

SLOUGH BOROUGH COUNCIL

REPORT TO: Overview & Scrutiny Committee **DATE:** 10 April 2008

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PART I **FOR CONSIDERATION**

REVIEW OF FEES AND CHARGES FOR 2008/09

1. Purpose of Report

- 1.1 This report provides a summary of legislation contained within the Local Government Act 2003 in relation to discretionary charging powers, and identifies the charges for 2008/09.

2. Recommendations

For consideration & comment.

3 Key Policy Priority Implications

The effective use of fees and charges to deliver strategic and service objectives has the potential to support all of the Council's Key Priorities, given that such income is raised across all of the Council's service areas.

Budget monitoring throughout the financial year reflects on whether those priorities are being met and if not, the reasons why, so members can make informed decisions to ensure the Council remains within its available resources

4 Other Implications

4.1 Financial Implications

There are potential financial implications arising from any decisions taken in relation to the scope and level of fees and charges levied under previous powers and also potentially using the discretionary charging power. Any such financial implications will be reported to Cabinet and/or relevant Portfolios for consideration and decision, once they have been quantified.

4.2 Human Rights Act and Other Legal Implications

A consideration in the context of charging for services is in relation to the implications of the European Court of Justice's ruling in the case of European Communities v Italian Republic, which was passed on 16 January 2003. In its judgment, the Court held that

concessionary rates for access to local museums, monuments, galleries, cultural sites etc. were not permitted on the basis of residence.

This ruling could apply to concessions for other services such as the use of leisure services more generally e.g. leisure centres, swimming pools, although this has not yet been tested in the courts. The ruling therefore calls into question the legality of residents' card schemes currently operating in England. Whilst the European Court ruling does permit concessions on the basis of age, it does not allow it on grounds of residence.

However this judgment was issued in 2003 and is enforceable against the UK government. No action has been taken by the government in order to enforce the provisions of the judgment and many local authorities, like Slough, have continued the practice of issuing concessionary rates. No challenges have been received.

4.3 Workforce

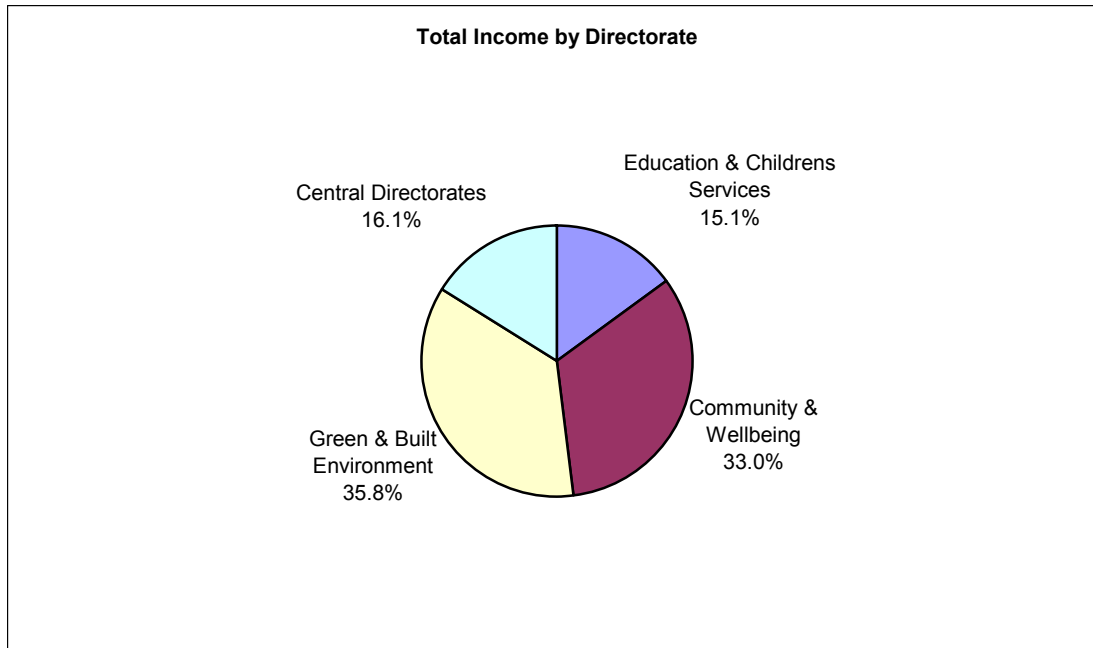
None.

5 Supporting Information

5.1 Gross expenditure for Directorates for 2008/09 is £314.9m, this is offset by total income of £212.2m giving a net budget requirement of £102.7m. This is shown in the table below.

	£m	£m
<u>Gross Expenditure</u>		
employee costs		63.5
Running costs		<u>251.4</u>
Total		314.9
 <u>Gross Income</u>		
Specific grants	(180.4)	
Fees & charges	(20.3)	
Other receipts	<u>(11.5)</u>	
Total		(212.2)
 Net expenditure		 <u>102.7</u>

5.2 For 2008/09, Slough should generate £20.3m through fees and charges (excluding housing rents), this represents 9.6% of total income. The value of income generated by Directorate expressed as a proportion of the total of £20.3m is shown in the pie chart below.



- 5.3 Attached at Appendix A is a full list of the proposed fees and charges for 2008/09 with comparison against the current charges in 2007/08 where appropriate. The charges will commence from 1st April 2008 unless indicated with an alternative date.
- 5.4 The Constitution gives officers delegation “ in consultation with the Strategic Director of Finance and Property and the appropriate Commissioner, to set rent, fee, charges and other income levels unless any changes:-
- (a) exceed inflation by more than 3% and/or
 - (b) involve a change in policy, or
 - (c) potentially have significant political implications”

Members are requested to not the charges and to approve any above the constitution levels.

6 Background Papers

- 2008/2009 Revenue Budget held in Corporate Finance.
- Finance Detailed working papers are held in Corporate Finance and the relevant directorates.

7 Appendices

- A - Fees and Charges 2008/09