



## 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
Marianne Hesketh, Corporate Director Communities, Mark Billington, Corporate Director Environment, Clare James, Corporate Director Resources	Cllr Lynne Bowen, Leisure, Health and Community Engagement Portfolio Holder, Cllr Roger Berry, Neighbourhood Services and Community Safety Portfolio Holder, Cllr Alice Collinson, Planning Policy and Economic Development Portfolio Holder, Cllr Michael Vincent, Resources Portfolio Holder, Cllr Simon Bridge, Street Scene, Parks and Open Spaces Portfolio Holder	November 2022

### Review of Fees and Charges 2022/23 and 2023/24

#### 1. Purpose of report

- 1.1 To confirm the amendments to 2022/23 fees and charges and proposed fees and charges for the 2023/24 financial year.

#### 2. Outcomes

- 2.1 Increase income generation to support the Council's budget.
- 2.2 Maximise commercial opportunities and improve the return from council assets, whether that be buildings or land, and deliver efficiencies.

#### 3. Recommendations

- 3.1 That the proposed amendments to 2022/23 fees and charges from 1 January 2023 are approved, as set out in Appendix 1.
- 3.2 That the proposed fees and charges, as set out in Appendix 1, for the 2023/24 financial year are approved and implemented from 1 April 2023.

## 4. Background

- 4.1** The Cabinet last formally considered its charging policy, as part of the Medium Term Financial Plan (MTFP), at its meeting on 19 October 2022.
- 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 Appendices.
- 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 MTFP.
- 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' value that all staff are required to exemplify. This broadening of the traditional mind-set in local authorities is essential to improve the council's financial sustainability and its ability to provide value for money services.
- 4.5** Some fees and charges are set on a cost recovery basis; owing to recent high levels of inflation, the council is experiencing increased contractual and service costs. Where fees are due to be uplifted by inflation, the consumer price inflation (CPI) is used; in September 2022 this was 10.1%. In the main, the normal process for approving changes to fees and charges happens once a year, with changes being applied from 1 April. However, owing to the current unprecedented levels of inflation, it is proposed to make some amendments to the 2022/23 fees and charges from 1 January 2023.

## 5. Key issues and proposals

- 5.1 Leisure, Health and Community Engagement Portfolio**  
Fees and charges within the responsibility of the Leisure, Health and Community Engagement Portfolio include pest control, environmental permitting, food safety, fishery hygiene, private water supplies, contaminated land, Thornton Little Theatre, Marine Hall, Mount Pavilion, cemeteries, Marsh Mill, countryside, Wyre Estuary Country Park, Rossall Point, outdoor amenity sites and health and wellbeing. Amendments to fees and charges for licensing are the responsibility of the Licensing Committee and will be considered in a separate report.

**5.1.2** Pest Control

In order to maintain a position of minimal subsidy for this service, excluding support services, it is proposed to apply the standard inflationary uplift to fees from 1 April 2023.

**5.1.3** Environmental Permitting

Environmental permitting charges are set by the Department for Environmental, Food and Rural Affairs (DEFRA) and are statutory; the fees for 2023/24 will be in line with those set by DEFRA, however they have yet to be disclosed.

**5.1.4** Food Safety

The charges for issuing a Ship Sanitation Certificate are set by the Association of Port Health Authorities (APHA); the fees for 2023/24 will be in line with those set by APHA, however, they have yet to be disclosed. Other food safety charges are proposed to be increased by September's CPI from 1 April 2023.

**5.1.5** Fishery Hygiene

It is proposed to increase fishery hygiene charges by September's CPI from 1 April 2023.

**5.1.6** Private Water Supplies

It is proposed to increase private water charges by September's CPI from 1 April 2023.

**5.1.7** Contaminated Land

It is proposed to increase contaminated land charges by September's CPI from 1 April 2023.

**5.1.8** Thornton Little Theatre

Whilst there are no changes proposed to the commercial and non-commercial charges, from 1 April 2023 it is proposed to amend the time slots for a number of the charges. For non-commercial/community rates, the full day charge will reflect the time period 09:00 to 22:00 (prev. it was 08:00 to 23:00); with morning and evening sessions also amended to start at 09:00 and finish at 22:00. The commercial out of hours additional hourly charge has been increased to £100 (from £75), bringing it in line with other charges.

The Thornton Little Theatre does not hold a licence to operate wedding ceremonies and it is not cost effective to seek this licence, based upon other groups that currently hire the space (i.e. religious groups). The charges relating to wedding ceremonies have been withdrawn on this basis. Charges for parties, funeral gatherings and children's birthday parties have all seen an increase, however they are subject to being agreed on application.

**5.1.9** Marine Hall

Whilst there are no changes proposed to the commercial and non-commercial charges for the use of Marine Hall for shows and concerts etc., from 1 April 2023 it is proposed to amend the time slots for a number of the charges. For non-commercial, community and commercial rates, the full day charge will reflect the time period 09:00 to 23:00 (prev. it was 08:00 to 23:00); with morning and all day sessions also amended to start at 09:00. Increased charges are proposed in relation to Trade Exhibitions including Food Festival and Christmas Market, Car Boot and Clothes Rail events from 1 April 2023. The wedding prices at Marine Hall have been rationalised and have seen some minor increases/decreases across the various packages.

**5.1.10** Mount Pavilion

No changes are proposed for wedding ceremony charges at the Mount Pavilion. Increased rates are being proposed for the hire of the Pavilion by community groups (an increase of £5/hour), for commercial hire (an increase of £10/hour) and for private hire (an increase of £50 – prices agreed on application).

**5.1.11** Cemeteries

Owing to increased costs in acquiring columbaria and mushroom plaques, it is proposed to increase charges for these items; purchase of columbarium will increase to £621 (from £521, a 20% increase) and mushroom plaques will increase to £228 (from £175.50, a 30% increase). Additional inscription charges will also be increased, owing to higher costs being incurred by the council; these charges will increase to £186 (from £146, a 27% increase). All other cemetery related fees will not change.

**5.1.12** Marsh Mill

It is proposed to withdraw the charges for Marsh Mill from 1 April 2023 and instead move to a donations based operation for visitors.

**5.1.13** Countryside

There are no changes proposed to charges relating to countryside talks, walks and group visits.

**5.1.14** Wyre Estuary Country Park

There are no changes proposed to charges at the Wyre Estuary Country Park.

**5.1.15** Rossall Point

There are no changes proposed to charges at Rossall Point.

**5.1.16** Outdoor Amenity Sites

There are no changes proposed to charges relating to Outdoor Amenity Sites.

### 5.1.17 Health and Wellbeing

A new charge is proposed from 1 January 2023 for community exercise classes; this will introduce a charge of £2 per session. Classes are currently subsidised by external funding; introducing this charge will help these classes to be sustainable going forward.

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

Fees and charges within the responsibility of the Neighbourhood Services and Community Safety Portfolio include car parking and housing.

### 5.2.1 Car Parking

There are no changes proposed to charges relating to car parking.

### 5.2.2 Housing

It is proposed to apply inflationary uplifts across housing service fees for 2023/24, rounding to the nearest 50p where appropriate, with the exception of the Disabled Facility Grant admin rate which remains at 15% of the grant approved.

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

Fees and charges within the responsibility of the Planning Policy and Economic Development Portfolio include development control, building control, markets, estates and economic development.

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 Corporate Director Communities 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 Corporate Director Communities. The fees for submitting planning applications required by legislation are set nationally and the current statutory fees came into force from 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 pre-application meetings. Following a benchmarking exercise comparing the council's current pre-app fees to that of other Lancashire local authorities, it is proposed to uplift charges relating to pre-app advice for new dwellings, agricultural buildings and advertisements. Other pre-app fees relating to new buildings, commercial units and other sites will remain unchanged.

### 5.3.2 Building Control

It is proposed to make changes to Building Control fees, effective from 1 January 2023. The increase is generally between 7% and 9% and is in line with other local authority building control teams. Whilst it is difficult to determine exact charges levied by competitors, anecdotal evidence suggests local authority building control charges remain lower than those of the private sector (approved inspectors). Building Regulation charges

for works in tables A, B, C and E are now taken at the time of application deposit, whereas previously they were paid in two parts. This removes the costs involved with secondary invoicing when work on site commences.

### **5.3.3** Markets

For Fleetwood Market, it is proposed to increase the administration charge for a new lease for a market stall in 2023/24 to £60 (from £50); this will bring the charge in line with all other lease administration fees. It is also proposed to increase the outside market rentals during the summer period (applicable from June to October) from £20 to £25/day. For those who operate a stall on all four market days it is proposed to increase charges for food stalls from £50 to £60/day and for non-food stalls from £60 to £75/day. For the Outdoor Kiosks, it is proposed to bring in a new charge for those who do not sell food of £80/week. All other Fleetwood Market charges will remain the same.

At Poulton Market it is proposed to increase the charge for additional frontage to £6/m (currently it is charged at £5/m). No other changes are proposed.

No changes are proposed for Cleveleys Market charges.

It is proposed to increase the monthly fees payable for the studios at Market House Studios which are operated under licence. For noting, the fees set out in the schedule reflect fees payable by community artists, with higher charges applicable to commercial artists. Membership fees and short-term booking fees remain unchanged.

### **5.3.4** Estates

It is proposed to bring in a consistent Estates Administration Fee for all estates lease, licence and other administrative tasks; for 2023/24 this will be £60. This sees an increase for charges relating to the issuance of a use of land licence, call out fee and agreements for allotments. It sees a slight decrease for admin fees relating to Skippool Creek. All other Estates related charges will remain unchanged.

### **5.3.5** Economic Development

Charges for Wyre Business Award tickets for the current year event will increase to £75 (the previous charges had been £60). These charges are on a cost-recovery basis and represent the increased costs incurred in setting up and hosting the awards.

## **5.4 Resources Portfolio**

Fees and charges within the responsibility of the Resources Portfolio include legal fees, local land charges, room hire (Civic Centre), street naming and numbering and some miscellaneous areas.

#### **5.4.1** Legal Fees

The authority to determine charges for the recovery of legal costs is delegated to the Corporate Director Resources; a benchmarking exercise in relation to legal fees is currently being undertaken and no changes are included in this report.

#### **5.4.3** Local 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.

#### **5.4.4** Room Hire (Civic Centre)

There are no changes planned for the room hire charges at the Civic Centre. This is done with the aim of encouraging bookings post-pandemic.

#### **5.4.5** Street Naming and Numbering

It is proposed to increase street naming and numbering charges by an inflationary increase from 1 April 2023.

#### **5.4.6** Communications and Visitor Economy

It is proposed to bring in new charges relating to graphic design work for external organisations. The charges will relate to services provided over a full day (8 hours) or a half-day (4 hours). The new charges are proposed as £400/day or £200/half-day.

#### **5.4.7** Private Photocopying

It is proposed to increase photocopying prices by CPI to the nearest 10p from 1 April 2023. This is reflective of increased contract and paper costs incurred by the council.

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

Fees and charges within the responsibility of the Street Scene, Parks and Open Spaces Portfolio include public conveniences, dog welfare, waste management, parks and open spaces and leisure services – playing fields.

#### **5.5.1** Public Conveniences

It is proposed to increase fees for the use of the public conveniences from 1 April 2023 by 10p (from 30p to 40p) in line with neighbouring authorities.

#### **5.5.2** Dog Welfare

There are no changes proposed for stray dog fees and charges.

#### **5.5.3** Waste Management

There are no changes proposed to charges for bulky items, green waste, administration of waste/recycling containers and street cleansing.

#### 5.5.4 Parks and Open Spaces

There are no changes proposed in relation to grounds maintenance and charges at Fleetwood Memorial Park.

#### 5.5.5 Leisure Development – Playing Fields

Services are provided by Fylde Coast YMCA (YMCA) on behalf of the council; the fees are determined by the YMCA. In recent correspondence with the YMCA, owing to so many factors changing at present, they have yet to determine their charges for 2023/24. However, they are conscious of remaining affordable to the local communities in which they serve.

#### 5.6 **Overview and Scrutiny Committee**

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 21 November 2022, with their recommendations being reported to Portfolio Holders and any amendments agreed included within this report.

### 6. **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 service 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 on 15 February 2023. Those charges included in Appendix 1 will be implemented from 1 January 2023; those in Appendix 1 will be implemented from 1 April 2023.
Legal	<p><i>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.</i></p> <p><i>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").</i></p> <p><i>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 prohibition on charging</i></p>



	<i>services the council may use the powers in either s93 of the LGA 2003 or s1 of LA 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.</i>
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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 an 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
Veronica Wilson, Head of Finance	01253 887311	veronica.wilson@wyre.gov.uk	28/10/2022

List of background papers:		
name of document	date	where available for inspection
None		

### List of appendices

Appendix 1 – Proposed fees and charges for the 2022/23 financial year, applicable from 1 January 2023 and proposed fees and charges for the 2023/24 financial year, applicable from 1 April 2023