

Portfolio Holder for Environment and Open Spaces

January 2024

REPORT OF THE ASSISTANT DIRECTOR FOR HOUSING & ENVIRONMENT

A.1 Housing & Environment – Environmental Health Service - Proposed Fees and Charges for 2024/25

(Report prepared by Grant Fenton-Jones)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To seek the Portfolio Holder's concurrence to the proposed schedule of fees and charges 2024/25 for Housing & Environment – Environmental Health Services.

EXECUTIVE SUMMARY

- This report sets out the proposed fees and charges for 2024/25 for Housing & Environment – Environmental Health Service. They continue to be considered against a number of key principles that form part of the long-term financial forecast approach which are summarised later on in this report.
- Any amendments to income budgets that are required to reflect changes to fees and charges will be reviewed in year as the detailed budget proposals for 2023/24 that were considered and recommended by Cabinet to Full Council in February 2023.
- Individual decisions agreeing fees and charges are recorded to ensure the Council has the authority to charge the correct fees. During 2023 these decisions will be required earlier to ensure the information is collated and presented as part of the overall budget setting process for 2024/25.

RECOMMENDATION(S)

That the Schedule of Fees and Charges 2024/25 for Housing & Environment – Environmental Health Services set out in Appendix A be agreed.

REASON(S) FOR THE RECOMMENDATION(S)

To enable the implementation of a revised fees and charges schedule for 2024/25.

ALTERNATIVE OPTIONS CONSIDERED

Please see the considerations / reasons behind the proposed fees and charges later on in this report.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

The forecasting and budget setting process, including fees and charges, will have direct implications for the Council's ability to deliver on its objectives and priorities. At its heart, the 10 year approach to the forecast seeks to establish a sound and sustainable budget year on year through maximising income, including income raised from fees and charges, whilst limiting reductions in services provided to residents, businesses and visitors.

OUTCOME OF CONSULTATION AND ENGAGEMENT

Councillor Mike Bush, Portfolio Holder for the service areas has been consulted and is happy with the proposed increase in fees and charges.

LEGAL REQUIREMENTS (including legislation & constitutional powers)

Is the recommendation a Key Decision (see the criteria stated here)	No	If Yes, indicate which by which criteria it is a Key Decision	☐ Significant effect on two or more wards ☐ Involves £100,000 expenditure/income ☐ Is otherwise significant for the service budget
		And when was the proposed decision published in the Notice of forthcoming decisions for the Council (must be 28 days at the latest prior to the meeting date)	N/A

The arrangements for setting and agreeing a budget and for the setting and collection of council tax are defined in the Local Government Finance Act 1992. The previous legislation defining the arrangements for charging, collecting and pooling of Business Rates was contained within the Local Government Finance Act 1988. These have both been amended as appropriate to reflect the introduction of the Local Government Finance Act 2012.

The general powers to charge are set out in the Local Authorities (Goods and Services) Act 1970 and the Local Government Act 2003 – Section 93 respectively. The latter also requires that charges for discretionary services should be on a cost recovery basis. However, where specific legislation permits the charging of fees, it must be relied upon for the exercise of these functions.

Environmental permitting fees and charges are set annually, usually in April, by central government under the Local Authority Permits for Part B Installations and Mobile Plant and Solvent Emission Activities (Fees and Charges) (England) Scheme in exercise of the powers under regulation 65 of the Environmental Permitting (England and Wales) Regulations 2016.

Section 21 of the Private Water Supplies Regulations 2016 provides for charging of fees in accordance with Schedule 5 that includes risk assessment, sampling, investigation,

authorisation and analysis and sets maximum fees and conditions.

Pest control and other services such as sampling provided by organisations external to the council are charged through at cost.

Localism Act 2011 section 3 (1 - 4) for Food Hygiene rating fee.

Regulation 38 of the Public Health (Ships) Regulations 1979/1435, as amended by the Public Health (Ships) (Amendment) (England) Regulations 2007 section 38 (1 to 7)

Ship sanitation certificates - National fee set by Association of Port Health officers

Under Para 4.4.1 (8) Part 3.4 of the Council's Constitution, all Assistant Directors, in consultation with the relevant Portfolio Holder (for executive functions), Management Team Member and the Assistant Director (Finance & IT), are authorised to decide the level of the annual discretionary fees and charges for their service (including any in-year changes that may be required) for inclusion within the Council's corporate schedule of fees and charges. Following the above consultation, an Officer decision must be published.

☐	The Monitoring Officer confirms they have been made aware of the above and any additional comments from them are below:
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No comments.

FINANCE AND OTHER RESOURCE IMPLICATIONS

Finance and other resources

Fees and Charges have been reviewed against the key principles that underpin the long term forecast, which includes the generation of income whilst balancing strategic and external market conditions.

Given the significant Financial challenges faced by the Council in 2023/24 and 2024/25, a key underlying principle is to consider inflationary increases wherever possible to support corresponding increases in the Council's own costs in delivering the associated service(s). The proposed increase reflects on-going general inflationary pressures experienced in 2023/24 and those estimated in 2024/25, and therefore, a 4% increase is proposed for 2024/25. Therefore, set against this inflationary context, any proposed increases in fees and charges must be balanced against other considerations / market conditions, whilst also recognising the restrictions placed on local authorities in terms of setting fees and charges on a cost recovery basis. Further details relating to any proposed increases to fees and charges is set out below.

Any changes to income budgets resulting from any changes in the level of fees and charges agreed, will form part of the detailed budget setting process for 2024/25.

Significant changes to income budgets are not anticipated as a consequence of the fees and charges set out later in this report.

A summary of the main changes proposed are as follows:

- Generally overall we have applied a 4% inflationary increase to the fees and charges, as most of the fees relate to commercial activities and not the delivery of direct services to individuals. This increase reflects the estimated 4% published CPI figure for April 2024.

The cost of service delivery and the total anticipated fee income for 2023/24 and 2024/25 is shown below:

Environmental Services Portfolio Charges (excluding licensing provisions) – Includes Recharges as mostly salary based

Item	2023/24	2024/25	Change
Cost of service	242,620	249,590	6,970
Total Fee Income	20,120	21,130	1,010
Difference	222,500	228,460	5,960

☐ **The Section 151 Officer confirms they have been made aware of the above and any additional comments from them are below:**

Although there are no further comments over and above those set out elsewhere in the report, it is important to highlight that the demand / volumes used to calculate any estimated total income figures included within this report are based on those held by the Service. The estimated additional income highlighted above will be incorporated within the budget proposals for 2024/25 as necessary.

USE OF RESOURCES AND VALUE FOR MONEY

The following are submitted in respect of the indicated use of resources and value for money indicators:

A) Financial sustainability: how the body plans and manages its resources to ensure it can continue to deliver its services.	Please see relevant comments elsewhere in this report.
B) Governance: how the body ensures that it makes informed decisions and properly manages its risks.	
C) Improving economy, efficiency and effectiveness: how the body uses information about its costs and performance to improve the way it manages and delivers its services.	

MILESTONES AND DELIVERY

Fees and Charges for 2024/25 form part of the wider budget setting process, which culminates in the detailed estimates being presented to Full Council in January 2024. Fees and Charges must therefore be approved in advance of this date.

ASSOCIATED RISKS AND MITIGATION

There is a risk that businesses will chose not to pay the fees. With payment of the fees being a requirement for obtaining the service or statutory licence required to run their business it is not anticipated that many will take this route.

EQUALITY IMPLICATIONS

Fees will apply equally to all businesses in accordance with the type of activity the fee is levied for.

SOCIAL VALUE CONSIDERATIONS

The charging of fees enables the Council to undertake the statutory function for which the fee

relates. Overall the service seeks to improve the economic, social and environmental wellbeing of the area through the work undertaken.

IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO BY 2030

The proposed decision is neutral in relation to the Council's emissions ambitions.

OTHER RELEVANT CONSIDERATIONS OR IMPLICATIONS

Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.

Crime and Disorder

Health Inequalities

Area or Ward affected

The changes introduced do not have implications on these considerations and apply equally to transactions irrespective of the area or ward in which the matter is located.

PART 3 – SUPPORTING INFORMATION

BACKGROUND

Income from fees and charges form an important element of the budget and the financial sustainability of the Council as set out in the long term forecast.

Similarly to previous years, Departments have been asked to review their fees and charges on an individual basis as changes may need to be made to meet specific aims or strategic objectives or in some cases in response to external factors such as market forces.

The review of fees and charges has been set against the following key principles:

- general inflationary increases where possible or lower where appropriate / justified
- amounts rounded for ease of application, which may result in a slightly above inflation increase.
- on a cost recovery basis as necessary
- reflect statutory requirements.
- increases where market conditions allow
- to meet specific priorities or service delivery aims / objectives

As highlighted earlier in this report, the Council faces a number of significant financial challenges in 2024/25 and beyond. It is therefore important that fees and charges are considered against this context and to maximise income opportunities where possible, albeit whilst balancing the various issues highlighted above.

Income budgets included in the detailed estimates will reflect any required changes from the proposed fees and charges set out in this report.

Housing & Environment – Environmental Health Services - PROPOSED FEES AND CHARGES 2024/25

Set against the current fees and charges for 2023/24, **Appendix A** includes the schedule of fees and charges proposed for 2024/25, which have been developed by applying the key principles highlighted above.

As part of this review, a comparison of licencing fees was undertaken with other Councils in

Essex using benchmarking data. In general we have applied an inflationary increase of 4%.

PREVIOUS RELEVANT DECISIONS

Decision of the Assistant Director – Housing & Environment was published on the 13th April 2023.

BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL

None

APPENDICES

Attached – Detailed fees and charges 2024/25 for Housing & Environment – Environmental Health Services

REPORT CONTACT OFFICER(S)

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Appendix A

2023/2024

2024/2025

PRIVATE WATER SUPPLY REGULATIONS

Hourly Charge for risk assessments, investigations, granting of authorisations	Apr-23	An hourly charge of £36.80 up to a maximum of £500 for risk assessment and £100 for investigation and authorisation		An hourly charge of £37.56 up to a maximum of £500 for risk assessment and £100 for investigation and authorisation		N
Sample Collection Charge (not including Analysis Costs)	Apr-23	An hourly charge of £36.80 up to a maximum of £100		An hourly charge of £32.00 up to a maximum of £100		N
Analysis costs	Apr-23	Analysis cost only		Analysis cost only		N
Certification of inventory of condemned food	Apr-23	51.75	62.10	53.82	64.58	V
Export Certificate - Food (per certificate)	Apr-23	28.75	34.50	29.90	35.88	V

FOOD PREMISES REGULATIONS

Copies of Public Register:						
Per Sheet (or part thereof)	Apr-23	28.75	34.50	29.90	35.88	V
Entire Register	Apr-23	460.00	552.00	478.40	574.08	V

PORT HEALTH

Attendance of a Port Health Officer 'Outside Hours' of normal duty for EEC foodstuffs/ Third Country non animal products	Apr-23	£82.80.00 per hour with a minimum of £82.80 per visit		£86.00 per hour with a minimum of £86.00 per visit		N
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REQUESTS FOR INFORMATION

Provision of information involving a search of records including statutory public records, not covered by the Freedom of Information Act	Apr-23	£48.80 per hour with a minimum of £98.00 per search	£58.60 per hour with a minimum of £117.00 per search	£60.94 per hour with a minimum of £121.88 per search	£73.13 per hour with a minimum of £146.26 per search	V
Provision of factual statements under the Health and Safety at Work etc Act 1974	Apr-23	120.75	145.00	125.60	150.72	V



SHIPS WATER TESTING

Call Out for Water Test

Standard Ships

First Sample	Apr-23	169.00	202.80	175.76	210.91	V
Subsequent Samples	Apr-23	74.00	88.80	76.96	92.35	V

Legionella Ships

First Sample	Apr-23	192.00	230.40	199.68	239.62	V
Subsequent Samples	Apr-23	88.60	106.32	91.52	109.82	V

Water Test associated with Ship Sanitation Inspection

Standard Water Test	Apr-23	102.35	122.82	106.44	127.73	V
Legionella Water Test	Apr-23	125.50	150.60	130.52	156.62	V

The Water Testing and Inspection Services shown above are also subject to an Officer Mileage Charge.

SHIP INSPECTION CHARGES

(Determined by The Association of Port Health Authorities)

Gross Tonnage

Up to 1,000 tonnes	Apr-23	125.00		125.00	N
1,001 - 3,000 tonnes	Apr-23	170.00		170.00	N
3,001 - 10,000 tonnes	Apr-23	250.00		250.00	N
10,001 - 20,000 tonnes	Apr-23	325.00		325.00	N
20,001 - 30,000 tonnes	Apr-23	415.00		415.00	N
Over 30,000 tonnes	Apr-23	480.00		480.00	N

With the exception of:

Vessels with the capacity to carry between 500 and 1,000 persons	Apr-23	480.00				N
Vessels with the capacity to more than 1,000 persons	Apr-23	820.00				N
Extensions	Apr-23	95.00				
	<i>In line with national charges set by Association of Port Health Authorities</i>					
Charge for Food Hygiene Re-rating		190.00			190.00	N

PEST CONTROL

(determined in accordance with Contract)

Cost per treatment of private households:

Rats*	Apr-23	26.45	31.74	27.51	33.01	V
Mice*	Apr-23	26.45	31.74	27.51	33.01	V
Cockroaches	Apr-23	39.10	46.92	40.66	48.79	V
Fleas	Apr-23	39.10	46.92	40.66	48.79	V
Bed Bugs	Apr-23	39.10	46.92	40.66	48.79	V
Wasps	Apr-23	39.10	46.92	40.66	48.79	V
Ants	Apr-23	39.10	46.92	40.66	48.79	V
Insect Pests of stored food products	Apr-23	39.10	46.92	40.66	48.79	V

£7.80 to residents in receipt of benefit

LOCAL AIR POLLUTION PREVENTION AND CONTROL CHARGES

(Determined by Defra)

Application Fees : Installations

Reduced Fee Activity - Part 1	Apr-23	155.00	155.00	155.00	155.00	N
Reduced Fee Activity - Part 2, 3 or 4	Apr-23	362.00	362.00	362.00	362.00	N
Vehicle Refinishers	Apr-23	362.00	362.00	362.00	362.00	N
PVR I and II Combined	Apr-23	257.00	257.00	257.00	257.00	N
Other Part B or Solvent Emission Activity	Apr-23	1,650.00	1,650.00	1,650.00	1,650.00	N

Application Fees : Mobile Plant

First and Second Permit	Apr-23	1,650.00	1,650.00	1,650.00	1,650.00	N
Third to Seventh Permit	Apr-23	985.00	985.00	985.00	985.00	N

Eighth Permit Onwards	Apr-23	498.00	498.00	498.00	498.00	N
Additional Fee for operating without a Permit						
Reduced fee activities	Apr-23	99.00	99.00	99.00	99.00	N
Other Part B or Solvent Emission Activity	Apr-23	1,188.00	1,188.00	1,188.00	1,188.00	N

Where an application for any of the above is for a combined Part B and waste application, an additional £310.00 will be included in the fee.

Annual Subsistence Charges : Installations

Other Part B or Solvent Emission Activity

Low Risk	Apr-23	772.00	772.00	772.00	772.00	N
Medium Risk	Apr-23	1,161.00	1,161.00	1,161.00	1,161.00	N
High Risk	Apr-23	1,747.00	1,747.00	1,747.00	1,747.00	N

Other Part B or Solvent Emission Activity (*Additional Fee where a permit is for a combined Part B and Waste Installation*)

Low Risk	Apr-23	104.00	104.00	104.00	104.00	N
Medium Risk	Apr-23	156.00	156.00	156.00	156.00	N
High Risk	Apr-23	207.00	207.00	207.00	207.00	N

Reduced Fee Activities - Part 1

Low Risk	Apr-23	79.00	79.00	79.00	79.00	N
Medium Risk	Apr-23	158.00	158.00	158.00	158.00	N
High Risk	Apr-23	237.00	237.00	237.00	237.00	N

PVR I & II Combined Part 2, 3 & 4

Low Risk	Apr-23	113.00	113.00	113.00	113.00	N
Medium Risk	Apr-23	226.00	226.00	226.00	226.00	N
High Risk	Apr-23	341.00	341.00	341.00	341.00	N

Vehicle Refinishers

Low Risk	Apr-23	228.00	228.00	228.00	228.00	N
Medium Risk	Apr-23	365.00	365.00	365.00	365.00	N
High Risk	Apr-23	548.00	548.00	548.00	548.00	N

Late Payment Fee	Apr-23	52.00	52.00	52.00	52.00	N
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Annual Subsistence Charges : Mobile Plant

Mobile Screening and Crushing Plant (First and Second Permits)

Low Risk	Apr-23	626.00	626.00	626.00	626.00	N
Medium Risk	Apr-23	1,034.00	1,034.00	1,034.00	1,034.00	N
High Risk	Apr-23	1,551.00	1,551.00	1,551.00	1,551.00	N

Mobile Screening and Crushing Plant (Third to Seventh Permits)

Low Risk	Apr-23	385.00	385.00	385.00	385.00	N
Medium Risk	Apr-23	617.00	617.00	617.00	617.00	N
High Risk	Apr-23	924.00	924.00	924.00	924.00	N

Mobile Screening and Crushing Plant (Eighth Permit Onwards)

Low Risk	Apr-23	198.00	198.00	198.00	198.00	N
Medium Risk	Apr-23	314.00	314.00	314.00	314.00	N
High Risk	Apr-23	473.00	473.00	473.00	473.00	N

Late Payment Fee	Apr-23	52.00	52.00	52.00	52.00	N
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Where a Part B installation is subject to reporting under the E-PRTR Regulation, an additional £99.00 will be included in the fee.

Transfer and Surrender

Reduced Fee Activities

Transfer	Apr-23	No charge		No charge		N
Partial Transfer	Apr-23	47.00	47.00	47.00	47.00	N

Other Part B or Solvent Emission Activity

Transfer	Apr-23	169.00	169.00	169.00	169.00	N
Partial Transfer	Apr-23	497.00	497.00	497.00	497.00	N

New operator at low risk reduced fee activity	Apr-23	78.00	78.00	78.00	78.00	N
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Surrender: All Part B activities	Apr-23	No charge		No charge		N
Temporary Transfer for Mobiles						
First transfer	Apr-23	53.00	53.00	53.00	53.00	N
Repeat following enforcement or warning	Apr-23	53.00	53.00	53.00	53.00	N
Substantial Change						
Reduced fee activities	Apr-23	102.00	102.00	102.00	102.00	N
Other Part B or Solvent Emission Activity	Apr-23	1,050.00	1,050.00	1,050.00	1,050.00	N
Other Part B or Solvent Emission Activity where the substantial change results in a new PPC activity	Apr-23	1,650.00	1,650.00	1,650.00	1,650.00	N
LOCAL AUTHORITY INDUSTRIAL POLLUTION PREVENTION AND CONTROL CHARGES						
(Determined by Defra)						
Installations and Waste Incineration Plant Permit						
Application Fee	Apr-23	3,363.00	3,363.00	3,363.00	3,363.00	N
Additional Fee for operating without a permit	Apr-23	1,188.00	1,188.00	1,188.00	1,188.00	N
Annual Subsistence Charge						
Low Risk	Apr-23	1,446.00	1,446.00	1,446.00	1,446.00	N
Medium Risk	Apr-23	1,610.00	1,610.00	1,610.00	1,610.00	N
High Risk	Apr-23	2,333.00	2,333.00	2,333.00	2,333.00	N
Late Payment Fee	Apr-23	52.00	52.00	52.00	52.00	N
Substantial Variation	Apr-23	202.00	202.00	202.00	202.00	N
Transfer	Apr-23	235.00	235.00	235.00	235.00	N
Partial transfer	Apr-23	698.00	698.00	698.00	698.00	N
Surrender	Apr-23	698.00	698.00	698.00	698.00	N