

TONBRIDGE & MALLING BOROUGH COUNCIL
LOCAL ENVIRONMENTAL MANAGEMENT ADVISORY BOARD

19 January 2009

**Joint Report of the Director of Health and Housing, Director of Finance and
Cabinet Member for Environmental Services**

Part 1- Public

Matters for Recommendation to Cabinet - Key Decision

1 REVIEW OF ENVIRONMENTAL HEALTH SERVICES FEES AND CHARGES

Summary

This report proposes fees and charges for the provision of services in respect of food certificates, stray dog redemption fees, household bulky refuse collection, rats and mice and the proposed introduction of a charge for Environmental Information Requests.

1.1 Condemned Food Certificates

- 1.1.1 This is a service available to food businesses in the borough which properly controls the safe surrender and disposal of food deemed by environmental health staff as unfit for human consumption. The service continues to reflect legislative requirements for stricter controls and is based on total cost recovery. The proposed charges, as set out below, continue to reflect this approach and to reflect the Council's Budget Strategy.

Service	Current Charge	Recommended Charge	Income Full Year
For each Condemned Food Certificate issued	£105 for first hour plus £105 for each additional hour plus VAT	£110 for first hour plus £110 for each additional hour plus VAT	£110

1.2 Exported Food Certificates

- 1.2.1 This is a service provided by the Council for a food exporter who exports food outside the European Union. In this instance, authorising officers of the Borough Council certify that the food products being exported have been manufactured and held under hygienic conditions in accordance with the requirements of Regulation (EC) 852/2004 and The Food Hygiene (England) Regulations 2006. The premises are subject to regular inspection by Food and Safety Officers.

- 1.2.2 The present charge for these arrangements are as indicated below. As with condemned food certificates this service reflects legislative requirements and is based on total cost recovery. The proposed charge as set out below reflects this approach and the Council's Budget Strategy.

Service	Current Charge	Recommended Charge	Income Full Year
For each Exported Food Certificate issued	£105 plus VAT per certificate	£110 plus VAT per certificate	£2,200

1.3 Stray Dog Redemption Fees

- 1.3.1 The Environmental Protection Act 1990 prescribes that a person claiming to be the owner of a dog seized as a stray by the Council shall not be entitled to the return of the dog unless all the expenses incurred by reason of its detention, and such further amount as is for the time being prescribed, are met. The Environmental Protection (Stray Dogs) Regulations 1992 sets down a prescribed redemption fee of £25 and provides for local authorities to recover their other reasonable expenses, in addition to any other expenses incurred, such as kennelling costs. These other reasonable expenses are recovered by levying an additional administration fee, currently £30.
- 1.3.2 The Director of Health and Housing recommends that the administration fee be increased this year to £35 with no formal waiver or discount, but that the Director of Health and Housing continues to exercise discretion to allow payment by instalments. This charge is still within the range of those of neighbouring councils.

Service	Current Charge	Recommended Charge	Income Full Year
Stray Dog Redemption Fee	£55 plus detention (kennelling) expenses	£60 plus detention (kennelling) expenses	£4,900

1.4 Environmental Monitoring Charges

1.4.1 Private Water Supplies

The testing of private water supplies is a service that the Council provides as a requirement of the Private Water Supply Regulations 1991 to ensure that the water from these supplies is wholesome for drinking, food production and other domestic purposes.

- 1.4.2 There are a total of 22 premises from which we take samples for bacterial analysis and charge 12 of these £40 per sample which covers the analysis and a small contribution towards the officer's time on site.

- 1.4.3 It is proposed to include a charge for time on site of £15 per visit which will increase the total charge per sample to £51. This remains in line with charges made by neighbouring authorities.

Service	Current Charge	Recommended Charge	Income Full Year
Private Water Supply Sampling	£40 including £5.30 for officer's time on site plus VAT	£51 to include a more realistic officer's fee plus VAT	£600

- 1.4.4 Occasionally (every five years), we also take samples for chemical analysis. We propose to charge £40 for this as this is the maximum charge allowable according to the Private Water Supply Regulations 1991.

1.4.5 Contaminated Land

The Environmental Protection Act 1990 Part 2A requires local authorities to implement a system for the identification and remediation of land where contamination is causing a risk to human health or the wider environment because of historic or current uses.

- 1.4.6 The Environmental Protection Team provides a contaminated land information service or assessment of risk for which it currently makes a charge of £32.50 for half an hour's work. This charging rate is below those of neighbouring authorities and it is proposed to introduce a minimum charge of £70 per hour in responding to these requests for information.

Service	Current Charge	Recommended Charge	Income Full Year
Responding to requests for information relating to contaminated land	£32.50 per half hour plus VAT	£70.00 per hour (1 hour minimum charge) plus VAT	Approx. £5,000

1.5 Household Bulky Refuse Collection Service

- 1.5.1 This service provides for the collection of up to 12 items of household waste which will not otherwise fit within the wheeled bin. The current charge is £25.
- 1.5.2 The contractor charges the Council for each collection which may include up to 12 items. The Council may then pass on this charge to the householder plus a reasonable administration charge. The Council's policy is to waive recharge of the costs where the person requesting the service is in receipt of a means-tested

benefit. Under the current contract the all-inclusive charge to householders is £25, including the Council's administration costs.

- 1.5.3 The Director of Health and Housing has reviewed his administration costs and feels that from April 2009, a charge of £30 should apply for each service request. The additional income is reflected in Revenue Estimates. This charge is within the range charged by neighbouring authorities.

Service	Current Charge	Recommended Charge	Income Full Year
Household Bulky Refuse Collection	£25	£30	£43,150

1.6 Pest Control Service

- 1.6.1 The Council has a statutory duty to inspect the borough for the incidence of rats and mice and to take action where infestation is found. This function is supported by statutory powers to serve notice on owners of land to take action to destroy rats and mice and/or prevent conditions likely to provide harbourage for pests. Last year the Council introduced a charge for this service of £40. This would cover treatments undertaken at a property for a full year from the date of the initial treatment.

- 1.6.2 The Director of Health and Housing has reviewed his administrative costs and feels that from April 2009, a charge of £50 should apply for treatments undertaken at a property. The additional income is reflected in Revenue Estimates. This charge is at the lower end of the range charged by neighbouring authorities due to our policy of not charging for subsequent repeat visits within one year of the date of the initial visit.

Service	Current Charge	Recommended Charge	Income Full Year
Treatment for Rats and Mice	£40 plus VAT	£50 plus VAT	£15,000

1.7 Legal Implications

- 1.7.1 The Council has lawful authority to set these fees which form part of the Council's budget and policy framework.

1.8 Financial and Value for Money Considerations

- 1.8.1 The increase in fees proposed is intended to ensure that the income derived covers the costs to the Council in providing a service.

1.9 Risk Assessment

- 1.9.1 A decision is required now on the proposed fee structure for these activities to ensure that the Council has timely and up-to-date arrangements in place to administer service requests when received.

1.10 Recommendations

- 1.10.1 Cabinet is **RECOMMENDED** to **APPROVE** the scale of charges for condemned food certificates, exported food certificates, stray dog redemption fees, environmental monitoring, household bulky refuse collection and rats and mice with effect from 1 April 2009 as detailed in the above report.

Background papers:

Nil

contact: Graham Lloyd
Phil Beddoes
Jane Heeley

John Batty
Director of Health and Housing

Councillor Owen Baldock
Cabinet Member for Environmental Services

Sharon Shelton
Director of Finance