

Item No. N/a	Classification: Open	Date: 3 May 2019	Decision maker: Cabinet Member for Culture, Leisure, Equalities and Communities
Report title:		Proposed 2019/20 Fees and charges for fishing at Burgess Park	
Ward(s) or groups affected:		All residents and non-residents seeking to make a payment for fishing at Burgess Park	
From:		Rebecca Towers, Interim Director of Leisure	

RECOMMENDATION

1. That the Cabinet Member for Culture, Leisure, Equalities and Communities approves the price increase for fishing day tickets at Burgess Park as set out in paragraph 11 of the report.

BACKGROUND INFORMATION

2. Cabinet agreed the annual council wide fees and charges as part of the budget setting process at its meeting on 5 February 2019. However the fees and charges for fishing at Burgess Park were omitted from this process in error. A decision is therefore sought via the cabinet member.
3. The Medium Term Resources Strategy (MTRS) and the corporate income policy requires the council:
 - To maximise its income generation by seeking income streams in line with council policies and priorities
 - To increase discretionary fees and charges to a level, at a minimum, that is equal to the most appropriate London average (e.g. inner London, family, groupings etc.) except where this conflicts with council policy, would lead to adverse revenue implications or would impact adversely on vulnerable clients
 - To increase all fees and charges capped by statute to the maximum level the cap allows.
4. Only where it can be demonstrated that adverse financial implications might arise or where increases are not considered realistic due to demand and local circumstances, can fees or charges increases be set at a lower level than that set by the MTRS.

KEY ISSUES FOR CONSIDERATION

5. Fees and charges are those charges where there is a schedule of rates for services provided. There are various types, namely mandatory and discretionary i.e. where the authority must charge or where there is a choice of charging or not. Whether mandatory or discretionary, the charges will be either:

- a. Fixed – where the level of charges is set by statute and the authority has no discretion.
 - b. Capped – where a maximum level is set, generally by statute, and so charges cannot be set above this level, or
 - c. Flexible – where there is full discretion on the level of charges to be set.
6. Where the authority has a choice about charging any decision not to charge must be agreed by the relevant cabinet member. This will be reviewed annually and will be considered within the context of the overall budget position.
 7. In arriving at the proposed fees and charges levels for the service, consideration has been given to a number of factors including volume assumptions, benchmarking data, market forces and sensitivity (i.e. the impact that increases will have on customers' ability to pay and the take-up of services). Another factor taken into account is that, whilst Southwark may have discretion over the level of fees set, in many cases this is on a cost recovery basis or must have due regard to the cost of service and be reasonable. The cost of service provision has therefore also been a consideration in arriving at the proposed fees.
 8. Burgess Park Lake has an excellent reputation as a coarse fishery and as such visitors are willing to travel from across London to access the well stocked lake and stunning park surroundings.
 9. Since the launch of the online bookings system on 1st April 2017 access to angling within the lake has developed with many new anglers able to book in advance and secure a fishing swim. Maintaining the chargeable booking system is considered vital in order to continue the ongoing improvement and growth in customer satisfaction from residents and non residents alike.
 10. The initial charges were based on the outcomes of a benchmarking exercise with other local authority providers undertaken in 2017. Subsequently, the charge for a fishing day ticket (which includes a concessionary option) at Burgess Park has been reviewed annually and adjusted in line with inflation as part of the wider corporate fees and charges process.
 11. The original intention was to uplift the rates in line with inflation which was calculated at 2.5% and round up or down accordingly. This is illustrated below.

Recommended pricing:

Fee/charge description		2018/19 fee (£)	Proposed 2019/20 fee (£)	% increase	Other comments
Burgess Park Lake	Fishing day ticket per rod	4.30	4.40	2.33%	Rounded to nearest 10p
Burgess Park Lake	Fishing day ticket per rod - concession	1.65	1.70	3.03%	Rounded to nearest 5p

Community impact statement

12. N/a

Financial implications

13. The sale of fishing day tickets generates approximately £4,500 per annum (inclusive of VAT) in cost code LF102. This income is used to contribute towards the cost of repairs to the lake edges and fishing infrastructure.
14. Fishing arrangements at Burgess Park and the associated fees will continue to be reviewed annually to ensure they remain in line with neighbouring boroughs and market rates.
15. This recommendation does not have an impact on current resources.

Consultation

16. Consultation is not required on the above fees and charges. Once approved, notification of fee increases will be published through the appropriate channels.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

17. This report seeks approval of the proposed fees and charges for fishing day tickets at Burgess Park.
18. The decision to approve the report recommendation is a matter reserved to the cabinet member for individual decision making in accordance with Part 3D paragraph 3 of the council's constitution.
19. The proposed increases are intended to be consistent with corporate policy, in particular the Medium Term Resources Strategy and will apply to the existing non-statutory fees and charges.
20. Section 93(1) of the Local Government Act 2003 enables the council to charge for providing discretionary services. The power in the Act is subject to the requirement that the council is not prevented from charging for the services by virtue of any other legislation. The director of law and democracy is not aware of any specific legislative provision which would prevent the council from relying on these powers to charge.
21. The power to charge for a service under the Act is also subject to the duty to make sure that, taking one financial year with another, the income from charges made from a service does not exceed the cost of the provision of the service.
22. The council is, therefore allowed to set the level of the charge for each discretionary service that it thinks fit and considers reasonable, subject to those charges not exceeding the costs of the provision.
23. The report confirms that there are no prescribed legal requirements for consultation on the proposed fees and charges although any proposed increases

will need to be publicised and notified. Officers should ensure that all forms of notification explain how and to whom any complaints or queries should be made.

Strategic Director of Finance and Governance (EL19/001)

24. This report seeks approval from the cabinet member for Culture, Leisure, Equalities and Communities to approve the price increase for fishing day tickets at Burgess Park as set out in "Recommended Pricing" table included in the report.
25. The strategic director of finance and governance notes the financial implications detailed in the report and understand that this will be incorporated within the regular revenue budget monitoring to cabinet.
26. Staffing and any other costs connected with this report to be contained within existing departmental revenue budgets.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
None		

APPENDICES

No.	Title
None	

AUDIT TRAIL

Lead Officer	Rebecca Towers, Interim Director of Leisure	
Report Author	Richard Diplock, Group Manager Parks & Open Spaces	
Version	Final	
Dated	2 May 2019	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team / Community Council / Scrutiny Team	2 May 2019	