

## THE EXECUTIVE

5 APRIL 2006

### REPORT OF THE ACTING CORPORATE DIRECTOR OF REGENERATION

<b>PLANNING POST SEARCH AND OTHER ENQUIRY CHARGES 2006/07</b>	<b>FOR DECISION</b>
<p><b>Summary:</b> This report considers proposed Planning enquiry charges to be adopted for 2006/2007. The Charging Policy Commission set out a number of fundamental principals that should be considered, including the starting presumption that charges should be set to recover the full cost of the service. A decision now needs to be made with regard to the setting of Planning enquiry charges to be adopted for the 2006/07 financial years. The proposed charges cover the cost of providing the service and comply with the advice of the Corporate Director of Resources on the inflation increase required.</p> <p><b>Wards Affected:</b> All</p>	
<p><b>Implications:</b></p> <p><b>Financial:</b> Implementation of the new charges will enable the service to recover its full costs based on present levels of demand.</p> <p><b>Legal:</b> None.</p> <p><b>Risk Management:</b> The proposed increase in charges will enable the service to recover its full costs based on current demand levels. However, as this service is demand driven there could be a potential risk of income shortfall if demand reduces and officers will, therefore, closely monitor the position during the year.</p> <p><b>Social Inclusion and Diversity:</b> None.</p> <p><b>Crime and Disorder:</b> None.</p>	
<p><b>Recommendation(s)</b></p> <p>The Executive is asked to agree the increased charges for Planning Post Search enquiries and Consultancy Fees for 2006/07as detailed in this report with immediate effect.</p>	
<p><b>Reason</b></p> <p>To set the Planning Post Search and Other Fees and Charges for the forthcoming year in accordance with the principles of the Charging Policy Commission and to assist with the Council's Community Priority of <i>"Regenerating the Local Economy"</i>.</p>	
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## **1. Introduction and Background**

- 1.1 The fundamental principles, which must be considered when reviewing fees and charges for Council services, were set by the Charging Policy Commission in 2001 and approved by the Assembly on 4 July 2001. There is a starting presumption that charges should be set to recover the full cost of service, including all overheads, and that any subsidy must be transparent, and demonstrably support or promote Council Priorities and policy objectives in an effective manner.

## **2. Current Position**

### **Post Search Enquiries**

- 2.1 Charges are made to solicitors or members of the public following a request for additional information resulting from Land Charges searches. Under the Local Authorities (Charges for Land Searches) Regulations 1994, as well as a charge for the initial search, local authorities are empowered to charge for any information requested as a result of the proposed sale of a property. The charge currently levied for this service is £35.87 (inclusive of VAT) where no site visit is required and £56.37 where it is required. This service was formerly provided free of charge. However, as searches do not now include copies of decision notices these inquiries have dramatically increased since that time. Solicitors in general now require more information in the conveyancing process and as a result of charges often defer the costs to the vendor's solicitors. As a result most of the post search enquiries are sent to planning rather than land charges. A charge was introduced in April 2001 and last revised to its current level in March 2005 to what was considered a reasonable charge for the service provided. The projected cost of providing this service in 2006/07 is £37.66 for a non site visit and £59.18 if a site visit is required.
- 2.2 As the service being provided is based on staff time, this increase is in accordance with the instructions for the 2006/07 Employee budget increases of 5%. This is a flat rate fee and not an hourly rate.

### **Consultancy Enquiries**

- 2.3 This service is very similar to the post search enquiry procedure detailed above. This charge occurs when a consultant, in preparing a report for private clients, will request planning information from the Local Planning Authority. The Council currently charges for this work on an hourly basis at £71.75 per hour based on market rates. It is intended to raise this rate to £75.33 per hour to reflect increased officer costs since this time

## **3. Report Detail**

- 3.1 Below are the current and proposed charges for Planning Post search enquiries and consultancy charges for 2006/07.

	<b>Current Charge 2005/06</b>	<b>Proposed Charge 2006/07</b>	<b>Proposed Increase %</b>	<b>Projected Income 2006/07</b>
<b>Planning Post Search enquiries</b>				
without site visit	£35.87 (inc VAT)	£ 37.66 (inc VAT)	5%	£1,200
with site visit	£56.37 (inc VAT)	£ 59.18 (inc VAT)	5%	£200
<b>Charges to Consultants</b>	£71.75 per hour	£75.33 per hour	5%	£1,000

#### **4. Financial Implications**

4.1 By implementing these changes the service will be expected to recover its full costs.

#### **5. Consultees**

The following have seen this report and are happy with the report as it stands.

##### **Lead Member**

Developing Rights and Responsibilities with the Local Community and Providing Equal Opportunities and Celebrating Diversity (Income and Charging), Councillor H Collins.

##### **Finance**

Alex Anderson, Head of Finance (DR)

##### **Corporate Strategy**

Muhammad Saleem, Solicitor to the Council & Monitoring Officer

#### **Background Papers Used in the Preparation of the Report:**

Executive report and Minute 15 March 2005: Fees and Charges: Planning Post Search and Other Enquiry Fees & Charges 2005 / 2006.