

## Portfolio Holder Report

The portfolio holder will make a decision on this item after seven days have elapsed (including the date of publication).

Report of:	Portfolio Holder	Date of publication
Mark Billington, Corporate Director Environment, Marianne Hesketh, Corporate Director Communities, Clare James, Corporate Director Resources	Cllr Michael Vincent, Resources Portfolio Holder, Cllr Alice Collinson, Planning Policy and Economic Development Portfolio Holder, Cllr Roger Berry, Neighbourhood Services and Community Safety Portfolio Holder, Cllr Lynne Bowen, Leisure, Health and Community Engagement Portfolio Holder, Cllr Simon Bridge, Street Scene, Parks and Open Spaces Portfolio Holder	December 2021

### Review of Fees and Charges 2022/23

#### 1. Purpose of report

1.1 To confirm the proposed fees and charges for the 2022/23 financial year.

#### 2. Outcomes

2.1 Increase in income generation to support the Council's Budget.

2.2 Maximise commercial opportunities, improve the return from all our assets, whether that be buildings or land, and deliver efficiencies.

#### 3. Recommendation

3.1 That the proposed fees and charges, as set out in Appendix 1, for the financial year 2022/23 be approved.

#### 4. Background

- 4.1** The Cabinet last formally considered its charging policy, as part of the Medium Term Financial Plan, at its meeting on 20 October 2021.
- 4.2** Charging for local services makes a significant contribution to council finances, and can be used to influence individuals' choices and to bring benefits to local communities. Charges can be set to encourage or discourage people to use services and through concessions to pursue local objectives. Different fees and charges require different VAT treatments. Please consult the VAT code when referring to the Appendix.
- 4.3** The level of income generated by fees and charges and in particular projected increases which the council can influence, form a key part of the council's financial planning and is therefore reflected in the Medium Term Financial Plan.
- 4.4** As a result of the long period of austerity and reduced levels of central government funding there is an increased emphasis on income generation and working towards sustainable services. When it was introduced, all staff received commercialisation training to improve their skills as part of the 'work smart' Financial Discipline and Commercial Awareness goal within the Council's Narrative Statement. This broadening of the traditional mindset in local authorities is essential to improve our financial sustainability and continue to provide value for money services.
- 4.5** The Covid-19 pandemic has affected the ability of the council to deliver some of its activities for which fees and charges are levied. Central government provide compensation of up to 70% of the Original 2020/21 Budget under their Sales, Fees and Charges income compensation scheme in 2020/21 and extended this to the first quarter of 2021/22. Beyond that no further compensation is expected and it is assumed that income levels will return to normal. This report outlines proposals for 2022/23 fees and charges based on the assumption that these services will be provided during 2022/23.

## **5. Key issues and proposals**

### **5.1 Leisure, Health and Community Engagement Portfolio**

The main venues within the Leisure, Health and Community Engagement portfolio that generate substantial levels of fee income are the Marine Hall, Thornton Little Theatre and Cemeteries. Fee income is also included from Pest Control, Food Safety Services, Private Water Supplies and Licensing, countryside general, Wyre Estuary Country Park, Rossall Point and outdoor amenities (including bowling at King Georges Playing Field).

#### **5.1.1 Pest Control**

In order to maintain a position of minimal subsidy for this service, excluding support services, it is proposed to apply an inflationary uplift to fees based on September 2021 CPI (3.1%).

### 5.1.2 Environmental Permitting

Environmental permitting fees are set by the Department for Environment, Food and Rural Affairs (DEFRA) and are statutory. Such fees are essentially a legal framework for controlling pollution from prescribed businesses, for example on painting premises. There are no changes for 2021/22.

### 5.1.3 Food and Water Safety Services

Few changes are proposed with September 2021 CPI being used where fees are rising. Offline food premises ratings applications are being withdrawn owing to lack of demand. Online applications will increase with CPI from £179 to £184.50.

### 5.1.4 Contaminated Land

There are no changes proposed to contaminated land charges for 2022/23.

### 5.1.5 Licensing

Amendments to fees and charges for licensing are the responsibility of the Licensing Committee and are considered in a separate report.

### 5.1.6 Theatres

There are few proposed changes for Thornton Little Theatre. They include non-commercial charges/community rates that are proposed to increase from £160 to £200 for morning and afternoon hires. The evening rate will increase from £300 to £350 to reflect the unsociable hours.

Similarly, there are few changes proposed to 2022/23 Fees and Charges for Marine Hall. Commercial rates are proposed to increase from £1,800 to £2,000 for a full day and evening, whilst evening only fees are proposed to increase from £1,000 to £1,200. Waterfront or Wyre Bar funeral hires are to increase from £100 to £150 minimum charge.

Main Hall ceremony fees are proposed to increase from £400 to £500 (weekdays) with some increases to various afternoon/evening charges, the largest being from £1,200 to £1,440 for evening receptions reflecting the unsociable hours.

The Commercial Manager has recommended the changes proposed and is comfortable that these remain competitive.

### 5.1.7 Mount Pavilion

Ceremony only wedding prices during the week are proposed to increase from £400 to £500 in line with Marine Hall.

### 5.1.8 Cemeteries

Modest below inflation increases to fees are largely being proposed with the majority of fees increasing by approximately 1%, except for columbaria where the costs are increasing and this is reflected in the fees.

### 5.1.9 Marsh Mill

No increases are proposed to the minimal fees currently being levied.

### 5.1.10 Countryside/Wyre Estuary Country Park/Rossall Point

Modest increases to some of the fees are proposed to reflect feedback from visitors and increased travel costs. Fees are still low to encourage use of the areas, attendance at events and continued participation in walks and talks.

A simplified group fee is proposed for group and school visits rather than price per head and these range from £40 to £60.

### 5.1.11 Outdoor Amenity/Leisure Activity Charges

No increase is proposed to bowling this year. A review of fees for bowling was scheduled for 2021/22. However, owing to the pandemic this has been delayed until after the main season this year.

The main change here is to the Pitch and Putt. Following feedback from the concession running the course, the 18-hole option is to be discontinued as it attracts little interest, with more experienced golfers preferring to use the club facilities nearby. The change will allow the maintenance of the course to be changed to encourage greater biodiversity on the site and a more natural environment for enjoying healthy walks.

Wyre Wheels disability cycling sessions are being introduced at £4 per session.

## 5.2 **Neighbourhood Services and Community Safety Portfolio Holder**

The main service within the Neighbourhood Services and Community Safety portfolio that generates a substantial level of fee income is car parking. This portfolio also includes income from Disabled Facilities Grants.

### 5.2.1 Car Parking

No changes to 2022/23 fees and charges are proposed.

### 5.2.2 Housing

It is proposed to apply CPI uplifts across Housing services fees for 2022/23, rounding to the nearest 50p where appropriate with the exception of the DFG admin rate which remains at 15% of the grant approved.

## 5.3 **Planning and Economic Development Portfolio**

The three main service areas within the Planning and Economic Development Portfolio that generate substantial levels of fee income are Planning, Building Control and Fleetwood Market.

The majority of the Building Control Fees are set in accordance with the Building Regulations Act 2010 allowing authorities to fix their own charges based on full cost recovery. The Head of Built Environment has

the delegated authority to amend these fees as necessary. Similarly, all tenancy matters up to an annual sum of £25,000, including market rents are delegated to the Head of Built Environment. The fees for submitting planning applications required by legislation are set nationally and the current statutory fees came into force 17 January 2018.

#### **5.3.1 Development Control**

The majority of discretionary income relates to pre-application discussion fees which need to be high enough to maintain a reasonable level of income and low enough to encourage applicants to come forward and seek such pre-application meetings. It also helps that the fee structure is easy to understand and comprises of rounded figures.

It is not considered that the fees need to be raised in line with CPI at this time in order to encourage further use of this service.

#### **5.3.2 Building Control/High Hedges**

Building Regulations charges are not proposed to increase for 2022/23 but will be reviewed next year. The cost of Building Control service as detailed in the Building (Local Authority Charges) Regulations 2010 require fees to be calculated on full cost recovery for its fee earning element (plan checking, site inspections, building notices, reversion and regularisation) to achieve an objective of breaking even 'as nearly as possible', based on the principle of taking one year with another. Due to fluctuating demands on the building control service, the 2010 Regulations establish the concept of balancing income and costs over a reasonable period of time (rolling period of three to five years).

The broad charging principles outlined in the 2010 Charges Regulations give freedom to local authorities to decide whether to set fixed charges or adopt individually assessed charges, either way to ensure accurate recovery of costs. It is suggested that fixed charges operate for standard small work and that individual quotations be provided for larger projects. These charges are calculated by relating the hourly rate to the time spent carrying out the chargeable function.

High Hedges applications will increase by September CPI to reflect increased costs from £482 to £497.

#### **5.3.3 Markets**

Indoor and outdoor market rents are reviewed every three years and delegated to the Head of Built Environment.

The new Market House Studio charges were considered as part of a separate report earlier in the year.

#### **5.3.4 Estates and Filming**

There are no changes proposed to fees and charges for 2021/22.

**5.3.5** Wyred Up

The price of a ticket for the Wyre Business Awards is not proposed to increase from the current charge of £60 although it is to be noted that owing to the pandemic no decision on whether the event will take place in 2022 has yet been made.

**5.4 Resources Portfolio**

**5.4.1** MOT Test Centre

No changes are proposed.

**5.4.2** Legal Fees

The authority to determine charges for the recovery of legal costs is delegated to the Corporate Director Resources and most are increasing in line with CPI following consultation with Legal and Planning Services as appropriate.

**5.4.3** Land Charges

The determination of fees and charges for Local Land Charges is delegated to the Corporate Director Resources. The council is required to ensure that over a three year period, the total income from charges does not exceed the total costs of granting access to property records. No changes are agreed at this stage.

**5.4.4** Civic Centre Room Hire

It is proposed to maintain fees at the current levels with the aim of encouraging bookings post-covid.

**5.4.5** Street Naming and Numbering

These fees have not been uplifted in recent years and so a modest increase is proposed next year to reflect the increased cost of the administration involved.

**5.5 Street Scene and Parks and Open Spaces Portfolio**

The main services within this portfolio are waste management, public conveniences, the dog warden service, parks and open spaces and playing fields.

**5.5.1** Public Conveniences

It is proposed to maintain fees and charges at existing levels for 2022/23.

**5.5.2** Dog Welfare

No change to stray dog fees is proposed pending the re-tendering of the service.

**5.5.3** Domestic Refuse – Bulky Items

No changes are proposed.

**5.5.4** Domestic Refuse - Bins

Modest increases are proposed to container fees reflecting the contract uplift which impacts on the cost of distribution.

**5.5.5** Green Waste

No changes are proposed. Please note the option to pay by Direct Debit is being withdrawn.

**5.5.6** Street Cleansing

There are no changes proposed for ad hoc private work and grounds maintenance private work, which continue to be charged on a cost recovery plus basis. The admin fee in relation to the cost of removing fly-tipping is increasing from 10% to 20% to reflect in-house costs and act as a deterrent.

**5.5.7** Parks and Open Spaces

It is proposed to maintain the fees for the Memorial Park Pavilion at current levels to encourage use. No other changes are proposed.

**5.5.8** Leisure Development

It is proposed to increase all fees and charges by CPI and this is in consultation with the service provider (YMCA).

**5.6** **Overview and Scrutiny**

Initial proposals for amendments or increases to fees and charges have been reviewed and discussed by the Overview and Scrutiny Committee at their meeting on 22 November 2021 with their recommendations being reported to Portfolio Holders and any amendments agreed included within this report.

**Delegated functions**

- 6.1** The matters referred to in this report are considered under the following executive function delegated to each Portfolio Holder (as set out in Part 3 of the Council's Constitution): "To determine charges or fees for any relevant services operated within the Portfolio".

<b>Financial and legal implications</b>	
Finance	The financial implications of the fees and charges will be reflected in the Revenue Estimates which will be considered by Cabinet at their meeting 16 February 2022. Unless otherwise stated in the report all fees and charges are intended to be effective from 1 April 2022.

Legal	<p>Some services the council provides are mandatory and governed by specific legislation whilst other services provided are discretionary. Discretionary Services are those which the council is permitted to provide but not required to provide.</p> <p>The council has a general power to charge a person for discretionary services under Section 93 of the Local Government Act 2003 (“LGA 2003”) and under the power of general competence found in Section 1 of the Localism Act 2011 (“LA 2011”).</p> <p>The overall position on charging is that the council must not charge for a service if legislation prohibits it from doing so. If legislation requires the council to provide a service and to charge for it then we are required to do so. In the absence of specific powers or prohibitions on charging for services, the council may use the powers in either s93 of the Local Government Act 2003 or s1 of the Localism Act 2011 to make charges for discretionary services. The council cannot use these powers to make a profit, however the council can include the full cost of all aspects of the service provision when calculating the fee.</p>
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**Other risks/implications: checklist**

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with a x.

risks/implications	✓ / x
community safety	x
equality and diversity	✓
sustainability	✓
health and safety	x

risks/implications	✓ / x
asset management	✓
climate change	x
ICT	x
data protection	x

**Processing Personal Data**

In addition to considering data protection along with the other risks/ implications, the report author will need to decide if a ‘privacy impact assessment (PIA)’ is also required. If the decision(s) recommended in this report will result in the collection and processing of personal data for the first time (i.e. purchase of a new system, a new working arrangement with a third party) a PIA will need to have been completed and signed off by Data Protection Officer before the decision is taken in compliance with the Data Protection Act 2018.



report author	telephone no.	email	date
Clare James	01253 887308	clare.james@wyre.gov.uk	02/11/2021

<b>List of background papers:</b>		
name of document	date	where available for inspection
None		

**List of appendices**

Appendix 1– Proposed fees and charges for the 2022/23 financial year

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