

Responses to Scrutiny Committee Questions on Fees and Charges

Recommendations to Cabinet

This is Cabinet's response to the proposals from Scrutiny Committee:

Car Park Fixed Penalty Notices

The report proposed no changes to the level of Fixed Penalty Notices as set out below.

Car Parks Fixed Penalty Notices (rate depends on offence)						
<i>Lower Penalty System</i>						
Up to 14 Days	25.00	0.00	25.00	25.00	0.00	25.00
14 days to 56 days	50.00	0.00	50.00	50.00	0.00	50.00
57 days to 70 days	75.00	0.00	75.00	75.00	0.00	75.00
After 70 days	82.00	0.00	82.00	82.00	0.00	82.00
<i>Higher Penalty System</i>						
Up to 14 days	35.00	0.00	35.00	35.00	0.00	35.00
14 days to 56 days	70.00	0.00	70.00	70.00	0.00	70.00
57 days to 70 days	105.00	0.00	105.00	105.00	0.00	105.00
After 70 days	112.00	0.00	112.00	112.00	0.00	112.00

Scrutiny Committee proposed that the charges be increased as a deterrent to:

Lower Penalty System:

Up to 14 days	£25
14 days to 28 days	£50
28 days to 56 days	£75
After 56 days	£100

Higher Penalty System:

Up to 14 days	£35
14 days to 28 days	£70
28 days to 56 days	£105
After 56 days	£135

Cabinet Response:

The maximum level of penalty which can be levied is set nationally and we cannot increase the charges.

Environmental Fixed Penalty Notices

The report proposed no changes to the level of Fixed Penalty Notices as set out below.

Environmental - Fixed Penalty Notices						
Littering and graffiti	80.00	0.00	80.00	80.00	0.00	80.00
Dog fouling	80.00	0.00	80.00	80.00	0.00	80.00
Waste carrier offences	300.00	0.00	300.00	300.00	0.00	300.00
<i>If paid within 7 days</i>						
Littering and graffiti	60.00	0.00	60.00	60.00	0.00	60.00
Dog fouling	60.00	0.00	60.00	60.00	0.00	60.00
Waste carrier offences	225.00	0.00	225.00	225.00	0.00	225.00

Scrutiny Committee proposed that the charges be increased as a deterrent to:

If paid within 14 days:

Littering and Graffiti £80

Dog fouling £100

After 14 days:

Littering and Graffiti £160

Dog fouling £200

Cabinet Response:

The Council is committed to enforcing cleaner streets and takes littering, graffiti and dog fouling offences extremely seriously and continues to actively explore ways to improve enforcement to make Swale a better place to live. The Council also sees the value in educating on the effects such anti-social behaviour can have on our residents and the look of the borough

The Council cannot raise the fee for FPN's as it already sets it to the maximum allowed level. Fees must fall within the ranges set out in the Environmental Offences (Fixed Penalties) (Miscellaneous Provisions) Regulations 2006 (regulation 2). The ranges are from £50 to £80.

Waste Carrier

That Cabinet reconsider the charges for waste carrier offences to ensure that they were a significant enough deterrent.

Cabinet Response:

The £300 is the maximum allowed under Environmental Protection Act 1990 Section 34A(2).

Householder planning advice charges

Householder planning advice charges should be split into two different charges for major and minor, applicable to both meetings and letters; and the Planning Department to decide on the amounts and definitions.

Cabinet Response:

The Council already differentially charge for pre-applications according to the size of planning application as can be seen from the fee table below:

<http://www.swale.gov.uk/will-i-get-planning-permission/>

Scrap Metal Dealers Licence fees

That the Licensing Committee be asked to review the Scrap Metal Dealers Licence fees.

Cabinet Response:

Agreed this will be followed up.

Additional Questions

Page 9- Parking why are Cockleshell Walk and Trinity Road £3.60 for over 4 hours and not £4 like the others?

Response:

Some years ago Members decided to increase long stay parking charges significantly with the result that people stopped using the long stay car parks with a significant drop in income. After about three months Members decided to review the situation and reduced charges back closer to the former amounts. These two long stay car parks are further out of the respective town centres and remained underused. As a way of promoting the use of these car parks it was agreed to charge slightly less which has increased usage and overall income. In summary the charge was agreed to promote the use of these outlying underused long stay car parks.

Why 30p for 30 mins but more than double for 1 hour?

Response:

The 30 minute charge has been set at 30p for some time as Members saw this as support for businesses where people only wanted to call into a shop for a quick purchase. Not aware of any other logic for not being half the charge for 1 hr although to be proportional to the 2 and 4 hour charges the rate for 1 hr should be 75p. It was set at 80p to avoid 5p coins.

When people don't pay fines what procedure do we then follow and what is our recovery rate for unpaid?

Response:

We have to follow the procedures set out in the Traffic Management Act which requires the debt to be registered at the Northampton County Court. If this remains unpaid we use Bailiffs to recover the debt. Our recovery rate is 68.85% which may seem low but is a good recovery rate compared with others and takes account of those PCNs cancelled following CEO error, representations and appeals agreed and foreign and unregistered vehicles.

Page 11 Street naming-any metrics for numbers per annum? Who puts the signs up?

Response:

The volume of work depends on the amount of development that is taking place as the majority of requests come from developers of new housing estates. The developers are also responsible for supplying and erecting the street nameplates. Last year there were 8 major developments requiring street naming and property numbering plus 54 minor property name/number changes.

Page 13 Tracks-which tracks?

Response:

Tracks are race tracks where betting takes place. In our case the dog track at Central Park.

Page 14 Licenses Why the difference between £450 for the initial license and £425 for the renewal?

Response:

The licence fee must be set to reflect the actual cost of producing the licence. We prepare a detailed spreadsheet detailing the cost of each aspect of the process and these were agreed by the licensing committee. The reason that an initial licence is slightly more than a renewal is that there is a little more work involved.

Page 16 Dogs What happens where you can't identify the owner of the dog? What happens if they are not claimed? Where are they kept?

Response:

All dogs that cannot be identified and returned to their owners are taken to Jasmil Kennels for the statutory seven day period. If the dogs are not claimed, as part of the contract, on day eight the kennels take on ownership of the dogs for re-homing.

Page 16-17 Pest Control why do we have the with benefits lines for Mice and Ants/ insects-as it's the same rate should we just delete.

Response:

It appears that up to year ending 2011/12 there were various reductions for customers claiming benefits. This did not apply to all pest services so the table showed these as the same price for clarity. Pest control is now offered by Mitie, there are no reduction for customers on benefits. As all of the other differentials have been removed, these items appear to be an oversight and should also be deleted.

Page 19 Burial Costs- whats our approach to pricing, do we just seek to cover costs, or make a margin. Is there a policy and who agreed it? Costed figures to be provided.

Response:

The current fees cover burial service at four sites, the cemeteries at Faversham, Sittingbourne, Murston and Sheppey.

The fees are structured in such a way that they include the Exclusive Right of Burial, Interment and future memorial and re-inscription permits. This covers direct costs of physically digging and providing the burial service, the provision of the exclusive right of burial, administration and contribution towards the ongoing maintenance and grounds maintenance of the cemeteries. The actual fees (2014/15) for the first interment vary depending upon site of between £1,305 - £1,180, reducing down for subsequent interments to between £621 - £480.

In budget terms while in 2013/14 approximately £123,300 income was achieved, this is set against costs of £294,700, a net cost of £171,400 pa.

The November 2012 Internal Audit of the Service considered fees and charges and the Auditor completed a simple benchmarking exercise with 5 other local authorities within Kent. This found that fees were comparable to those set by neighbouring local authorities as shown below.

1st Interment	
Authority	Fee
Shepway	£1,137

Maidstone	£1,200
Swale	£1,207
Gravesham	£1,250
Medway	£1,260
Tunbridge Wells	£1,305

Typically the fees have been raised by inflation, with costs such as grounds maintenance similarly rising, all while keeping aware of neighbouring authorities fees.

The Commissioning & Open Spaces Team are currently in the process of reviewing cemetery documentation, cemetery rules and conditions and it is envisaged that this will further lead onto a full review of fees and charges to be considered by Members.

Page 23 Houses in multiple occupation- why the differential between accredited and non accredited?

Response:

This is part of the approach of encouraging landlords to become accredited and undertake the training this requires.

Page 27- trends 11/12 outturn, 12/13 outturn, 13/14 outturn and 6 month 14/15-just outturn not broken down.

Response:

Income received from fees and charges agreed as part of report to Council	
2011/12 Outturn	£ 2,424,820.00
2012/13 Outturn	£ 2,393,839.00
2013/14 Outturn	£ 2,540,280.00
2014/15 6 mths Actuals	£ 1,398,284.00
2014/15 Budget	£ 2,425,850.00