

FOR PUBLICATION

ENVIRONMENTAL HEALTH FEES AND CHARGES 2016/17 (E000)

MEETING: 1. CABINET
2. CABINET MEMBER FOR HEALTH AND WELLBEING

DATE: 1. 9 FEBRUARY 2016
2. 25 JANUARY 2016

REPORT BY: SENIOR ENVIRONMENTAL HEALTH OFFICER

WARD: ALL

COMMUNITY ASSEMBLY: ALL

KEY DECISION REFERENCE 549

FOR PUBLICATION

BACKGROUND PAPERS FOR PUBLIC REPORTS: Preliminary Equalities Impact Assessment

1.0 **PURPOSE OF REPORT**

1.1 To ask Members to approve the fees and charges proposed for 2016/17, as outlined in Appendix A; that relate to various environmental health functions.

2.0 **RECOMMENDATIONS**

2.1 That Members approve the proposed fees and charges, including concessionary rates where applicable, as detailed in Appendix A, with effect from 1st April 2016.

2.2 That Members agree a full cost accounting/cost analysis is carried out of the Pest Control Service and Dog Service.

2.3 That the Senior Environmental Health Officer has discretion to offer reduced charges for micro-chipping of dogs at promotional events and campaigns associated with the mandatory chipping which comes

into effect on April 2016.

3.0 BACKGROUND

- 3.1 In accordance with the Council's Financial Regulations, it is necessary for all fees and charges to be reviewed annually.
- 3.2 General principles that govern the Council's approach to charging include:
- (a) To make a charge wherever non-statutory services benefit an identifiable group as opposed to the entire community.
 - (b) Fees and charges should aim to recover at least the full cost of the service except where:
 - I. there is an opportunity to maximise income; or
 - II. Members determine a reduction or subsidy should be made, for a specific reason.
 - (c) That where charges are reduced from full cost the reason for that reduction is reviewed periodically (at least annually) to ensure it remains valid.
 - (d) People on low income and/or suffering disadvantage through poverty or social exclusion may be charged less to ensure equal access.
- 3.3 The Cabinet Meeting held on 12th January 2016 approved the recommendations made by the 'Overview and Performance Scrutiny Forum'; of which it was resolved that 'concessions for bulky waste and pest control be reduced from 50% to 20%'.

4.0 SCOPE OF REVIEW

- 4.1 The services for which fees and charges are reviewed in this report are as follows:
- Pest Control – provision of advice and treatment at domestic and commercial premises.
 - Dog Control – seizure and kennelling of stray dogs and micro-chipping.

- Fixed penalty levels for antisocial and environmental crimes – where permitted the level of penalty to be offered in lieu of prosecution for the offence.

5.0 OUTLINE OF SERVICES

5.1 Pest Control

5.1.1 There is no statutory duty upon the Council to provide a pest control treatment service. However, the Council has a statutory duty to keep the borough free from rats and mice, principally on its own land. It also means we may use enforcement powers, provide advice and offer treatment services for the control of vermin. Pest control fees are subject to VAT. Fees across Derbyshire are shown in Appendix B.

5.1.2 The following table shows annual trends for domestic pest control requests for service.

Table 1 – numbers of pest control requests for service (domestic)

Black: standard (s)
 Red: concessionary (c)
 Blue: commercial (non-contracted work) (com)

	2011 - 2012	2012 - 2013	2013 – 2014	2014 - 2015	2015 - 2016
Rats	509 (s) 21 (com)	443 (s) 12 (com)	446 (s) 12 (com)	163 (s) 50 (c) 26 (com)	100 (s) 27 (c) 18 (com)
Mice	226 (s) 1 (com)	244 (s) 3 (com)	180 (s) 1 (com)	53 (s) 44 (c) 8 (com)	29 (s) 15 (c) 3 (com)
Wasps	503 (s) 137 (c) 1 (com)	137 (s) 58 (c) 13 (com)	160 (s) 58 (c) 21 (com)	226 (s) 57 (c) 22 (com)	149 (s) 47 (c) 20 (com)
Fleas	14 (s) 23 (c)	25 (s) 32 (c)	28 (s) 23 (c) 3 (com)	38 (s) 38 (c) 3 (com)	28 (s) 21 (c) 3 (com)
Bedbugs	9 (s) 1 (c)	2 (s) 1 (c)	3 (s) 3 (c)	4 (s) 3 (c) 1 (com)	6 (s) 2 (c) 2 (com)
Ants	10 (s)	17 (s)	9 (s)	12 (s)	6 (s)

	13 (c)	39 (c)	17 (c) 4 (com)	20 (c) 3 (com)	16 (c) 5 (com)
--	--------	--------	-------------------	-------------------	-------------------

- 5.1.3 Forecasted income for wasp treatments is highly dependent on the weather as well as market forces. Over the past three years, volumes have fluctuated between 200 and 400 requests for service. A conservative forecast is used.
- 5.1.4 In April 2014 we introduced a charge for treatment of pests posing a significant public health risk, namely rats, mice and cockroaches. We had assumed an overall 50% drop-off for the income forecast based on other authorities' experiences. Initially, there was an increase in the volume of "advice calls" for service.
- 5.1.5 Recently, half the customers requesting mice treatments claimed the concessionary rate, which is higher than previously. This could be an indication that the "full price" charges are deterring customers, or that these customers are happy to "shop around" for the best price or they are self-treating by purchasing their own bait.
- 5.1.6 There is concern amongst the profession that increasing the standard charges would encourage potential customers to seek a more competitive rate and/or self-treating. If the latter is not carried out in a correct manner, the pests, in particular vermin can become immune to future baits and treatment programmes.
- 5.1.7 The proposed changes are listed in Appendix A. It is proposed that we increase the charges for vermin (i.e. rats and mice), wasp treatments and cockroach treatments by £5 for standard rates, meaning that the concessionary rates would be 20% cheaper. Pest control fees for domestic customers are quoted including VAT. For ease of cash handling, the proposed concessionary charges have been rounded to the nearest £5.
- 5.1.8 We offer free telephone advice for all pests, however, we are often asked to visit properties and give on-site advice. Home visits are in particularly high demand during the summer months when residents have concerns about bees, wasps and unidentifiable pests. We propose adding this service to the schedule of fees and charges, set at £30 for standard rate and 20% reduction for concessionary rate.
- 5.1.9 It is estimated that the income for 2016-17 will be £17,000 with

potentially a further £3,000 from commercial work. The service costs about £40,000 per annum including all management and support costs; however, with the recent office move to Stonegravels (OSD site) and lean working it is proposed that the cost of the service is reviewed.

5.2 **Dog Control**

5.2.1 A stray dog is any dog which is running free in a public place without its owner being present. The law requires all local authorities to treat all unaccompanied dogs on public land as strays, regardless of whether they are wearing a collar and disc or have been microchipped. The Council must seize such dogs and if they cannot be returned immediately to their owner they must be taken to a kennelling facility where they are held for a mandatory period of 7 days. After the 7-day period, the dog legally becomes the property of the kennels and the kennels can either re-home the dog to a new owner, keep the dog at the kennels or, following veterinary advice, put the dog to sleep.

5.2.2 The following tables show trends for demand on the dog control service and the outcomes of how those dogs have been processed.

Table 2 – requests for service for lost and stray dogs

	2011 - 2012	2012 - 2013	2013 - 2014	2014 - 2015	2015 - 2016
Number of dogs reported as 'lost dogs'	130	126	95	107	52
Number of dogs found by resident	122	116	137	134	51
Number of stray dogs taken directly to kennel	12	20	29	23	2
Number of dogs picked by as stray by Dog Warden	14	4	6	24	19
Number of dogs collected from vet	3	5	8	7	4
Number of dogs collected from RSPCA	10	3	5	6	1

Stray dogs taken to kennels out of hours	110	97	107	93	56
--	-----	----	-----	----	----

Table 3 - how the stray dogs have been processed

	2011 - 2012	2012 - 2013	2013 - 2014	2014 - 2015	2015 - 2016
Number of dogs returned to legal owner	14	15	9	36	36
Number of owners that paid kennel costs	126	127	130	161	72
Reduced kennel costs (officer discretion)	12	8	2	-	1
Number of dogs donated to kennels (for re-homing)	102	89	64	68	14
Number of dogs kept by finder	8	7	1	7	3
Euthanasia	1	9	17	24	8

5.2.3 The levying of charges for the seizure and detention of a stray dog primarily reflects the costs we incur for kennelling that dog until it is claimed. The kennelling and out of hours reception service we are statutorily required to provide is contracted out (it should be noted that this is not a 24-hour reception). Before a stray dog is returned, its owner has to pay a fee that consists of 3 elements and the current charges for 2015/16 are as follows:

- Daily kennelling cost of £15.50 per day or part thereof
- Statutory fee of £25 (set in 1992)
- Administrative Fee of £10 per dog

Appendix C shows a comparison of stray dog and microchipping fees at other local authorities in Derbyshire.

- 5.2.4 We cannot profit from individuals who pay these charges. The kennel contract will be extended in April 2016 and there will not be an increase in the kennelling cost listed above; it is proposed that there will be an increase to the administrative fee (which contributes to transport costs, out of hours surcharges etc.) to £11 per dog. Despite escalating costs since 2008, it appears to have peaked during 2011/12 as our costs have reduced back to previous levels.
- 5.2.5 The Council may receive occasional requests from other authorities, such as the Police and Social Services, as well as Housing Services, to provide transportation to a kennelling facility for dogs coming into their possession. We recommend that the fee for providing this service be maintained at £50 an hour. We anticipate an income of £100 this year.
- 5.2.6 The Council offers a competitively priced micro-chipping service for dogs. As it provides a permanent means of identification we encourage dog owners to act responsibly by getting their pet micro-chipped and this can reduce the time officers spend dealing with stray dogs as well as assist with disputes over ownership. Anyone can provide a micro-chipping service though most people will use their veterinary surgeon and currently the Dogs Trust is funding free micro-chipping within surgeries in the run up to compulsory chipping in 2016. The main advantage of our service to customers is that it can be provided in the home. We therefore propose no change to the current fee of £16.00 including VAT. We also propose that the Senior Environmental Health Officer continues to have the discretion to offer a reduced rate at promotional events across the Borough.

5.3 Environmental Permitting

- 5.3.1 The Pollution Prevention and Control Regime (PPC) (or Permitting Regime) is a regulatory process for controlling pollution from certain industrial activities such as foundries, petrol stations, dry cleaners, concrete batching plants, vehicle re-sprayers and waste oil burners. Environmental Permits are issued under the Pollution Prevention and Control Act 1999 and the Environmental Permitting (England and Wales) Regulations 2013. The Environmental Permit specifies conditions which must be complied with to ensure that the process is operated satisfactorily.
- 5.3.2 When applying for an Environmental Permit the operator must pay an application fee. Once an Environmental Permit has been issued

Chesterfield Borough Council issue an annual charge (subsistence fee) to cover administration and inspection fees. DEFRA are responsible for setting all fees and charges and these are reviewed on an annual basis. The current fees are available in Appendix D.

5.3.3 It should be noted that there will potentially be a reduced income for the 2016/2017 period. This is due to changes in legislation and how 'small waste oil burners are regulated'. We currently have 6 businesses registered as having 'small waste oil burners' and each pay £76 per year. It is likely that the businesses will opt out of regulation by altering the fuels that they burn.

6.0 Fixed Penalty Levels

6.1 Whilst penalties should not be seen as "income" Cabinet maintains the discretion to vary them from the national default sum so it is convenient to do so here. Dog fouling has been set at the maximum permissible of £80, with other dog control offences set at £50. Litter was increased in 2013 to £60. Breach of a community protection notice has been set at £70. No changes are proposed until such time as the Cabinet proposes to adopt public space protection orders.

6.3 It is noted that the levels of fixed penalties issued fluctuates and this is in part due to reduced capacity within the Environmental Protection Team following recent restructures as well as increasing compliance particularly around smoking litter (which is to be applauded). Furthermore we have seen some non-payment which leads to prosecution. Whilst costs are awarded to the Council, it can be some time before it is returned to us via the Courts and it goes directly into central funds (so are not included here).

7.0 EQUALITIES

7.1 A preliminary Equalities Impact Assessment has been completed and no group is anticipated to face a disproportionate negative impact. We continue to facilitate appropriate income based concessions to assist residents.

7.2 Registered assistance dogs, as defined in law, shall be exempt from fees associated with straying.

8.0 FINANCIAL CONSIDERATIONS

- 8.1 It is not easy to accurately predict the financial gain that will be achieved through these charges, as demand is variable and, in the case of kennelling income, is principally there to offset the fees we pay to our contractor.
- 8.2 For the purposes of these calculations, demand is based on recent years (and takes averages of fluctuations) and conservative predictions about the take-up of chargeable vermin control, since it came into effect in April 2014. Based on activity levels in 2014/15, the increases in pest control income suggested would generate an additional £2,700 per annum.
- 8.3 The introduction of Universal Credit may impact on our current concession for those on “income-related benefits”, principally housing benefit and council tax benefit. There is a risk that we will see a greater proportion of customers demanding the reduced fee. It is proposed that the concession charge will apply to those on Universal Credit with no earned income.

9.0 ALTERNATIVE OPTIONS TO BE CONSIDERED

- 9.1 Given the agreed policy in terms of income generation, the alternative is to increase charges above those suggested and/or further reduce the level of concessions for pest control. Alternatively the pest control service could be withdrawn.

10.0 RISK MANAGEMENT

- 10.1 Details of the risks associated with fees and charges are given in Table 4 below.

Table 4 - Risk Factors Affecting Income

Risk	Likelihood	Impact	Mitigating Action	Revised Likelihood	Residual Impact
Below expected take up of services and	Medium	Medium impact on the income levels	Conservative income projection. Marketing of pest control services. Competitive	Low	Low

competiti on			pricing and concessions. Publicity about risks associated with DIY treatments.		
Unpaid fees and written off debts	Low	Low	Pre-payment is necessary for many services. In others it is at point of delivery, apart from commercial invoicing	Low	Low
Fixed penalty fees not paid	Low	Low	Existing reminder letters to offenders keeps payment rates high. Court costs will be sought.	Low	Low
Reduced income due to uptake of Universal Credit	Low (due to phased introduction)	Low	Advice sought from Revenues. Limit to "no earned income" claimants. To monitor uptake.	Low	Low

11.0 RECOMMENDATIONS

11.1 That Members approve the proposed fees and charges, including concessionary rates where applicable, as detailed in Appendix A, with effect from 1st April 2016.

11.2 That Members agree a full cost accounting/cost analysis is carried out of the Pest Control Service and Dog Service.

11.3 That the Senior Environmental Health Officer has discretion to offer reduced charges for micro-chipping of dogs at promotional events and campaigns associated with the mandatory chipping which comes into effect in April 2016.


12.0 REASONS FOR RECOMMENDATIONS

12.1 To set the environmental health fees and charges for 2016/17.

ESTHER THELWELL
SENIOR ENVIRONMENTAL HEALTH OFFICER

Further information can be obtained from Esther Thelwell on Extn 5767

Officer recommendation supported.

Signed:  Cabinet Member

Date: 25 January, 2016

Appendix A - Current and Proposed Fees for 2016 to 2017

	Current	Proposed	Concession Current	Concession Proposed (20% reduction of standard price)	Concession charge (rounded to nearest £5)
Pest Control (all domestic fees include VAT)					
Domestic premises - Advice Only Visit (no treatment)		£30		£24	£25
Rats	£40	£45	£20	£36	£35
Mice (indoors only)	£40	£45	£20	£36	£35
Cockroaches	£40	£45	£20	£36	£35
Wasps	£40	£45	£20	£36	£35
Ants	£60	£60	£30	£48	£48
Fleas	£70	£70	£35	£56	£55
Bedbugs	£100	£100	£50	£80	£80
Commercial Premises - Treatment of Wasps Plus VAT	£50	£50			
Dog Control(all fees plus VAT)					
Transportation of Dogs (Hourly rate)	£50	£50			
Dog Control (all fees include VAT where applicable)					
Microchipping	£16	£16			
Stray Dog Collection Admin Fee	£10	£11			
Identity Tag and Microchip Voucher	£16	£16			
Kennel charge per day or part thereof	£15.50	£15.50			
Fixed Penalties					
Littering offence	£60	£60			
Dog fouling offences	£80	£80			
Other dog control orders	£50	£50			
Community Protection Notice		£70			
Payment by credit card +1.5%					

Appendix B – comparison of pest control fees across Derbyshire (correct at the time of writing)

Fee and Concessionary rate	Rats	Mice	Wasps	Fleas	Bed Bugs	Ants	Comments
Amber Valley	£40	£30	£30 £20	-	£100 £75	£35 £25	
Bolsover	Free	Free	£46.23	£60.45	£46.23	No service	
Chesterfield	£40 £20	£40 £20	£40 £20	£70 £35	£100 £50	£60 £30	Call out fee of £30 full price and £20 concessionary charge.
Derby City	-	-	-	-	-	-	Service not provided.
Derbyshire Dales	£24.50 £12.25	£49 £24.50	£61.15 £30.60	-	£73.35 £36.70	-	
Erewash	-	-	-	-	-	-	Service not provided.
High Peak	Free	£50 £25	£50 £25	£65	Free	£105	
North East	£41	£41	£45	£45	£65	£55	No concessionary rates.
South Derbyshire	£28 £14	£56 £28	£54 £27	£70 £35	Service not provided	Service not provided	

Appendix C – comparison of stray dog and microchipping fees across Derbyshire (correct at the time of writing)

	Microchipping fee	Return to owner fee/statutory fee	Kennelling fees/per day	Admin fee
Amber Valley	Will be available next year, fees not yet agreed	Off the van £28/£17 From the kennels £28/£18	£10.00	No fee
Bolsover	£17.00	£25.00	£9.60 Plus £25.00 out of hours fee	£12.39
Chesterfield	£16.00	£25.00	£15.50	£10.00
Derby City	No information available	No information available	£60.00 (inclusive of administrative fees)	-
Derbyshire Dales	Not offered	£53.90	£14.00	No information available
Erewash	Free	£43.20	£9.91	No information available
High Peak	No information available	£25.00	Daily rate not available. Dogs are only kennelled for 3 days and then kept at the Manchester dog re-homing centre for next 4 days (i.e. remainder of statutory 7 days)	-
North East	£17.00	£25.00	£9.60 Plus £25.00 out of hours fee	£12.39
South Derbyshire	Free	£25.00	£8.50	-

APPENDIX D

2014/15 Charges

LAPPC charges for 2014/15

Type of charge	Type of process	2014/15 Fee		
Application Fee	Standard process (includes solvent emission activities)	£1579		
	Additional fee for operating without a permit	£1137		
	PVRI, SWOBs and Dry Cleaners	£148		
	PVR I & II combined	£246		
	VRs and other Reduced Fee Activities	£346		
	Reduced fee activities: Additional fee for operating without a permit	£68		
	Mobile plant**	£1579		
	for the third to seventh applications	£943		
	for the eighth and subsequent applications	£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		
Annual Subsistence Charge	Standard process Low	£739 (+£99)*		
	Standard process Medium	£1111(+£149)*		
	Standard process High	£1672 (+£198)*		
	PVRI, SWOBs and Dry Cleaners L/M/H	£76	£151	£227
	PVR I & II combined L/M/H	£108	£216	£326
	VRs and other Reduced Fees L/M/H	£218	£349	£524
	Mobile plant, for first and second permits L/M/H**	£618	£989	£1484
	for the third to seventh permits L/M/H	£368	£590	£884
	eighth and subsequent permits L/M/H	£189	£302	£453
		Late payment Fee	£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		
	Standard process partial transfer	£476		
	New operator at low risk reduced fee activity (extra one-off subsistence charge - see Art 15(2) of charging scheme)	£75		
	Surrender: all Part B activities	£0		
	Reduced fee activities: transfer	£0		
	Reduced fee activities: partial transfer	£45		

