

CABINET MEMBER FOR SAFE AND ATTRACTIVE NEIGHBOURHOODS

**Venue: Town Hall, Moorgate
Street, Rotherham.**

Date: Monday, 23rd April, 2012

Time: 10.00 a.m.

A G E N D A

1. To determine if the following matters are to be considered under the categories suggested, in accordance with the Local Government Act 1972 (as amended March 2006).
2. To determine any item which the Chairman is of the opinion should be considered later in the agenda as a matter of urgency.
3. Minutes of meeting held on 5th March, 2012
(see Minute Book dated 18th April, pages 43J-47J)
4. Fees and Charges 2012-13 Community Protection Services (Pages 1 - 8)
5. Neighbourhoods General Fund Revenue Budget Monitoring 2012-13 (Pages 9 - 12)
6. Exclusion of the Press and Public
Resolved:- That, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in those paragraphs, indicated below, of Part I of Schedule 12A to the Local Government Act 1972.
7. Three Year Housing Investment Programme (HIP) 2012-13 2014-15 (Pages 13 - 24)
(Exempt under Paragraph 3 of the Act – information relating to the financial or business affairs of any particular person (including the Council))
8. Restructure of the Trading Standards Team (Pages 25 - 32)
(Exempt under Paragraph 4 of the Act – information relating to any consultations or negotiations in connection with any labour relations matter)
9. Future Use of Garage Sites at Hirst Drive, East Herringthorpe and Winterhill Road, Richmond Park (Pages 33 - 39)
(Exempt under Paragraph 3 of the Act – information relating to the financial or business affairs of any particular person (including the Council))

ROTHERHAM BOROUGH COUNCIL – REPORT TO CABINET MEMBER

1.	Meeting:	Cabinet Member for Safe and Attractive Neighbourhoods
2.	Date:	23rd April 2012
3.	Title:	Fees & Charges 2012/13 – Community Protection Services including Pest and Dog Control
4.	Directorate:	Neighbourhoods and Adult Services Environment & Development Services

5. Summary

This report proposes the 2012/13 fees and charges for Community Protection Services including those involved in Housing and Environmental Protection enforcement. In addition the report covers the fees and charges associated with the Pest Control & Stray Dog services which, from the 1st April 2012, transferred from Housing & Neighbourhood Services to the management of EDS Streetpride.

The level of fee and charges recommended in the report reflect corporate guidance regarding any required increase, market pricing and also nationally prescribed fee levels.

6. Recommendations

It is recommended that the Cabinet Member approves the proposed fees and charges for 2012/13 scheduled within the report.

7. Proposals and Details

Legislation provides powers of discretion for local authorities to make charges for specific services. This report proposes the level for the 2011/12 fees for services where charges are currently made across Housing and Neighbourhoods Services. A further report will be submitted to the Licensing Committee on licensing activities falling within that Committee's terms of reference.

Section 93 of the Local Government Act 2003 provides powers for local authorities in England to make charges for discretionary services, providing income from the charges does not exceed the service cost.

Proposals are as follows:

Houses in Multiple Occupation

Fees for the mandatory licensing of Houses in Multiple Occupation (HMO) were established in June 2006. There are over 200 HMOs in the Borough. However, the law does not impose mandatory licensing to all such premises, as there are a number of exceptions.

A fee is payable to the Local Authority in respect of licenses for houses in multiple occupation once every five years. Owing to the limited numbers of mandatory licensable premises in Rotherham, it has not been anticipated that this would amount to a substantial income. The Government have suggested in guidance that the minimum fee is £350. Officers have studied current guidance on the setting of fees and comparative fees in neighbouring Councils. The proposals are to increase the current fees in line with current rate of inflation which is around 5%. This level maintains fees in line with the majority of our sub regional Councils. Despite the fee level being set it should be noted that there will be little effect on overall income due to the limited number of premises that this fee is applicable to.

Pollution control

The Environmental Protection Act 1990 and Pollution Prevention and Control Act 1999 provide for the setting of fees and charges for Local Air Pollution Control (LAPC), Local Air - Integrated Pollution Prevention and Control (LA-IPPC), and Local Air Pollution Prevention and Control (LAPPC) at levels that will recover costs of local authorities of implementing the system.

Fees for EPA Part A2 and Part B processes are set in accordance with statutorily prescribed DEFRA guidance and national fees. This national approach ensures a consistency of fees and charges to business across the country.

In recognition of the economic climate nationally there has been an across the board freeze on these fees and charges.

In Rotherham over the past twelve months income generated from such permitted premises has reduced as a consequence of a number of businesses closing. There remains the risk that further businesses will be affected during the coming year and as a result there will be a further reduction in income generated.

During 2011/12 the budgetary income target has been revised to reflect the reality of process numbers within the Borough with, for 2012/13, an additional £4,000 with respect to these charges being further built into the budget requirements. This

additional £4,000 can be achieved so long as the current numbers of processes continue to operate in the Borough.

Pest Control

The current level of Pest Control fees have been compared to those fees set by other Local Authorities and by operators in the private sector during the current value for money exercise. Pest Control fees in Rotherham are in the upper quartile of Local Authority charges, but remain below the charges made by private enterprise.

Private Sector companies and many other Local Authorities, including Sheffield City Council charge the public for rat treatments. Rotherham's Pest Control service offers free treatment for rats to all residents of the borough.

Fees are charged for the domestic treatments of pests ranging from Public Health pests such as mice and cockroaches, through to nuisance pests such as wasps and ants. The Pest Control team also provide service to businesses in the form of contracts or one off service provision. These fees are set in accordance with the hourly rate fee levels.

Pest Control fees and charges are being increased to achieve a 5% increase in income compared to the budgetary income target set for 2010/11. This is in order to close some of the gap between generated income and budget, whilst also maintaining the Council's competitive pricing position.

During 2011/12 the budgetary income targets will not be achieved, however, given the increases recommended within this report and the full recruitment of the complement of Pest Control Operatives (currently 2 posts being vacant) it can be anticipated that the income target of £145,425 for 2012/13 will be achieved.

The service from the 1st April 2012 transferred from Housing & Neighbourhood Services to EDS Streetpride and consequently the proposed new charging levels reflect joint discussion and agreement between the two departments.

Stray Dog Fees

The service, as with Pest Control above, transferred from the 1st April 2012 to Streetpride.

The responsibility for stray dogs during office hours and out of hours lies with local authorities. Section 68 of the Clean Neighbourhoods and Environment Act 2005 transferred the out of hours responsibility for stray dogs from the police to local authorities.

Rotherham's current fees have been compared to the fees of other local authorities, there are some significant differences between the charging schemes at the various neighbouring authorities but, for the purposes of setting the charging scheme, the total fee charged has been used to enable a relatively easy comparison. The fees Rotherham charge are in the upper quartile in comparison with authorities contacted.

It is recommended that for 2012/13 a level linked to current inflation levels ie c. 5% is used. Overall for a dog that is recovered after 1 day of collection will require the owner to pay £55. This is made up of the following elements;

Statutory Charge	£25.00 (prescribed by regulation)
Handling Charge	£21.50
Dog per day	£8.50

The fee for example a dog collected the same day as seizure would attract a fee of £55 then £63.50 and so on for every day up to 7 days. If the person is on benefits a £15.00 reduction is applied. After the 7 day period and a dog has not been claimed by the owner they become the property of the Council and re-homed through the contracted kennels and local animal sanctuaries / charities.

Unfortunately less than 40% of the dogs that are seized are reclaimed by their owners. This is sometimes due to the cost of recovering the dog, even when they have been found. Therefore although the fees seem low in comparison to the cost of providing the service, fewer dogs would be returned to owners if the Council sought to recover the full initial cost.

In addition an increase in fees that would deter owners from reclaiming their dogs would also increase pressure on re-homing charities and further widen who would reluctantly need to turn away dogs we need to re-home and we would therefore be required to destroy more animals, with the potentially negative publicity that move would receive.

Despite the above challenges, the required income target of £2,706 for 2011/12 has been exceeded and, therefore, has allowed, from the Corporate Income Review, the opportunity to increase the services' income requirement for 2012/13 to £5,000. This increase reflects a corporate required 1% increase plus £2,267 and the proposed fees within this report will enable the new target to be met.

A full schedule of the proposed 2012/13 fees and charges is attached to this report as Appendix A.

8. Finance

Proposed fees and charges for 2011/12 meet established requirements for the setting of revenue budgets. Corporately a 1% increase has been built into the 2012/13 budget planning and, in exceeding this level, its viewed that the increases proposed are in line with current inflation levels (5%) and will help reduce the gap that has arisen in former years between actual and budgeted income across the services.

9. Risks and Uncertainties

The council may only set fees at levels that enable it to cover the costs incurred in providing the service. The new Localism Act 2011, however, will give additional scope for Councils to raise money by charging and trading in line with existing powers.

In addition, the level of fees and charges place a burden on local businesses and may, if set at unreasonably high level, impede economic growth and/or become subject to challenge. In the event that income budgets are not achieved, it will be necessary for services to make compensatory savings.

10. Policy and Performance Agenda Implications

The services contribute to the Corporate Plan's objectives of;

- Helping to create safe and healthy communities, and
- Improving the environment

In particular the services helps support the protection of healthy homes and neighbourhood health and contribute in ensuring people feel safe where they live, particularly that Anti-Social behaviour and crime is reduced.

Dealing with issues related to contaminated land has clear linkages to the seven outcomes of the Outcomes Framework for Social Care, and importantly includes:

- Improved Health and Emotional Well-being, by promoting and facilitating the health and emotional well-being of people who use the services
- Improving the Quality of Life, and
- Freedom from Discrimination or Harassment

11. Background Papers and Consultation

Fees & Charges 2011/12
Revenue Cost Centre Reports
Service Benchmarking reports

Contact Name: Mark Ford, Safer Neighbourhoods Manager
Telephone: 8254951
Email: dave.richmond@rotherham.gov.uk

APPENDIX A

Proposed Fees and Charges 2012/13 (excluding VAT)

<u>Service</u>	<u>2011/12(£)</u>	<u>2012/13 (£)</u>
HOUSES IN MULTIPLE OCCUPATION		
First Application	720	756
Subsequent Applications	500	525
HOUSING ACT – Legal Notices		
Charge for the service of Enforcement Notices under the Housing Act 2004 re; - Improvement and Suspended Improvement Notices (sections 11, 12 and 14). - Prohibition and Suspended Prohibition Orders (sections 20, 21 and 23). - Emergency Remedial action (section 40). - Emergency Prohibition orders (section 43) and Housing Act 1985 (section 265) Demolition Orders	£400 - illustrative Charge levied per notice is variable dependant on case specifics, including but not exclusively; - Officer time for preparation of notice - Personal circumstances of the recipient The charge must be “reasonable” & may be appealed against	£400 - illustrative Charge levied per notice is variable dependant on case specifics, including but not exclusively; - Officer time for preparation of notice - Personal circumstances of the recipient The charge must be “reasonable” & may be appealed against
PEST CONTROL		
Domestic Treatments (all prices are subject to VAT)		
Rats	Free	
Mice (up to 3 visits)	61	64
(any subsequent requested mouse visit)	16	17
Insects excluding cockroaches	61	64
All other treatments including cockroaches (per hour)	61	64
Out of hours fixed fee: Evenings and Saturday Sunday & Bank Holiday	66 77	70 80.85
Commercial premises (all prices are per hour and subject to VAT and materials costs)		
All treatments and proofing	61/hr	64/hr
Out of hours fixed fee: Evenings and Saturday Sunday & Bank Holiday	92/hr 119/hr	95/hr 120/hr
Other charges (Single fees)		
Call out fee paid for visit where treatment cancelled by customer	45	46
Client Missed Appointment	55	56
Surveyors charge	61	64
Self-Help Ant Spray	15	18
Treatment Penalty (For further treatments where repairs have been reported and repairs not done – in lieu of legal proceedings)	155	160

Service	2011/12(£)	2012/13 (£)
STRAY DOGS		
Statutory Fee	25	25
Handling Charge	20	21.50
Kennelling Dog per day	8	8.50
POLLUTION CONTROL – ENVIRONMENTAL PROTECTION ACT PROCESSES		
Application Fee		
Standard process	1579	1579
Additional fee for operating without a permit	1137	1137
PVR I, SWOBs and Dry Cleaners Reduced fee activities	148	148
PVR I & II Combined	246	246
Vehicle Refinishers (VRs)	346	346
Reduced fee activities additional fee for operating without a permit	68	68
Mobile screening and crushing plant	1579	1579
for the third to seventh applications	943	943
for the eighth and subsequent applications	477	477
- Where an application for any of the above is for a combined Part B and waste application, add an extra £297 to the above amounts - Reduced fee activities are: service stations, vehicle refinishers, Dry Cleaners and small Waste Oil Burners under 0.4MW		
Annual Subsistence Charge		
Standard process LOW	739 (+99)*	739 (+99)*
Standard process MEDIUM	1111(+149)*	1111(+149)*
Standard process HIGH	1672 (+198)*	1672 (+198)*
Reduced fee activities Low/Medium/High	76 151 227	76 151 227
PVR I & II Combined Medium Component	108 216 326	108 216 326
Vehicle Refinishers Low/Medium/High	218 349 524	218 349 524
Odourising of natural gas Low/Medium/High	76 151 227	76 151 227
Mobile screening and crushing plant Low/Medium/High	618 989 1484	618 989 1484
for the third to seventh authorisations Low/Medium/High	368 590 884	368 590 884
for the eighth and subsequent authorisations Low/Medium/High	189 302 453	189 302 453
Late Payment Fee	50	50
* the additional amounts in brackets must be charged where a permit is for a combined Part B and waste installation Where a Part B installation is subject to reporting under the E-PRTR Regulation, add an extra £99 to the above amounts		
Transfer and Surrender		
Standard process transfer	162	162
Standard process partial transfer	476	476

Service	2011/12(£)	2012/13 (£)
New operator at low risk reduced fee activity	75	75
Surrender: all Part B activities	0	0
Reduced fee activities*: transfer	0	0
Reduced fee activities*: partial transfer	45	45
Temporary Transfer for Mobiles		
First Transfer	51	51
Repeat Transfer	10	
Repeat Following enforcement or warning	51	51
Substantial change s10 and s11		
Standard process	1005	1005
Standard process where the substantial change results in a new PPC activity	1579	1579
Reduced fee activities*	98	98
* Reduced fee activities are:- Service Stations, Vehicle Refinishers, Dry Cleaners and Small Waste Oil Burners under 0.4MW		
Part A2		
Application	3218	3218
Additional fee for operating without a permit	1137	1137
Annual Subsistence LOW	1384	1384
Annual Subsistence MEDIUM	1541	1541
Annual Subsistence HIGH	2233	2233
Late Payment Fee		50
Substantial Variation	1309	1309
Transfer	225	225
Partial Transfer	668	668
Surrender	668	668

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	Cabinet Member for Safe and Attractive Neighbourhoods
2.	Date:	Monday 23 April 2012
3.	Title:	Neighbourhoods General Fund Revenue Budget Monitoring 2012/13
4.	Directorate:	Neighbourhoods and Adult Social Services

5. Summary

This report details the projected year end outturn position for the Neighbourhoods department within the Neighbourhoods & Adult Services Directorate compared to the approved Net Revenue Budget of £3.28m. **The latest forecast shows a projected underspend of (£370k) by the end of March 2012.**

6. Recommendation

That the Cabinet Member receives and notes the latest financial projection based on income and expenditure to the end of February 2012.

7. Proposals and Details

7.1 The table below shows the summary forecast outturn position for the Directorate against the approved Net Revenue Budgets.

SERVICE AREA	Net Budget	Forecast Outturn to 31 st March 2012	Variance from Net Budget Deficit/ (Surplus)	% Variation to Net Budget
	£000's	£000's	£000's	%
Asylum	0	0	0	0
Housing Access	343	325	(18)	(5.25)
Housing Choices	243	149	(94)	(38.68)
Safer Neighbourhoods	2,070	1,893	(177)	(8.55)
Business Regulation	309	257	(52)	(16.83)
Neighbourhood Partnerships	276	254	(23)	(8.33)
Neighbourhood Investment	43	36	(7)	0
TOTALS	3,284	2,914	(370)	(11.27%)

All Service areas, with the exception of Asylum which is grant funded, are projecting underspends at year end. The main variations are summarised below:

7.2 Housing Access (£18k)

There are small projected underspends within Adaptations Service (£9k) and Housing Management & Admin (£10k) as a result of vacant posts. In addition there are (£2k) additional savings on other Housing Services due to moratorium on non essential spend. These are partially reduced by a small forecast shortfall of £1k on the Medical Mobility and Community Care budget due to the unmet vacancy factor on this small budget area and a small projected income shortfall of £2k on the Housing Mortgage cost centre due to reducing income from Mortgage Interest.

7.3 Housing Choices (£94k)

This Service Area is projecting an underspend within the Homelessness budget of (£31k) as a result of a post being held vacant since the post holder's secondment to another service area within Housing Choices and savings achieved within supplies & services.

In addition the Lighting of Staircases budget is projecting an underspend of (£63k), mainly as a result of a number of large refunds on utility bills relating to previous years and lower than anticipated costs in the current year.

7.4 Safer Neighbourhoods (£177k)

There is an overall forecast underspend within Community Protection of (£158k) due in part to vacant posts of (£50k) and savings as a result of controlled spending on supplies & services and additional income. This underspend also includes projected savings on transport costs as a direct result of efficiencies achieved due to the merger of Community Protection with the former Neighbourhood Wardens and Enviro-Crime costs centres. Additional underspends are projected within Community Safety (£13k), Domestic Violence (£4k), and Anti-Social Behaviour (£18k) mainly due to controlled spending on supplies & services due to the moratorium and vacant post being held due to restructure. There is a small surplus of (£2k) anticipated on Maintenance of Landfill sites as a result of savings on premises costs.

The Pest Control Service is currently facing a forecast income pressure of £30k from fees and charges, which is being closely monitored and is the main reason behind the overall projected £18k shortfall anticipated in this area.

7.5 Business Regulation (£52k)

Within Business Regulation there are forecast underspends in Health & Safety, Food & Drugs and Bereavement Services totalling (£113k) as a result of vacant posts, tight controls on supplies and services expenditure due to the council wide moratorium and increased fee income. These are offset by projected overspends on Animal Health £1k and Trading Standards of £51k mainly due to the services being unable to meet their vacancy management targets. Licensing budget is also forecasting a projected shortfall of £9k, mainly as a result of pressures on fee income, however this is being closely monitored and may reduce by the year end if additional income targets are achieved.

7.6 Neighbourhood Partnerships (£23k)

The Service is forecasting an underspend due to savings identified within supplies and savings and some small savings achieved due to Maternity Leave. These have offset pressures of meeting the vacancy management target plus additional external audit costs on the Local Ambition programme, leaving an overall (£23k) surplus.

7.7 Neighbourhood Investment (£7k)

The Registered Social Landlords cost centre is projecting a shortfall in income of £1k against budget as the number of landlords in the scheme has reduced in 2011/12. This is being offset by a surplus of (£8k) now being forecast within Neighbourhood Investment as a result of a vacant post.

A full review of the Neighbourhood Investment Team cost centre has been undertaken to ensure that sufficient funding is available to cover all costs incurred as no general fund budget is available for this service in 2011/12. The costs incurred are to be met by Growth/Housing Market Renewal Revenue Programme, New Build Council Housing and Homelessness funding (as a result of work undertaken by this team that links to the Homelessness service). It is anticipated that all costs will be met in this financial year for this service.

During the budget setting process for 2011/12 savings of £790k were identified in respect of Neighbourhood Wardens, Neighbourhood Partnerships, Food Inspection, and Trading Standards. These budget savings are on target to be achieved with the exception of Trading Standards where there are further budget pressures as highlighted above.

7.8 Agency & Consultancy

To date there is no spend on either Agency or Consultancy within Neighbourhoods General Fund Budgets.

7.9 Non-Contractual Overtime

Actual expenditure to the end of February 2012 on non-contractual overtime for Neighbourhood Services was £5,851, as follows:

Safer Neighbourhoods;	
Community Protection	£ 4,695 (includes Out of Hours Service)
Pest Control	£ 1,156

8. Finance

The financial implications for each service area have been outlined in Section 7 above.

9. Risks and Uncertainties

These forecasts are based on financial performance to the end of March 2012. The forecast outturn is dependent on delivery of the planned management actions being achieved and thus effective and tight financial management practices remain essential - monthly budget clinics are held with the Service Directors to facilitate this.

10. Policy and Performance Agenda Implications

The delivery of the Council's Revenue Budget within the limits determined in March 2011 is vital to achieving the Council's Policy agenda. Financial performance is a key element within the assessment of the Council's overall performance.

11. Background Papers and Consultation

- Cabinet February 2011 – Proposed Revenue Budget & Council Tax 2011/12
- The Council's Medium Term Financial Strategy (MTFS)
- Revenue Budget Monitoring Report – February 2012.

The content of this report has been discussed with the Director of Housing and Neighbourhoods and the Director of Finance.

Contact Name:

Mark Scarrott, Financial Services - Finance Manager (Neighbourhoods and Adult Services), Business Partnering, Extn 22007

Email: mark.scarrott@rotherham.gov.uk

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