

ENVIRONMENTAL HEALTH PARTNERSHIP - ENVIRONMENTAL PROTECTION CONSULTANCY - RECOVERY OF COSTS

Direct and Trading Advisory Committee - 13 March 2018

Report of Chief Officer Environmental and Operational Services

Status: For Decision

Also considered by: Cabinet - 19 April 2018

Key Decision: Yes

This report supports the Key Aim of: A dynamic and sustainable economy

Portfolio Holder Cllr. Matthew Dickins

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Recommendation to Direct and Trading Advisory Committee:

To consider and recommend to Cabinet to approve

Recommendation to Cabinet that

- a) Cabinet agree to the Environmental Health Partnership recovering their resource costs from businesses for Environmental Protection consultancy work.
- b) a minimum fee be charged of £108 plus VAT and a standard photocopying charge for 2 hours work, and £72 per hour thereafter and a standard photocopying charge. (This is a cost recovery charge only.)

Reason for recommendation:

The Environmental Protection team hold qualifications and experience to enable the provision of specialised technical opinion or advice. This expertise is required in order that the team can carry out their statutory duties. However, businesses now increasingly come to the team for consultation (non-statutory) realising that it is currently being provided free of charge. They are often asked to give free advice/consultancy to businesses for

- Contaminated land searches
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- The Scope of Planning Assessments (acoustic / air quality /contaminated land/ odour assessments)
 - Pre-Application planning advice
 - Undertaking noise/ acoustic measurements/ setting of noise limiters/ monitoring of conditions (licensing and planning).
 - Construction methods advice
 - Environmental monitoring and assessment
 - Animal Control on behalf of other agencies (i.e. those undertaking forced entry).
 - Japanese knotweed identification and advice
 - Works in default and storage of seized equipment
 - Requests for information in order to undertake an Environmental Risk Assessment.

If businesses obtained this advice from the private sector they would be charged a specialist rate fee.

Currently, consultancy work is carried out by the team for free, but the businesses requesting that consultancy advice can then charge their clients for obtaining consultancy from the team.

The Environmental Protection team do not invoice for any consultancy research, producing reports or the calibration and use of our specialist equipment/systems.

From 1 June 2018, the Environmental Health Partnership's Environmental Protection Team would like to start charging businesses for consultancy time, resource and use of equipment. The charge will recover costs incurred to reinvest in the teams' already limited resources. This cost-recovery will only apply to consultancy services. The fees would match DBC's level of charge for consistency.

Introduction and Background

- 1 Currently, some more proactive businesses may ask for advice, before they open their premises. Officers will spend time giving advice to these businesses. Such advice may result in a business making significant financial or operational savings. However, there is no statutory duty for the EH team to do this. In providing this service, resource can be diverted away from the statutory routine work. However, officers know that this pre-advice can save time as part of pollution prevention measures, as the business begins by being compliant and a good officer-customer relationship has been established.

- 2 The downside to this is that officers can spend time advising many businesses that never come to fruition. Also it can be seen that some businesses despite being advised by their regulator in person, still opt to go on and pay a consultant for the same advice. Almost as if by paying for a service, somehow validates the information more for a business.
- 3 This consultancy service will provide enhanced support for businesses from qualified, experienced, Environmental Protection officers. The consultancy will be tailored to suit each business. It is proposed there will be a minimal charge for a basic package of £100 plus VAT for 2 hours work (not including travel time). Businesses can then purchase additional time and follow up support visits
- 4 The consultancy will be aimed at both new and existing businesses. For those businesses that just require cursory advice, there will always be the option of obtaining free information by telephone or via our websites and their associated links.

In Summary

In providing a charged advice service, the Environmental Health Partnership aims to:

- a) Improve relationship between business and regulator
- b) Save business money - help them get things “right first time” before opening.
- c) Reduce the resources required for enforcement at a later date.
- d) Increase the business manager’s confidence in running their business
- e) Promote business success and economic growth in both Sevenoaks and Dartford
- f) Work in the culture of the Better Business for All (BBFA) government initiative.

Key Implications

Financial

Businesses will be charged before a consultancy visit takes place and income received will be monitored. It is anticipated that the scheme will be available from June 2018.

Legal Implications and Risk Assessment Statement

Section 1 of the Localism Act 2011 gives local authorities the power to charge for a service which is not a statutory function.

Equality Assessment

