

Summary: Intervention & Options

Department /Agency: Forestry Commission	Title: Impact Assessment of Proposals to amend the Plant Health (Fees) (Forestry) Regulations 2006	
Stage: Consultation	Version:	Date: 11 January 2010
Related Publications:		

Available to view or download at:

<http://www.forestry.gov.uk>

Contact for enquiries: Ian Brownlee

Telephone: 0131-314-6480

What is the problem under consideration? Why is government intervention necessary?

To comply with EU legislation (Council Directive 2000/29/EC) and HM Treasury rules the Forestry Commission's Plant Health Service must fully recover its costs but due to a reduction in the import trade of controlled wood, wood products and bark resulting from the global recession the department is failing to recover its costs and must increase its fees through an amendment to the existing legislation.

What are the policy objectives and the intended effects?

The policy objectives are to amend the inspection fees set out in the Plant Health (Fees) (Forestry) Regulations 2006 with the intended effect of ensuring that Forestry Commission's Plant Health Service fully recover its costs.

What policy options have been considered? Please justify any preferred option.

- A. No change to current fees
- B. Reduce the fixed cost of the FC's Plant Health Service to avoid increases to inspection fees
- C. Preferred option: adjust the current fees to achieve full cost recovery at the earliest opportunity.

When will the policy be reviewed to establish the actual costs and benefits and the achievement of the desired effects?

FY2011/12

Ministerial Sign-off For SELECT STAGE Impact Assessments:

I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options.

Signed by the responsible Minister:

..... Date:

Evidence Base (for summary sheets)

[Use this space (with a recommended maximum of 30 pages) to set out the evidence, analysis and detailed narrative from which you have generated your policy options or proposal. Ensure that the information is organised in such a way as to explain clearly the summary information on the preceding pages of this form.]

Option A – No change to current fees

This option cannot be proposed for two important reasons –

1. In accordance with article 13 d(1) of the EU Plant Health Directive (Council Directive 2000/29/EC) all member states must cover the costs of the plant health inspection function through the application of inspection fees. Article 13d(4) prohibits the making of direct or indirect refunds of fees, which would include deliberate under recovery. Failure to comply with the EU legislation could result in infraction proceedings and a fine against the UK government.
2. HM Treasury rules (Managing Public Money – Fees, Charges and Levies) require that statutory services, such as inspection service costs, are fully recovered via the application of fees.

BENEFITS

The main benefit of this option would be that there would be no increase to the costs of the timber importing business sector during the latter point of a recession where the economy is showing signs of recovery.

COSTS

No change to the current fees would result in the tax-payer having to fund the timber import business sector because of the Plant Health Services under-recovery situation. This option would go against the principle that the 'risk owners pay for risk mitigation'.

Option B - Reduced the fixed cost of the FC's Plant Health Service to avoid increases to inspection fees

We have continually kept our staffing levels under review and in 2004 we took the opportunity to reduce the number of Regional Plant Health Managers from three to the current level of two following an age retirement. In the Edinburgh office there is one Operations Manager, one Enquiry Officer and in 2005 we also reduced the number of administrative support officers from two to one following an age retirement. We do not believe there are any opportunities for further reduction without seriously compromising our ability to provide full cover, particularly during periods of absence of any member of staff, for whatever reason. Our local inspectors are self employed contractors and are engaged after the completion of competitive tender exercises. They are only paid for the work that they perform which ensures that our customers receive value for money through the service that we provide.

BENEFITS

The main benefit of this option would be that there would be no increase to the costs of the timber importing business sector during the latter point of a recession where the economy is showing signs of recovery.

COSTS

There would be a reduction in the service provided by the Plant Health Service which could result in importers consignments being delayed at the point of entry and this in turn may result in the port authority or shipping line imposing demurrage charges on the importer.

Option C - Preferred option: adjust the current fees to achieve full cost recovery at the earliest opportunity.

BENEFITS

This option would enable the Plant Health Service to recover its costs at the earliest opportunity, and ensure that it avoid infraction proceedings and a fine from the EC . By implementing this option the Plant Health Service will maintain its current level of service, in particular to carry out import inspections on the working day of notification, or the next again working day thus minimising the risk of demurrage costs for importers, or late release of consignments. We currently achieve this in over 99% of imported consignments.

COSTS

The full additional cost of this proposal to the timber import sector amounts to £66,299 as detailed in the analysis below –

Proposed increase in Fees to achieve Full Cost Recovery in FY2010/11

Bulk Shipment Volumes

	Proposed Fees Income	Current Fees Income and Difference (+/-£)
175 inspections of 306,441m ³		
306,441		
<u>17,500</u> (less 175 x first 100m ³) Plant health check x £26.00 = £ 4,550	£2,144	(+£2406)
288,941(each m3 > 100m ³) plant health check x £ 0.20 = £57,788	£57,788	(£0)
175 ID checks x £12.00 = £ 2,100	£1,851	(+£249)
175 Documentary checks x £ 6.00 = £ 1,050	<u>£ 926</u>	<u>(+£124)</u>
Sub Total	= £65,488	£62,709 (+£2,779)
<u>Container Volumes</u>		
4000 x £26.00 Plant Health check	= £104,000	£49,000 (+£55,000)
4000 x £ 6.00 Documentary check	= £ 24,000	£21,160 (+£2,840)
8000 x £6.00 ID checks (based on 2 checks/ave consignment of 48m3)	= <u>£48,000</u>	<u>£42,320 (+£5,680)</u>
Sub total	= £ 176,000	£112,480 (+£63,520)
Total	<u>= £241,488</u>	<u>£175,189 (+£66,299)</u>

Forecast Income required FY2010/11	- £240,000
Forecast Income based on proposed Fees	- <u>£241,488</u>
Over-recovery	- <u>£ 1,488</u>