

# (Informal Joint) Cabinet



Forest Heath  
District Council

<b>Title of Report:</b>	<b>Introduction of Charging for a Pre-application Advice Planning Service</b>	
<b>Report No:</b>	<b>CAB/FH/16/025</b>	
<b>Report to and date:</b>	<b>Cabinet</b>	14 June 2016
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<b>Purpose of report:</b>	To consider the proposed introduction of a charging schedule for pre-application advice on planning matters.	
<b>Recommendation:</b>	<p><b>The Cabinet is invited to <u>APPROVE</u>:</b></p> <p>(1) <b>the principle of charging for pre application advice as set out in the report;</b></p> <p>(2) <b>the charging schedule as set out in Appendix 1 to Report No CAB/FH/16/025, be implemented from 4 July 2016;</b></p> <p>(3) <b>that the scale of charges be reviewed annually in accordance with the Fees and Charges policy.</b></p>	
<p><b>Key Decision:</b></p> <p><i>(Check the appropriate box and delete all those that <b>do not</b> apply.)</i></p>	<p><i>Is this a Key Decision and, if so, under which definition?</i></p> <p>Yes, it is a Key Decision - <input type="checkbox"/></p> <p>No, it is not a Key Decision - <input checked="" type="checkbox"/></p>	
<p><i>The decisions made as a result of this report will usually be published within <b>48 hours</b> and cannot be actioned until <b>five clear working days of the publication of the decision</b> have elapsed. This item is included on the Decisions Plan.</i></p>		

<b>Consultation:</b>	<ul style="list-style-type: none"> <li>• None</li> </ul>		
<b>Alternative option(s):</b>	<ul style="list-style-type: none"> <li>• The alternative option is to continue with the existing arrangements missing the opportunity to improve the service to customers and reduce costs to the councils.</li> </ul>		
<b>Implications:</b>			
<i>Are there any <b>financial</b> implications? If yes, please give details</i>		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> <li>• An estimated income of £17,500 has been included in the 2016/17 Forest Heath budget.</li> <li>• An estimated income of £32,500 has been included in the 2016/17 St Edmundsbury budget.</li> </ul>	
<i>Are there any <b>staffing</b> implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<i>Are there any <b>ICT</b> implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<i>Are there any <b>legal and/or policy</b> implications? If yes, please give details</i>		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> <li>• See resource and legal implications</li> </ul>	
<i>Are there any <b>equality</b> implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<b>Risk/opportunity assessment:</b> <i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>			
<b>Risk area</b>	<b>Inherent level of risk</b> (before controls)	<b>Controls</b>	<b>Residual risk</b> (after controls)
Demand for the service does not match predictions and associated income levels.	Medium	Quarterly monitoring and resource management.	Low
That the councils are challenged on advice provided at the pre-application stage.	Medium	The councils will take out "professional negligence insurance" at a cost of approx. £1,000 per authority.	Low
<b>Ward(s) affected:</b>		All	
<b>Background papers:</b> <i>(all background papers are to be published on the website and a link included)</i>		None	
<b>Documents attached:</b>		<b>Appendix 1</b> – Schedule of Fees	

## **1. Key issues and reasons for recommendations**

### **1.1 Background**

1.1.1 Pre application planning advice is where prospective applicants or their agents seek informal advice or guidance before submitting a planning application. This report does not impact upon the processes, procedures and fees associated with formal planning applications.

1.1.2 During 2015 an internal review of the Development Management service was undertaken along with an external resource review of the service by the LGA Planning Advisory Service (PAS). Both reviews recommended the development of a new 'self-serve' approach to the customer service offer for planning guidance. This new approach is underpinned by three key principles:

- Customers will be directed through the Customer Services Team as the "first point of contact" and to "self-serve" via the West Suffolk web pages, reducing demand on planning officers and in line with our Target Operating Model for customer access.
- Recover the cost of providing pre-application advice, in line with our Medium Term Financial Strategy.
- Providing professional and timely information and advice to planning applicants/agents.

### **2.1. New Arrangements**

2.1.1 To implement the above principles a newly designed 'one stop shop' webpages for Council planning guidance has been designed and will support customers to self-serve for guidance on planning applications. The new webpages will go live ahead of the proposed introduction of charging, as outlined in this report.

2.1.2 The development of the webpages will enable the transfer of the 'helpdesk' planning advice function to the Customer Service Team. The Customer Services Team will support Development Management customers with enquiries and where possible direct the customer to the information available on the webpages as appropriate.

2.1.3 Where customers require additional advice to the guidance on the webpages this will be classified as 'professional advice', which it is proposed will be a chargeable service. Customers will be able to book and pay for an appointment with a planning officer at a mutually convenient time (Monday to Friday, 9am to 5pm) either in one of the offices or on site as requested by the customer. This will replace the current (walk-in) duty planning officer service which operates Monday to Friday 9am to 1pm.

2.1.4 A Charging Schedule has been developed which outlines the fees applicable for the various levels of advice and guidance a customer may request and Members are invited to approve charging for pre-application advice in line with the fees as set out at Appendix 1. The charging schedule will use the same exemptions for charges as those laid down in the nationally set fee regulations for planning applications.

### 3.1 **Fee structure**

- 3.1.1 Charging for pre-application advice is now recommended as good practice by the LGA Planning Advisory Service. The Charging Schedule has been developed to reflect the range and complexity of advice sought from planning applicants and agents, specifically the difference between minor householder applications and large scale developments.
- 3.1.2 Each fee has been calculated on the basis of an estimation of the time and resource involved in offering pre-application advice. The fee is also inclusive of VAT as this is not a statutory service that could be offered by a third party and therefore subject to VAT.
- 3.1.3 Fees have been set at a level which is not considered to be prohibitive and which would not deter most applicants/agents from seeking advice, whilst being sufficient to justify the administrative costs and time taken.
- 3.1.4 Within region a number of other district/borough councils currently charges for pre-application advice including; Ipswich Borough Council; Suffolk Coastal District Council; Waveney District Council; South Cambridgeshire District Council and Huntingdonshire District Council. A review of charges shows that the proposed West Suffolk fees are broadly in line with authorities in the region.

### 4.1 **Resource and Legal Implications**

- 4.1.1 For budget planning purposes an estimate income of £17,500 for Forest Heath and £32,500 for St Edmundsbury has been included within the 2016/17 budget for Development Management.
- 4.1.2 Any advice given in relation to pre application enquiries will be based on a case officer's professional judgement. Planning officers' views and opinions on a pre-application enquiry are given without prejudice to the consideration by the Council of any formal planning application, which will be subject to wider consultation and publicity.
- 4.1.3 The councils will ensure that they have sufficient Professional Indemnity and Professional Negligence Insurance to ensure that the risk of financial loss from challenge is minimised, it is envisaged the insurance costs will be in the region of £1,000 per annum, per authority.