



Executive Committee

No Direct Ward Relevance

2nd April 2008

INTRODUCTION OF ADDITIONAL FEES AND CHARGES FOR EXISTING PLANNING SERVICES FUNCTIONS

(Report of Director of Environment and Planning)

1. **Purpose of Report**

To put forward the Overview and Scrutiny Committee's recommendation to the Executive Committee that additional fees and charges be introduced to cover the costs of providing existing planning services functions.

2. **Recommendation**

The Committee is asked to RESOLVE that the proposed fees and charges be implemented.

3. **Financial, Legal, Policy and Risk Implications**

Financial

- 3.1 The fees and charges proposed in this report cover existing services that are provided to customers free of charge, and would generate additional income within Planning Services. There may be a small loss to internal charging for the processing of payments, but this would be minimal.

Legal

- 3.2 The authority cannot make profit from charging for services. However it is able to cover the administrative and overhead costs of service provision providing this is made clear at the point of charging. Therefore, the proposed fees would not be charging for the advice provided.

Policy

- 3.3 It has been the policy of Planning Services to provide these services because they are perceived to be of benefit to customers, the wider community, Officers and the overall quality of the built environment of Redditch Borough. However, this good practice of service provision, being at a level above that required through the statutory planning function, comes at a cost to the authority.



Risk

- 3.4 In adopting the proposed fees and charges, there may be a small risk that some people would not seek advice prior to implementing developments, and that this could lead to additional enforcement caseload. However this risk is considered to be minimal, and could be covered by existing arrangements.

Report

4. Background

- 4.1 At the instigation of the Fees and Charges Task and Finish Group the Planning Services team have been reviewing their existing service provision and the associated scale of fees and charges. The Planning Services team have also researched the rates and types of charges levied by other local planning authorities, to inform these proposals.
- 4.2 Planning Services currently provide a range of high quality customer services associated with but not required as part of its statutory function. For a small number of these services, a charge is already levied, for example for copies of legal documents such as Planning Decision Notices, and for information relating to Local Land Charge Searches. A small fee is also charged for copies made at the request of the public. These existing charges are reviewed and updated annually, and have recently been reviewed for the next financial year.
- 4.3 However, it would be possible to extend the scope of the fees and charges currently imposed, in order to provide additional revenue to offset the cost of the provision of the current 'free' services provided.

5. Key Issues

- 5.1 The Planning Service has identified three additional areas where charges could be made and a further area where consideration could be given in the future. These are set out below, and followed by recommendations on their implementation.

Permitted Development Enquiries

- 5.2 These are enquiries frequently received from residents of the Borough who wish to carry out minor developments, mostly to their domestic properties, where advice is sought on whether the submission of a planning application is required prior to carrying out their proposed development, and if so, the extent and content of the required supporting information. If an application is not required, then the proposal is considered to be 'Permitted Development' (PD). Similar enquiries are often received from shops seeking to alter



shopfronts and signage, and from commercial premises in relation to matters such as car parking provision and alterations to fenestration. This opportunity to provide advice can lead to an improved standard of applications when submitted.

- 5.3 This is a simple yet well-used service to customers, which is provided consistently, and therefore it would be possible to make a charge for it. It is suggested, however, that such a charge should be set relatively low, in order that enquirers are not discouraged from seeking this advice. This would prevent enforcement staff from having to deal with the additional workload that might arise if developments were carried out without advice and/or with incorrect consent. In such cases, the development might be more likely to be later found to be unauthorised which would require enforcement action.
- 5.4 This approach has been adopted by other local planning authorities with success.

Pre-application Advice

- 5.5 This is an area of the planning service that takes up much Officer time and resources, and is an important element of the service provided. It is an informal process where Officers discuss the proposed development with applicants and/or their agents, and negotiate in order to arrive at a situation where the applicants are aware of the requirements that would make their proposals acceptable. Such advice is, of course, made on a without prejudice basis, and this is made clear throughout the process. Whilst it does not always result in applications being submitted on which Officers are able to recommend approval, as this can be dependent on developers taking note of the advice of Officers, it provides clarity to the process and aids the passage of proposals through the application stage.
- 5.6 Pre-application advice can vary from a short letter in response to correspondence received, to a series of meetings with Development Control and other Officers (in services such as Environmental Health, County Highways and Landscaping) which need to be hosted and recorded, and can continue over a period up to several months. These discussions can also involve Legal Officers where proposals are likely to require planning obligations.
- 5.7 Other authorities have set up scales of charges for the provision of such advice. None of the other Worcestershire authorities currently charge for this service, although some are considering the introduction of such charges.



Post-decision amendments

- 5.8 In situations where planning permission has been granted, but then the applicants have sought to implement a slightly different scheme, a post-decision amendment to a planning application is proposed. These are provided on plans with an accompanying letter, and Officers consider whether they are sufficiently minor to be considered as a variation to the existing consent, or whether a fresh application should be made, having regard to the relevant legislation. Advice is then provided in writing, with reasons, to the enquirer. This process therefore involves retrieving files from the system, and considering the proposals against internally set criteria, as well as the relevant legislation and case law. Therefore professional Officer time and office resources are taken up in order to provide a service to customers. This is another area where other authorities have already begun to charge. (These amendments must be very minor in nature to be acceptable, due to the lack of legislative provisions in this regard.)
- 5.9 A simple paragraph of explanation would be sufficient to operate a system such as this, published on the website with a note detailing the fee payable.

Discharge of planning conditions

- 5.10 Recent Government documents relating to changes to the planning system have indicated that when setting revised fees for planning and associated applications, a fee will be set, nationally, for the discharge of planning conditions. This is another significant area of work for the Development Control team, and does form part of its statutory function. There are currently no charges made for this service, and it would be one that Officers proposed for introducing a charging regime locally. It is an existing, established process, which takes up Officer resources without bringing in any financial reward.
- 5.11 Since these initial considerations, the government has clarified the new items to be included in the revised fees which will be set in April 2008. Therefore, there will be a national charge set for confirming whether conditions have been dealt with on applications.
- 5.12 This leaves the remaining area of charging for dealing with the submission of details in relation to requests to discharge conditions. This can now be reconsidered, and advice taken from colleagues in legal, prior to being progressed.



Other areas

5.13 There are other areas where Planning Services are unable to charge for services, such as applications for consent to do work to preserved trees. These cannot be explored further at this stage, although this may change when revised statutes are introduced in the future.

6. Other Implications

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| Community Safety | - | This is a key issue in the planning process, and its early identification and consideration should assist in improved outcomes |
| Human Resources | - | none known |
| Social Exclusion | - | This is a key issue in the planning process, and its early identification and consideration should assist in improved outcomes |
| Sustainability | - | This is a key issue in the planning process, and its early identification and consideration should assist in improved outcomes |
| Joint working | - | Discussions between Managers of planning teams across the County have been ongoing regarding these issues and there is potential to introduce an agreed scheme across the whole County in preference to a diversity of charging regimes. Therefore, in Appendix 1 a rough guide containing the proposed scope of fees can be found, as these details have yet to be agreed. |

7. Conclusion

7.1 The proposals would result in clarity of process for the public and Officers dealing with the process, and allow for service users to be sure about the service being provided and the timescales in which they can expect contact.



7.2 Formal internal procedures for Officers to follow should aid ongoing monitoring and recording of information within the planning team and make the monitoring of the service and its users easier for performance management purposes.

7.3 The proposals would assist in providing additional income to the planning service.

8. **Background Papers**

Report to the Fees and Charges Task and Finish Group on the 17th of January 2008.

9. **Consultation**

There has been no consultation other than with relevant Borough Council Officers and the Members of the Fees and Charges Task and Finish Group.

10. **Author of Report**

The author of this report is Ailith Rutt (Development Control Manager), who can be contacted on extension 3374 (email: ailith.rutt@redditchbc.gov.uk) for more information.

11. **Appendices**

Appendix 1 - Draft guidance on potential scale of fees.



DRAFT POTENTIAL SCALE OF FEES FOR GUIDANCE

The fees shown in the table below give a rough estimate of the area within which the proposed fees are considered likely to be set, although as noted above (in paragraph 6), the exact details of fees are yet to be agreed jointly with authorities across the County.

Service	Threshold	Fee band
PD Enquiry	Householder	£10-25
	Other	£25-75
Pre-application discussions	Householder	£25-50
	Minor/other	£25-100
	Major	£250+
Post-decision amendments	Householder	£10-15
	Minor/other	£15-25
	Major	£50