

Name of meeting: CABINET
Date: 19th March 2019
Title of report: Revised Fees & Charges for Economy & Infrastructure Services with effect from 1st April 2019

Purpose of report

In accordance with Financial Procedural Rule 11.1, proposals to implement new charges or amend existing fees and charges beyond the delegated authority limits of Service Directors must be approved by Cabinet.

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Yes, the proposed charges will affect all wards within Kirklees
Key Decision - Is it in the Council's Forward Plan (key decisions and private reports?)	Yes
The Decision - Is it eligible for call in by Scrutiny?	Yes
Date signed off by <u>Strategic Director</u> & name	Karl Battersby - 28.02.2019
Is it also signed off by the Service Director for Finance?	Eamonn Croston - 8.03.2019
Is it also signed off by the Service Director for Legal Governance and Commissioning?	Julie Muscroft - 11.03.2019
Cabinet member portfolio	Cllr Naheed Mather - Communities and Environment Cllr Graham Turner - Corporate

Electoral wards affected: All

Ward councillors consulted: None

Public or private: Public

Have you considered GDPR? There is no personal data contained within this report

1. Summary

Fees and charges must be reviewed at least once per annum. Service Directors have authority to amend fees and charges to achieve budget targets and in line with the annual budget strategy, and are permitted to freeze or raise charges by an amount up to the equivalent to the consumer price index. Changes to charges may also reflect reasonable rounding to relevant prices which might in some cases mean that certain prices rise by more than the consumer price index or the budget strategy.

Proposals to implement new fees and charges, along with amendments to existing charges that are outside Service Director delegated authority, must be approved by Cabinet.

The report highlights the revised fees and charges that the Economy & Infrastructure Directorate propose to introduce with effect from 1st April 2019.

The 'Events Policy and Associated Charging Framework' report was approved at Cabinet on 16th October 2018, with a recommendation that the charging framework became effective from 1st April 2019. This report outlines the revised daily hire charges for Town Centre Outdoor spaces and confirms the introduction of a new admin charge and cancellation fee. Differential hire rates will be applied dependent on whether a customer is a commercial or non-commercial organisation.

2. Information required to take a decision

2.1 The revised fees and charges are summarised in Appendix A. Proposals fall into four main categories:

- Introduction of a new charge.
- Increase exceeds the Consumer Price Index (CPI). [2% in December 2018]
- Adoption of a revised charging model i.e. water sampling.
- Repackaging a service offer i.e. Cliffe House residential courses.

HIGHWAYS

2.2 The owner of a builders' skip is required to obtain a permit from the Council in order to deposit the skip on the highway (Highways Act 1980, section 139). Kirklees does not currently apply a charge when skips are found on the highway without permission. Introduction of the new charge will bring the Council in line with many other authorities within the Yorkshire region.

2.3 New charges are proposed for **commercial** events where a road is subject to a temporary closure order (Town Police Clauses Act 1847), or traffic signals have to be manually controlled to facilitate the safe passage of an event across a junction. No charge will be levied for non-commercial events. [see 2.14 for definition]

2.4 The proposal is to levy an application fee for road adoption (Highways Act 1980, Section 38) which will ensure an element of the fee is collected in advance. Current practice is to receive payment when the developer formally signs to enter into a S38 Agreement but work can span multiple years and there is a risk of non-payment if the Agreement isn't signed. The fee will pay towards officer time in reviewing an application and ensuring all relevant information is submitted.

2.5 Street lighting design fees are presently charged at a flat rate of £450 irrespective of the size of the development. Revised rates will be set based on the number of lighting

columns associated with a development i.e. <25, 26 -50, >50 columns. The fees will reflect the level of work associated with technical approval, design preparation and review, site inspections, impact awareness, adoption process, inventory update and administration. The new rates will bring Kirklees into line with surrounding authorities.

TRADE WASTE

- 2.6 Currently, Trade Waste customers receiving a wheeled bin collection are not charged for visits where the bin cannot be emptied due to it being either inaccessible, presented incorrectly, overweight or contaminated. Neighbouring authorities request payment in advance for their services which means the costs of any aborted visits are already being recovered. The contract/agreement for Trade Waste customers will be amended so customers who do not require a collection, or whose wheeled bin is inaccessible, can cancel the service by noon of the working day prior to the scheduled collection. Failure to notify the Trade Waste service within this timescale will result in a standard charge being levied equivalent to the contracted bin size.
- 2.7 Trade Waste customers renting skips are not charged for visits when a team attends site but cannot empty a skip due to it being inaccessible. In these instances, the proposal is to levy a standard charge of £50. Similar to the above, customers can avoid incurring the standard charge if they notify Trade Waste and cancel the service by noon of the working day prior to collection.

TOWN HALLS

- 2.8 Charges for piano hire and celebration events at Dewsbury Town Hall are proposed to increase by 3.6% - 14%. The original charges are historical and do not to recover the costs associated with each activity. The revised celebration charge remains competitive when compared against external providers.

CLIFFE HOUSE

- 2.9 Residential courses run at Cliffe House support the National Curriculum and offer visiting schools and pupils access to range of outdoor adventurous activities. The 2 night residential visits have been redesigned into Bronze, Silver and Gold packages, each with a different mix of on-site or off-site activity. In addition, an Off Peak rate is being introduced for bookings in December and January. Schools outside of Kirklees will pay a £5/pupil supplement for their bookings (excluding Off Peak periods).

POLLUTION & NOISE CONTROL

- 2.10 Water sampling under the Private Water Supplies Regulations 2016 is a statutory duty. Under the regulations, local authorities can recover the costs reasonably incurred in carrying out the specified activity. Opportunity has been taken to revise the charging model to ensure full cost recovery in the future.
- 2.11 Regulation 6 places a requirement on the Council to carry out a risk assessment of private water supplies in our area (excluding those to single domestic dwellings) at least every 5 years. A minimum and maximum charge has been established for officer time associated with undertaking the activity with laboratory fees being an additional charge.
- 2.12 Other sampling services such as Swimming Pool sampling and Bottled Water are a commercial service and rates are set accordingly.

MUSEUMS & GALLERIES

- 2.13 The television company charge covers broadcast of digital images and this has been expanded to include UK companies as well as increasing the existing commercial rate. In addition, new charges are proposed for the display of reproduced digital images in commercial venues.

TOWN CENTRE OUTDOOR SPACES

- 2.14 The 'Events Policy and Associated Charging Framework' report was approved at Cabinet on 16th October 2018. The Charging Framework is shown in Appendix B and was developed to address inconsistencies across the Council in relation to terms and conditions, deposits, bonds and cancellation charges specifically for outdoor events. The framework differentiated between hirers which were commercial or non-commercial organisations. The Policy defines non-commercial as organisations that invest profits back into the organisation in order to achieve social objectives. Commercial is defined as an organisation which shares any profits with individuals such as directors, staff, shareholders etc.
- 2.15 The main proposals in relation to revised charges for Town Centre Outdoor spaces are:
- An admin charge of £30 is to be introduced for all town centre outdoor spaces and a cancellation fee applied. This applies to both commercial and non-commercial organisations.
 - Non-commercial organisations will be charged 50% of the hire fee. Previously no fee has been charged.
 - St Georges Square is the Council's premium outdoor space for events in Huddersfield and it is proposed to increase the daily hire fee from £106 to £400 (comparative rate to other local authorities). Additional charges for removal of benches and electricity supply will still apply.
 - The hire fee of £106/day will remain for the Piazza and Macauley Street in Huddersfield. This rate will also be introduced for events in Batley Market Place and Dewsbury Market Place where no hire fee was previously applied.
 - The fee for Nelson Mandela Corner, Huddersfield will be reduced from £106 to £50 to reflect the fact that no vehicles are allowed on this space which restricts potential usage.
- 2.16 It should be noted that the Events Policy provides the relevant Head of Service with delegated authority to reduce or waive any charges if a strong case is presented demonstrating that an outdoor event will contribute to the Council's outcomes.

3. Implications for the Council

3.1 Working with People

Fees and charges differentiate between commercial and non-commercial customers. The social value of an activity and contribution towards wider council outcomes is recognised when deciding charges.

3.2 Working with Partners

Providing a consistent approach across the Council to enable events to take place, including Voluntary and Community Sector run events that are often at the heart of community cohesion, are reliant on volunteers and therefore offer opportunities for

individuals and residents to be active, get involved and be engaged in their local community.

3.3 Place Based Working

Not applicable

3.4 Improving outcomes for children

Residential courses at Cliffe House provide outdoor education to children and young people that build confidence, self-esteem, teamwork and independence.

3.5 Other (e.g. Legal/Financial or Human Resources)

The proposals ensure the Council charges fairly and consistently across its traded areas, recovering costs relating to service provision, generating income from commercial activities and enabling/supporting wider outcomes, where appropriate.

4. Consultees and their opinions

Economy & Infrastructure Senior Leadership Team.

5. Next steps and timelines

The attached schedule of fees and charges be approved.

6. Officer recommendations and reasons

In accordance with Council Financial Procedure Rules, Cabinet must approve proposals to implement new fees and charges, or amend existing charges that are outside Service Director delegated authority. Cabinet is asked to approve the fees and charges with effect from 1st April 2019.

7. Cabinet portfolio holder's recommendations

7.1 The schedule of fees and charges impact on the portfolios of Corporate, and Communities & Environment.

Cllr Turner, Corporate portfolio and Cllr Mather, Communities & Environment portfolio, recommend that Cabinet support the officer recommendations and note that many of the revised fees and charges are in line with implementing a cost recovery model. This piece of work tidies up several areas of our fees and charges policies and brings us more in line with our neighbouring authorities.

8. Contact Officer

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9. Background Papers and History of Decisions

Appendix A - Schedule of Revised Fees & Charges
Appendix B - Events Charging Framework

10. **Strategic Director/Service Director responsible**

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