

25 April 2017

Planning and Licensing Committee

Local Land Charges Fees update

Report of: Phil Ruck, Head of Paid Service

Wards Affected: All

This report is: Public

1. Executive Summary

- 1.1 This report sets out a change to the Local Land Charge fees and charges, following notification of a change in fee for the Essex Highways element on a CON29 Local Land Charge search.

2. Recommendation

- 2.1 To agree the change increase in fee introduced by Essex Highways relating to the Highway element on a CON29 Local Land Charge search from 1 May 2017.**

3. Introduction and Background

- 3.1 The CON29 part of the Local Land Charge, Essex Highways answer questions relating to Highway matters for Brentwood Borough Council. The fee for a CON29 search, includes the element Essex Highways charge Brentwood Borough Council to answer such questions. From 1 May 2017, Essex Highways are changing their fee to include the imposed VAT element from HMRC and introduce a slight increase. The introduction of this change, would not have any impact on the income to Brentwood Borough Council, as this element of the charge is passed on to Essex Highways from the customer requesting the search.
- 3.2 The current Essex Highways element of the CON29 charge is £12.65 excluding VAT, this will be increasing by £0.64 pence to £13.29 excluding VAT. HMRC confirmed that VAT at 20% is to be imposed on the CON29

and subsequently this will be added to this fee, making it a total including VAT of £15.95.

4. Existing Local Land Charges Fees and Charges

- 4.1 The Borough's current fees and charges are set out on the Council's website so that those wishing to undertake a Local Land Charge search are informed of rates in advance. Appendix A of this report sets out the existing and proposed fees and charges for Local Land Charges. The proposed fees reflect this change.

5. Reasons for Recommendation

- 5.1 The change in fee is to take account for the proposed change of fee charged by Essex Highways to Brentwood Borough Council for this service.

6. Consultation

- 6.1 Discussions with staff and the managed service provider for Development Management have assisted in the preparation of this report.
- 6.2 Democratic Services have been consulted to acknowledge financial input.

7. Implications

Financial Implications

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- 7.1 The introduction of this increase does not have any impact on the Council income, as this charge is passed on to Essex Highways. The revised fee will be amended in the Total Fees and Charges Schedule for 2017/18.

Legal Implications

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- 7.2 The Local Government Act 1999 provides that the Council is under a general duty to "make arrangements to secure continuous improvement in the way its functions are exercised, having regard to a combination of economy, efficiency and effectiveness" Statutory Guidance, revised in September 2011, emphasises that authorities should engage service users and the wider community in consultation on options for the future and reshaping of the service.

7.3 Charges for discretionary services such as pre-application advice and planning performance agreements are allowed by the Local Government Act 2003.

7.4 **Other Implications** (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

7.5 No other implications are identified.

8 Background Papers

8.1 None

9 Appendices to this report

Appendix A - Fee and Charges table for Local Land Charges.

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