

Record of officer decision

Decision title:	Fee increase for Land Charges 2020																				
Date of decision:	18 February 2020																				
Decision maker:	Assistant Director Corporate Support																				
Authority for delegated decision:	Herefordshire Council's Constitution (19 May 2017) Scheme of Delegation, Part 3: Section 7 – Officer Functions: 3.7.5 Operational decisions. In consultation with the Land Charges manager based on the Chief Executive Scheme of Delegation (SP48) January 2020.																				
Ward:	Countywide																				
Consultation:	n/a																				
Decision made:	To set new fees for Land Charge based on: CON29R & LLC1: £170 CON29R: £130 LLC1: £40 Each additional parcel of land £43																				
Reasons for decision:	<p>The Local Land Charges office is a statutory service responsible for the maintenance of the Local Land Charges Register and the completion of Local Land Charge searches.</p> <p>Local Land Charges are imposed on the owners of land and can be originated by local authorities, Highways Agency, Historic England, Water Authorities etc. They affect the current owner and any subsequent owners.</p> <p>Examples of local land charges originated by the LA are conditions imposed in a planning permission, Conservation Areas, Enforcement Notices, Tree Preservation Orders and Financial charges – e.g. works carried out by the council to make buildings safe.</p> <p>In addition to the registerable charges, the Council also replies to a number of enquiries set out in a form agreed by the Law Society and the Conveyancing fraternity and this will reveal e.g. adoption of roads, nearby road/traffic schemes, pending planning matters etc.</p> <p>The fees for local land charges have not been increased since 2017 as part of a three year circle of fee and income review. The charges are calculated on a cost recovery basis based on the length of time taken to complete all searches during a two week period. Taken into consideration is the need for charges to remain competitive and fair.</p> <p>The charges are outlined below:</p> <table style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th></th> <th style="text-align: center;">Current</th> <th colspan="2" style="text-align: center;">Proposed</th> </tr> <tr> <th></th> <th style="text-align: center;">Price £</th> <th style="text-align: center;">Price £</th> <th style="text-align: center;">% Increase</th> </tr> </thead> <tbody> <tr> <td>CON29R & LLC1</td> <td style="text-align: center;">165.00</td> <td style="text-align: center;">170.00</td> <td style="text-align: center;">3.0%</td> </tr> <tr> <td>CON29R</td> <td style="text-align: center;">126.00</td> <td style="text-align: center;">130.00</td> <td style="text-align: center;">3.2%</td> </tr> <tr> <td>LLC1</td> <td style="text-align: center;">39.00</td> <td style="text-align: center;">40.00</td> <td style="text-align: center;">2.6%</td> </tr> </tbody> </table> <p>The fees are based on a combined CON29R and LLC1 search; or can be separate if only one element is needed.</p> <p>Examples of information which may be disclosed on the Con. 29R are outstanding notices relating to:</p> <ul style="list-style-type: none"> • Building works 		Current	Proposed			Price £	Price £	% Increase	CON29R & LLC1	165.00	170.00	3.0%	CON29R	126.00	130.00	3.2%	LLC1	39.00	40.00	2.6%
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	<ul style="list-style-type: none"> • Environment • Health and safety • Housing • Highways • Public health <p>Alternatively they can be separated for lower fees (further information: link) The new fees to come into place from 1st April 2020.</p>
Highlight any associated risks/finance/legal/equality considerations:	If the fees are too high there is a risk of challenge. This is based on being a full cost recovery service within the public sector.
Details of any alternative options considered and rejected:	Retain at current level, however this does not reflect changes in cost since 2017.
Details of any declarations of interest made:	None

Signed..... Date: 18 February 2020