



Report of the Cabinet Member for Business Transformation and Performance

To the Service Improvement & Finance Scrutiny Performance Panel –
16th September 2019

Fees and Charges – An Overview

Purpose:	To update the Service Improvement & Finance Scrutiny Performance Panel on the Fees and Charges of the Council.
Content:	<p>A briefing on the Fees and Charges of the Council with a particular focus on:</p> <ul style="list-style-type: none">• New charges we have implemented in the last year• Charges set by the Council for third parties <p>In addition to this report, a number of associated attachments are included as Appendices.</p>
Councillors are being asked to:	Consider the information provided and to forward views to the Cabinet Member via a letter from the Panel Convener
Lead Councillor:	Councillor Clive Lloyd, Cabinet Member for Business Transformation and Performance and Deputy Leader.
Lead Officer & Report Author:	<p>Chris Williams (Head of Commercial Services) with data gathered from the relevant Service Areas.</p> <p>Tel: 07471 145444 E-mail: chris.williams4@swansea.gov.uk</p>

1. Background

- 1.1 Fees and charges are applied to many of the wide range of services offered by the Council and are set by the relevant Service Area, for example, library hire fees are set by the Cultural Services area and meeting room hire fees in the Civic Centre and Guildhall are set by Corporate Property Services. The Council adopted an Income Generation and Charging Policy, approved by Cabinet on 11th March 2014.

This Policy applies to any service that the Council has a power and discretion to provide to the community, or has a statutory duty to provide, and has a

discretion to set a charge. It also applies to internal charging. All services must comply with this Policy when setting and reviewing fees, charges and concessions.

- 1.2 This report has been compiled by Commercial Services on behalf of all Service Areas and is based upon the data provided by each Service.

The format used to compile the data contained within this submission was as follows:

- Service Areas were requested to list all fees and charges (adding any missing lines) on the spreadsheet provided and note the methodology used to set each charge.
- Service Areas were asked to indicate if benchmarking had been undertaken with other Local Authorities and the Private Sector.
- Service Areas were asked to identify any information that they considered commercially sensitive and such data was included on separate spreadsheets in the Appendices.
- Service Areas were asked to confirm any new charges implemented for the 2019/20 financial year

Two spreadsheets were created to show the charges set by the Council over which we have control, one of which is Commercially Sensitive, Appendix F, whilst the other is Non Commercially Sensitive, Appendix A. A spreadsheet was created to show the new charges introduced for the 2019/20 financial year, Appendix B.

The full range of services charged for by the Council has been created and can be provided on request. This consists of fees and charges spanning five financial years: 2015/16, 2016/17, 2017/18, 2018/19 and 2019/20.

- 1.3 Income generated by the Authority from fees and charges is governed by legislation, primarily the Local Government Act 2003 that provides the general power for Service Areas where there is no other legislative framework.

- 1.4 The Council has a separate charging regime for Social Services, Appendix C, because that area is governed by the Social Services and Well-Being (Wales) Act 2014.

- 1.5 It is important to note that the principles behind the Council's fees and charges, the list presented below in 1.6, is not an exhaustive one but helps to provide context for this report.

- 1.6 From the Local Government Act 2003:

- The income from charging for a service should not exceed the cost of providing that service.
- The recipient of the service must have agreed to its provision and agreed to pay for it.
- Charges may be set differentially, so that different people are charged different amounts.

2. Briefing

2.1 This report aims to provide a briefing on the Fees and Charges of the Council with a particular focus on:

- New charges implemented in the last year (2019/20)
- Charges set by the Council for third parties
- Fees set for the Council by third parties (restricted by Legislation etc).

2.2 The 2019/20 Fees and Charges register notes a number of new charges including, but not limited to:

- Business Regulatory Service for Trading Standards and Food and Safety offering advice to local businesses.
- Commercial self-catering and full board placements at Rhossili and Borfa House (Gower Activity Centres).

A full list of the new charges implemented can be found in Appendix B.

2.3 The charges set by the Council include, but are not limited to, the following:

- Pre-planning advice charges (Planning)
- Marina berthing charges (Highways and Transportation)
- Ceremony charges (Registrars, Housing and Public Health)
- Knotweed treatment charges (Waste Management, Parks & Cleansing).

A full list of these charges can be found in Appendices A and F.

2.4 The fees set for the Council by third parties include, but are not limited to, the following:

- Planning applications (Planning)
- Gambling and Licence Act applications (Licencing)
- Council Tax Recharged Court Costs and NNDR Recharged Court Costs (Revenues & Benefits)
- Court of Protection Deputyship (Social Services).

A full list of these fees can be found in Appendix D. The fees are set for the Council by third parties meaning that there is no opportunity to review or increase the fees annually; they are governed by specific regulations.

3. Legal implications

3.1 The Council's Income Generation and Charging Policy, Appendix E, provides clear guidance for service departments on deciding when and how to levy charges for services and the basis for calculation and review.

The power to levy charges derives from Section 93 Local Government Act 2003. Where possible service departments should set charges reflecting the full

cost of the service (“Full Cost Recovery”), unless concessions have been agreed, The full cost of a service should include all expenditure required to deliver the service, including staffing, cost of materials, and overheads also relating to central council support functions directly applicable to that service.

Services with the ability to achieve or exceed full cost recovery on a consistent basis and to make a profit should be encouraged to operate more commercially in order to reduce dependence on revenue support. Section 95 of the 2003 Act allows a Local Authority to trade in discretionary services with the public and to make a profit. This has to be through the medium of a company.

In addition, the Local Authorities (Goods and Services) Act 1970 allows Local Authorities to provide services for other Local Authorities and to make a profit. This power should be used wherever possible.

4. Finance (if required)

- 4.1 There are no specific financial implications arising directly from this report. Any specific future proposals for increases or changes to fees/charges will be reported via the relevant channels.

Background papers: None.

Appendices:

- Appendix A – Council set charges – Non Commercially Sensitive
- Appendix B – New Charges 2019/20 – Non-Commercially Sensitive.
- Appendix C – Social Services Charging Policy 2019;
- Appendix D – 3rd Party Set Fees 2019/20 – Non-Commercially Sensitive.
- Appendix E – Income Generation and Charging Policy.
- Appendix F – Council set charges –Commercially Sensitive