

BIRMINGHAM CITY COUNCIL

**REPORT OF THE ACTING DIRECTOR OF REGULATION AND ENFORCEMENT
TO THE LICENSING AND PUBLIC PROTECTION COMMITTEE**

15 FEBRUARY 2017
ALL WARDS

**REVIEW OF LICENSING AND PUBLIC PROTECTION
FEES AND CHARGES 2017/2018**

1. **Summary**

- 1.1 The Corporate Charging Policy and Financial Regulations require that fees and charges levied by the Licensing and Public Protection Committee be reviewed on an annual basis to ensure the continued full recovery of costs.
- 1.2 It should be noted that some of the fees relating to areas which come within your Committee's remit are set nationally through statute, and these cannot be varied by your Committee.
- 1.3 All fees and charges have been set to maximise income so far as is possible within legal constraints.
- 1.4 This report deals with all fees and charges within the control of your committee other than the fees charged by the Licensing Service, which are considered in a separate report.

2. **Recommendations**

- 2.1 That the changes to the fees and charges as below be approved to take effect from 1 April 2017:
 - i. Trading Standards Services as detailed in Appendix 1.
 - ii. Environmental Health and Pest Control Services as detailed in Appendix 2.
 - iii. Register Office Services as detailed in Appendix 3; statutorily set charges are shown in Appendix 3(a) and a benchmarking comparison is shown in Appendix 3(b).
 - iv. The Coroner's Service as detailed in Appendix 4.
 - v. Birmingham Account Team (formerly Surveying Services) as detailed in Appendix 5.
- 2.2 That the tariffs for Fixed Penalty Notices, as detailed in Appendix 2a be set at the levels specified for the year 2017/2018. [All FPNs have been set at the maximum prescribed tariff with no discount for early payment except where a statutory discount applies.]

- 2.3 That authority be delegated to the Acting Director of Regulation and Enforcement and Heads of Service to authorise the negotiation of variations to the fees and charges identified in this report, in the interests of commercial flexibility.

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3. Background

- 3.1 The City Council's Corporate Charging Policy and Financial Regulations require that Chief Officers, at least annually, report to and seek approval from Committee on a review of all fees and charges levied for services provided.

4. Proposals

- 4.1 The fees proposed in this report are calculated to maximise income and recover the full cost of carrying out the various services in line with City Council policy. This includes all overheads, administrative costs, expenses and any appropriate recharge of officers' time.
- 4.2 The areas covered are as follows:
- Appendix 1 – Review of Charges for Trading Standards.
 - Appendix 2 – Review of Charges for Environmental Health and Pest Control Services.
 - Appendix 3 – Review of Charges for Register Office.
 - Appendix 4 – Review of Charges for the Coroner's Service.
 - Appendix 4 – Review of Charges for Birmingham Account Team (formerly Surveying Services).
- 4.3 Where the fees are not covered by the appendices or a recovery of monies is to be levied then the recharge will be based on the following table. It includes full overhead recovery and is broken down by the seven salary grading bands the Local Authority appoints its officers under.

OFFICER SALARY GRADE	CHARGEABLE HOURLY RATE 2016/2017	CHARGEABLE HOURLY RATE 2017/2018
Grade 2	£33	£33
Grade 3	£43	£44
Grade 4	£56	£58
Grade 5	£71	£73
Grade 6	£91	£93
Grade 7	£122	£124

- 4.4 In carrying out this annual review of charges reference has been made to the requirements of the Corporate Charging Policy. Particular attention has been paid to the need to ensure that income is maximised insofar as possible.
- 4.5 With regard to matters which relate to trading in the open market consideration has been given to competitors pricing and what the market can sustain. Where a fee has been proposed that does not achieve full cost recovery (for instance due to the need to compete with alternative providers, it has been indicated in the relevant appendix).
- 4.6 During the year ahead the financial position will continue to be closely monitored and options identified to resolve budgetary pressures as necessary and alternative savings proposals developed to meet new and emerging pressures.

5. Consultation

- 5.1 A draft version of this report was presented to the Deputy Leader's Star Chamber on 9 February 2017. Any recommendations from Star Chamber will be identified in the verbal presentation by Heads of Service owing to the publication deadlines on the Committee Information Management System (CMIS).

6. Implications for Resources

- 6.1 The proposals do not represent any increases to budgeted income for 2017/2018. The proposed increases to charges for Pest Control and Registrars are designed to bridge the ongoing financial pressures that both services are under.

7. Implications for Policy Priorities

- 7.1 The recommendations are in accordance with Financial Regulations, budget requirements and the Corporate Charging Policy.

8. Public Sector Equality Duty

- 8.1 There are no specific implications identified.

ACTING DIRECTOR OF REGULATION AND ENFORCEMENT

Background Papers: Birmingham City Council – Corporate Charging Policy

REVIEW OF CHARGES – TRADING STANDARDS 2017/2018

It is proposed that the revised fees are based on the 2016/2017 fees with a 2% increase; this takes account of 1% pay award and increased superannuation costs. Fees have been rounded up or down as appropriate.

1.1 Measuring Instruments for Measuring Liquid Fuel or Lubricants or Mixtures Thereof

	Current Charge 2016/2017 (£)	Proposed Charge 2017/2018 (£)
Unsubdivided container types	88	89
1 meter tested	110	112
2 meters tested	180	183
3 meters tested	250	255
4 meters tested	315	321
5 meters tested	387	384
6 meters tested	461	470
7 meters tested	525	535
8 meters tested	580	591

All work undertaken under the Measuring Instruments Directive will be charged on the basis of time on site at the appropriate officer (GR5) hourly rate £73.00 and where tested outside the Birmingham boundary, the charges imposed will be subject to mileage costs from base plus an overhead of 10%. For equipment tested off-site within the Birmingham boundary this will not be subject to the 10% overhead.

1.2 Other Weighing Or Measuring Equipment Or Other Forms Of Test

A minimum charge, equivalent to one hour of the appropriate officer (GR5) hourly rate £73.00 will apply to all jobs carried out on the Garretts Green site. Please note that some services have been discontinued and are, therefore, not shown below. (VAT is applicable to those charges at the prevailing rate.)

1.3 Other Fees And Charges

	Current Charge 2016/2017 (£)	Proposed Charge 2017/2018 (£)
Duplicate certificates or duplicate statements of accuracy (each)	21	21

1.4 Metrology (out of hours)

All of the fees assume that the work will be undertaken during the standard opening times of the City Council, that is to say 9.00 am – 5.15pm Monday – Thursday and 9.00 am – 4.15pm on Friday. Work undertaken, at the request of the trader or person submitting the item, outside of these hours will be charged at an extra 50%.

1.5 Metrology (cancellation of appointments)

Where an appointment is made in advance and that appointment is subsequently cancelled at short notice by the trader (less than 24 hours) a fee equivalent to one hour at the appropriate officer (GR5) hourly rate £73.00 shall be payable.

1.6 Bespoke seminars/training

A charge for businesses or trade sectors expressing an interest in a bespoke seminar or training on Trading Standards legislation relevant to that business or trade sector; this would include certification of Weighbridge Operators. It is proposed that the charge is £82 + Vat per attendee (minimum of 10 attendees) remains unchanged.

1.7 Primary Authority Partnership

This is part of a national programme to enable local authorities and businesses to work together to help improve consistency in regulation. The programme is overseen by the Better Regulation Delivery Office and enables local authorities to recharge for the time spent on servicing the partnership. Primary Authority Partnerships are agreed on a cost recovery basis.

The current charging arrangements which have already been agreed with our current partners are based on an officer's hourly rate. The proposed charge, therefore, reflects the 2017/2018 Grade 5 Officer hourly rate of £73 plus expenses. (Current charge £71.)

1.8 Financial Investigations

Accredited Financial Investigators within Trading Standards are able to provide financial investigation services to both internal and external (public sector) clients. It is proposed that the charge be at a GR5 hourly rate of £73.00 plus expenses.

Any incentivisation money resulting from a Proceeds of Crime Act 2002 investigation will be shared according to the Home Office incentivisation scheme.

The current Home Office Asset Recovery Incentivisation Scheme (ARIS) stipulates:

Under the Home Office Asset Recovery Incentivisation Scheme (ARIS) 50% of the monies recovered from a particular defendant is distributed amongst the agencies involved in the Confiscation.

Agencies will receive the appropriate share (of the 50%) from their asset recovery activities allocated as follows:

Confiscation order receipts

Criminal Justice Service Ministers have agreed that confiscation order receipts will be split three ways thus:

- Investigation (Local Authority) – 18.75%;
- Prosecution (Local Authority – 18.75% and
- Enforcement (Her Majesty's Court Service) – 12.5%.

Cash Forfeitures

All agencies with cash seizure and detention powers under the Proceeds of Crime Act 2002 – 50% share of the forfeited amount to the agency.

It is proposed that where the services of the Accredited Financial investigator has resulted in cash forfeiture, then 25% of the total forfeited amount will be retained by Birmingham Trading Standards.

It is proposed that where the services of the Accredited Financial Investigator has resulted in a successful confiscation order receipt the 18.75% investigation allocation will be retained by Birmingham Trading Standards.

The regional Scambuster team is hosted by Birmingham Trading Standards. The grant agreement requires that 50% of the any ARIS payment awarded and received by the hosting Local Authority is returned to National Trading Standards (NTS). It is, therefore, proposed that any successful financial investigation undertaken on behalf of this team will result in the retention of 25% of the remaining ARIS money after payment is made to the NTS. This amounts to 9.375% of the total amount of a confiscation order and 12.5% of total cash forfeiture.

Financial investigation is a growing service within the public sector and many local authorities are now offering these services. There are many different charging policies and in some circumstances it may be beneficial to have the ability to negotiate the charges with the client to secure the job. The Director of Regulation and Enforcement and the Head of Trading Standards have the discretion to agree any negotiated changes to the proposed fees and charges relating to financial investigations.

1.9 Trading Standards Fixed Penalty Notice and Penalty Charge Tariffs

All of the tariffs in the table below are set by statute except for the tariff for early payment discount in respect of nuisance parking and it is not proposed to change that tariff.

OFFENCE	LEGISLATION	FPN TARIFF Existing FPN or PN 2015/2016	FPN TARIFF FOR 2016/2017
Nuisance parking	s.6(1) Clean Neighbourhoods and Environment Act 2005	£100 No discount for early payment	£100 No discount for early payment
Energy Performance Certificates (duty to provide to prospective buyers, tenants or owners) (also to provide recommendations pertaining to the report and provide a copy of the reports etc to an officer of the enforcing authority)	Energy Performance of Buildings (England and Wales) Regulations 2012; Regulation 6(2), 6(5), 7(2), 7(3), 7(4), 7(5) and 36	£200 set by statute	£200 set by statute
Energy Performance Certificates (duty to display)	Energy Performance of Buildings (England and Wales) Regulations 2012; Regulation 10(2), 14(3)(a) and 14(3)(b)	£1000 set by statute £500 set by statute	£1000 (EPB 14(3)(a) set by statute £500 (EPB 14(3)(b) set by statute
Energy Performance Certificates (duties of controllers of air conditioning systems)	Regulation 18(1), 20 and 21	£300 set by statute	£300 set by statute
Redress schemes (requirement of estate agents to belong to a redress scheme)	Estate Agents (Redress Scheme) (Penalty Charges) Regulations 2008	£1000 set by statute	£1000 set by statute

1.10 Mobile Forensics

Officers are trained in the recovery of data from mobile devices. This service can be offered to other law enforcement agencies, including local authorities. To remain competitive the proposed fee will be charged at £146.00 per device; this is on the basis of two hours at the appropriate officer (GR5) hourly rate of £73.00. Any additional work required may incur further costs at the stated officer rate.

1.11 Surveillance assistance and test purchases

Officers are trained in surveillance techniques and this service can be offered to other law enforcement agencies, including local authorities. Recent examples of work undertaken for colleagues in CEnTSA included following suspects and procuring a test purchase using covert surveillance techniques with the provision of an evidence package. The recharge will be based on the hourly rate appropriate for the officers engaged in the exercise; either GR4 at £58.00 or GR5 at £73.00.

REVIEW OF CHARGES – ENVIRONMENTAL HEALTH 2017/2018

For 2017/2018 Environmental Health and Pest Control have used the rationale of maximising the income based on market forces to assist in meeting the income targets for the sections.

(All charges exclusive of VAT, except where specified).

2.1 Issuing of Food Condemnation/Surrender notes by Environmental Health Officers

It is proposed that the fee for issuing condemnation/surrender notes for freezer breakdowns and for similar insurance purposes be increased to £100 per hour (unchanged due to little take up). This is based on the hourly rate for a GR5 officer plus administration support cost.

2.2 Provision of Food Export Certificates

It is proposed that where an inspection of the premises is required, this will be subject to a minimum of £135 (current charge £130) plus an administrative charge of 10%. Inspections that are longer than one hour will be charged at a hourly rate for a GR5 Officer per hour or part of an hour thereafter (increased from £71).

Where no visit is required it is proposed that the fee increases to £95 for the certificate (an increase from £90).

2.3 FHRS revisits

It is proposed to continue at £150 for all FHRS revisits that are requested by businesses to obtain a new food hygiene score. These requests are received following a programmed inspection that gave a lower score than a business would like to trade under and is additional work over and above our statutory duty for food interventions. The charge is to be charged at the Grade GR5 hourly officer rate.

2.4 Health and Safety

On occasions solicitors request copies of health and safety accident reports. The Health and Safety at Work etc. Act 1974, Section 28, sub-section 9, allows a disclosure by an authorised officer of a "written statement of relevant facts observed by him" (Employment Protection Act 1975). It is proposed to make a minimum charge of £146 (two hours at GR5) plus the hourly rate of £73 per hour or part hour thereafter. (Current charge is £142 & £71 per hour).

2.5 Your officers can deliver a range of bespoke training courses specifically for other local authority officers for example on practical incident investigation. This service assists other local authorities who have less experience and

smaller health and safety teams. It is proposed that the charge is held at £75 per delegate for one day's training [excluding any refreshments] with a minimum number of ten delegates per course. This proposed cost brings it in line with other training providers offering similar courses and will enable your officers to continue to be a centre of excellence in the field of health and safety.

2.6 Food and Health and Safety Primary Authority Partnerships.

Environmental Health and Health and Safety have set up a number of Primary Authority Partnerships with national multisite businesses. This is part of a national programme to enable local authorities and businesses to work together to help improve consistency in regulation. The programme is overseen by the Better Regulation Delivery Office and enables local authorities to recharge for the time spent on servicing the partnership. Primary Authority Partnerships are agreed on a cost recovery basis.

The current charging arrangements which have already been agreed with our current partners are based on an officer's hourly rate. The proposed charge, therefore, reflects the 2017/2018 Grade 5 Officer hourly rate of £73 plus expenses. (Current charge £71).

2.7 Environmental Conveyancing Searches

A number of requests are made (usually by solicitor firms) for environmental information held by the Service to assist in conveyancing. The information has to be supplied (where held) under the Environmental Information Regulations. Although no charge can be made for providing the raw information, a charge can be made for the cost of processing the information into a usable report. In order to remain competitive it is proposed that the fees remain unchanged, £68 for a Basic Search and £100 for an Advanced Search.

2.8 Statutory Default Work

Where work is carried out in default, reasonable costs of the work are recovered i.e. the officers' time (at their respective hourly rates) plus the costs associated with the work necessarily required from third party agents such as locksmiths or vehicle recovery contractors. It would also include any statutory fees and daily charges that are applicable. It is proposed to charge £84 for administration costs for invoices. This work is undertaken by a GR4 officer and the costs reflect both the raising of the invoice and chasing up and close down of invoices that are paid. The total time of this is estimated to be 1½ hours on average per invoice. (This is unchanged from last year.) Officer time relating to seizure of sound equipment is charged at a fixed rate of £100. This is designed to minimise the likelihood of seized equipment not being reclaimed by owners, which would potentially result in excessive/on-going storage and disposal costs for the council that may not be rechargeable.

2.9 Attendance at Exhumations

It is proposed to increase the fixed fee from £284 to £300 (excludes VAT) to be received in advance of an exhumation. This is inclusive of early starts and completion of documentation before and after such work. If human remains are to be added to an existing grave requiring an exhumation approval then the charges for this work will be based on an hourly rate of a GR5 officer.

2.10 Licences for the Distribution of Free Literature

The three areas of the city which are designated as consent areas for the distribution of free literature are: the City Centre, Digbeth and Hurst Street. The current charge for consents is £260 and it is proposed not to increase this as the income supports the implementation and enforcement of this consent regime and this avoids putting any further burdens on businesses advertising in the City by way of free literature. Under the legislation local authorities may only make reasonable charges for setting up and enforcement activities within the consent zones and the consent zones are designed to prevent the defacement that can be caused by discarded material. All of the receipts from the scheme must be reinvested in its implementation, operation and enforcement and no charge can be levied for clear-up costs.

2.11 Pest Control

The Pest Control service has an income target for 2017/2018 of £1.1m for the financial year.

DOMESTIC

Chargeable Service	Current Charge 2016/2017	Proposed Charges 2017/2018
<u>Rats</u>		
All treatments	Free of charge	Free of charge
Pest proofing of holes on site when treating for rats	£55.00 for first hour £27.50 per half hour thereafter plus materials and VAT	No change, as there has been very little take up in this service.
Covering of broken or defective air vents on site when treating for rats	£20.00 for one airbrick including material and VAT £10.00 for every additional airbrick to be covered	No change, as there has been very little take up in this service.
<u>Cockroaches</u>		
All treatments	£75.00 for first visit, any follow up visits for the same treatment £27.50 per half hour thereafter plus materials and VAT	£85.00 for first visit, any follow up visits for the same treatment £30 per half hour thereafter plus materials and VAT
<u>Bedbugs</u>		
All treatments	£85.00 for first hour and £27.50 per half hour thereafter plus materials and VAT	£85.00 for first hour and £60 per hour thereafter plus materials and VAT

<u>Mice</u>		
All enquiries requesting control of mice (see notes below)	Free mouse poison is provided via Neighbourhood Offices	Free mouse poison is provided via Neighbourhood Offices

1. Customers will be offered break-back traps plus advice on how and where to set the traps at a cost of £50.00. This is only when already on site and the infestation is mice rather than rats. There is no change as there has been no take up last year.
2. A chargeable service for mice minimum initial charge of £85.00 plus materials and VAT for first hour on site plus £30 (increased from £27.50) thereafter for every half hour connected with the same treatment plus materials and VAT.

<u>Wasps</u>	Current Charge 2016/2017	Proposed Charges 2017/2018
Minimum call out charge for a treatment	£50.00 including VAT	£60.00 including VAT
Treatments where there are 2 or more nests entailing multiple treatments. Revisits are free within one month of treatment.	£60.00 including VAT	£70.00 including VAT

<u>Insects</u>	Current Charge 2016/2017	Proposed Charges 2017/2018
Fleas (includes up to 3 treatments/monitoring visits approximately one week apart)	Visit to put in monitoring traps £27.50 plus materials and VAT. Treatment £135.00 per property for two treatment visits plus materials and VAT	Visit to put in monitoring traps £30 (increased from £27.50) plus materials and VAT. Treatment £135.00 per property for two treatment visits plus materials and VAT
Squirrels (excludes proofing works)	£150.00 to include up to 4 visits plus materials and VAT	To be quoted at £85 per hour plus materials and VAT for pest proofing, lopping branches or trapping. Each reset trap is charged at £85 per hour for subsequent visits. No charge for final visit to collect of trap. (No change due to no take up last year)
Ants (one visit, demonstrate how to treat ants and sale of appropriate bait stations excludes pharaoh ants).	£90.00 plus materials and VAT	No change, as there has been very little take up in this service.
Other insect treatments	Any requests to treat a property for insects (not specified in the appendix) will be charged at £75.00 for the first hour and £42.00 for every half hour thereafter.	Any requests to treat a property for insects (not specified in the appendix) will be charged at £85.00 for the first hour and £30.00 for every half hour thereafter.

COMMERCIAL

Chargeable Service	Current Charge 2016/2017	Proposed Charges 2017/2018
All treatments for commercial / non-domestic and landlords that are responsible for property wide infestations	£85.00 plus materials and VAT £55 per hour for a further revisit plus materials and VAT or competitively quoted see 1 below.	£85.00 plus materials and VAT £60 (increased from £55) per hour for a further revisit plus materials and VAT or competitively quoted see 1 below.
Bedbugs / All Pharaoh Ants		
All treatments for commercial landlords that are responsible for property wide infestations	£85.00 (plus materials and VAT) for first hour on site. £27.50 thereafter for every half hour (plus materials and VAT)	£85.00 (plus materials and VAT) for first hour on site. £30 (Increased from £27.50) thereafter for every half hour (plus materials and VAT)
Clearance work		
Rodent/insect control, bird control and clearance of premises including land (see notes below)	£85 per officer for the first hour then £55 per officer per hour thereafter plus materials and VAT	£85 per officer for the first hour then £60 (increased from £55) per officer per hour thereafter plus materials and VAT

1. Commercial jobs that are competitively tendered, at a rate above or below the agreed rate above will be authorised by the Head of Service or Director, plus materials and VAT.
2. Additional charges will apply at a minimum of £150.00 for jobs involving hazardous waste. This may include clinical waste, such as faeces or used needle clearance.

Chargeable Service	Current Charge 2016/2017	Proposed Charges 2017/2018
Land clearance and associated weed control when treating for rodents	£85.00 per hour per officer plus materials (consumables such as herbicides etc.) and VAT £27.50 per half hour thereafter £15.00 per power tool. Any hired equipment will be fully recharged. Notifiable weeds such as Japanese knotweed are subject to treatment programme during the year, will be competitively quoted for based on these figures and note 1 above. Disposal of controlled waste (where applicable)	£85.00 per hour per officer plus materials (consumables such as herbicides etc.) and VAT and £30 (increased from £27.50) per half hour thereafter. Any hired equipment will be fully recharged. No change. Re-charge for costs incurred
Materials	All materials will be charged at retail prices plus 10% and rounded up to the nearest full pound	No change

2.12 Animal Welfare – Stray Dog Charges

It is not proposed to alter the charges applied to dogs that have strayed. Where dogs are reclaimed from the Birmingham Dogs Home or where dogs are returned directly to their owners there will be a £25 charge made. (The £25 fee from a collection centre is prescribed in the Environmental Protection Act 1990, however, the charge where the dogs are taken to the owners premises is not). Failure to pay this charge, will lead to the raising of an invoice and this will incur an additional £109 made up of £25 plus £84 as per paragraph 2.8. Where dog(s) have strayed more than once from a household, then the £109 plus all officers time, at GR3 hourly rate, will be charged. (Assistance dogs will be exempt from this.)

It is proposed to charge £85 for dog handling services, in respect of restraining or removing dogs for example at an eviction or forced entry. Where the attendance on site extends beyond an hour additional time spent will be charged at GR3 per hour or part thereof. Any additional Dog Wardens that need to attend for multiple or large / difficult dogs, will be charged at an additional GR3 per officer per hour.

2.13 Animal Welfare Licensing

The following tables identify licences which are issued under the animal welfare legislation. The fees are in line with charges made by other local authorities and have been based on the average times taken by GR4 and GR5 officers undertaking this work.

Where officers carry out assessments of dogs kept by any person looking to adopt or foster a child, it is proposed to charge £85. This includes providing a report on the suitability or otherwise of any dog(s) kept by the potential parents to the adoption/fostering team. Assessments out of the Birmingham area will be charged at full hourly rate of GR4 (minimum £85), to cover the additional travel time.

Type of Licence	Current Fee New 2016/2017	Current Fee Renewal	Proposed Fee New 2017/2018	Proposed Fee Renewal
Riding Establishments*	£208 Plus vets fees	£183 Plus vets fees	£210 Plus vets fees	£185 Plus vets fees
Animal Boarding Establishments	£173	£139	£175	£140
Home Dog Boarding	£133	£105	£135	£110
Pet Shops	£150	£123	£155	£125
Performing Animals	£135	n/a	£140	n/a
Dangerous Wild Animals*	£205 Plus vets fees	£190 Plus vets fees	£205 Plus vets fees	£190 Plus vets fees
Breeding of Dogs*	£135 Plus vets fees	£120	£145 Plus vets fees	£125

*The cost of an independent vet required to be used by the Council as part of the application process will be charged to the applicant as an additional fee.

Type of Licence	Current Fee	Proposed Fee
Zoos		
- 4 year licence (new)	£2,670	£2,670
- 6 year licence (renewal)	£2,670	£2,670

Costs for periodic inspections required to be carried out by the Inspector appointed by the Secretary to State are charged to the applicant as an additional fee.

2.14 Fixed Penalty Notice Tariffs

The Fixed Penalty Notice (FPN) tariffs are detailed at Appendix 2(a). Previous Licensing and Public Protection Committees have set FPN tariffs at their maximum permissible levels where legislation allows for variable tariffs. It is proposed to continue with this policy and to offer no early payment discount in order to maximise income and to ensure a full cost recovery except where identified.

FIXED PENALTY NOTICE TARIFFS

APPENDIX 2(a)

OFFENCE	LEGISLATION	EXISTING TARIFF 2015/2016 Existing FPN & Early Discount	PENALTY CAN BE SET	FPN TARIFF FOR 2016/2017
Street litter control notices and litter control notices *these provisions have been repealed by the Anti-social Behaviour, Crime and Policing Act 2014. Notices that have been served will continue in effect until October 2017. They have been replaced by Community Protection Notices (as below).	s.94A(2) Environmental Protection Act 1990	£100 No discount for early payment (this brings the penalty in line with the Community Protection Notices issued by other teams as the Street Litter Control Notices will only exist for 3 years and have been replaced by the CPN)	Between £75 - £110 Minimum discount for early payment £60	£100 No Discount for early payment (this brings the penalty in line with the Community Protection Notices issued by other teams as the Street Litter Control Notices will only exist for 3 years and have been replaced by the CPN)
Community Protection Notice. (For fixed penalty notices repealed under Environmental Protection Act 1990 and Clean Neighbourhoods and Environment Act 2005, including former Street Litter Control notices and Litter Clearing Notices)	s.52(7) Anti-social Behaviour Crime and Policing Act 2014	£100 No discount for early payment	Maximum £100 Indeterminate discount can be offered for early payment (the range is not specified)	£100 No Discount for early payment
Unauthorised distribution of literature in a consent area	Schedule 3A, para.7(2) Environmental Protection Act 1990	£80 No discount for early payment	Between £50 - £80 Minimum discount for early payment £50	£80 No Discount for early payment
Offences under Dog Control Orders	s.59(2) Clean Neighbourhoods and Environment Act 2005	£80 No discount for early payment	Between £50 - £80 Minimum discount for early payment £50	£80 No discount for early payment
Graffiti and Flyposting	s.43 Anti-social Behaviour Act 2003	£80 No discount for early payment	Between £50 - £80 Minimum discount for early payment £50	£80 No Discount for early payment

Failure to produce written particulars of waste [waste transfer notes]	s.34A (2) Environmental Protection Act 1990	£300 set by statute No discount for early payment	Set by statute Minimum discount for early payment £180	£300 No Discount for early payment
Failure to furnish documentation of waste carriers registration	s.5B(2) Control of Pollution (Amendment) Act 1989	£300 set by statute No discount for early payment	Set by statute Minimum discount for early payment £180	£300 No Discount for early payment
Failure to comply with notice for commercial or industrial waste receptacles and presentation	s.47ZA, 47ZB of the Environmental Protection Act 1990	£100 No discount for early payment	Between £75 - £110 Minimum discount for early payment £60	£110 No Discount for early payment
Failure to comply with notice for household waste receptacles and presentation	s.46, Environmental Protection Act 1990	£60	Set by statute No discount allowed	£60
Noise from domestic dwellings exceeding a permitted level	s.8 Noise Act 1996	£110 No discount for early payment	Between £75 - £110 Minimum discount for early payment £60	£110 No Discount for early payment
Noise from licensed premises	s.8 Noise Act 1996	£500	Set by statute No discount allowed	£500
Litter	s.88(1) Environmental Protection Act 1990	£80 No discount for early payment	Between £50 - £80 Minimum discount for early payment £50	£80 No Discount for early payment
Unauthorised deposit of waste (fly-tipping)	33A Environmental Protection Act 1990	£400 No discount for early payment	Between £150 and £400 Minimum discount for early payment £120	£400 No Discount for early payment
Abandoning a vehicle	s.2A (1) Refuse Disposal (Amenity) Act 1978	£200 set by statute No discount for early payment	Set by statute Minimum discount for early payment £120	£200 No Discount for early payment
Smoking in a smokefree place or vehicle	S.7 Health Act 2006	£50 £30 If paid in 15 days	Set by statute Discount set by statute £30 if paid within 15 days	£50 £30 If paid in 15 days
Failure to display no smoking signs	s.6 Health Act 2006	£200 £150 if paid in 15 days	Set by statute Discount set by statute £150 if paid within 15 days	£200 £150 if paid in 15 days

REVIEW OF CHARGES - REGISTER OFFICE 2017/2018

Approved Buildings

- 3.1 Birmingham City Council has the responsibility for the process of approving non-religious venues for Civil Marriage and Partnerships. The fees for this service was last reviewed and revised by Committee on 17 February 2016.
- 3.2 Some fees relate to services that are traditionally booked well in advance. For these services the fees are set out for more than one financial year.

Approved Building Fees	Current Fees 2016/2017	Proposed Fees 3 Year Approval 2017/2018	Proposed Fees 6 Year Approval 2017/2018
New Application for approval of premises to include ONE room	£2,950	£3,150	n/a
Renewal of existing approved premises to include ONE Room	£2,000	£2,200	£3,900
Additional rooms included in the application (per room)	£600	£700	£1,000
Additional rooms added after the application approved	£700	£800	£800
Application for approval of religious building for Civil Partnerships	£600	£600	£600

- 3.3 A new fee for the approval of non-religious buildings venues for Civil Marriage and Civil Partnerships for a period of six years has been introduced in line with recommendations from the General Register Office (GRO).

Ceremony Suites

- 3.4 A new fee for the use of Ceremony room 1 on Monday to Thursday mornings where available has been introduced.
- 3.5 An enhanced service in Rooms 2 and 3 for Friday and Saturday afternoons only was introduced for 2016/2017, this will continue and an increased fee will be charged for these bookings.
- 3.6 The fees for a ceremony within the Superintendent Registrar's office are statutory by nature. There is no indication that any statutory fees will be changed for this forthcoming year. By setting the fees so far in advance it allows couples, wishing to marry, to plan and budget ahead with confidence.

Ceremony Fees	Current Fees 2016/2017	Proposed Fees 2017/2018	Proposed Fees 2018/2019
Register Office Room (up to 2 guests) statutory fee	£46	£46	£46
Room 1 Capacity 20 Guests Monday to Thursday morning only where available.	n/a	£100 to include 1 certificate	£110 to include 1 certificate
Ceremony Suite Room 1, 2, and 3 Monday – Thursday afternoon. Friday and Saturday all day	£150	£165 to include 1 certificate	£175 to include 1 certificate
Friday afternoon - Rooms 2 and 3 only	£180	£205 to include 1 certificate	£225 to include 1 certificate
Saturday afternoon - Room 2 (capacity 50 guests)	£200	£230 to include 1 certificate	£250 to include 1 certificate
Saturday afternoon - Room 3 (capacity 100 guests)	£250	£280 to include 1 certificate	£300 to include 1 certificate

Attendance at Approved Premises

- 3.7 Fees for registration staff to attend a ceremony taking place at one of the City's 60 approved venues are also set out for more than one financial year for the same reason as above.

Attendance Fees	Current Fees 2016/2017	Proposed Fees 2017/2018	Proposed Fees 2018/2019
Monday to Friday	£400	£420	£450
Weekend and Public Holidays	£500	£530	£550

Other Fees

- 3.8 The charge for making an advanced booking for a ceremony at the Register Office will remain at £30 following a review of the staff time and resources involved.

Other Fees	Current Fees 2016/2017	Proposed Fees 2017/2018
Advanced Booking and Change of Appointment Fee	£30	£30

- 3.9 It is proposed to introduce a tiered priority service and the production of a certificate in line with other Local Authorities following a review of the staff time and resources.

Certificates	Current Fees 2016/2017	Proposed Fees 2017/2018
Certificate Priority Fee (additional charge)	£30	£30 Same day
		£20 Next working day
		£10 Three working days

- 3.10 Following a review of The Nationality Checking Service (NCS) fees there will be an increase to fees from 1st April 2017 as shown below which will help to cover costs of the provision of this service.
- 3.11 It is proposed to increase the fee for a private citizenship ceremony following a benchmarking exercise from 1st April 2017.
- 3.12 It is proposed to increase the fee for the hire of a pitch at the Wedding Fayre from 1st April 2017 following a benchmarking exercise.
- 3.13 It is proposed that the remaining fees in the table will remain as 2016/2017 following a benchmarking exercise.

Other Fees and Charges	Current Fees 2016/2017	Proposed Fees 2017/2018
Nationality Checking service - one adult	£80	£85
Nationality Checking service - couple	£120	£125
Nationality Checking service - family (up to 4)	£140	£145
Nationality Checking service - additional minors	£50	£50
Private Citizenship Ceremony	£150	£160
NCS change of appointment fee	£30	£30
NCS additional appointment fee	£30	£30
Fee for change of ceremony appointment	£30	£30
Fee charged for research (per half hour)	£30	£30
Advance booking fee for Register office and Ceremony Suite ceremony	£30	£30
Fee for each application via an on-line certificate application form	£5	£5
Fee for international postage via on-line application form	£3	£3

Other Fees and Charges (continued)	Current Fees 2016/2017	Proposed Fees 2017/2018
Additional appointment / change of appointment	£30	£30
Celebratory Certificates (at time of birth registration)	£6	£7
Change of Name deed (includes certificate)	£50	£50
Change of name certificate additional copies	£10	£10
Checking service for adult making application to remain indefinitely	£90	£95
Checking service for minor making application to remain indefinitely	£60	£65
DVD of ceremony (where available)	£20	£20
Special Celebratory Certificates (birthday, grandparents, anniversary)	£20	£20
Photographs and flowers package	POA	POA
Pitch at Wedding Fayre	£30	£35
Hire of ceremony rooms 2 or 3 for function/event - half day or full day	POA	POA
Hire of conference room for function/event - half day or full day	POA	POA
Training for authorised person to register marriages / quarterly returns	£60	£60
Appointment to check completeness / validity of notice for Marriage / Civil Partnership (non-refundable)	£30	£30
Save the day – approved premises- ceremony more than 12 months in advance	£75	£75
Save the day – ceremony suites- ceremony more than 12 months in advance	£50	£50
Priority service at approved premises – ceremony to take place within 12 weeks in addition to statutory fee.	£75	£75
Provision of folder	£1.00	£1.00
Provision of envelope	£0.50	£0.50
Postage	£1.50	£1.50

New Fees and Charges for 2017/2018 Onwards

- 3.14 It is proposed to introduce a priority correction/ re-registration appointment fee on line with neighbouring districts.

- 3.15 It is proposed to introduce a fee for returning customers required to produce additional documentation concerning Notice of Marriage/Civil Partnership.
- 3.16 The General Register Office is proposing to permit Registration Districts to levy fees for the provision of additional services. The fees will be set by the GRO and are likely to come into effect at some point in 2017. They are detailed in the table below.
- 3.17 It is proposed to introduce keepsakes relating to births, marriages, civil partnerships, baby naming ceremonies and renewal of vows etc.
- 3.18 It is proposed to introduce a fee for the administration of Post-dated Passport forms.

New Fees and Charges	Proposed Fees 2017/2018
Priority Correction/ Re-registration Appointment	£30
Production of further documents for notice of marriage/civil partnerships	£30
Short Birth Certificate issued at the time of the event (set by GRO)	TBA
Correction fee (set by GRO)	TBA
Amendment fee (set by GRO)	TBA
Processing dissolution documentation concerning an overseas divorce of civil partnership (set by GRO)	TBA
Declaration fee (set by GRO)	TBA
Keepsakes	POA
Administration of post-dated passport forms	£20

- 3.19 A table of the current statutory fees is attached at Appendix 3A. These are set externally / nationally and are provided for information.

Implication for Resources

- 3.20 Fees are calculated to reflect the time and resources used in the delivery of each service. This allows for the recovery of costs in non-statutory fees.
- 3.21 The revised fees structure introduced in 2016/2017 addressed many of the pressures identified from non-recovery through non-statutory fees. The changes proposed in this report represent pay/price inflation and some fine-tuning after analysis of service volume, demand and benchmarking. The fees in this report are expected to generate an additional £0.056m in income.
- 3.22 This should ensure that those services provided for which a non-statutory fee is charged do not cause a financial pressure to Birmingham City Council.

- 3.23 However, for many of the Register Office services, statutory fees are set nationally by General Register Office and there is an expected cost burden to the City Council from these services.
- 3.24 The service is currently forecast to see total pressures of £0.500m in 2017/2018 against income budgets. This is being addressed as part of the public budget consultation.
- 3.25 It is expected that approval of the revised budget, alongside the approval of the new proposed fee structure will allow the Register Office to operate without causing a financial pressure to Regulation and Enforcement or Birmingham City Council.

STATUTORY REGISTER OFFICE FEES

Statutory or PPC Fees	Current Fees	Statutory or PPC
Superintendent Registrar's Cert of Birth, Death or Marriage	£10	Statutory/National
Registrar's Certificate issued at the time of Registration	£4	Statutory/National
Registrar's Certificate after Registration	£7	Statutory/National
A general search in indexes not exceeding 6 hours	£18	Statutory/National
Certificate of Worship	£29	Statutory/National
Registration of a religious building for marriage	£123	Statutory/National
Registration of a religious building for marriages for same sex couples (that is already registered)	£64	Statutory/National
Notice of Marriage	£35	Statutory/National
Notice of Marriage subject to immigration Act	£47	Statutory/National
Notice of Civil Partnership subject to immigration Act	£47	Statutory/National
Notice of Civil Partnership	£35	Statutory/National
Fee to reduce the legal waiting period of a notice of marriage/civil partnership	£28	Statutory/National
Fee payable to Registrar for marriage Ceremony at register Office	£46	Statutory/National
Fee payable to Registrar for marriage Ceremony at registered building	£86	Statutory/National
Attendance of Civil Partnership Registrar at Register Office	£46	Statutory/National
Notice given at Housebound Person's abode SR attendance	£47	Statutory/National
Notice given at Detained Person's abode SR Attendance	£68	Statutory/National
Attendance of Registrar at Housebound Person's Marriage	£81	Statutory/National
Attendance of Registrar at Detained Person's Marriage	£88	Statutory/National
Attendance of Superintendent Registrar at Housebound Person's marriage	£84	Statutory/National
Attendance of Superintendent Registrar at Detained Person's marriage	£94	Statutory/National
Attendance of CP Registrar at Housebound Person's CP	£81	Statutory/National
Attendance of CP Registrar at Detained Person's CP	£88	Statutory/National
Registrar General's Licence for Marriage	£15	Statutory/National
Standard Conversion Civil partnership to marriage	£45	Statutory/National
Two stage procedure stage 1 conversion civil partnership to marriage	£27	Statutory/National
SR attendance Conversion Civil partnership to marriage according to Jews / Society of Friends	£91	Statutory/National
SR attendance Conversion Civil partnership to marriage Housebound	£99	Statutory/National
SR attendance Conversion Civil partnership to marriage detained	£117	Statutory/National
Registrar General's Licence for Civil Partnership	£15	Statutory/National
CP Registrar's attendance at religious building	£86	PPC/Local
CP certificate issued at time of registration	£4	Statutory/National
CP certificate issued after registration	£10	Statutory/National

REVIEW OF CHARGES – CORONER’S SERVICE 2017/2018

- 4.1 Fees that are chargeable are set out nationally in the Coroners Allowances, Fees and Expenses Regulations 2013.
- 4.2 There are:
 - 4.2.1 After inquest, a document disclosed as a paper document is charged at £5 for a document of 10 pages or less, with an additional 50p payable for each subsequent page.
 - 4.2.2 A fee of £5 per document where it is disclosed in any form other than email or paper – i.e. CD copies of inquests.
 - 4.2.3 For a transcription of an inquest of 360 words or less the fee is £6.20, 361-1,439 words is £13.10 and 70p for every additional 72 words or part thereof.
- 4.3 The only locally set fee is the search fee for archive documents. It is proposed to increase the fee to £44 per hour (the 2016/2017 charge is £43 per hour) which is the GR3 hourly cost.

REVIEW OF CHARGES – BIRMINGHAM ACCOUNT TEAM 2017/2018
(Formerly Surveying Services)

- 5.1 The, Birmingham Account Team (formerly Surveying Services group), which is part of Acivico (Building Consultancy) Limited, carry out a range of professional surveying services for both internal and external client groups that are responsible for property portfolios. The scope of services includes the carrying out of technical functions in support of the discharge of the Council's Building Control allied legislative requirements as detailed in The Building Act 1984 and the administration of demolition contracts required to facilitate the Council's regeneration targets. The group also carry out a variety of enforcement duties where full cost recovery is undertaken when the legislation allows.
- 5.2 The work is normally charged on an hourly basis. The current (2016/2017) charge is £68.50 per hour, and it is proposed that this fee will increase to £72.00 per hour. This is the first rise in their fees since 2012. It is still in line with professional services within the council and very competitive with regards to the private sector. The increase is necessary to address the increased cost of labour, increases in other on-costs and the necessity to maintain sufficient resources to handle the Council's requirements.
- 5.3 The Charge levied in respect of Demolition Notices, which is a fixed fee per notification, is currently (2016/2017) set at £210.00. It is proposed to increase this fee in line with the increases proposed in paragraph 4.2. Therefore, the new fee will be £220.00. The charge in respect of notices for temporary grandstands is based on cost recovery in line with the hourly rate for the Birmingham Account Team as above and it is proposed to revise this rate to £72.20 per hour as well.
- 5.4 Work carried out indicates that, within the limitations of operating within a competitive market and statutory framework, the fees proposed should maximise income to the City Council through Acivico as well as providing good value for money to Acivico customers.