

Public Document Pack



Dear Councillor

ENVIRONMENT AND ENFORCEMENT COMMITTEE - WEDNESDAY, 6TH DECEMBER, 2017

I am now able to enclose, for consideration at next Wednesday, 6th December, 2017 meeting of the Environment and Enforcement Committee, the following reports that were unavailable when the agenda was printed.

Agenda No	Item
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|----|---|
| 5. | <u>Fees and Charges</u> (Pages 3 - 12) |
| 6. | <u>Open Space Protection Measures Update</u> (Pages 13 - 16) |

Yours sincerely



Chief Executive

Encs

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6th December 2017

Environment & Enforcement Committee

Fees & Charges – Street Scene and Environment

Report of: Dawn Taylor – Business Support Services Manager

Wards Affected: All

This report is: Public

1. Executive Summary

- 1.1 Fees and charges made by the Council for various services are reviewed on an annual basis by the relevant Committees relating to the Services.
- 1.2 Recommended amendments to fees and charges are incorporated into the budget setting process to take effect from the following financial year.

2. Recommendations

- 2.1 **That the proposed fees and charges attached in Appendices A, B and C are agreed and incorporated within the 2018/19 budget.**
- 2.2 **The members agree to reduce the period of time for an Exclusive Right of Burial (ERB) from 100 years to 50 years.**

3. Introduction and Background

- 3.1 The Council has many fees and charges relating to the services it provides. As part of the budget setting process, these charges are reviewed on an annual basis. Whilst some of the fees and charges are statutory and therefore determined through legislation, the Council must also review its charges for discretionary services to ensure that they reflect the current cost of service provision.
- 3.2 The individual charges that are being proposed are set out in Appendices A, B and C of this report.

4. Issue, Options and Analysis of Options

- 4.1 Some fees were increased last year, but some were not increased and therefore, it is proposed to implement an increase of 3% (to be rounded to nearest pound). There are 4 notable exceptions to the key principles laid out above, and these are as follows:

- I. Trade Waste – as agreed previously some services such as Trade Waste operates in a competitive environment and need to be able to change within the market(s). Trade Waste fees are delegated to Managers to make appropriate changes either through negotiations or when the market dictates.
- II. Garden Waste Leased Bin Charge - currently the annual fee for a Waste Bin is £46.00. The Street Scene Department in 2016 took part in an income Generation Review undertaken by BDO, and their recommendation was that the Council matches the mean average price for the peer group (£45.82). The proposal for 2018-19 is to increase the cost of the Garden Waste leased bin charge by 8.70% to £50 per annum. It should however be noted that this would still be lower than the identified upper quarter of £55.00 plus and would put us in the mid-price range.
- III. Garden Waste Biodegradable Sacks- a 3.3% increase for the retail price is proposed. This will enable the procurement of a sack that has a sufficient gauge to ensure the integrity of the sack for a minimum period of four weeks.
- IV. Cemeteries – As already highlighted in the report as part of the Income Generation Review by BDO, a number of income streams were reviewed and compared to the authority's peer groups. One of these streams was the Councils Cemetery Services. Whilst Officers are conscious of the sensitive nature of this service area they are also mindful of the cost of the service to provide and the need for services to be sustainable and where possible cost neutral. The BDO report highlighted that the authority's charges were lower than others within its peer group and recommended that in order to bring it in line with its counterparts, increases be applied over a two-year period to achieve this. The increases form part of a two-step progress to ensure the Council is in line with its other peer group members whilst avoiding a significant increase in a single year. This will result in a similar increase being tabled to members as part of the fee setting process for the 2019/20 financial year.
- V. In addition to this, it is proposed to reduce the length of period an Exclusive Right of Burial [ERB] is issued for. The authority currently issues ERB's for 100 years before they are due for renewal, Officers are now frequently finding that ERB's are expiring without being transferred to alternative living family members or friends due to the excessive time that will have lapsed since the ERB was issued. This can make tracing ERB owners almost impossible if a need to contact them arises in the future. In addition to this it is recommended by the Institute of Cemetery and Crematorium Management [ICCM] that ERB's should not exceed 99 years and under statute must not exceed 100 years. Following the consideration of the above and in line with many other authorities in the County it is proposed to reduce the active time period for an ERB from 100 years to 50 years.

- VI. It is proposed that all other fees and charges within Cemetery Services be raised by 3% in line with other service areas.
- VII. Discretionary Environmental Health fees and charges are also proposed to be increased by 3%.

5. Reasons for Recommendation

- 5.1 The recommendation is to increase charges by 3% (rounded to nearest pound) plus the exceptions detailed above, which will make a small contribution to the subsidised services provided by the Council and aiming to recover the cost of the services being provided.

6. Consultation

- 6.1 Not applicable

7. References to Corporate Plan

- 7.1 A Modern Council – providing increased customer satisfaction in the quality of Council Services.
- 7.2 Costs of services provided based on efficient systems providing value for money to customers.

8. Implications

Name & Title: Jacqueline Van Mellaerts, Principal Accountant
Tel & Email: 01277 312 829 jacqueline.vanmellaerts@brentwood.gov.uk

The fees referred to in this report inform the 2018/19 budget setting process.

Legal Implications

Name & Title: Daniel Toohey, Legal Services Manager
Tel & Email: 01277 312860 daniel.toohey@brentwood.gov.uk

The report adheres with the general duty for the Council to maintain transparency when levying fees and charges for relevant services.

Other Implications (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

None.

9. Background Papers (include their location and identify whether any are exempt or protected by copyright)

- 9.1 None.

10. Appendices

Appendix A – Fees and Charges - Cemeteries
Appendix B – Fees and Charges – Waste Management
Appendix C – Fees and Charges – Other Environment

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Appendix A

ENVIRONMENT AND ENFORCEMENT FEES & CHARGES SCHEDULE FROM 1 APRIL 2018

DESCRIPTION OF CHARGE	VAT	FEE	CHARGES		CHARGES	
			April 2017-March 2018		April 2018-March 2019	
			Excl VAT	Inc VAT	Excl VAT	Inc VAT

SERVICE AREA: CEMETERIES

CHARGING AREA: CEMETERIES

Note - Maintaining of graves is usually standard rate VAT, but as the council has published rules on the type of memorial governing, the charge is outside scope. A Brentwood resident is anyone currently living in the Borough or someone who spent 75% of their life in the Borough.

Purchase of Exclusive Rights of Burial for 50 years (previously 100 years)

All Graves and vaults	O	D	779.00	779.00	997.00	997.00
Cremated Remains Plot	O	D	322.00	322.00	396.00	396.00
Non-Brentwood Resident is ten times the above charges						

Interment Fees

Graves dug down for one or two	E	D	566.00	566.00	724.00	724.00
Additional charge for dig down to 9ft	E	D	140.00	140.00	179.00	179.00
Cremated Remains Plot	E	D	114.00	114.00	140.00	140.00
Child under 12 years	E	D	283.00	283.00	362.00	362.00
Child under 1 year	E	D	0.00	0.00	0.00	0.00
Non-Brentwood Resident is two times the above charges						

Option to Extend Exclusive Rights of Burial for a further 25 years (previously 50 years)

All Graves and vaults	O	D	192.00	192.00	198.00	198.00
Cremated Remains Plot	O	D	96.00	96.00	99.00	99.00
Non-Brentwood Resident is ten times the above charges						

Chapel hire at London Road and Woodman Road

	E	D	53.00	53.00	55.00	55.00
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Monuments

Monument/Inscription approval fee	O	D	130.00	130.00	134.00	134.00
Additional charge for kerbed monuments	O	D	66.00	66.00	134.00	134.00

Other Charges

Deed Transfer	O	D	56.00	56.00	58.00	58.00
Search of Burial Records	O	D	0.00	0.00	0.00	0.00

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Appendix B

ENVIRONMENT AND ENFORCEMENT FEES & CHARGES SCHEDULE FROM 1 APRIL 2018

DESCRIPTION OF CHARGE	VAT	FEE	CHARGES		CHARGES	
			April 2017-March 2018		April 2018-March 2019	
			Excl VAT	Inc VAT	Excl VAT	Inc VAT

SERVICE AREA: WASTE MANAGEMENT

CHARGING AREA: REFUSE

Dog waste and litter bin emptying

Empty dog waste/litter bins	Per Empty	S	D	2.70	3.24	2.75	3.30
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Domestic Refuse Collection

Special Collections - Charge per item	Min 2 Items	O	D	10.50	10.50	10.80	10.80
Biodegradable sacks for garden waste per wrap of 10		O	D	3.00	3.00	3.10	3.10
Biodegradable sacks for garden waste per wrap of 100		S	D	225.83	271.00	232.50	279.00
Garden Waste Bin hire per annum - including fortnightly emptying (DD/online payment customers)		O	D	46.00	46.00	50.00	50.00
Hire of 770, 940 and 1100 litre Container		S	D	95.00	114.00	97.83	117.40
Hire of 240 litre Wheelie Bin		S	D	30.00	36.00	30.92	37.10
Hire of 360 litre wheelie bin		S	D	40.00	48.00	41.17	49.40

Residual Trade Waste Collection

1280 litre Container		O	D	21.00	21.00	21.50	21.50
1100 litre Bin		O	D	19.00	19.00	19.50	19.50
940 litre Bin		O	D	17.50	17.50	17.90	17.90
770 litre Bin		O	D	15.50	15.50	15.90	15.90
360 litre Bin		O	D	10.50	10.50	10.80	10.80
240 litre Bin		O	D	9.00	9.00	9.30	9.30
Prepaid Residual Sacks (25)		O	D	52.50	52.50	53.80	53.80
Extra collection (£25 plus collection charge per container)		O	D	25.00	25.00	25.60	25.60

Trade Glass Collection

Bulk Containers - guide price per container per emptying							
940 and 1100 litre Bin		O	D	12.00	12.00	12.30	12.30
240 litre Bin		O	D	8.00	8.00	8.20	8.20

Trade Dry Recycling Collection (including Separated Cardboard)

Bulk Containers - guide price per container per emptying							
1280 litre Container		O	D	12.50	12.50	12.80	12.80
1100 litre Bin		O	D	12.00	12.00	12.30	12.30
940 litre Bin		O	D	11.00	11.00	11.30	11.30
770 litre Bin		O	D	9.50	9.50	9.70	9.70
360 litre Bin		O	D	8.50	8.50	8.70	8.70
240 litre Bin		O	D	8.00	8.00	8.20	8.20
Prepaid Recycling Sacks (25)		O	D	25.00	25.00	25.60	25.60

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Appendix C

ENVIRONMENT AND ENFORCEMENT FEES & CHARGES SCHEDULE FROM 1 APRIL 2018

DESCRIPTION OF CHARGE	VAT	FEE	CHARGES		CHARGES	
			April 2017-March 2018		April 2018-March 2019	
			Excl VAT	Inc VAT	Excl VAT	Inc VAT

SERVICE AREA: OTHER ENVIRONMENTAL HEALTH SERVICES

CHARGING AREA: OTHER ENVIRONMENTAL HEALTH SERVICES

Dog Control

Statutory Seizure Fee	O	S	25.00	25.00	25.00	25.00
Dog Warden Collection Costs	O	D	68.00	68.00	70.00	70.00
Kennelling Costs (per day)	O	D	13.32	13.32	14.00	14.00

Other Charges

Copy of Food Premises Register (single entry)	O	D	2.00	2.00	2.00	2.00
Copy of Food Premises Register (complete)	O	D	110.00	110.00	110.00	110.00
Level 2 CIEH Food Hygiene/Health & safety	E	D	67.00	67.00	67.00	67.00
Contaminated Land Search Enquiries	O	D	111.00	111.00	115.00	115.00

ASB, Crime and Policing Act 2014

Breach of Community Protection Notice	O	D	80.00	80.00	80.00	80.00
Early payment	O	D	50.00	50.00	50.00	50.00
Breach of Public Spaces Protection Order	O	D	80.00	80.00	80.00	80.00
Early payment	O	D	50.00	50.00	50.00	50.00

Environmental Protection Act 1990

Failure to provide a waste transfer note	O	D	300.00	300.00	300.00	300.00
Littering	O	D	80.00	80.00	80.00	80.00
Dog control offences	O	D	80.00	80.00	80.00	80.00

Clean Neighbourhoods and Environment Act 2005

Alarm noise - failure to nominate key-holder or to notify local authority key-holder's details	O	D	80.00	80.00	80.00	80.00
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Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016

Fly-tipping	O	D	400.00	400.00	400.00	400.00
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Pollution Prevention and Control Act 1999*

* Note these fees are set by DEFRA and are usually published after 1 April. Therefore fees from 1 April 2018 are subject to change

Standard Process	O	S	1,650.00	1,650.00	1,650.00	1,650.00
Reduced fee activities	O	S	99.00	99.00	99.00	99.00
Mobile screening and crushing plant	O	S	1,650.00	1,650.00	1,650.00	1,650.00

Annual Subsistence Charge*

* Note these fees are set by DEFRA and are usually published after 1 April. Therefore fees from 1 April 2018 are subject to change

Standard process Low Risk	O	S	772.00	772.00	772.00	772.00
Standard process Medium Risk	O	S	1,161.00	1,161.00	1,161.00	1,161.00
Standard process High Risk	O	S	1,747.00	1,747.00	1,747.00	1,747.00
Reduced fee activities Low Risk	O	S	79.00	79.00	79.00	79.00
PVR I & II combined	O	S	113.00	113.00	113.00	113.00
Mobile screening and crushing plants	O	S	646.00	646.00	646.00	646.00

Food Safety

Food Hygiene Courses	E	D	67.00	67.00	67.00	67.00
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6th December 2017

Environment and Enforcement Committee

Open Space Protection Measures Update

Report of: *David Carter*

Wards Affected: *All*

This report is: *Public*

1. Executive Summary

1.1 At the meeting of the Environment and Enforcement Committee on 24th October Members approved officers to investigate additional security measures on Council land.

1.2

1.3 This report recommends that actions are taken over the winter months where possible – as estimated costs are not yet available it is recommended that authority is delegated to the Chair and Vice Chair in consultation with officers to determine appropriate works and approve costs from within existing 2017/18 budgets to undertake works before the financial year end.

2. Recommendation(s)

2.1 Members authorise officers in consultation with the Chair and Vice Chair of Environment and Enforcement to agree a maximum of £25k of additional expenditure to the existing 2017/18 capital programme to improve security in identified areas of land owned by Brentwood Borough Council

3. Introduction and Background

3.1 Open Space Protection Measures

Whilst measures to improve security of Council land have in general been successful in preventing entry onto sites, unauthorised incursions did occur onto Council land over the spring and summer of 2017.

3.2 Whilst these were primarily at the Brentwood Centre and Warley Country Park, additional measures are being investigated to improve security at these and other sites.

- 3.3 Works to protect the exit from the main car park at the Brentwood Centre are being considered following an unauthorised incursion onto the car park where access was enabled through the exit plates. Damage was also caused to a field entrance from Doddinghurst Road allowing the height restrictor barrier to be accessed.
- 3.4 Further incursions at Warley Country Park also resulted in damage to entrance gates and enabled access to the land. Improved entrance gates and further fencing to the site are proposed to reduce the risk of a recurrence.
- 3.5 In addition, it is proposed to improve gate entrances where height restrictors have been used by installing posts to supplement the existing gates at sites including Alexander Lane Shenfield, Seymour Field Ingatestone, Bishops Hall Park, Bannister Drive Hutton, Larkins Playing Field, Little Warley Common and the Brentwood Centre.

4. Issue, Options and Analysis of Options

- 4.1 The Council has the option of taking further measures to improve security of land owned or to potentially leave sites vulnerable. In order for these measures to be most effective they should ideally be implemented within the current financial year.
- 4.2 Improving security of sites will hopefully reduce the risk of incursions onto the land in question but may also increase the likelihood of other land being targeted which may be in a more sensitive location or in private ownership.
- 4.3 The ECTU will deal with unauthorised incursions on Council or Parish Council land, but the legal process takes several days to complete.
- 4.4 Measures to improve security will have budgetary requirements and will also potentially require future repair and maintenance expenses but this is balanced against the costs of removal, clearance of sites and the impact on residents in the vicinity of the site.

5. Reasons for Recommendation

- 5.1 To continue to effectively reduce the likelihood of unauthorised incursions onto Council and Parish Council land in the Borough and to reduce the impact of additional expenditure, particularly on-site clearance.

6. References to Corporate Plan

Environment and Housing Management

Develop effective partnership arrangements with key agencies to deliver services

Community and Health

Make Brentwood a Borough where people feel safe, healthy and supported

Work with partners to reduce anti-social behaviour and ensure that Brentwood is a safe place to live

7. Implications

Financial Implications

Name & Title: Jacqueline Vanmellaerts Financial Services Manager (Deputy Section 151 Officer)

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There are in the medium term sufficient Capital receipts available in order to fund this additional Capital Expenditure of £25k to the existing 2017/18 Capital programme as the work is required before the end of the financial year. However a longer term plan for Open Space Protection Measures will need to be considered for the 2018/19 Budget setting process.

Legal Implications

Name & Title: Daniel Toohey, Head of Legal Services and Monitoring Officer

Tel & Email: 01277 312860 / daniel.toohey@brentwood.gov.uk

While the Council has a broad duty to residents to ensure the safekeeping of its assets, which will include a robust but proportionate response to trespassing on Council property, it is also required to have appropriate regard to statutory requirements including human rights issues.

Other Implications (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

None identified

8. Background Papers (include their location and identify whether any are exempt or protected by copyright)

None

9. Appendices to this report

None

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