

Single Member Cabinet Decision

**Executive  
Forward Plan  
Reference**

**E3435**

**Additional Discretionary Fees in Planning**

<b>Decision maker/s</b>	Cllr Tim Ball, Cabinet Member for Planning & Licensing
<b>The Issue</b>	<p>The council continues to endeavour to operate in the most efficient and effective way to maximise the resources it has. The Planning Service already has a number of existing chargeable discretionary services and would like to extend the range and type of those charges alongside further efficiency measures. This is not new policy but an extension of the existing policy and does not affect the statutory duties of the planning service.</p> <p>Charges are levied on a cost recovery basis and aim to be reasonable and fair. The proposal is to introduce new fees on 1 April 2023. This report describes the new charges, the basis of those charges and the alternatives for customers to paying for discretionary services.</p>
<b>Decision Date</b>	27th February 2023
<b>The decision</b>	<p>The Cabinet Member agrees to the implementation of:</p> <ul style="list-style-type: none"><li>• A charge for requests to confirm that conditions have been discharged on a specific site/property</li><li>• A charge for Community Infrastructure Levy (CIL) advice</li><li>• A new range of charges for history searches and historic document provision</li><li>• A charge for requests from developers/ landowners to meet with Planning Policy about land and site allocations</li></ul>
<b>Rationale for decision</b>	<p>By their nature the charges proposed are discretionary and therefore customers are not required to take up these services and can choose not to. There are alternatives available to customers and applicants such as self-serve, other statutory application/process or to engage a private specialist agent or solicitor</p> <p>Planning already has a number of very successful and well used discretionary charges in place such as pre-application advice, planning performance agreements and S.106 monitoring fees; customers and agents expect to pay for additional services in Planning which is the norm across all Local Planning Authorities</p> <p>The fees proposed are calculated on a cost recovery basis following robust analysis of time spent by officers on certain tasks and the cost of delivering services including corporate and service on-costs. For the most part charges are calculated using an officer hourly rate figure</p>

	and aim to be reasonable.
<b>Financial and budget implications</b>	Income will be generated to cover the cost of delivering these discretionary services. There will be little or no cost/resource associated with implementing the new charges
<b>Issues considered</b>	Customer Focus; Equality (age, race, disability, religion/belief, gender, sexual orientation); Corporate; Impact on Staff; Other Legal Considerations
<b>Consultation undertaken</b>	Ward Councillor; Staff; Service Users; Stakeholders/Partners; Section 151 Finance Officer; Monitoring Officer
<b>How consultation was carried out</b>	Agents Forum (about 130 email addresses) were advised. Ward councillor briefed, Feedback requested/received from Section 151 and Monitoring Officers
<b>Other options considered</b>	<p>The option to continue to offer all the above services for free was considered but as legislation allows councils to charge for this work and other LPAs are already doing so this means that B&amp;NES would not be maximising Planning service resources by covering the cost of delivering these services, particularly as they are discretionary and customers can choose not to use the service or self-serve</p> <p>Another alternative would be to stop delivering these services altogether, however this would be removing the choice customers have to request the service in the first place, albeit for a reasonable fee. This is possibly less fair than continuing to offer the services but also raise a charge.</p>
<b>Declaration of interest by Cabinet Member(s) for decision:</b>	None
<b>Any conflict of interest declared by anyone who is consulted by a Member taking the decision:</b>	None

<b>Name and Signature of Decision Maker/s</b>	Cllr Tim Ball
<b>Date of Signature</b>	27/02/2023

**Subject to Call-in until 5 Working days have elapsed following publication of the decision**