

# **Merton Council**

## **Joint Regulatory Service Committee Agenda**

### **Membership**

#### **Councillors:**

Councillor Pamela Fleming  
Councillor Rita Palmer  
Ross Garrod  
Nick Draper (Chair)

**Date: Tuesday 10 October 2017**

**Time: 10.00 am**

**Venue: Council Chamber, York House, Richmond Road, Twickenham, TW1 3AA.**

This is a public meeting and attendance by the public is encouraged and welcomed. For more information about the agenda please contact or telephone .

All Press contacts: [press@merton.gov.uk](mailto:press@merton.gov.uk), 020 8545 3181

# Joint Regulatory Service Committee Agenda

## 10 October 2017

- 1 Apologies for Absence
- 2 Declarations of Interest
- 3 Minutes of the Previous Meeting 1 - 6
- 4 Fees & Charges 7 - 14
- 5 Update on the expanded Regulatory Services Partnership  
*A verbal update to be given at the meeting*

### **Note on declarations of interest**

Members are advised to declare any Disclosable Pecuniary Interest in any matter to be considered at the meeting. If a pecuniary interest is declared they should withdraw from the meeting room during the whole of the consideration of that matter and must not participate in any vote on that matter. If members consider they should not participate because of a non-pecuniary interest which may give rise to a perception of bias, they should declare this, withdraw and not participate in consideration of the item. For further advice please speak with the Assistant Director of Corporate Governance.

# Agenda Item 3

## JOINT REGULATORY SERVICE COMMITTEE

6 JUNE 2017

(10.00 am - 11.57 am)

PRESENT Councillors (in the Chair), Councillor Pamela Fleming,  
Councillor Rita Palmer and Councillor Nick Draper

### 1 APPOINTMENT OF CHAIR FOR THE MUNICIPAL YEAR 2017/18 (Agenda Item 1)

RESOLVED: That Councillor Pamela Fleming is elected Chair of the Committee for the Municipal year 2017/18.

### 2 APOLOGIES FOR ABSENCE (Agenda Item 2)

Apologies for absence were received from Councillor Ross Garrod.

### 3 DECLARATIONS OF INTEREST (Agenda Item 3)

There were no declarations of interest.

### 4 MINUTES OF THE PREVIOUS MEETING (Agenda Item 4)

RESOLVED: That the minutes of the meeting held on 30 January 2017 are agreed as an accurate record.

### 5 UPDATE ON NEGOTIATIONS BETWEEN THE REGULATORY SERVICES PARTNERSHIP AND THE LONDON BOROUGH OF WANDSWORTH (Agenda Item 5)

The Committee discussed the report in depth and highlighted any areas of concern, noting that the details of the report were still under discussion.

The Committee agreed that more work and discussions would be required and that this was a good opportunity to review and reassess the work of the Partnership so far.

The Committee thanked all the officers for their hard work.

RESOLVED: That Members noted the progress on the negotiations between the Regulatory Services Partnership and Wandsworth Borough Council.

RESOLVED: That Members considered the proposed changes to the existing Regulatory Services Partnership service delivery and governance arrangements requested by Wandsworth Borough Council.

## 6 PARTNERSHIP ANNUAL PERFORMANCE REVIEW (Agenda Item 6)

The Chair advised the Committee as the item began that she was very impressed with the work that was detailed in the report.

The Head of the Regulatory Services Partnership gave an overview of the report highlighting key areas for discussion and noting that he was very pleased with the performance of the service who were undertaking a very diverse range of work including some good enforcement work, of which some examples were given within the report.

Councillor Rita Palmer and Councillor Nick Draper congratulated the service on the successes thus far in the cases for Urban Diner and Iceland Foods in particular.

The Committee paused at 11am to observe a minutes silence as part of the national silence following events in London Bridge and Borough Market during the previous weekend.

The Head of the Regulatory Services Partnership advised the Committee that many of the streams of work were being undertaken with assistance and collaboration with other departments as well as external organisations including the Metropolitan Police.

In regards to Licensing, the Head of the Regulatory Services Partnership outlined examples given in the report of recent activity, explaining that there was a large volume of work being undertaken in both dealing with new applications and monitoring current licensed premises. Councillor Rita Palmer advised that she was very impressed with the way in which Police and Licensing Authorities were working closely with applicants before applications were submitted.

The Head of the Regulatory Services Partnership advised that in relation to Street Trading, there was currently work in progress to review the standard conditions and to create a new Street Trading Policy.

The Head of the Regulatory Services Partnership noted that there had been a large increase in the number of complaints regarding noise from construction sites and that authorities were looking at ways to assist residents with this. Councillor Nick Draper stressed the importance of cross-borough joint working and the Committee agreed that discussions would also need to take place with Planning departments regarding this.

Councillor Pamela Fleming stated that there was exceptional work being undertaken and to ensure that it was publicised and to show the benefits of joint working.

**RESOLVED:** That members noted and commented on the review of the annual performance of the Regulatory Services Partnership.

## 7 FORWARD PLAN (Agenda Item 7)

The forward plan was reviewed, and the Chair requested that any members who had suggestions for additions to the plan circulated those to the Committee.

The Committee agreed that the "Update on negotiations between the RSP and the London Borough of Wandsworth" would be added as a standing item on the agenda.

RESOLVED: That members noted and commented on the Forward Plan

Councillor Rita Palmer requested an update on the rating system for food premises, noting that displaying the rating was mandatory in Wales and Scotland but currently not in England. The Head of the Regulatory Services Partnership advised that a letter had been sent previously regarding this however no response had yet been received.

Councillor Nick Draper stated how grateful he was to officers for all their hard work, and this was agreed by the Committee.

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Exempt Minute - Item 5

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of the Local Government Act 1972.

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## **Committee: Joint Regulatory Service Committee**

**Date: 10 October 2017**

Wards:

### **Subject: Discretionary Fees and Charges (Merton)**

Lead officer: Chris Lee, Director for Environment & Regeneration

Lead member: Cllr Ross Garrod, Cabinet Member for Street Cleanliness and Parking (LB Merton); Cllr Nick Draper, Cabinet Member for Community and Culture (LB Merton), Cllr Pamela Fleming, Strategic Cabinet Member for Environment, Business and Community (LB Richmond - Chair); Cllr Rita Palmer (LB Richmond)

Contact officer: Paul Foster, Head of the Regulatory Services Partnership

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#### **1. RECOMMENDATIONS:**

- 1.1 To review and advise on the Merton Regulatory Service fees & charges which will apply from 1 April 2018 as set out in Appendix A

#### **2 PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 2.1. This report outlines the proposed discretionary fees and charges for Merton Council in 2018/19

#### **3 DETAILS**

- 3.1. Council policy requires an annual review of discretionary charges. In proposing these charges officers and Members must consider:
- Whether there are any statutory or legal requirements that may affect the setting of fees
  - Any service/ community plan objectives directly related to the fees
  - Current market conditions i.e. competitor and/ or comparator prices
  - Impact of changes on the user group
- 3.2. Fees and charges are set in order that the Council can recover the full cost of providing the service. The exception to this would be those areas where it is a policy to provide subsidised services or where there is specific central government guidance.
- 3.3. A summary of all the proposed discretionary fees and charges for Merton Council is shown in Appendix A. For the last three years, fees and charges have remained unchanged. For this reason, it is proposed to increase many of the charges by 5% (rounded up or down as appropriate). This takes account of inflation (as measured by the Retail Price Index) over the last three years and also the increased cost of providing the service.
- 3.4. This report is limited to an exploration of Merton's fees & charges because Richmond's fees are due to be set in February and Wandsworth has already set its fees and charges (min 3.5%). It should be noted that each borough

has differing fees and charges that reflect their own local costs of providing the service.

#### **4 ALTERNATIVE OPTIONS**

- 4.1. Fees and charges could remain at the same level as they currently are but the Council would not be able to recover the full cost of providing the service.

#### **5 CONSULTATION UNDERTAKEN OR PROPOSED**

- 5.1. Fees within the Regulatory Services Partnership (RSP) are agreed by the RSP Board and are reviewed by the Joint Regulatory Service Committee.

#### **6 TIMETABLE**

- 7 It is proposed that the revised fees & charges which will apply from 1 April 2018.

#### **8 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS**

- 8.1. The Regulatory Services Partnership is involved in the delivery of a wide range of regulatory functions and the ability to charge for some of these services has always been a key source of funding that supports the cost of providing the service.
- 8.2. The licensing income budget was £256,290 in 2016/17 and has been increased to £268,790 to reflect the increased income likely to be generated by the proposals in this report. This represents a 5% increase overall.
- 8.3. Maximising income generation from discretionary sources forms a key part of the Council's budget reduction programme and Medium Term Financial Strategy. The charges set out in this report will be used in drawing up the revenue budget for 2018/19.

#### **9 LEGAL AND STATUTORY IMPLICATIONS**

- 9.1. Councils have discretionary powers to charge for some services and the fees and charges included in this report fall within the legal framework for charging

#### **10 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**

- 10.1. The proposals in this report do not include any change to the Council's charging policies and no adverse impact on any particular groups of people has been identified.

#### **11 CRIME AND DISORDER IMPLICATIONS**

- 11.1. None identified

#### **12 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS**

- 12.1. None identified

#### **13 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT**

- Appendix A – list of existing and proposed fees and charges

#### **14 BACKGROUND PAPERS**

## APPENDIX A

### Regulatory Services Partnership Fees and Charges for Merton 2018/19

Service	2017/18 Total Charge	2018/19 Proposed Application Charge	2018/19 Proposed Enforcement and Compliance Charge	2018/19 Proposed Total Charge	Additional Information
<b>Street Trading</b>					
<b>Forecourt, Tables and Chairs Licence</b>					
New Application up to 1 sq. m	153.00	97.00	64.00	161.00	
New Application over 1 sq. m up to 6 sq. m	628.00	395.00	265.00	660.00	
New Application over 6 sq. m up to 12 sq. m	917.00	578.00	385.00	963.00	
New Application over 12 sq. m up to 18 sq. m	1,206.00	761.00	506.00	1,267.00	
New Application over 18 sq. m	1,785.00	1,125.00	750.00	1,875.00	
Renewal Application up to 1 sq. m	128.00	81.00	54.00	135.00	
Renewal Application over 1 sq. m up to 6 sq. m	603.00	381.00	253.00	634.00	
Renewal Application over 6 sq. m	892.00	563.00	374.00	937.00	

up to 12 sq. m					
Renewal Application over 12 sq. m up to 18 sq. m	1,181.00	744.00	466.00	1,240.00	
Renewal Application over 18 sq. m	1,760.00	1,109.00	739.00	1,848.00	
Variation to an Existing Licence Application up to 1 sq. m	178.00	113.00	74.00	187.00	
Variation to an Existing Licence Application over 1 sq. m up to 6 sq. m	653.00	412.00	274.00	686.00	
Variation to an Existing Licence Application over 6 sq. m up to 12 sq. m	942.00	594.00	396.00	990.00	
Variation to an Existing Licence Application over 12 sq. m up to 18 sq. m	1,231.00	776.00	517.00	1,293.00	
Variation to an Existing Licence Application over 18 sq. m	1,810.00	1,141.00	760.00	1,901.00	
Temporary Monthly Licence for Forecourt, Tables and Chairs (where full application has been submitted). Up to 1 sq. m.	8.50			9.00	

Temporary Monthly Licence for Forecourt, Tables and Chairs (where full application has been submitted). Over 1 sq. m up to 6 sq. m.	48.00			51.00	
Temporary Monthly Licence for Forecourt, Tables and Chairs (where full application has been submitted). Over 6 sq. m up to 12 sq. m.	72.00			76.00	
Temporary Monthly Licence for Forecourt, Tables and Chairs (where full application has been submitted). Over 12 sq. m up to 18 sq. m.	96.00			101.00	
Temporary Monthly Licence for Forecourt, Tables and Chairs (where full application has been submitted). Over 18 sq. m.	145.00			153.00	
<b>Iterant Traders (remote pitch not a market stall)</b>					

Remote Pitch (Iterant trader) (not a market)	1,320.00	832.00	554.00	1,386.00	
<b>Markets</b>					
Market Trading Registration Fee	25.00			27.00	
Regular Market Pitch (fee per day)	12.00			13.00	
Casual Market Pitch (fee per day)	20.00			21.00	
Specialist Market Fee (minimum of ten stalls/pitches for up to 4 days or part thereof.	5.15			6.00	
<b>Massage and Special Treatment Fees</b>					
New premises and renewal (small) up to 3 Therapists	325.00	206.00	136.00	342.00	
New premises and renewal (large) between 4 and 10 Therapists	400.00	252.00	168.00	420.00	
New premises and renewal with 11 Therapists and above	400.00 plus 51.00 per additional therapists	252.00 plus 33.00 per additional therapists	168.00 plus 21.00 per additional therapists	420.00 plus 54.00 per additional therapists	
Additional fee for light and electric treatments.	30.00	20.00	12.00	32.00	
Additional fee for tattooing	66.00	42.00	28.00	70.00	

and body piercing.					
Transfer of an existing licence	25% of the equivalent current premises fee – minimum fee £120.00	77.00	50.00	25% of the equivalent current premises fee – minimum fee £127.00	
Application to vary an existing licence	66.00	42.00	28.00	70.00	
Alteration to premises or facilities.	84.00	54.00	35.00	89.00	
Alteration to permitted hours of operation.	42.00	27.00	18.00	45.00	
<b>Animal Licensing</b>					
Animal boarding establishments	351.00	222.00	147.00	369.00	
Dog sitting	172.00	109.00	72.00	181.00	
Dog breeding establishments	236.00	149.00	99.00	248.00	
Dangerous wild animals (new)	405.00	256.00	170.00	426.00	
Dangerous wild animals (renewal)	236.00	149.00	99.00	248.00	
Pet shop	195.00	123.00	82.00	205.00	
Riding establishments (new)	692.00	437.00	290.00	727.00	
Riding establishments (renewal)	402.00	254.00	169.00	423.00	
Keeping performing	123.00	78.00	52.00	130.00	

animals					
Dean city farm (renewal)	42.00			45.00	
<b>Sex Establishments</b>					
Sex establishments	28,575.00	18,003.00	12,001.00	30,004.00	
<b>Scrap Metal</b>					
Scrap metal dealer (site)	377.00	234.00	162.00	396.00	
Scrap metal collector	203.00	146.00	96.00	242.00	