

## ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	<b>Meeting:</b>	<b>Cabinet Member for Safe and Attractive Neighbourhoods</b>
2.	<b>Date:</b>	<b>21st March, 2011</b>
3.	<b>Title:</b>	<b>Fees and Charges 2011/12 - Housing and Neighbourhood Services</b>
4.	<b>Directorate:</b>	<b>Neighbourhoods and Adult Services</b>

### 5. Summary

This report proposes the 2011/12 fees and charges for Housing and Neighbourhood Services activities including animal health, food, health & safety, houses in multiple occupation, pest control, pollution control, stray dogs and weights and measures.

The level of fee and charges recommended in the report reflect both corporate guidance regarding any required increase and also nationally prescribed fee levels / guidance. The water fees are set in accordance with the charges set by the Health Protection Agency.

### 6. Recommendations

- **That Cabinet Member agrees the proposed fees and charges for 2011/12, as set out in this report and the attached Appendix A, with effect from 1st April 2011.**

## **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:

### **Animal Health**

The Council licences riding, animal boarding and breeding establishments, pet shops, dangerous wild animals and performing animals primarily to ensure animal welfare conditions are met. Regulation for some premises incorporates inspection undertaken by a veterinary surgeon, the costs of which are charged in addition to the licence fees. Increases of 3% are recommended for all chargeable services and applications – this is in line with current guidance from LG Regulation.

### **Bereavement Services**

Cabinet Member will be aware that the Bereavement Services Partnership commenced on 1st August 2008. The fees charged by Dignity Funerals Ltd for the bereavement services it provides are reviewed in April each year. This review is currently in progress, this involves the benchmarking of the proposed fees against those charged by comparable authorities within the region, and a comparison against the national average. A further report will follow once this exercise has been completed.

### **Food, Health & Safety**

The Council registers premises for activities such as ear piercing, electrolysis, tattooing and acupuncture primarily to check and maintain appropriate health & safety standards. Increases of 3% are recommended for all chargeable services and applications – again, this is in line with current guidance from LG Regulation.

The fees for the water samples are set to cover the fees charged by the Health Protection Agency.

### **Weights & Measures and prescribed poisons**

Fees are charged for the testing and stamping (verification) of weights and measures used for trade and the sale by retail of certain strong chemicals prescribed by legislation as poisons. Most (about 90%) of local authorities set fees in accordance with annual guidance from LG Regulation (formerly the Local Authorities Co-ordinators of Regulatory Services – LACORS), the remainder tend to have high local demand for verification and offer reduced rates.

LG Regulation recommend that the fee reflects the hourly cost based on the provision of a single weights and measure inspector. LG Regulation have calculated this fee based on

average salary levels, plus all necessary on-cost for the delivery of the service. Guidance is available that sets out the methodology used to calculate the amount to be recovered. An additional fee may be charged to cover the cost of hiring specialist equipment (such as the heavy test unit).

Fees for prescribed poisons are in line with guidance from LG Regulation.

### **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 fee to bring the fee in line with the majority of our sub regional Councils e.g. Doncaster increasing from £715 to £965, and Sheffield £500 to £720. Nevertheless such an increase will have little effect on overall income due to the limited number of premises that this fee is applicable to.

### **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 significantly 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.

## **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. There is a new charge introduced whereby a new late payment fee of £50 is chargeable on invoices that remain unpaid eight weeks after the issue date.

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.

It is not expected that the income generated from these statutory fees and charges will achieve the income target set within budgetary expectations.

## **Stray Dog Fees**

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. The service provides more than a statutory function to the public of Rotherham, it offers a valuable safeguard for people who inadvertently loose their dogs and are not necessarily neglecting them or being irresponsible.

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. For the purposes of the comparison the total fee charged was compared with those of other councils to enable a reasonable comparison. Comparatively, Rotherham's fees compare favourably with those charged by other local authorities.

Rotherham's overall cost of seizing and handling stray dogs (which includes staff, transport and kennelling costs) is approximately £167 per dog. In order to reduce the gap between the cost of service delivery and recovered income, fees are proposed to be raised by 7% overall.

Unfortunately less than 40% of the dogs that are seized are ever 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.

The proposed fee increase for a person to recover a stray dog from the Council contracted kennels will raise the first day fee from £49 to £53 made up of the following elements:

Standard Charge	£25.00	(statutorily prescribed)
Handling Charge	£20.00	
Dog per day	£8.00	

The fee for example a dog collected the same day as seizure would attract a fee of £53.00 then £61.00 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.

A full schedule of the proposed 2011/12 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 and are estimated to reduce the gap that has arisen in former years between actual and budgeted income. Where service take up and income is lower than anticipated compensatory savings will be made.

## **9. Risks and Uncertainties**

The Council may only set fees at levels that enable it to cover the costs incurred in providing the service.

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 provided reflect commitment to local priorities. In particular, the services contribute to the themes and priorities of "Rotherham Safe" and "Rotherham Achieving" and the cross cutting "Sustainable Development" theme.

## **11. Background Papers and Consultation**

### Background Papers

- LACORS Guidance Fee on verification costs 2011/12

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