

**EXTRAORDINARY CABINET**

Wednesday, 24 May 2017

**AUTHORITY TO CHARGE FOR NON STATUTORY ENVIRONMENTAL HEALTH WORK  
(REP1631)****EXECUTIVE SUMMARY**

1. Regulatory services across a range of subjects provided by the Environmental Health team range from education and advice to enforcement. Some of the advice currently offered free of charge on a variety of subjects goes significantly beyond the bare requirements of the statutory service required by legislation and has commercial value.
2. This report seeks authority for charges to be made in respect of some of those areas of the team's work.

Is the report Open or Exempt?	Open
<b>Wards Affected:</b>	All Wards in the District
<b>Cabinet Member:</b>	Community Health & Safety
<b>Supporting Officer:</b>	Andrew Reynolds Environmental Health Manager 01502 523113 <a href="mailto:andrew.reynolds@eastsoffolk.gov.uk">andrew.reynolds@eastsoffolk.gov.uk</a>

## **1 INTRODUCTION**

- 1.1 The Environmental Health Team provides a range of services in pursuance of duties conferred on the Council by several enactments and regulations listed in the schedule to this report.
- 1.2 Several of those enactments contain provision for charges to be made for certain services, such as licence and permit fees, private water supply risk assessment fees, making charges for “works in default” and other costs recovery measures.
- 1.3 Where such charging arrangements are set out by the relevant legislation, those arrangements will have precedence over any charges implemented by this proposal.
- 1.4 It is not intended that this proposal should duplicate or extend any existing statutory provisions for recovering costs or charging fees or result in any additional financial burden or liability on the individuals, businesses or establishments affected by those existing statutory provisions.
- 1.5 As a regulatory authority however, it is to be expected that persons controlling premises, responsible for activities and processes, or providing services which are subject to our regulatory scrutiny should seek our advice on compliance with the regulatory requirements.
- 1.6 It is also to be expected that we should provide a certain amount of expert advice free of charge in support of those statutory duties, but there comes a point when that advice exceeds the requirements of statutory duty and (where applicable) the scope of any fees and charges structure specified by the relevant legislation.
- 1.7 The current default practice is to provide advice wherever possible, free of charge without regard for the boundaries of our statutory obligations, or simply to refer our customers to third party (chargeable) services.
- 1.8 This represents a lost opportunity, since there are occasions where the advice required is within the expertise of the officers involved and could be provided on commercial terms, subject to this being compatible with the Councils role as a regulatory authority under the prevailing circumstances.

## **2 AREAS OF THE SERVICE AFFECTED**

- 2.1 The subject areas include services undertaken in pursuance of all the functions undertaken by the Environmental Health team (background papers).
- 2.2 This list is not intended to be a definitive list; it merely represents the current state of affairs, and will be subject to change in the future with the inevitable repeal, variation and introduction of new legislation from time to time.

## **3 HOW DOES THIS RELATE TO EAST SUFFOLK BUSINESS PLAN?**

- 3.1 One of the three key objectives within the East Suffolk Business Plan is for the Councils to become financially self-sufficient. This proposal will generate additional income for the Council in support of this objective.

## **4 FINANCIAL AND GOVERNANCE IMPLICATIONS**

- 4.1 It is not possible to predict the income expected to be derived from this source. It is likely that the identification of charging opportunities will be a matter of evolution over an extended period rather than sudden.

4.2 There are no start-up or running costs over and above the existing budget provision.

## 5 OTHER KEY ISSUES

5.1 This report has been prepared having taken into account the results of an Equality Impact Assessment, a Sustainability Impact Assessment and a Partnership Impact Assessment. There are no implications.

5.2 The Environmental Health team functions as a single, integrated entity across the Suffolk Coastal and Waveney partnership. The inclusion of the wider team across the partnership gives access to a broader range of skills than would otherwise be the case and thus, greater flexibility and scope for taking advantage of commercial opportunities as they arise.

## 6 CONSULTATION

6.1 A similar report will be presented to Suffolk Coastal Cabinet in due course.

6.2 The necessary consultations and negotiations with our insurers will be completed prior to undertaking any activities incurring risks or liabilities not currently underwritten by them.

6.3 Charging rates will be subject to consultation with the Head of Finance

## 7 OTHER OPTIONS CONSIDERED

7.1 Not charging – missed opportunity.

## 8 REASON FOR RECOMMENDATION

8.1 It is appropriate in the current local government financial climate to seek opportunities for generating income. This is just such an opportunity.

### RECOMMENDATIONS

1. That the report is accepted.
2. The Head of Environmental Services and Port Health be authorised to make charges for services provided by the Environmental Health team in accordance with the terms of this report.

### APPENDICES – None

### BACKGROUND PAPERS

Date	Type	Available From
As report	List of statutory activities currently undertaken by the Environmental Health team	<a href="mailto:andrew.reynolds@eastsoffolk.gov.uk">andrew.reynolds@eastsoffolk.gov.uk</a>