

Bath & North East Somerset Council		
MEETING/ DECISION MAKER:	Cllr Bob Goodman, Cabinet Member for Development and Neighbourhoods	
MEETING/ DECISION DATE:	On or after 29 Mar 2019	EXECUTIVE FORWARD PLAN REFERENCE:
		E 3135
TITLE:	Public Protection Fees and Charges 2019/20	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Appendix 1 – Proposed fees and charges for 2019/20 Public Protection		

1 THE ISSUE

- 1.1 The purpose of this report is to obtain agreement to the fees and charges for specified services provided within the Public Protection Service in line with proposals agreed in the February 2019 budget setting by Full Council.

2 RECOMMENDATION

The Cabinet Member is asked to approve;

- 2.1 Formal adoption of the new fees and charges for Public Protection, as proposed at Appendix 1.
- 2.2 That these are to be implemented on 1 April 2019 to minimise the loss of potential income to the Authority.
- 2.3 That delegated authority be given to the Head of Building Control and Public Protection to agree fees and charges (where in accordance with the financial plan) which vary from the standard inflation clause, if the cost base changes or new services are introduced and that this can be done throughout the year if external factors influence the cost base significantly throughout the financial year.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 This is an update to current charges for existing services; no additional resources are required to implement the recommendations.
- 3.2 Communications with existing customers, where required, are to be undertaken within existing resources.
- 3.3 Changes to charges are either to increase in line with inflation or to ensure full cost recovery for the service.
- 3.4 These charges also include statutory fees which cannot be varied.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

- 4.1 The Localism Act 2011 – the general power of competence enables local authorities to charge for discretionary services. Section 3 of the Localism Act permits the Local Authority to recover the costs of provision subject to a duty to secure that, taking one financial year with another, the income from charges allowed does not exceed the costs of provision. This means a Local Authority must not make a profit when taking into account all elements of service provision.
- 4.2 The Public Protection Service has a statutory duty to protect public health which it delivers through its routine inspection, licensing and enforcement regimes. There are a range of statutory and regulatory powers which enable local authorities to set fees relating to specific functions – for example Licencing, Environmental Monitoring etc. These powers are subject to the duty not to make a profit.

5 THE REPORT

- 5.1 Public Protection offers a range of statutory services to different customers to allow them to access our services along with a range of non-statutory services delivered for the benefit of our residents, businesses and visitors as well as an enhanced business support offer.
- 5.2 The fees for a number of the services delivered by Public Protection are statutory and therefore set by regulation. Other fees and charges in Public Protection have been set to ensure that cost recovery is achieved.
- 5.3 Authority was given through Decision E2949 to formally introduce a range of discretionary fees and charges in Public Protection which are now being reviewed in the fees and charges. These charges include but are not limited to:
 - i. Advice for new businesses
 - ii. Licensing pre-application advice, application assistance and a check and send option. This involves a range of charges depending on the licence and the type of support requested
 - iii. Training, mentoring and development.

6 RATIONALE

- 6.1 These proposals are in line with the budget for 2019/20 approved by Council in February 2019.
- 6.2 Fees and charges are designed to recover cost and, where permissible in accordance with Statutory and Regulatory regimes, to generate income to contribute to the overall cost of delivering Council Services.

7 OTHER OPTIONS CONSIDERED

- 7.1 None

8 CONSULTATION

- 8.1 The Council's Head of Building Control and Public Protection, Cabinet Member for Development and Neighbourhoods, Monitoring Officer and Section 151 Officer have had the opportunity to input to this report.

9 RISK MANAGEMENT

- 9.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

Contact person	<i>Cathryn Brown/Phil Mansfield 01225 477645/477541</i>
Background papers	<i>E3040 – Fees & Charges 2018/119</i> <i>E2906 – Charging for Business Advice and Support Services in the Public Protection & Health Improvement Service – 5 November 2016</i>
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