	
Reason Agenda Item Submitted to Scrutiny Committee	To receive the Committee’s comments on the Council’s revised Corporate Charging Policy.	
Recommendations	THAT THE COMMITTEE PROVIDES ANY COMMENTS IT MAY HAVE FOR CONSIDERATION BY CABINET WHEN IT MEETS TO CONSIDER THE POLICY ON 24 SEPTEMBER 2024.	

1.0 BACKGROUND

- 1.1 The Council provides a wide range of services to local residents, businesses and visitors and generates significant income as a result. Local income generation, when done in the right way, presents the Council with an opportunity to maximise its financial position and, in the case of the General Fund, an opportunity to reduce its reliance on government grant. In addition, charging for services can also present opportunities to achieve the Council’s corporate priorities, for example by encouraging or discouraging the use of a service or to alter the behaviour patterns of residents or businesses.
- 1.2 Following a review of the Council’s Constitution, it has been determined that the Charging Policy is not aligned with the Council’s Constitution. The Section 151 Officer has identified a discrepancy between the Policy and the Council's Constitution, indicating a need for a minor technical amendment.

1.3 This position is integral to the strategic management and delivery of council services, acting as a safeguard against governance issues that may arise from policy misalignment. The discovery of such a discrepancy is a testament to the vigilance required in the continuous monitoring and updating of policies to reflect the current legal and constitutional framework of the Council. It is essential that the necessary technical changes are implemented promptly to restore alignment and uphold the integrity of the Council's governance processes.

2.0 REVISIONS TO THE POLICY

2.1 The revised Policy is documented in Appendix 1. The changes are highlighted in the below:

- a) Paragraph 4.5 has been updated to reflect a discrepancy as detailed in paragraph 1.2 above and remove the requirement for budget holders to inform finance of the percentage change.

~~Budget holders must communicate the effective percentage change of proposed revised charges to Finance to be included in the proposed budget for approval.~~ The proposed changes to charges will be submitted to Cabinet as part of the draft budget ahead of the statutory consultation period and will be approved by Cabinet as part of the final budget Council in the February/March. The key considerations of the EIA [Equality Impact Assessment] will be conveyed within the budget reports for member consideration.

- b) Amending all references of the Head of Finance to the Section 151 Officer to reflect the change in restructure in May 2023.

Policies and other considerations, as appropriate	
Council Priorities:	A well-run council
Policy Considerations:	None.
Safeguarding:	None.
Equalities/Diversity:	Equality Impact Assessments will be completed as part of the setting of fees and charges within services.
Customer Impact:	None.
Economic and Social Impact:	Charging for services is a significant source of income for the Council and helps to support a balanced budget, as well as recovering costs associated with service delivery ensuring that the financial burden is shared by those who use the service.
Environment, Climate Change and zero carbon:	None.
Consultation/Community Engagement:	None.
Risks:	Aligning policies with the Council's Constitution

	helps avoid legal challenges and potential invalidation of these policies. This reduces the risk of legal disputes.
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