

FEES AND CHARGES – UNILATERAL UNDERTAKING CHECKING FEE

1. INTRODUCTION

- 1.1 As part of the annual review of budgets, decisions are required to agree any non-statutory fees and charges for the forthcoming financial year. This paper seeks to approve a revision to the checking fee for officers in relation to Unilateral Undertakings.

2. BACKGROUND

- 2.1. In early 2020 following feedback from developers, officers introduced a Unilateral Undertaking which could be downloaded from our website and used by developers. This is to be used where planning obligations only relate to financial matters specific to recreational habitat mitigation and air quality monitoring.
- 2.2. The contributions in the undertaking are paid when the agreement is submitted, and the level of contribution required is set out in Supplementary Planning Guidance. Therefore, a standard template is sufficient and negated the need for a full S106 agreement and the legal fees associated with this.
- 2.3. As part of the process a £50 checking fee is paid and used to ensure that the title deeds and the level of contributions are correct.
- 2.4. In 2020/21 seventy-seven Unilateral Undertakings were submitted and to date in 2021/22 forty-one agreements were submitted.
- 2.5. Should any obligations be required over and above habitat mitigation and air quality then a S106 agreement should be prepared. The fees involved in relation to the preparation of this agreement will be set by legal, but due to the more complicated nature of the agreement they will be significantly more than the checking fee.

3. PROPOSED CHANGE

- 3.1. The £50 checking fee was set to cover officer time to review the agreements submitted and equates to approximately 1 hour officer time. When the system was introduced it was anticipated that this was the average amount of time it would take to review each agreement.
- 3.2. Having trialled the scheme for over around 18 months the average time to review an agreement is around 1 and ½ hours, mainly related to ensuring that the contributions payable is correct, and the monies are actually received. It is therefore proposed that the checking fee from 1 January 2022 is increased to £75 as this represents a more accurate figure for the level of cost recovery in checking the agreements.

4. FINANCIAL IMPLICATIONS

- 4.1. The increased charge is an accurate reflection of officer time spent on reviewing the agreements. The £75 checking fee will bring in between £5.5-£6k per annum income to the planning department.

5. ENVIRONMENTAL, CRIME & DISORDER AND EQUALITY & DIVERSITY IMPLICATIONS

- 5.1. There are none.

6. RECOMMENDATIONS

- 6.1. That the checking fee for Unilateral Undertakings is increased to £75 from 1 January 2022.

7. PORTFOLIO HOLDER ENDORSEMENT

I have agreed to the recommendation of this report.

Sign: Cllr Diane Andrews

Date: 9 November 2021

For further information contact:

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Last date for call-in – 16 November 2021