

Report to Portfolio Holder for Sustainable Growth and Economy

Subject: Building Control (Discretionary) Fees and Charges 2023/24

Date: 20 March 2023

Author: Principal Building Control Officer

Wards Affected

Borough-wide

Purpose

The report details a revised set of Fees and Charges for the Building Control Service, and seeks approval for their introduction from 1st April 2023.

Key Decision

This is not a Key Decision

Recommendation(s)

- a) To approve the revised Fees and Charges for 2023/24 as detailed in Appendix 2**
- b) To approve the price revisions to be introduced from 1 April 2023.**

1 Background

- 1.1 A 5% income inflation increase for discretionary income has been agreed by Cabinet for 2023/24. This was the optimum figure in terms of generating additional income from Fees and Charges to support a balanced budget
- 1.2 With Portfolio Holder and relevant Corporate Director approval, discretion

can be made to apply varying percentage increases or freezes to relevant Fees and Charges as long as the overall cash amount for that area are met. This allows consideration to be made for factors that influence the rate at which fees and charges are set. These factors include:

The Borough's priorities.

The comparative price of neighbouring authorities.

The effect an increase in price would have on the activity, including customer resistance.

The cost benefit of the service.

The cost of carrying out compliance visits and inspections.

- 1.3 From 1 April 2020 Gedling Borough Council also introduced charges for the recovery of costs incurred whilst carrying out the discretionary elements of the street naming and numbering service.
- 1.4 The demolition notice fee and street naming and numbering fees were increased last year, however the charge for providing copy documents has not increased for a significant number of years. There have been increases in or operating costs due to service demand and inflationary pressures. A fee increase of 15% is now required to ensure the service continues to operate on a cost recovery basis.

2 Proposal

- 2.1 It is proposed that the demolition notice fee, street naming and numbering and copy charge fees are revised as detailed in Appendix 1. It is recommended that these be introduced on 1 April 2023.

3 Alternative Options

- 3.1 An alternative percentage increase for inflation could have been applied or no increase at all. This however would not have been in consideration of the proposed Medium Term Financial Plan or current CPI inflation measures.

4 Financial Implications

- 4.1 Applying the proposed Fees and Charges seeks to recover the full cost of service provision

5 Legal Implications

- 5.1 The Power to charge falls under Section 93 of the Local Government Act 2003. This sets out that a local authority may charge for discretionary

services. Discretionary services are those services that an authority has the power but not a duty to provide. An authority may charge where the person who receives the service has agreed to its provision and the charge must not exceed the cost of providing the service.

- 5.2 The Council's provision of this service in relation to the naming and numbering of streets and buildings is derived from legislation namely contained within the Town Improvement Clauses Act 1847 (Section 64 and 65) and sections 17-19 of the Public Health Act 1925. This includes the obligation on the part of the Local Authority to prepare Street Naming and Numbering schemes and to maintain a good standard of street name plates

The discretionary elements of the service are;

- Consultation and liaising with external organisations such as Royal Mail, developers, Parish/Town Councils and Emergency Services (as a non-statutory element of naming of streets).
- The naming and numbering of new properties (including conversions).
- Alterations in either name or numbers to new developments after initial naming and numbering has been undertaken.
- Notifications to organisations (Developers, VOA, Fire, Royal Mail, Internal Departments)
- Confirmation of addresses. Notification of such to householders
- Challenges to existing official naming/numbering schemes/addresses held within the street naming and numbering records.

- 5.3 There is no requirement for the service to provide copies of historic documents

- 5.4 Section 80 of the Building Act requires a person who intends to demolish the whole or part of a building to notify the local authority, and comply with the requirements which the local authority may impose. The local authority may, by notice, (S81) require a person undertaking demolition to carry out certain works protect neighbouring properties and take such steps in connection with the demolition as are necessary for the protection of the public and the preservation of public amenity. There is no specific power to charge within the Building Act for this service, however as it is, discretionary powers under s.93 of the Local Government Act 2003 have been applied.

6 Equalities Implications

- 6.1 There are no known equalities implications relating to Building Control fees and charges.

7 Carbon Reduction/Environmental Sustainability Implications

7.1 None

8 Appendices

8.1 Appendix 1_Street Naming and Numbering and Demolition Charges April 2022_Current

Appendix 2_Street Naming and Numbering and Demolition Charges April 2023_Proposed

9 Background Papers

9.1 None identified

10 Reasons for Recommendations

10.1 To contribute to the delivery of a balanced budget both in 2023/24 and in the medium term, and satisfy statutory requirements.

Statutory Officer approval

Approved by:

Date:

On behalf of the Chief Financial Officer

Approved by:

Date:

On behalf of the Monitoring Officer