

NOTICE OF DELEGATION OF DECISION TO CABINET MEMBER BY STRONG LEADER

Section 15(4) of the Local Government Act 2000, the senior executive member may discharge any of the functions that are the responsibility of the Cabinet or may arrange for them to be discharged by another member of the Cabinet or Officer. On 1st December 2010, the Council adopted the Strong Leader Model for Corporate Governance 2011 as required under Part 3 of The Local Government and Public Involvement in Health Act 2007 (The 2007 Act).

I, Cllr Marcus Hart, as Strong Leader, delegate the decision, subsidisation of pest control services, to the Cabinet Member detailed below:

 12/01/16 .

Cabinet Member for Health, Well-being and Housing

12th January, 2016

Dated:



Signed:

Leader of the Council

FORM 2

NOTICE OF DECISION OF CABINET MEMBER

Pursuant Section 15(4) of the Local Government Act 2000, as amended by section 63 of the Local Government and Public Involvement in Health Act 2007, the senior executive member may discharge any of the functions that are the responsibility of the Cabinet or may arrange for them to be discharged by another member of the Cabinet or Officer. On 1st December 2010, the Council adopted the Strong Leader Model for Corporate Governance 2011 as required under Part 3 of The Local Government and Public Involvement in Health Act 2007 (The 2007 Act).

In accordance with the authority delegated to me / by the Leader (delete as appropriate), I have made the following decision:

Subject	Decision	Reason for decision	Date for Decision to be taken
Subsidisation of Pest Control Services	<ul style="list-style-type: none"> That anyone in receipt of benefits be required to contribute 25% of the cost of dealing with fleas and bedbugs and 100% of the cost of dealing with wasps nests. That anyone in receipt of benefits will continue to pay nothing towards the cost of dealing with rats, mice and cockroaches. 	To ensure a service can be maintained within budget	11 th January 2016

I confirm that the appropriate statutory officer consultation has taken place with regard to this decision.

Dated: 12/1/16
 Signed: 
 Councillor: Sally Chambers
 Cabinet Member

WYRE FOREST DISTRICT COUNCIL

CABINET
11th January 2016

WRS Pest Control Service Subsidising Policy

OPEN	
CABINET MEMBER:	Councillor Sally Chambers
RESPONSIBLE OFFICER:	Director of EP&P
CONTACT OFFICER:	Mike Parker x 2500
APPENDICES:	Current contractor charges Equality Impact Assessment

1. PURPOSE OF REPORT

1.1 To agree a revised approach to subsidised pest control service.

2. RECOMMENDATION

2.1 The Cabinet Member for Health, Wellbeing and Housing is asked to decide that:

- **The subsidised pest control service as set out in 4.3 below is implemented from 1st February 2016 and reviewed at October 2016.**

3. BACKGROUND

3.1 The Council has operated a service of subsidised pest control since the time that the service was part of the WFDC Environmental Health service and has continued it under the Worcestershire Regulatory Services (WRS)

delivery mechanism. Currently a service for the control of rats, mice, fleas, bedbugs, cockroaches and wasps is offered free of charge to any Wyre Forest resident in receipt of a benefit. All other residents are required to pay for the service.

- 3.5 Since the service has been operated by WRS it has been externalised across the whole of Worcestershire and is delivered for some partners on a contractual basis (not all Worcs partners offer a service – in Worcester City and Malvern Hills no service is offered at all and residents have to source their own service privately). The service has recently been re-tendered by WRS and there are now a number of private providers operating across Worcestershire to deliver the service for those partners requiring it (see attached schedule of providers and their charges).
- 3.6 Under the current arrangements when the service is required, the contractor will attend and upon proof of receipt of benefit will undertake the necessary service to remove the pest and will reclaim the cost from WRS so that the recipient pays nothing towards the cost. WRS will then meet the cost of the subsidised service directly from the respective partners' budget. However, until the recent change in approach to WRS budgeting on the principle of partners paying for the level of service they require, pest control costs were absorbed into the WRS budget and an element of partner cross subsidisation was taking place. More recently however, partners have been expected to meet their own costs for this and other services directly themselves.
- 3.7 In the financial year 2014/15 WFDC overspent its allocated budget for pest control by some £30k, however it was absorbed within a WRS underspend on their overall budget, but WFDC was advised that it would be required to meet the cost in full in future years or else reconsider its service to deliver within budget. In the 2015/16 financial year WFDC has also exceeded its budget and current predictions are for there to be an overspend in the region of £10k using figures extrapolated for the remainder of the year. Clearly this needs to be addressed; any changes will not reduce that figure within budget for the remainder of the current financial year, but it is important that the situation is brought under control in readiness for 2016/17. Overspend in the current financial year will have to be met through earmark reserves which are held against the WRS service area.

4. OPTIONS AND PROPOSED NEW APPROACH

- 4.1 The Council has a number of options it could pursue;

Option 1 It could continue to subsidise the service and increase the budget; Option 2 It could withdraw the whole subsidised service and like Malvern Hills and Worcester offer no service at all through WRS; Option 3 It could offer the current service until the budget has been fully used and nothing thereafter; Option 4 It could reduce the availability of the service by limiting the type of benefit recipients have to be in receipt of before they receive the subsidised service; Option 5 It could limit the subsidy on each of the pests such that those on benefits pay something towards at least some of the service;

4.2 Option 1 is unrealistic in times of austerity where budgets, including WRS's, are being reduced. Option 2 is a viable option but is not preferred as it would involve withdrawing the service altogether. Option 3 is not practical or fair as it would mean, in effect, withdrawing the service part way through the year when the budget had been spent. Option 4 is a feasible way forward but would add complexity at the point of service for the contractor. Option 5 is the preferred option at present, as there is a will to offer residents some support, although whether any level of subsidy can be afforded in the more distant future remains to be seen. Option 5 is considered to have less of an impact on poor households than Option 4, although it will add complexity for the contractor at point of delivery of the service as the recipient will be required to make some payment for some pests. Option 5 also focuses subsidy on the pests that have the greatest potential for spreading to neighbouring properties, with an impact on health and well-being of the wider community.

4.3 The proposed new approach is set out in Option 5. The Council would continue to offer a full subsidy to anyone on benefits for dealing with infestations of rats, mice and cockroaches, as these infestations are most likely to spread to neighbouring properties rapidly if not treated. The subsidy would be reduced to 25% for the treatment of fleas and bedbugs, which are less likely to spread, and withdrawn completely for wasps, which are least likely to cause personal discomfort. It is anticipated that the budget overspend would be brought to a more manageable figure, circa £3k. It is impossible to say precisely what the final budget figure would be as different types of pest can occur in different weather circumstances. It is felt that, if the approach in Option 5 is taken and reviewed at half year (October 2016), then if there is still a budget overspend projected it will leave time to make further adjustments before the end of the financial year to adjust the service to meet the budget.

4.3 This would mean that someone receiving a service, for example, from Kidderminster Pest Control for fleas and bedbugs would be required to contribute £41.25 for the treatment of fleas and £33.75 for the treatment of bedbugs. Anyone wishing to pay for the extermination of wasps nests would pay £45 being the full amount.

5. FINANCIAL IMPLICATIONS

- 5.1 The Council currently has a budget of £6,125 per annum within the overall WRS budget for pest control. In 2015/16 it is currently anticipated that there will be an overspend of £9,333 if no policy changes are made. If the changes set out in 4.3 above are made it is anticipated that for a full year this will reduce spend by £6,210 thereby leaving an overspend of £3,123 based on current treatments. Further changes could be made at half year by way of 4.1.IV above if it is not estimated that the proposed changes are having sufficient impact.

6. LEGAL AND POLICY IMPLICATIONS

- 6.1 It is entirely for the Council to decide how it wishes to deliver a pest control service and indeed whether it wishes to offer one at all.

7. CONCLUSION

- 7.1 The Council needs to act in response to budget pressures within the WRS service to meet the full cost of providing a subsidised pest control service. By implementing a reduced service and monitoring the impact the Council will be better placed to continue to offer some service within budget and not have to withdraw the service completely.

8. RISK MANAGEMENT

- 8.1 There is a risk that the measures will still not be able to be delivered within budget, but as a first phase of changes it is suggested that the impact be reviewed at half year and any further changes made to meet the budget if required in the second half of the year. There is also a risk that infestations will go untreated due to people's inability or unwillingness to pay for part of the cost of treating fleas and bedbugs and this will clearly need to be monitored at the point of contractor delivery and reported back via WRS. However it is felt that the amount of the contribution required is not unreasonable.

8. EQUALITY IMPACT NEEDS ASSESSMENT

- 8.1 The policy could potentially have an impact on disabled residents who might be in receipt of benefits. A full EIA has been prepared as attached but it does not prevent the Council proceeding with this approach.

9. CONSULTEES

9.1 N/A

10. **BACKGROUND PAPERS**

None

AMES			Mitie Pest Control		Pest Express Limited		Hinton Pest Control		Kiddermminster Pest Control		Positive Environmental Limited	
Pest	Comment	Total	Comment	Total	Comment	Total	Comment	Total	Comment	Total	Comment	Cost
Rats (assessment/ baiting + 2 revisits)		£85.00		£65.00		£57.00		£80.00		£80.00		£59.00
Mice (per treatment)		£35.00		£45.00	2 visits £48	£48.00		£80.00		£72.00		£55.00
Fleas 1 bed or unlimited		£75.00		£65.00		£40.00		£100.00		£55.00		£51.00
Fleas 2 bed		£75.00		£65.00		£40.00		£100.00		£55.00		£65.00
Fleas 3 bed	goes up by £10 per room	£85.00	no differential	£65.00	goes up £5 per room	£45.00	goes up for 4 bed property	£100.00		£55.00	diff rates for RBC (£35 for second man for wasp)	£83.00
Cockroaches		£65.00		£70.00	2 rooms (£20 extra room)	£40.00		£60.00	marked as free in WFDC but at hourly rate elsewhere. Assume hourly rate	£45.00		£66.00
Bed Bugs		£75.00		£80.00	2 rooms (£20 extra room)	£40.00		£60.00		£45.00		£50.00
Wasp nest		£44.50	access equipment charges apply	£41.00	£10 for ladder use and cost of hiring access equipment quoted first	£35.00	additional nest on site £20 and difficult location £80	£50.00		£45.00		£35.00

	AMES	Mitie Pest Control	Pest Express Limited	Hinton Pest Control	Kidderminster Pest Control	Positive Environmental Limited
Technician per hour		noted as free but assumed rat rate			free	
	£32.50	£65.00	£57.00	£40.00	£0.00	£35.00
Other costs	proofing recommendations on a quotation basis		£20 no treatment call: £10 admin type fee; £75 for meeting clients; £80 for sewer baiting poison (therefore have added for each above)	£10.00	£35 no treatment visit. Emergency visit £70	£2.25/bait/manhole

<p>Establish clear aims & objectives What is the purpose and expected outcomes?</p>	<p>To enable a subsidised pest control service to continue to be delivered to those in receipt of benefits whilst providing this service within budget and meeting the Council's statutory requirement under the Prevention of Damage by Pests Act 1949 as it applies to rats and mice. In order to do this it is proposed to reduce the subsidy given to those on benefits for the treatment of fleas and bedbugs from 100% to 25% and for the treatment of wasps' nests from 100% to 0%. This will enable the treatment of rats, mice and cockroaches to remain fully subsidised for those on benefits.</p>
<p>Will there be any effect on other council procedures or strategies e.g. Corporate Plan or the <u>council's workforce</u>?</p>	<p>No</p>
<p>Are there any statutory requirements or implications?</p>	<p>Prevention of Damage by Pests Act 1949 requires the Council to take such steps as may be necessary to secure so far as practicable that their district is kept free from rats and mice</p>
<p>Are there any other organisations / bodies involved?</p>	<p>Worcestershire Regulatory Services as shared service delivering pest control service</p>
<p>Consideration of data & information National & local data; service data; satisfaction/feedback data; complaints; research that is being used</p>	<p>Data from WRS regarding the location of properties that required some form of pest control service in 2015 together with the costs of service provision. Also considered approach in neighbouring authorities.</p>
<p>Assessing the impact Who does/does not use service? Have you consulted? Does it reflect varied needs of community?</p>	<p>The subsidised service is currently only available to those in receipt of benefits (of any description), however the contractor service provided by WRS is available to all residents for a fee depending on the type of pest to be treated. No consultation has taken place.</p>

What impact does the service / policy / project have on the nine protected characteristics as defined by the Public Sector Equality Duty 2010 – for definitions, please see overleaf.

Reviewing/Scrutinising the impact

Is there a differential impact on different groups? Is it adverse? Is it directly or indirectly discriminatory? Show justification if applicable

<p>1. Age</p>	<p>Positive/Negative None <u>Evidence: Ability to afford some payment towards service is unaffected by age of recipient.</u></p>
<p>2. Disability</p>	<p>Positive/Negative Negative <u>Evidence: Those in receipt of benefits could include a greater proportion of disabled people.</u></p>
<p>3. Gender Reassignment</p>	<p>Positive/Negative None <u>Evidence: Ability to afford some payment towards service is unaffected by gender of recipient.</u></p>
<p>4. Marriage and Civil Partnership</p>	<p>Positive/Negative None <u>Evidence: Ability to afford some payment towards service is unaffected by marital status of recipient.</u></p>
<p>5. Pregnancy and Maternity</p>	<p>Positive/Negative None <u>Evidence: Ability to afford some payment towards service is unaffected by maternal of recipient.</u></p>
<p>6. Race</p>	<p>Positive/Negative None <u>Evidence: Ability to afford some payment towards service is unaffected by ethnicity of recipient.</u></p>

7. Religion or belief	<p>Positive/Negative None <u>Evidence: Ability to afford some payment towards service is unaffected by religion of recipient.</u></p>	
8. Sex	<p>Positive/Negative None <u>Evidence: Ability to afford some payment towards service is unaffected by sex of recipient.</u></p>	
9. Sexual orientation	<p>Positive/Negative None <u>Evidence: Ability to afford some payment towards service is unaffected by sexual orientation of recipient.</u></p>	
Other e.g. Deprivation, health inequalities, urban/rural divide, community safety.	<p>Data from WRS shows no correlation between location of service recipient and geography of the district</p>	
Can any differential impact be justified? (e.g. promoting equality of opportunity)	N	<u>Evidence</u>
Does any adverse impact amount to unlawful discrimination?	N	<u>Evidence</u>
What alternative actions could be taken to mitigate any adverse impact? (add these to the action plan)	<p>In exceptional cases of hardship where treatments even with the reduced subsidy cannot be afforded, residents could approach the Council for support through the Welfare Fund.</p>	
<p>Addressing the issues <i>Measures to alleviate impact; alteration to policy; action plans</i> ACTION PLAN</p>		

Impact	Action required	Lead Officer	Timescale	Comments
Reduce subsidy for those on benefits for the treatment of fleas and bedbugs to 25% of the cost.	Publicise revised approach on website and through social media	Director EP&P	Commencing 1 st Feb 2016.	To be reviewed at October 2016.
Remove subsidy for treatment of wasps.	Publicise revised approach on website and through social media	Director EP&P	Commencing 1 st Feb 2016.	To be reviewed at October 2016.
Action Plan to be reviewed:			October 2016.	

Formal Consultation	
What formal consultation has been undertaken? Use appropriate methods; consult those affected or with legitimate interest; consult widely; ensure consultation is open, inclusive & accessible	None
Making a Decision	
Explain decision & intended effects/benefits; Can the service/policy proceed?	Whilst the provision of a pest control service is discretionary, the Council wishes to continue to provide the service and to maintain a subsidised service for those residents in most need of financial support i.e. those in receipt of benefits. It cannot

	<p>maintain a full subsidy across all pest treatments as that is no longer an affordable option (the service is currently being subsidised). The Council has prioritised rats and mice because of the statutory duty it has in respect of these pests and added to that cockroaches as the three types of pest where an infestation is most likely to spread to neighbouring properties and determined that a full subsidy should ideally remain in place for these. The consequence is that a reduced subsidy has to be introduced for other less invasive pests such as fleas and bedbugs and in the case of wasps no subsidy at all, otherwise the Council would not be able to continue to fully subsidise the more invasive pests. This is the mitigation that the Council considers appropriate in order to maintain any form of subsidised service. The alternative would see the subsidised service withdrawn and would therefore mean that all pests including mice, rats and cockroaches would need to be paid for in full. Some district councils in Worcestershire have taken this decision already – Worcester City and Malvern Hills.</p>
<p>How will the service/policy / actions be monitored and reviewed? (please give timescale)</p>	<p>Half year review in October 2016 to determine whether service and budgets are aligned or whether further policy amendments are required.</p>
<p>Publication of results</p>	
<p>Accessible & user friendly; add website & intranet; notify consultees</p>	<p>Any further changes will be updates to the policy on the website.</p>
<p>Signed</p> 	<p>Date 07/01/16</p>
<p>Signed</p>	<p>Date</p>
<p>Agreed by Chief Executive</p> 	<p>Date 7/1/16</p>

Prior to the Equality Act 2010, there were 3 separate public sector equality duties covering race, disability and gender. The Equality Act 2010 replaced these with a new single equality duty covering the following protected characteristics:

Protected characteristics: definitions

Age - where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).

Disability - a person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

Gender reassignment - The process of transitioning from one gender to another.

Marriage and civil partnership - marriage is defined as a 'union between a man and a woman'. Same-sex couples can have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples on a wide range of legal matters.

Pregnancy and maternity - pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

Race - It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

Religion and belief - religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism).

Sex - a man or a woman.

Sexual orientation - whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes