

Record of Officer's Decision

The Openness of Local Government Bodies Regulations 2014 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Date of Decision:	28 March 2024
Decision Maker (Officer):	Mike Carran – Assistant Director, Economic Growth, Culture and Leisure
Authority for Delegated Decision (Cabinet/Committee Decision or Scheme of Delegation – provide reference):	<p>Part 3, Schedule 3 – Responsibility for Executive Functions delegated to Officers paragraph 4.3 (1) – the Corporate Director has delegated authority to discharge executive functions within their respective service areas (Part 3.38). All delegations are subject to consultation where considered appropriate in the circumstances (paragraph 4.3 (4)(ii) – Part 3.39).</p> <p>The Corporate Director has delegated this decision to the Assistant Director, Economic Growth and Leisure</p>
Identify which Portfolio Holder(s)/Committee Chairman consulted?	Councillor Mick Barry, Portfolio Holder for Leisure and Public Realm
Ward Member(s) consulted?	No
Is it a Key Decision?	No
Is it subject to call-in?	No
Decision Made:	<p>The Portfolio Holder for Leisure and Public Realm concurred with the Assistant Director of Economic Growth and Leisure to implement a revised set of fees and charges for the Sport and Leisure Service, as set out in the accompanying report and detailed pricing spreadsheets (Sport Facilities Fees and Charges and Princes Theatre Fees and Charges 2024 25). The full pricing structure is published together with this decision.</p> <p>These fees and charges will be implemented from 1st April 2024* and the list of services covered are as follows:</p> <ul style="list-style-type: none"> - Sports Facilities - Princes Theatre Hire Charges <p>*Note : Membership charge increases, will not be implemented on 1 April with the other fees and charges, but as follows:</p> <p>8th April – New Membership Charges will apply for <u>new</u> customers.</p>

	<p>1st May – New Membership Fees will be implemented for existing Members.</p> <p>This is due to providing sufficient notice periods.</p>
<p>Reason for Decision (if a report was produced to support the Decision, refer to or attach it):</p>	<p>The decision was taken both to ensure there is an agreed set of fees and charges set for the new financial year of 2024/25.</p>
<p>Highlight any associated risks/finance/legal/equality considerations:</p>	<p><u>Finance</u> The schedule of fees and charges will ensure in most circumstances, the significant increase in overheads experienced by the Sport and Leisure service will be mitigated against. Although any price changes will not offset those increases, it will ensure the overall service subsidy is controlled wherever possible.</p> <p><u>Legal</u> The arrangements for setting and agreeing a budget and for the setting and collection of council tax are defined in the Local Government Finance Act 1992. The previous legislation defining the arrangements for charging, collecting and pooling of Business Rates was contained within the Local Government Finance Act 1988. These have both been amended as appropriate to reflect the introduction of the Local Government Finance Act 2012.</p> <p>A local authority has power under section 19(1)(a) of the Local Government (Miscellaneous Provisions) Act 1976 (LGMPA 1976) to provide recreational facilities (indoor and outdoor) such as a sports centres, swimming pools, skating rinks etc. in its area. A local authority may wish to charge for use of such recreational facilities and the costs associated with providing the service. Section 19(2) of the LGMPA 1976 contains an express power for a local authority to charge whatever payment it considers to be appropriate. A local authority wishing to charge users of the recreational facilities would use the express authority to charge in section 19(2) of the LGMPA 1976 rather than the section 93 charging power.</p> <p>Under Section 145 of the Local Government Act 1972, for the Provision of entertainments and ability to charge, a local authority has the power to provide and charge for an entertainment service. This is appropriate for the Princes Theatre.</p> <p>The general powers to charge are set out in the Local Authorities (Goods and Services) Act 1970 and the Local Government Act 2003 – Section 93 respectively. The latter also requires that charges for discretionary services should be on a cost recovery basis.</p> <p>Under Para 4.4.1 (8) Part 3.4 of the Council's Constitution, all Assistant Directors, in consultation with the relevant Portfolio Holder, Management Team Member and the Assistant Director (Finance & IT), are authorised to decide the level of the annual</p>

	discretionary fees and charges for their service (including any in-year changes that may be required) for inclusion within the Council's corporate schedule of fees and charges. Following the above consultation, an Officer decision must be published.	
Details of any Alternative Options Considered and rejected (together with reasons):	A full review of alternative pricing was considered, to ensure all implications of the new pricing structure were tested. Officers also considered the implications of not increasing charges to the prices agreed for 202/24. Due to significant rising associated costs, this was not considered viable.	
Details of any declarations of interest (by Portfolio Holder/Committee Chairman who was consulted by the officer, which related to the decision) If relevant, a note of the dispensation granted by the Monitoring Officer:	N/A	
Reason Decision, or supporting Report, is not published: <i>Tick one or more of the specific exemptions,</i> <u>and</u> <i>Give more information in the final box with regards to why the exemption applies and outweighs the public interest test (which is in favour of disclosure).</i>	✓	Not applicable – Decision to be published with the report to be finalised and published following the proposal drawings. These drawings will determine the specification and location of the Skate Park taking into account with its surrounding area.
	If Report is not to be published – tick one of the following boxes:	
		The report supporting the Decision contains confidential information
		The Report supporting the Decision falls within an exemption pursuant to Schedule 12A of the Local Government Act 1972 Information:
		<ul style="list-style-type: none"> • Relates to an individual
		<ul style="list-style-type: none"> • Likely to reveal the identity of an individual
		<ul style="list-style-type: none"> • Relating to financial or business affairs of a person or organisation
		<ul style="list-style-type: none"> • Relates to a claim for legal professional privilege in legal proceedings
		<ul style="list-style-type: none"> • Reveals that the Council proposes to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or to make an order or direction under any enactment
	<ul style="list-style-type: none"> • Relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime 	
<u>And</u> is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information		

	Reasons: [insert]
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Officers

Signed: Mike Carran

Title: Assistant Director, Economic Growth & Leisure

Signed:

Title:

In consultation with:

Signed:

Portfolio Holder For Leisure & Public Realm

Signed:

Signed:

Dated: 28 February 2024