

# Report

## Cabinet Member for Regulatory Functions

---

### Part 1

**Date** 20 September 2016

**Item** 01

**Subject** **Public Protection: Environmental Health Fees and Charges 2016-2017**

**Purpose** To seek the approval of the Cabinet Member on a number of fees and charges to be levied in respect of various services provided by Environmental Health for the remainder of 2016-2017.

**Author** Environmental Health Manager

**Ward** All

**Summary** Internal Audit recommended that all fees and charges be re-calculated to ensure that they continued to be appropriate and a number now require adjustment. In addition some fee levels were altered by external agencies after the Council-wide fees and charges report was approved for 2016-2017 and this report seeks approval of those amended fees and charges. Where appropriate, fees and charges approved by this report take precedence over those approved by the Council-wide fees and charges report for 2016-2017.

**Proposal** To agree the fees and charges set out in the Appendix to this report.

**Action by** Head of Law and Regulation

**Timetable** Immediate

This report was prepared after consultation with:

- Head of Law and Regulation
- Head of Finance
- Public Protection Manager
- Principal Environmental Health Officers (team leaders)

**Signed**

## 1. Background

- 1.1 The fees and charges levied for a number of activities provided by Environmental Health have been reviewed so as to ensure full cost recovery for the services provided but also to ensure that a surplus is not generated, as required by legislation.
- 1.2 Internal Audit has recommended that all of the approved fees and charges for Environmental Health are reviewed and some now require adjustment.
- 1.3 In addition some agencies external to the Council have recommended fees and charges after the Council-wide fees and charges report for 2016-2017 was approved. Therefore some fees and charges require approval at this stage.
- 1.4 Where appropriate, fees and charges approved by this report will take precedence over those previously approved. All other fees and charges remain as approved.
- 1.5 Hourly rates for officers that include all 'on-costs' and indirect costs have also recently been agreed by Finance and approval of those is sought. These are also included in the Appendix and will be used for **individual case** cost recovery charges, that are purely based on officer time used on that particular case, for example charging for officer time spent on supervising the destruction of unfit food following a Court Order.

## 2 Proposed Fees & Charges Financial Summary

- 2.1 The Appendix outlines the proposed fees and charges for the services mentioned.
- 2.2 The changes to these fees will have very little impact on overall Environmental Health income during the year, possibly resulting in a very small overall increase of no more than £1000.

## 3. Risks

<b>Risk</b>	<b>Impact of Risk if it occurs* (H/M/L)</b>	<b>Probability of risk occurring (H/M/L)</b>	<b>What is the Council doing or what has it done to avoid the risk or reduce its effect</b>	<b>Who is responsible for dealing with the risk?</b>
Risk of not making charges	H	L	Planning to make appropriate charges to ensure that budgets we have are used as effectively as possible	Environmental Health Manager
Risk of a customer appealing the basis of the amount of our charges	L	L	Proposed charges have been calculated carefully to ensure that they are reasonable and no "profit" is made	Environmental Health Manager

\* Taking account of proposed mitigation measures

## 4. Links to Council Policies and Priorities

Ensuring that this work is completed as required will support the following Council Policies and Strategies:

- Newport City Council's Corporate Plan "Standing Up for Newport" 2012-2017 (Relevant priorities: "A Working City" "A Safer City" "A Healthier City").
- The Wellbeing of Future Generations (Wales) Act, which is about improving the social, economic, environmental and cultural wellbeing of Wales, and places a duty on public bodies to improve wellbeing in accordance with the sustainable development principle.

## **5. Options Available**

### **Option1**

That the Fees and Charges, and the Officer hourly rates set out in the Appendix are approved. This will allow the correct charges to be made for services and will ensure that income is maximised.

### **Option 2**

That the Fees and Charges, and the Officer hourly rates set out in the Appendix are not approved. This will leave the Council open to challenge and/or unable to make appropriate charges to maximise income to offset the cost of providing services.

## **6. Preferred Option and Why**

### **Option 1 above**

Approval of the Fees and Charges and the Officer hourly rates set out in the Appendix in order that the correct charges can be made for services

### **Comments of Chief Financial Officer**

The amendment of the fees and charges stated within the report is following recommendations from both Internal Audit and external agencies and will allow full cost recovery and income to be maximised where applicable. It is expected that there will be no impact on the Medium Term Financial Plan going forward as the various changes to the proposed fees will make little difference to the income generation within the service.

### **Comments of Monitoring Officer**

The proposed action is in accordance with the Council's statutory powers to set fees and charges for a range of regulatory functions, based on cost-recovery. The proposed level of fees and charges is considered to be reasonable having regard to the nature of the work and the total costs to the Council of carrying out the work. In accordance with good practice and audit requirements, the costs of the service have been reviewed and, where appropriate, some fees have been reduced to reflect the actual staffing and on-costs incurred. Other charges have been increased, in accordance with recommendations from external agencies. Therefore, these revised charges should not have any significant impact on the current year's income and budget targets.

### **Staffing Implications: Comments of Head of People and Business Change**

There are no direct staffing implications contained within this report, the revised hourly rates for Officers is the external charge and does not alter their internal substantive grade.

Services provided by Environmental Health support the requirements of the Wellbeing of Future Generations Act, by improving the social, economic, environmental and cultural wellbeing of the city. The services also contribute to the priorities within the Single Integrated Plan, notably the Safe and Cohesive Communities theme and Health and Wellbeing theme. It is therefore crucial that these services are maintained and delivered as required.

### **Equalities Impact Assessment N/A**

### **Consultation N/A**

Dated: 20 September 2016

## Appendix

### Fees and Charges 2016/2017:

Service Description	Current Charge	Proposed Charge	Note
Food Hygiene Rating Scheme – Rescore Fee	£150	£160	As recommended by the Wales Heads of Environmental Health Group – Food Safety Expert Panel
Export Health Certificate (Food Safety)	£127 per certificate  £83 per visit for up to three certificates plus £43 for each additional certificate	£104 per certificate	
Port Health - Contribution from Cardiff Council (Precept Charge)	Not previously set	£4,819	
Ship Sanitation Certificate	As recommended by the Association of Port Health Authorities to local authorities	<b>Gross Tonnage:</b> Up to 1,000: £80 1,001 – 3,000: £115 3,001 – 10,000: £175 10,001 – 20,000: £230 20,001 – 30,000: £295 Over 30,000: £350 <b>With the exception of:</b> - Vessels with the capacity to carry between 50 and 1000 persons: £350 - Vessels with the capacity to carry more than 1000 persons: £600 Issuance of Extension Certificates: £50 <b>Extra charges</b> , based on actual costs, may be added for exceptional costs such as launch hire, out-of-hours duty, travel and re-inspections of ships subject to control measures.	As recommended by the Association of Port Health Authorities to local authorities and already advised to shipping agencies by APHA
Port Health Water Sampling	Drinking water microbiological (first sample): £52 (plus VAT) Drinking water microbiological (each subsequent sample): £23 (plus VAT) Legionella water sample (first sample): £69 (plus VAT) Legionella water sample (each subsequent	Drinking water microbiological (first sample): £87.95 (plus VAT) Drinking water microbiological (each subsequent sample): £61.95 (plus VAT) Legionella water sample (first sample): £104.33 (plus VAT) Legionella water sample	

Service Description	Current Charge	Proposed Charge	Note
	sample): £37 (plus VAT)	(each subsequent sample): £78.33 (plus VAT)	
Ear Piercing, Acupuncture, Electrolysis & Tattooing Registration	Reviewed	Premises: £88  Practitioners: £88  Replacement Certificates: £22	
Land Searches/Information Requests (other than those under the Local Land Charges Act – CON 29 Searches)	Reviewed	£52 for the first hour plus £52 per each additional hour or part thereof.	
Private Water Supplies	Risk Assessment (each assessment): £125  Sampling (each visit): £80 Investigation (each investigation): N/A (proposed new charge Granting an authorisation (each authorisation): £100* Analysing a sample: <ul style="list-style-type: none"> <li>▪ taken under regulation 10: £25*</li> <li>▪ taken during check monitoring: £100*</li> <li>▪ taken during audit monitoring: £500*</li> </ul> * Maximum fee set by regulations	Risk Assessment (each assessment): £156 for up to 3 hours plus £52 for each additional hour or part thereof, up to a maximum of £500* Sampling (each visit): £100* Investigation (each investigation): £100* plus the analysis cost Granting an authorisation (each authorisation): £100* Analysing a sample: <ul style="list-style-type: none"> <li>▪ taken under regulation 10: £25*</li> <li>▪ taken during check monitoring: Analysis cost up to £100*</li> <li>▪ taken during audit monitoring: Analysis cost up to £500*</li> </ul> * Maximum fee set by regulations	
UK Entrance Clearance – Residential Premises Inspection	£127	£165	
Housing Act 2004 – Notice Fees	£385  Each additional notice charged at 35%	£385  £52 per each additional identical notice served on another recipient at the same time	
Works in Default – Administration Fee	Fee charged by the contractor (ex. VAT) plus 20%  *Fee charged by contractor	Fee charged by the contractor (ex. VAT) plus: <ul style="list-style-type: none"> <li>▪ 20% for fees up to £1,000</li> <li>▪ 10% for fees £1,001+</li> </ul> *Fee charged by contractor plus “officer time” charge (up to a max. of the above charge) where EH Manager agrees defaulter has special circumstances.	

<b>Service Description</b>	<b>Current Charge</b>	<b>Proposed Charge</b>	<b>Note</b>
	plus "officer time" charge (up to a max. of the above charge) where EH Manager agrees defaulter has special circumstances.		

**Officer Hourly Rates recommended by Finance 2016/17**

<b>Post Title</b>	<b>Grade</b>	<b>Hourly Rate</b>
Principal Environmental Health Officer/Principal Trading Standards Officer/Trading Standards Team Leader/Licensing Manager	10	£56
Environmental Health Officer/Senior Scientific Officer/Trading Standards Officer/Financial Investigator/Senior Licensing Officer	9	£52
Senior Technical Officer/Food Safety Officer/Pollution Control Officer/Fair Trading Officer/Senior Animal Health Inspector/Licensing Officer	7	£47
Admin Officer	3	£34