

CABINET MEMBER DECISION RECORD TEMPLATE

This form should be used to record Executive decisions taken by Cabinet Members

Decision Ref. No:

Responsible Officer:
Andrew England – Head of Planning

Subject:

Pre-application advice charges for householder proposals

Decision taken:

To approve the introduction of a fee of £60 (inclusive of VAT) for householder pre-application advice.

Reasons for the decision:

To approve a new charge for services provided by the Planning Service, in order to ensure costs to the Council are fully met by the applicant.

Call-in and Urgency:

This decision is subject to the Council's call in procedure

Background:

At present the Planning Service charge for pre-application advice for all planning applications with the exception of householder applications. Whilst with the introduction of more householder permitted development the number of enquires has reduced, those which are received tend to generate a disproportionate volume of work. As there is no legal requirement to provide a bespoke advice service some authorities have defaulted to the use of a householder design guide and basic online advice as their sole source of guidance. Others continue to provide advice but on a cost recovery basis a typical fee varies considerably, for example, North Dorset District Council charges £85 for written advice. However, it is estimated that to achieve cost recovery given our specific costs a fee of £60 would be needed. The volume of work created last year consisted of 250 non fee generated pre-application enquires, some of which necessitated a site visit. It is estimated that this accounted for approximately 350 hours of officer time.

In view of the need to accommodate shortfalls in income as a result of Government changes, with the consequent impact on the Service budget there is now little option other than to stop doing non statutory work or charging for such work as a discretionary service. It is evident that there is a demand for pre-application householder advice and agents have indicated that they would be prepared to accept fees associated with such a service. In the interests of good customer service it is recommended that a charging regime should be introduced.

The fee level should be set on a cost recovery basis. This is a suggested mechanism to ensure that this resource is properly supported by the applicant in accordance with the provisions of Section 93 of the Local Government Act 2003. Appropriate management and monitoring of the resource and its costs are at the discretion of the Council in terms of its requirement to demonstrate propriety. The Council may not make a profit on its charging activities, or subsidise other services and cannot charge for services that customers do not choose to use. It should be noted that advice is also obtainable from private planning practices as well as the Council.

Options - and reasons for rejection:

1. Continue to provide a free service is financially unviable and there is no capacity which means any service will be slow and will lead to customer dissatisfaction. There is no statutory requirement to provide pre-application advice.
2. Provide no advice - poor customer service and has potential to generate additional non fee earning work such as withdrawn and refused applications which are followed by resubmissions which do not attract a fee.
3. Limit advice to supplying a householder guide or similar. Existing online advice currently exist but these do not stop demand for bespoke advice.

Consultations undertaken:

Consultation with internal teams to determine the cost of providing services.
Consultation with other local authorities to determine their current fees and charges.
No other consultation has been carried out, as this is not required by legislation or deemed necessary, as the charges remain low and comparable with other authorities.

Finance/Resource Implications:

The proposed charges have been set to ensure the Council is covering its costs in providing the services described above. It is a general principle that local authorities cannot generate income through charging for these types of services. However, they are able to ensure that costs are met by the applicant.

Name: [REDACTED]

Signature: (of Chief Finance Officer)

Date: 14/1/15

Legal implications:

The Council has the power to charge for discretionary services on a cost recovery basis pursuant to Section 93 of the Local Government Act 2003. The proposed service will be provided as a discretionary service and it will be made clear that the advice does not constitute a formal planning decision. The proposed charges are made on a cost recovery basis and therefore are compliant with statutory requirements in regard to charging for discretionary services.

Name: TANYA CONNOR

Signature: (of Monitoring Officer)

Date: 14/1/15

*** Risk assessment:**

An initial risk assessment has been completed and has been classed as low risk.

Name: A. ENGLAND

Signature: (of Officer completing assessment)

Date: 01.12.2014



Impact Assessments:

A screening assessment with regard to Equality and Diversity Impact has been undertaken and is enclosed in the background papers.

Information for/not for publication:

This decision is to be published

Background papers:

Initial Risk assessment

EINA Screening

Any conflict of interest declared by a Cabinet Member who is consulted by the Member taking the decision	Name of Cabinet Member	Nature of interest	Details of any dispensation granted by the Monitoring Officer
No			

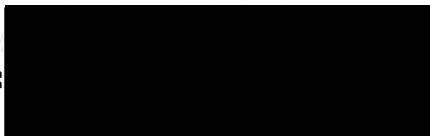
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Decision taken by:

Councillor DAVID SMITH (Print name)

Cabinet Portfolio PLANNING & ENVIRONMENT

Signed:



Date of decision:

16/1/15

Date of publication of record of decision: 23.01.14

Date decision effective: 30.01.14