

Report of	Meeting	Date
Director of Partnerships, Planning and Policy (Introduced by the Executive Member for Partnerships and Planning)	Executive Cabinet	24 November 2011

PLANNING REVIEW - FEES

PURPOSE OF REPORT

1. To secure the Executive Cabinet's approval to amend and introduce new changes to the planning fee schedule.

RECOMMENDATION(S)

2. To approve the proposed changes and additions to the planning fee model for implementation from 1 January 2012.

EXECUTIVE SUMMARY OF REPORT

3. The report presents proposed changes and additions to the current fee model. All of the proposals can be done within current legislation and many local authorities currently levy charges for these services. The table below lists the proposals and the additional income that we estimate can be generated.
4. Should the report be approved and the new fee arrangement implemented, this would represent an additional income stream, but would only go part way to making the costs of the Planning Service neutral to the tax payer as there would still be a cost of circa £200,000 per annum. The majority of the fee proposals relate to commercial developers and those relating to householders are a matter of choice as to whether they take up that service. Therefore the impact on Chorley residents is minimal. Further changes to legislation will enable the Council to consider different charging options in the future.

Option	Additional Income
Discharge of conditions	£8,600
Certificate of lawfulness	£11,250
<u>Pre-application advice</u>	
New commercial fee	£5,000
20 % increase in current fees	£3,000
Enforcement	£10,500
S106	£15,000
Property planning history	£5,000
Total	£58,350

Confidential report Please bold as appropriate	Yes	No
--	-----	----

Key Decision? Please bold as appropriate	Yes	No
--	-----	----

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

- To improve and extend the services provided to customers whilst covering some of the outstanding costs.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- To not extend the services to customers which some other authorities are currently providing.

CORPORATE PRIORITIES

- This report relates to the following Strategic Objectives:

Strong Family Support		Education and Jobs	
Being Healthy		Pride in Quality Homes and Clean Neighbourhoods	
Safe Respectful Communities		Quality Community Services and Spaces	
Vibrant Local Economy		Thriving Town Centre, Local Attractions and Villages	
A Council that is a consistently Top Performing Organisation and Delivers Excellent Value for Money			

BACKGROUND

- As part of the planning review, work was undertaken to establish whether there was potential to introduce new and improved services to the customer.
- This involved researching the approach taken by other local planning authorities and whether any such services were charged for. The results of this research, along with the suggestions made by senior staff within the service have been used to formulate the options set out below.

PLANNING FEES

- As part of the planning review, consideration has been given to both updating the current fee structure and introducing new chargeable services. The options aim to improve and extend the services provided to customers, while also recovering costs in the region of £60,000. The review has included comparisons of other Council's fee charging structures and all options are already in place in some other Council's across Lancashire.
- Details of 'how' any revisions and additions to planning fees will be implemented will be developed following approval of the options. It is anticipated that the new fee model, if approved would come into force on 1 January 2012.

12. All options can be done within current legislation. A number of the options propose increasing existing fees while maintaining or improving service levels, these predominantly target businesses rather than householders. Other options including the Certificate of Lawfulness and Property Planning history are new services that could be provided and charged for in order to recover costs.

Discharge of Conditions

13. The fee to discharge planning conditions is currently £85. It is estimated that one third of applications would be willing to pay for a speedier turnaround period. The current turnaround target is eight weeks, therefore it is proposed that to offer a 20 working days service for a £300 fee. The potential additional income this could generate is estimated at £8,600.
14. To balance the effect this may have on the service it is proposed that the current eight week target is extended to an 11 week turnaround (the maximum period before the Council has to return the £85 fee) for applicants who want to pay the standard fee of £85.

Certificate of Lawfulness

15. Many councils encourage customers to apply for a certificate of lawfulness (which attracts a fee) rather than a letter from the Council to say that they do not require planning permission which is not a legal document and therefore carries no weight and for which we make no charge. It is therefore proposed to introduce a guidance and advice service to encourage the submission of Certificates of Lawful Use. This service could be provided for a £75 fee, which is applicable mainly to householder applications. Approximately 300 letters were sent in the last 12 months, a 50% uptake on this way of dealing with such requests is estimated. This would generate £11,250 additional income.
16. If an application is required the applicant can apply for a full application (less the fee paid) within a time limit of 20 working dates. Applications after this period are processed at standard rate fee.

Pre Application Advice

17. The Council already successfully operates fee earning pre application advice for major and minor applications. Feedback on this service is highly positive. The annual income target for this pre-application service is currently £10,000, although this has been achieved midway through the current financial year and it appears that the actual figure will be at least £15,000.
18. It is proposed to increase the current fees for major and minor pre-application advice by 20%. This could generate an additional £3,000.
19. Additionally it is proposed to introduce a chargeable service for commercial pre-application advice at £100 per pre-application, which would include things like telecoms, change of use etc. Based on current volumes it is estimated that this could generate £5,000 per annum.

Enforcement

20. There are currently no fees charged for investigating enforcement action and any request for retrospective planning application, which is rare, is not charged any more than the normal rate. The current approach is to try and work with customers to resolve the issues, which are mostly due to wrong advice by builders or other trade and professionals or just lack of knowledge about planning and building control requirements.

21. There is the option of taking a stronger approach to enforcement. This would result in more enforcement enquires being asked to submit retrospective applications for which there would be a normal rate charge. This could generate an additional £10,500.

S106

22. It is proposed to introduce a fee for managing and monitoring S106 agreements and this would result in a charge of £500 or 2% of the value of the 106 agreement, whichever is the higher. This is expected to generate additional income of approximately £15,000.

Property Planning History

23. Property planning history search are currently conducted for free. This amounts to approximately 100 per year, in addition to which property searches are completed on requests about the need for planning permission, which takes up officer time. Other Councils who have introduced a fee have found that demand dropped for this service, which while it only generates minimal income, does in turn free up some capacity which could be better used elsewhere. It is proposed to charge £50 per planning history search. Therefore the potential additional income from this option is £5,000.

Future Proposals

24. Currently planning fees are set nationally for the range of planning applications. It is understood that at a national level there are plans to devolve responsibility for planning fees to local government which would enable service costs to be recoverable. Currently fee's amount to 54% of the service costs, the proposed fee's would increase this to 60% and in future all costs may be recoverable.

IMPLICATIONS OF REPORT

25. This report has implications in the following areas and the relevant Directors' comments are included:

Finance	✓	Customer Services	✓
Human Resources		Equality and Diversity	
Legal	✓	Integrated Impact Assessment required?	
No significant implications in this area		Policy and Communications	

COMMENTS OF THE STATUTORY FINANCE OFFICER

26. Should the report be approved the additional income to be generated will be factored in to future budget forecasts and will, as the report sets out, start to contribute towards mitigating the net cost of the Planning Service to the general tax payer.

COMMENTS OF THE MONITORING OFFICER

27. The proposals are allowed within current legislation, it is appropriate to seek Member approval as this reflects a change in approach for the Council.

LESLEY-ANN FENTON
DIRECTOR OF PARTNERSHIPS, PLANNING AND POLICY

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Lesley-Ann Fenton	5323	09/11/2011	***