

Summary Sheet

Council Report

Cabinet and Commissioners' Decision Making Meeting – 13 March 2017

Title

Regeneration and Environment Directorate – Fees and Charges 2017-18

Is this a Key Decision and has it been included on the Forward Plan?

Yes

Strategic Director Approving Submission of the Report

Damien Wilson – Strategic Director – Regeneration and Environment

Report Author(s)

Jon Baggaley – Finance Manager – Regeneration and Environment and Capital,
Ext. 54516 Jonathan.baggaley@rotherham.gov.uk

Ward(s) Affected

All

Summary

To consider proposed fees and charges for the Regeneration and Environment Directorate for 2017/18 and beyond.

Recommendations

1. That approval be given to the:
 - a) Proposed fees and charges for the Planning and Building Control Service as set out in Appendix 1.
 - b) Proposed fees and charges for Leisure and Green Spaces as set out in Appendix 2.
 - c) Proposed Building Regulation charges as set out in Appendix 3.
 - d) Proposed Market Service and Borough Fairs Charges as set out in Appendix 4.
 - e) Proposed Community Protection charges as set out in Appendix 5.
 - f) Proposed Library, Customer Services, Theatre Services and Heritage Service charges as set out in Appendix 6.
 - g) Proposed Commercial Waste charges as set out in Appendix 7.
 - h) Proposed Business Regulation charges as set out in Appendix 8.
 - i) Proposed Pest Control charges as set out in Appendix 9
2. That, subject to the approval of the Strategic Director of Regeneration and Environment or the appropriate Assistant Director within Regeneration and Environment, officers be given flexibility on prices charged in respect of areas

of commercial activity, to allow the Council to retain and attract business where necessary.

3. That, subject to the approval of the Strategic Director of Regeneration and Environment or the appropriate Assistant Director within Regeneration and Environment, officers be given flexibility to introduce promotional discounts and negotiate individual charges to meet the needs of the business.

List of Appendices Included

- Appendix 1 – Planning Service and Building Control – Property Search Fees / Charging for Property Addressing and Development Management Enquiry Fees
- Appendix 2 – Leisure and Green Spaces Fees and Charges
- Appendix 3 – Building Regulation Charges
- Appendix 4 – Market Service and Borough Fairs Charges
- Appendix 5 – Community Protection Charges
- Appendix 6 – Library, Customer Services, Theatre Services and Heritage Services Charges
- Appendix 7 – Commercial Waste Charges
- Appendix 8 – Business Regulation Charges
- Appendix 9 - Pest Control Charges

Background Papers

None

Consideration by any other Council Committee, Scrutiny or Advisory Panel

None

Council Approval Required

No

Exempt from the Press and Public

No

Title :

Regeneration and Environment Directorate – Fees and Charges 2017-18

1. Recommendations

1.1 That approval be given to the:

- a) Proposed fees and charges for the Planning and Building Control Service as set out in Appendix 1.
- b) Proposed fees and charges for Leisure and Green Spaces as set out in Appendix 2.
- c) Proposed Building Regulation charges as set out in Appendix 3.
- d) Proposed Market Service and Borough Fairs Charges as set out in Appendix 4.
- e) Proposed Community Protection charges as set out in Appendix 5.
- f) Proposed Library, Customer Services, Theatre Services and Heritage Service charges as set out in Appendix 6.
- g) Proposed Commercial Waste charges as set out in Appendix 7.
- h) Proposed Business Regulation charges as set out in Appendix 8.
- i) Proposed Pest Control charges as set out in Appendix 9

1.2 That, subject to the approval of the Strategic Director of Regeneration and Environment or the appropriate Assistant Director within Regeneration and Environment, officers be given flexibility on prices charged in respect of areas of commercial activity, to allow the Council to retain and attract business where necessary.

1.3 That, subject to the approval of the Strategic Director of Regeneration and Environment or the appropriate Assistant Director within Regeneration and Environment, officers be given flexibility to introduce promotional discounts and negotiate individual charges to meet the needs of the business.

2. Background

2.1 Section 93 of the Local Government Act 2003 provides powers for Local Authorities in England to make charges for discretionary services. In addition, some services have a prescribed fee structure, where Government set the fee level annually.

2.2 As part of the development of the Council's 2017/18 Revenue Budget, all services within the Regeneration and Environment Directorate have undertaken a review of their existing fees and charges. The review has taken account of the Council's Fees and Charges policy, the aim of which is to provide a framework for a consistent approach in setting, monitoring and reviewing fees and charges across the Council. The policy ensures that fees and charges support Council priorities and objectives and are set at a level that maximises income generation where it is appropriate to do so.

- 2.3 In recommending the appropriate fees and charges, consideration has been given to:-
- Current levels of business and associated income
 - Customer feedback
 - The cost of implementing any changes
 - Changes in costs of managing and delivering each service
 - The likely impact of any price increase in the demand for each service
 - Proposed changes in core revenue support to the service
 - Current review of services and associated consultation
- 2.4 Development of income generating activity is becoming an increasingly vital part of the Council's response to budget savings. As Central Government phases out its revenue grant support to local authorities, all councils will need to maximise income generation opportunities in the future, in order to ensure that they can continue to deliver key services to the public.

3. Key Issues

- 3.1 The annual review of fees and charges is an important part of the budget process, as it has a direct impact on the amount of income received by services. Income from fees and charges is key to ensuring that the level of resources are available to maintain service delivery, at a time of pressure on core revenue budgets.
- 3.2 The proposed fees and charges are reflected in the budget savings proposals included in the Council's Budget and Council Tax setting report, which was approved by Council at its meeting of the 8th March 2017. The charges for each service within Regeneration and Environment are presented in Appendices 1 – 9. Where no increases are proposed to charges in 2017/18, charges will remain at the amounts approved by Cabinet and Commissioners' Decision Making Meeting on the 14th March 2016. Within the proposed fees and charges, the following changes are specifically highlighted.
- 3.3 **Planning and Building Control Service** (Appendix 1) – It is proposed to introduce a new charge for property addressing. The proposed fees are intended to cover the cost of officer working hours, correspondence with relevant authorities and officiated bodies, production of plans and integration of naming and numbering into the Council's GIS systems. The charges proposed reflects actual officer time taken to complete the tasks and can be directly compared to neighbouring Local Authorities. Income from the proposed fees is reflected in the Regeneration and Environment Savings proposal 13(a). Property Search Fees have been reviewed, following the Law Society updating the current standard and optional Enquiries of Local Authority (Con29 and Con290) to include 34 new questions. The new fee proposals reflect the additional questions and an assessment of the extra officer time required and are based on the actual cost of providing and maintaining the information, as directed by the Local Authorities (England) (Charges for Property Searches) Regulations 2008. Additional income from the proposed fees is reflected in the Regeneration and Environment Savings proposal 13(b).

3.4 **Leisure and Green Spaces** (Appendix 2) - Fees and charges have been reviewed in the context of the known demand for individual services. As a result, a number of charges have been held at existing levels and others have been increased by at least the rate of inflation. Charges are applied for the 2017/18 financial year; however, there are several exceptions to this:

- Charges for Wedding Packages in Clifton Park have been held at 2016/17 levels. This is a relatively new service that is being developed in response to growing demand, following the relocation of wedding ceremonies from the Town Hall to Clifton Park Museum. Rates charged by other venues in the area have been reviewed, and the charges at Clifton Park are competitive, whilst ensuring that all necessary costs are covered. Approval is sought to set such charges not only for 2017/18, but also for 2018/19. This is because bookings for weddings may be received many months in advance. A number of additional extras have been removed from the offer as a result of a lack of customer demand.
- In respect of the car parking tariff at Clifton Park there have been no changes to charges for up to 3 hours parking over the summer holiday period; 15th July to 11th September. Car park charges for over 3 hours during this period and for the remainder of the year have been increased to reflect demand for this service.
- A separate report on allotment rents was considered at the Cabinet and Commissioners Decision Making Meeting of the 13th February 2017, and the recommendation to increase rents by 2.2% was approved. Allotment rents are set one year in advance. This allows letters to be sent to tenants giving them 12 months' notice of any increase, as required by allotment legislation.

3.5 **Building Regulation Charges** (Appendix 3) – A number of core Building Control Application Fees have been reviewed and are proposed to be increased for the first time since April 2014. The additional income that this will generate is reflected in the 2017/18 savings proposal; EDS 4. The Council is in competition with the private sector in the delivery of this service, so is mindful of its positioning in the market place when setting these fees. The existing charges are attached as Appendix 3b for information.

Changes are also proposed for Regularisation Applications and Inspections fees, to reflect the officer time and resources spent on these.

3.6 **Market Service and Borough Fairs Charges** (Appendix 4) – Market Service charges have been reviewed in the context of current occupancy levels at the Centenary Market Hall, comparisons with neighbouring authorities and the trading performance of the Tuesday Street Market and the Outdoor Covered Market. Occupancy rates in the Centenary Market Hall are currently at 87%, which is the highest rate for the last 2 years. However, footfall continues to decline, by 7.5% in 2016, so it is recommended that rents for the Centenary Market Hall remain frozen for 2017, to ensure that the Market Service remains competitive and attractive to new businesses. However, an increase of £2.10 (10.6%) for Tuesday Street Market Casual Traders is proposed, to reflect the popularity of this market. In addition, in respect of Borough Fairs Charges, Appendix 4b, a 5% increase is proposed, to reflect the fact that charges have been frozen in recent years.

- 3.7 **Community Protection Charges** (Appendix 5) – Changes to the Housing Licensing fee structure were made in 2016/17, following guidance issued by the Local Government Association in 2015, which required local authorities to re-structure how it charges for some services. This included licences issued under the Housing Act 2004. With the exception of charges for Houses in Multiple Occupation (HMO), which it is proposed will increase by 1% to reflect salary cost increases, it is not proposed to increase any of the other charges in this area.

With regard to Consultation Fees, following Local Government Association guidance, the charge levied in 2017/18 will be the appropriate hourly rate for the officer carrying out the work. Consequently, the costs charged are variable on the type, extent and time taken. Fees in respect of Local Air Pollution Control (LAPC), are prescribed by Department of Environment Food and Rural Affairs. Whilst consultation has not taken place for 2017/18, levels will continue to be frozen to reduce the financial burden on industry.

- 3.8 **Library, Customer Services, Theatre Services and Heritage Services** (Appendix 6) - With regard to Heritage Services (Appendix 6a), it is proposed that the majority of these charges will remain static in order to improve take up of these services. A small number of charges in respect of research enquiries have been increased by 15p for 15 minutes, to reflect the cost of officer time. Fees in respect of the reproduction of images from our collections has been increased by around 2%. There are also two charges which have been decreased to bring them into line with other photocopying charges. This has come from customer feedback and low take up.

Registration Services are able to set fees on a cost recovery only basis, for any non-statutory services they deliver and for certain statutory services they deliver in accordance with the Local Government Act 2000 (powers to local authorities to promote economic, social and environmental well-being within their boundaries). It is therefore proposed to increase fees on a cost recovery basis (Appendix 6b) from 1st April 2017. In addition, it is proposed to introduce a ceremony and booking fee, in line with other neighbouring authorities, from 1st April 2017. Further, it is proposed to rationalise the statutory ceremony offering to every Thursday to generate efficiencies and reduce income loss.

Library and Customer Services, it is proposed that there are no changes to the fees and charges agreed and implemented in April 2015, pending implementation of the new service offer, following the consultation process and refresh of the Library Strategy.

With regards to Theatre Services, the fees and charges apply to theatre hire, equipment hire, specialist additional staffing support and ticketing. The negotiation of professional contracts remains outside the scope of these charges and will continue to be negotiated by Theatre management. In addition, it is proposed to introduce a £1 ticket fee for professional show bookings, to recover administration costs.

- 3.9 **Commercial Waste Charges** (Appendix 7) – It is proposed to increase commercial waste charges by 2.5%. Within this the Service will be enabled to act flexibly within their pricing structure to retain and grow business. Commercial waste is seen as a key business opportunity for the Council, utilising the BDR Waste Facility for its disposal.
- 3.10 **Business Regulation Charges** (Appendix 8) - Where fees are not prescribed by legislation, the Council has the power to make charges for specific services. The Council sets fees for licences / permits / services on a cost recovery basis only. As officer / staff costs make up the majority of the fee that is charged, it is proposed that the fees for 2017/18 are increased in line with the 1% increase in staffing costs across the service (due to the recent pay award) – rounded up to the nearest whole pound. Therefore charges have generally increased by between £1 and £3.
- 3.11 **Pest Control Fees** – The proposed fees have been set to meet R&E savings proposal 26. The proposed fee increases are across a range of pest control services including rats, mice, moles, fleas, cockroaches, wasps nests etc. and there will be a review of these fees and charges in six months' time to consider the impact on the service and users which may need to be evaluated.
- 3.12 Recommendation 9 proposes that Council officers be given flexibility on prices charged in respect of areas of commercial activity, to allow the Council to retain and attract business, where necessary. In addition, it is recommended that Council officers be given flexibility to introduce promotional discounts and negotiate individual charges to meet the needs of the business. This will allow the Council to maximise its commercial income to support the Revenue Budget.
- 3.13 There are no proposals to increase fees and charges for Highways Services, Parking Services, Licensing and for the hiring of directly managed community buildings. A review of these charges will be undertaken in 2017/18 and proposals for 2018/19 brought forward in due course.
- 3.14 To process an application to temporarily close a road under the Traffic Regulations Act for a public event a fee of £525 is charged. To support Parish Councils when organising community events, when an application is received for an event which has been held previously, if the Traffic Management requirements have not changed, then the fee of £125 would not be charged for the Traffic Management evaluation and consultation element of the fee, as the officer time involved would be minimal. In 2015 and 2016, four such applications were received.

4. Options considered and recommended proposal

- 4.1 In each case consideration has been given to the following options:-
- Discontinuation of the charge, for example where the level of business has fallen to the point where the cost of collecting charges exceeds the potential income collectable.
 - Reducing or freezing charges, for example where an increase is likely to make the offer uncompetitive and lead to a loss of business.

- A small percentage increase, where this reflects increasing costs and, in some cases, an opportunity to generate sufficient income to gradually reduce net running costs.
- An increase well above the rate of inflation, for example where demand for a service is very high, and comparison with similar offers elsewhere suggests charges are lower than average.
- Introduction of a new charge, either where a new service has been introduced, or customer feedback suggests the need for a change in the way we charge for a service.

5. Consultation

- 5.1 The proposed fees and charges have been developed as part of the 2017/18 Revenue Budget proposals, in conjunction with Members and Commissioners.
- 5.2 Customer Surveys are undertaken with service users. These provide insight into numerous aspects of services, and any comments about value for money can be taken into account in setting next year's fees and charges.

6. Timetable and Accountability for Implementing this Decision

- 6.1 Most proposed fees and charges will take effect on 1st April 2017. However, the proposed charges for Theatre Services would start on 1st September 2017 in line with the programming of the Civic Theatre.
- 6.2 Managers of the relevant facilities and services within the appropriate Services will be responsible for the implementation of the recommended fees and charges.

7. Financial and Procurement Implications

- 7.1 The proposed increases are designed to generate the levels of income required to operate services within available budgets. Where changes are expected to increase the overall level of income, then this will be taken into account in the profiling of 2017-18 budgets.
- 7.2 With regards to Theatre Services, for non – vat registered organisations, the fees and charges shown are **inclusive** of VAT (where applicable). For VAT registered organisations, the fees and charges shown are **exclusive** of VAT.
- 7.3 The proposal has no procurement implications.
- 7.4 The Council will ensure that income from fees and charges is collected and recovered, in accordance with the Council's collection and debt recovery policies.

8. Legal Implications

- 8.1 Both the Library Service and elements of the Archives and Local Studies Service are statutory.

- 8.2 The Public Libraries and Museums Act 1964 makes it the duty of every library authority to provide a “comprehensive and efficient library service for all persons desiring to make use thereof”.
- 8.3 Rotherham Archives and Local Studies is the appointed place of deposit for Rotherham’s public records.
- 8.4 Legal Services have approved the proposed Registration Services terms and conditions, which set out the cancellation fees and refund policy for ceremonies.
- 8.5 The Council controls certain activities taking place on the highway through licence agreements under The Highways Act 1980 and under the New Road and Street Works Act 1991.
- 8.6 Legal advice has been sought in relation to the introduction of charging for the property addressing service. By virtue of S.93 Local Government Act 2003, a Best Value Authority (an authority subject to the duties in sections 3 to 6 Local Government Act 1999) can charge for elements of naming and numbering functions which are discretionary.

9. Human Resources Implications

- 9.1 This report has no human resources implications.

10. Implications for Children and Young People and Vulnerable Adults

- 10.1 Discounted rates are available to children, young people and Rothercard holders for a range of services.

11 Equalities and Human Rights Implications

- 11.1 This report has no equalities or human rights implications.

12. Implications for Partners and Other Directorates

- 12.1 Where appropriate, any implications have been discussed with partners e.g. delivery of services within Clifton Park and Museum.

13. Risks and Mitigation

- 13.1 Any cost increase can have an adverse impact on levels of business, and this can make it difficult to meet income targets.
- 13.2 Service Managers will continue to monitor usage and customer feedback as appropriate, and take this into consideration in future reviews of fees and charges.

14. Accountable Officer(s)

Damien Wilson – Strategic Director – Regeneration and Environment