

LONDON BOROUGH OF BRENT

EXECUTIVE - 26 April 2004

FROM THE DIRECTOR OF ENVIRONMENT

FOR ACTION

NAME OF WARD ALL

REPORT TITLE : ENVIRONMENT FEES & CHARGES

FP REF: ES-03/04-208

1.0 SUMMARY

1.1 This report proposes changes to a wide range of fees and charges levied by various service units in Environmental Services. Agreement is sought to the levels of fees and charges proposed in relation to specific services provided by Building Control, Land Charges, Trading Standards, Health, Safety & Licensing and Environmental Health.

2.0 RECOMMENDATION

2.1 That Members agree the levels of fees and charges proposed in paragraphs 8.1-8.5 and Appendices 1-4.

3.0 FINANCIAL IMPLICATIONS

3.1 In the majority of cases fee levels are set to ensure full cost recovery. Budgets for 2004-05 have been prepared on the basis that fees will increase as proposed in the report. If the proposals are not agreed further proposals to make savings or reduce services will need to be brought forward.

4.0 STAFFING IMPLICATIONS

4.1 There are no staffing implications specific to these proposals. If the proposals are not agreed then further proposals to make savings may have staffing implications.

5.0 ENVIRONMENTAL IMPLICATIONS

5.1 There are no specific environmental implications.

6.0 LEGAL IMPLICATIONS

6.1 Paragraph 3.1 (o) of Part 4 of the Constitution removes from the delegated authority of any officer a decision which relates to the setting, levying or increase of any fees or charges to any member of the public in respect of a Council service (other than room lettings and copying charges). It is therefore necessary for Members to agree these changes.

6.2 *Details of the powers to make charges in respect of each of these services and, where relevant, the requirement to recover costs*

6.3 *Details of any specific legal issues associated with the particular charging regimes of which Members ought to be aware*

7.0 DIVERSITY IMPLICATIONS

7.1 The proposals in this report have been subject to screening and officers believe there are no diversity implications, which require partial or full assessment.

8.0 DETAIL

8.1 Building Control

- 8.1.1 Most Building Control services are provided in competition with private sector Approved Inspectors. The competition is not on a level playing field as Local Authorities are required to publish fee scales and to stick to them whilst the private sector are free to negotiate fees on a job by job basis. This has resulted in a growing loss of business to the private sector although this appears to be stabilising.
- 8.1.2 The Council is required to prepare a memorandum trading account each year for relevant Building Control fee income and costs and to ensure that, over a number of years, it does not subsidise the service.
- 8.1.3 Since April 1999 Local Authorities have been able to set their own fees based on model fees schedules published nationally. These schedules include three tables; Number 1 relating to New Housing; number 2 relating to Small Domestic Buildings; and number 3 relating to Other Works.
- 8.1.4 Brent agreed the LB Brent Scheme No 1 in 1999. No changes were made in 2000 but Table 2 charges were amended and increased from 1 May 2001 under LB Brent Scheme No 2. 2001. No changes were made in 2002 and 2003 since the Building Control Charge account showed surplus for these years.
- 8.1.5 Following a review of charges it is now proposed that Table 2 fees be increased by approximately 5% as detailed in Appendix 1. Minor arithmetic adjustments have been made to some Table 3 charges. The effective date of the increases will be 1 June 2004.
- 8.1.6 It is estimated that these changes will increase income by approximately £13,000 in a full year which will enable the service to deliver the saving agreed in setting the 2004-05 budget.

8.2 Local Land Charges

- 8.2.1 The Council is responsible for responding to Local Land Charge searches from solicitors and others. Fees are reviewed annually to ensure that they recover the full cost of providing the service including the substantial investment in IT systems necessary to provide a fast and accurate service.
- 8.2.2 It is proposed to increase the total cost for the basic Part 1 Con 29 and LLC1 search from £170 to £180. The detailed make up of the charge proposed is set out at Appendix 2.
- 8.2.3 A comparison has been made of the proposed level of charge with the charges levied by other London Boroughs. Based on the best information currently available, nine authorities will be more expensive and 21 will be cheaper than Brent.

8.3 Trading Standards

- 8.3.1 Under the Weights and Measures Act 1985, Inspectors of Weights and Measures must charge fees for the verification of certain equipment to be used for trade. This includes such items as petrol pumps, scales, measures of length, measures of capacity etc. In order to provide some consistency across the country, the Local Authority Co-ordinating Body on Food and Regulatory Services (LACORS) recommend a schedule of fees each year. Until 1998, the Brent & Harrow consortium agreed to adopt the LACORS fees, which were adjusted slightly to provide a more common sense approach on some items.
- 8.3.2 For the last three years the fees charged have been in excess of those recommended by LACORS. This year it is proposed that the fees are increased again above the rate of inflation. The fees detailed in Appendix 3 will maintain the consortium fees more in line with those authorities that have departed from LACORS recommendations and it is estimated this will provide total income of £18,830 per annum.

8.4 Health, Safety & Licensing

- 8.4.1 Health, Safety & Licensing charge fees in connection with many licensing, inspection and registration regimes. A review has been undertaken of current fees and the fees now proposed are set out in Appendix 4. Except where fees are set or limited by statute the aim is to ensure full cost recovery .

8.5 Environmental Health

- 8.5.1 Environmental Health propose to increase the fee for 'contaminated land reports' requested by developers from £40+vat to £50+vat to better reflect the cost of providing such reports.

9.0 BACKGROUND INFORMATION

Details of Documents:

- 9.1 Fees and charges file
- 9.2 Any person wishing to inspect the above papers should contact Michael Read, Environment Directorate, Brent House, 349 High Road, Wembley, Middlesex HA9 6BZ,
Telephone: 0208 937 5302

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BUILDING CONTROL FEES

Table/Band	Proposals:	Existing (LBB Scheme 2):	Comments:
Table 2 – Small Domestic Buildings	Increase by Inflation Maintain Fee + VAT equals whole £'s	LBB Already higher than original model scheme. Varied charges across bands to account for work involved in accordance with Plan/Insp'n Fee proportions. Fee + VAT equals exact £ Maintain other provisions	Increase all Table 2 charges by approximately 5%. Keep previous formula where Fee + VAT = Whole £'s Keep all other aspects of scheme Try to collate Building Control Charges with adjoining boroughs (e.g. Harrow)
Garages < 40m2	£31.48 + £5.52 = £37.00 £95.32 + £16.68 = £112.00 BN = £149 (inc VAT) RG = £152.00 (NO VAT)	£29.79 + £5.21VAT = £35.00 £91.06 + £15.94VAT= £107.00 BN = £142.00 RG = £145.00 (NO VAT)	Increase in charges by approximately 4.7%
Garages 40-60m2	£62.98 + £11.02VAT = £74.00 £191.49 + £33.51VAT = £225.00 BN = £299.00 (inc VAT) RG = £305 (NO VAT)	£59.58 + £10.42 = £70.00 £182.12 + £31.88 = £214.00 BN = £284.00 RG = £290.00 (NO VAT)	Increase in charges by approximately 5.1%
Extensions < 10m2	£255.32 + £44.68 = £300.00 No Inspection Charge BN = £300.00 (inc VAT) RG = £306	£242.55 + £42.45 = £285.00 No Inspection Charge BN = £285.00 RG = £291.00	Increase in charges by approximately 5.26% in order to maintain Fee + VAT = Whole £'s
Extensions 10-40m2	£95.32 + £16.68 = £112.00 £286.81 + £50.19 = £337.00 BN = £449.00 RG = £459.00	£91.06 + £15.94 = £107 £273.19 + £47.81 = £321.00 BN = £428.00 RG = £437.00	Increase in charges by approximately 4.9%
Extensions 40-60m2	£126.80 + £22.20 = £149.00 £382.13 + £66.87 = £449.00 BN = £598.00 RG = £611.00	£120.85 + £21.15 = £142.00 £363.40 + £63.60 = £427.00 BN = £569.00 RG = £581.00	Increase in charges by approximately 5.1% Increase minimum Table 3 charges where domestics extension > 60m ²

LOCAL LAND CHARGES FEES

Official Search form LLC1	£6.00
For each additional parcel of land from 5 January 2004-04-02	£1.00 subject to max of £16.00
Part I Con 29 Enquiries	£174.00
For each additional parcel of land	£20.00
BASIC PART I CON 29 & LLC1 SEARCH	£180.00
Part II Con 29 Enquiries	
(I) For each optional enquiry	£10.00
Requested separately	£20.00
(II) For each additional enquiry	£20.00
Commons Registration Search	£14.00
For each additional parcel of land	£1.00 subject to max of £20.00

TRADING STANDARDS SERVICE
LONDON BOROUGHS OF BRENT AND HARROW

SCALE OF FEES 2004/2005

<u>Fees for the purposes of Section 11 of the Weights & Measures Act 1985</u>		Price £	
		<u>Full</u>	<u>Discount</u>
A. <u>MEASURES</u>			
(i)	Linear Measures (with or without divisions or sub-divisions), the scales not exceeding 10 ft (if imperial) or 3m (if metric), each scale	9.00	8.50
(ii)	Capacity Measures (without divisions or sub-divisions), not exceed 1 qt (if imperial) or 1l (if metric), each measure	7.00	6.50
(iii)	Cubic Ballast Measures (other than Brim measures), each measure	132.00	119.00
(iv)	Liquid Capacity Measures for making up and checking average quantity packages	21.00	19.50
(v)	Templets		
	(a) Per Scale - first item	37.00	34.00
	(b) Second and subsequent items	14.50	13.50
B. <u>WEIGHTS</u>			
(i)	Exceeding 10 lb/5 kg/100 oz troy or not exceeding 5 grain/500 mg/2C.M./0.01 oz troy	9.00	8.50
(ii)	Otherwise	7.00	6.50

		Price £	
C. <u>WEIGHING INSTRUMENTS</u>		<u>Full</u>	<u>Discount</u>
(i)	Instruments calibrated to weigh only in imperial or metric units (other than automatic or totalising weighing machines, or machines designed to weigh loads in motion) - each instrument or (if fitted with two or more weigh tables or platforms connected to one or more indicating mechanisms, each weigh table.		
	Capacity, as marked on the machine:-		
	Not exceeding 34lb (if imperial) or 15kg (if metric)	25.50	23.50
	Exceeding 34lb but not exceeding 224lb (if imperial):		
	exceeding 15kg but not exceeding 100kg (if metric)	34.00	31.50
	Exceeding 224lb but not exceeding 560lb (if imperial):		
	exceeding 100kg but not exceeding 250kg (if metric)	46.50	42.50
	Exceeding 560lb but not exceeding 1 tons (if imperial):		
	exceeding 250kg but not exceeding 1 tonne (if metric)	81.50	75.00
	Exceeding 1 ton but not exceeding 10 tons (if imperial):		
	exceeding 1 tonne but not exceeding 10 tonnes (if metric)	130.00	120.00
	Exceeding 10 tons but not exceeding 30 tons (if imperial):		
	exceeding 10 tonnes but not exceeding 30 tonnes (if metric)) At the rate per officer hour spent
	Exceeding 30 tons but not exceeding 40 tons (if imperial):) at the place of submission of
	exceeding 30 tonnes but not exceeding 40 tonnes (if metric)) £59.00 plus the hire cost of any
	Exceeding 40 tons but not exceeding 60 tons (if imperial):) equipment.
	exceeding 40 tonnes but not exceeding 60 tonnes (if metric))
(ii)	Instruments as in (i) above, but calibrated to weigh in both imperial and metric units -		
	150 per cent of the fee which would be payable if the instruments were calibrated to weigh only in the imperial system or only in the metric system, or, where those fees differ, 150 per cent of the higher, rounded, where appropriate to the nearest 50p.		
(iii)	Instruments as in (i) and (ii) above, but incorporating remote display or, in the case of counter machines, printing facilities –150 per cent of the fee which would otherwise be payable, rounded, where appropriate, to the nearest 50p.		

		Price £	
		<u>Full</u>	<u>Discount</u>
D.	<u>MEASURING INSTRUMENTS FOR INTOXICATING LIQUOR</u>		
(i)	Not exceeding 5 fl oz	14.50	13.50
(ii)	Other	17.50	16.50
E.	<u>MEASURING INSTRUMENTS FOR MEASURING LIQUID FUEL OR LUBRICANTS</u>		
(i)	Container types, (unsubdivided)	60.00	55.00
(ii)	Multi-grade types single outlets (with a price-computing device and displays common to all grades):		
	(a) for retesting solely on the occasion of an adjustment in the price-computing-device	85.00	78.00
	(b) otherwise	153.50	141.00
(iii)	Other types - single outlets:		
	(a) for retesting solely on the occasion of an adjustment in the price computing device	66.50	61.00
	(b) otherwise	92.00	85.00
(iv)	Other types - multi outlets:		
	1 meter tested(see CO 12 93 2)	100.00	92.00
	2 meters tested	159.00	147.00
	3 meters tested	220.50	202.50
	4 meters tested	278.50	255.50
	5 meters tested	332.00	304.00
	6 meters tested	385.00	352.00
	7 meters tested	447.00	409.00
	8 meters tested	503.00	460.00
(v)	A charge to cover any additional costs involved in testing ancillary equipment which requires additional testing on site, such as credit card acceptors, will be based upon the basic fee given above plus additional costs at the rate of £59.00 per extra officer/hour.		
(vi)	A charge to cover the testing of a consul only, will be at the rate of £59.00 per officer/hour		

		Price £	
		<u>Full</u>	<u>Discount</u>
F.	<u>ROAD TANKER LIQUID FUEL MEASURING EQUIPMENT (ABOVE 100 LITRES)</u>		
	This Service is only available at present with the Director's permission and will be subject to a hire fee of a bulk fuel meter etc.		
	(i) Meter measuring systems -		
	(a) wet hose type, based on two liquids being used for testing	143.00	130.50
	(b) dry hose type, based on two liquids being used for testing	160.00	146.00
	(c) following a Regulation 65 or 66 occurrence - per officer hour spent at the place of submission for the purposes of examination, testing or stamping of the equipment	59.00/hr	
	(ii) Dipstick measuring systems - basic fee (for calibration of each compartment and production of chart):		
	(a) up to an including 7600 litres	126.00	115.00
	(b) over 7600 litres - for any compartment over 7600 litres the fee should be based on the standard fee given above, <u>plus</u> an allowance at the standard officer/hour rate for extra time taken on testing i.e. £59.00.		
	(c) initial dipstick	15.50	14.50
	(d) spare dipstick	14.50	13.50
	(e) replacement dipstick (including examination of compartment)	33.00	30.50
G.	<u>SPECIAL WEIGHING & MEASURING EQUIPMENT</u>		
	For special equipment listed below; per officer/hour spent at the place of submission of the equipment for the purposes of examining, adjusting, testing, certifying, stamping, authorising or reporting on the equipment		
	(i) Automatic or totalising weighing machines.	59.00/hr.	
	(ii) Equipment designed to weigh loads in motion.		
	(iii) Weighing or measuring equipment tested by means of statistical sampling.		
	(iv) The establishment of calibration curves for templets.		
	(v) Templets graduated in millilitres.		
	(vi) Testing or other services in pursuance of a community obligation other than EEC initial or partial verification.		

		Price £	
		<u>Full</u>	<u>Discount</u>
2	<u>FEES FOR THE PURPOSES OF SECTION S74 OF THE WEIGHTS & MEASURES ACT 1985</u>		
	Per officer/hour spent at the place of submission of the equipment for the purpose of examination, adjustment testing or reporting of the equipment; for the weighing or measuring of goods	59.00	+VAT

NOTES: The appropriate fee should be payable whether or not the equipment is passed as fit for use for trade, or receives the stamp of EEC partial or initial verification as the case may be. These Fees with the exception of those put forward for the purposes of Section 74, are NOT subject to Value Added Tax, since the work is a statutory monopoly of the Local Authorities, and is considered by the Customs & Excise as a “non business” activity.

DISCOUNTS

Weights

May be given off the second and subsequent weights if two or more of the same denomination are submitted at the same time.

Equipment other than weights

- (i) May be given off the second and subsequent items if two or more are submitted at the same time.
- (ii) May be given off each item where equipment is submitted for stamping at the Trading Standards Department or where facilities are provided by prior arrangement by the person submitting the equipment.

All equipment: bulk submission

A discount may be given off each item where by prior arrangement with the Director of Trading Standards, sufficient number are submitted at the same time. The discount to be agreed by the Director.

NOTES: With the exception of bulk submission, the maximum discount on any item will be that detailed above.

PUBLIC WEIGHBRIDGE FEE: £5 per weighing.

3. OTHER FEES

- (i) Where officers carry out EC verifications work outside the boundaries of the consortium a charge shall be made on the basis of the rate per officer/hour quoted above for the total time spent travelling and verifying the equipment. No separate verification charge shall be made.
- (ii) Where officers carry out duties before 8.00 am and after 7.00 pm Monday - Friday and at weekends a charge equivalent to the overtime incurred may be charged as agreed by the Director.

Health Safety & Licensing: Fees and Charges Review Schedule

Fee Raising Function:	Current Licence/Permit/Registration Fee:	Proposed Fee:	Comment:
Animal Boarding Establishments	New & Renewal £130	New Renewal £150	**
Track Betting & Pool Promoters	New & Renewal £464 Renewal	No Change	Maximum allowable by statute charged
Breeding of Dogs	New & Renewal £130	New Renewal £150	**
Cinemas	£600	No change	The Statutory maximum is currently charged
Dangerous Wild Animals	New & Renewal £180 (Vets fees are additional)	New Renewal £200	**
Door Supervisors	£128 New (£32 if already licensed by other LA) £32 Renewal	£160 New (£40 if licensed by other LA) £40 renewal	**
Entertainments Licensing (including music, music and dance, theatres, indoor sport, boxing and wrestling etc.	Sliding scale range for new and renewals from £593 to £54,162 Transfer £367 Duplicate £36 Occasional fee scale	Increase all fees by 2%	Full cost of service recovered by estimated total income
Explosives Registered Store & mixed store	£12 & £67	No change	Set by statute
Game Dealers	New & renewal £25	New & Renewal £30	**
Gaming – Amusement with prizes machines	£32	No change	Set by statute
Gaming – All cash machines	£250	No change	Set by statute
Leaflet Distribution	£40 Daily	£45	**
Lotteries and Amusement – Society Lottery	New £35 Renewal £17.50	No change	Set by statute
Mini Bus Permits	£25 Continuous	£50	**
Motor Salvage Operators		New & Renewal £80 Certified Copy of Register Entry £10	New regulatory provisions
Night Cafes	Provisional, New & Renewal £275 Transfer, Occasional, Variation not needing advert £125 Variation requiring advert £275	Provisional, New & Renewal 295 Transfer, Occasional, Variation not needing advert £150 Variation requiring advert £295	**
Occasional Sales (car boot)	Range £30 to £100 on size	Flat fee £40 plus £1 per stall	**

Fee Raising Function:	Current Licence/Permit/Registration Fee:	Proposed Fee:	Comment:
Performing Animals	£130 Copy Certificate £25	£150 Copy Certificate £30	**
Pet Animals	New & Renewal £110	New & Renewal £120	**
Poisons Act	New & Renewal £40 Alteration £25	New & Renewal £45 Alteration £25	**
Riding Establishments	New & Renewal £275	New & Renewal £300	**
Scrap Metal Dealers	No Fee	No Fee	Fee decision made by central government
Sex Establishments	New £8,500 Renewal £7,500	New £9,000 Renewal £7,750	**
Street Trading	New annual and temporary £60 Renewal £30 Alteration £40	No change	**
Street Trading Daily Charges	£2.30p per sq. metre	£2.40 per sq. metre	
Street Trading Monthly Charges	£71.50p per shop frontage	£75 per shop frontage	
Health & Safety at Work – Provision of Factual Statements	Actual hours x hourly rate of officer(s) (inc. on costs) devoted to production of document	No change	**

**** Other than where stated increases represent amount required to cover the cost of providing the total licensing service.**