




<b>Report for:</b>	<b>Cabinet 10 February 2015</b>	<b>Item Number:</b>	
<b>Title:</b>	<b>Planning Service review of pre-application advice services and other miscellaneous services and associated charges.</b>		
<b>Report Authorised by:</b>	<b>Lyn Garner Director of Regeneration, Planning and Development</b> 		
<b>Lead Officer:</b>	<b>Stephen Kelly – Assistant Director – Planning</b>		
<b>Ward(s) affected: all</b>	<b>Report for Key/Non Key Decisions: Key Decision</b>		

## **1. Describe the issue under consideration**

- 1.1. To obtain approval from Cabinet of the review of, and proposed changes to, the Council's pre-application planning advice services reported to Regulatory Committee on 15 January 2015. The review has been undertaken in the context of the priorities set out in the Corporate Plan 2015-2018 and the Development Management Improvement Plan as set out in the annexed "Supporting high quality development in Haringey – Our pre-application advice services" at Appendix 2 and new charges for Building Control Services.

## **2. Cabinet Member introduction**

- 2.1 The Regulatory Committee considered a report on 15 January 2015 setting out details of the review of and proposed changes to the Council's pre-application planning advice services to align with priorities set out in the Corporate Plan and Development Management Improvement Plan and new proposed charges for Building Control services. The committee supported the proposed charges and changes to the service.
- 2.2 The scope, quality and value of the pre-application advice service has been reviewed in the context of Government Planning Practice Guidance 2014 and best practice. It is intended to introduce a more tailored, customer focussed service



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approach including the provision of advice at the feasibility stage of householder proposals and to make improvements in the information and signposting provided on the Council website. The new service offer aims to reduce the costs experienced by householders in not getting it right first time, improve the quality of planning applications coming forward and the likelihood of success for both householders and commercial businesses. Proposals have been developed for a new charging regime for the redesigned pre-application service following a benchmarking exercise with other authorities. New charges aim to recover the cost of providing the advice, with an exemption for micro businesses and a discount to small and medium businesses. Subject to Cabinet approval, the new charges would come into effect on 1 April.

- 2.3 In parallel with the new advice regime for Householders, the proposals include the reconfiguration of the current Design Review Panel to introduce a Quality Review Panel, with a new independent chair and panel of development experts offering specialist advice to applicants and the Planning Committee for more complex proposals, subject to a revised charging regime.

### **3. Recommendations**

- 3.1. That Cabinet adopts the charges as set out in “Supporting high quality development in Haringey – Our pre-application advice services” set out at Appendix 2 for use by the Planning Service with effect from 1 April 2015
- 3.2. That Cabinet adopts the Building Control charges set out Tables 6, 7, 8 and 9 set out at Appendix 1 for use by the Building Control Service with effect from 1 April 2015; and
- 3.3. That Cabinet reviews annually the fees and charges set out therein.

### **4. Alternative options considered**

#### **4.1. Do nothing**

- The Planning service could continue to provide free Duty Planning advice to householders and keep fees for commercial applicants at the current level.
- However, the Planning service is committed to making £75,000 in savings, as set out in the Medium Term Financial Strategy in 2015/16. This saving cannot be accommodated within the service budget without a reduction in officer resources, which would lead to a reduction in capacity for non statutory services including planning advice. .
- While the Planning service is committed to providing the best advice to customers that it possibly can, the existing walk in service does not allow officers a chance to carry out background research on the property, or take account of other supporting materials from the client which could enhance the



service customers get.

- A recent Deep Dive session with the Council's Corporate Delivery Unit has identified that the Planning service faces pressures on officer workloads as caseloads per officer have risen significantly every year. Applicants who are refused planning permission the first time around are allowed to re-submit applications for free a second time. This 'failure-demand' also increases the case loads of officers and the pressures on the service, and stress for applicants.
- To enable the planning service to meet its commitments to make £75,000 of savings, the planning service would have to reduce its budget elsewhere. This would increase the pressures on the service and put at risk the performance of the planning department, comparative to other boroughs.

#### **4.2. Do something else**

- The option outlined could be reconfigured with an alternative charging regime. The current regime has had regard to the emergent corporate plan priorities and London wide benchmarking. Whilst it would be possible to provide an alternative charging regime to secure associated cost recovery, the current regime is considered to strike an appropriate balance across the development sector.

#### **4.3. Recommended Option**

- The option recommended in this report is to approve the proposals laid out in this report.

### **5. Background information**

5.1. The Council's Corporate Plan 2015-2018 "Building a Stronger Haringey Together" identifies 5 priorities for the Council:

- Give every child and young person the best start in life, including providing high-quality education for children and young people
- Help people live healthy, long and fulfilling lives
- Ensure Haringey is a clean, green and safe place where everyone has a good quality of life and feels proud to call it home
- Encourage growth and bring new jobs to the borough
- Create new homes and ensure our communities are places where people choose to live and can thrive

5.2. Since 2012, the Planning Service has been engaged in a programme of service improvement. In October 2013, whilst overall satisfaction levels with the planning service were high (at 82%) the pre application service was rated significantly lower than the formal application process (56% satisfied). During 2014 as part of its improvement planning process, the service has therefore undertaken a reappraisal



of the scope, quality and value of its advice services. This exercise sits alongside the emerging delivery aspirations in the Corporate Plan that focus on:

- Preventing problems from occurring by providing help earlier
- Tackling inequalities and supporting people who need extra help to reach their potential
- Building community skills and capacity
- Providing value for money and ensuring that every penny spent has greater outcomes
- Placing customer care the centre of what we do
- Working in partnership with others, creating a sense of team across our community with shared objectives.

- 5.3. The review of advice services has also taken account of Government Planning Practice Guidance issued in March 2014 which sets out the value of pre-application engagement by prospective applicants as improving both the efficiency and effectiveness of the planning application system, improving the quality of planning applications and likelihood of success. It encourages the approach to pre-application engagement to be tailored to the nature of the proposed development and the issues to be addressed. Planning performance agreements (PPA) – which are tailored “contracts” setting out a range of charged pre application encounters/processes are also seen as a useful tool for more complicated pre-application discussions. The Government has also recently encouraged elected members to participate at the pre-application stage and reaffirmed its commitment to pre-application engagement with the community where it will add value to the process and outcome.
- 5.4. The Planning Service has already revised its “Planning Protocol” to provide for the participation of the planning committee in pre-application discussion, and to extend and clarify the process of planning decision making. As a result of the recent focus on pre-application advice, starting in April 2015, it is proposed to extend both the reach and utility of the current advice services to both homeowners and developers alongside the introduction of new and revised charges that reflect the cost to the service of providing the advice.
- 5.5. The Government’s Guidance on charging for pre-application services indicates: “Local planning authorities may charge for providing discretionary services under Section 93 of the Local Government Act 2003. Where charges are made they must be on a not-for-profit basis. It is important that any charging does not discourage appropriate pre-application discussions. In this context, local planning authorities need to consider whether charging is appropriate in all cases, given the potential for pre-application engagement to save time and improve outcomes later in the process. Where possible, local planning authorities are strongly encouraged to provide at least a basic level of service without a charge. To ensure transparency, where local planning authorities opt to charge for certain pre-application services, they are strongly encouraged to provide information online about:



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- the scale of charges for pre-application services applicable to different types of application (e.g. minor or major and other)
  - the level of service that will be provided for the charge, including:
  - the scope of work and what is included (e.g. duration and number of meetings or site visits)
  - the amount of officer time (recognising that some proposed development requires input from officers across the local authority or other statutory and non statutory bodies)
  - the outputs (e.g. a letter or report)
  - the guaranteed response times”
- 5.6. The redesign of advice services aims to approach the provision of services from the customer perspective. Accordingly, the “new” offer to homeowners and commercial businesses starts with the provision of good quality, early advice from building professionals (in the Building Control service) at the feasibility stage – through to a range of formal pre-application offers depending upon the scale of development - and providing for single or multiple office or site based meetings before an application is submitted for formal determination. For homeowners, the cost of providing the services has been discounted – reflecting the non commercial nature of the customer’s interest. For larger and more complex proposals, the charges have been set at a “full” cost recovery rate – having regard to comparative and former charging regimes. A new charge, associated with the engagement expected with the Council’s reconfigured and expanded “Quality Review Panel” is also introduced for larger and more complex schemes in line with the Councils growing commitment to delivering higher quality development across the Borough. For small businesses, having regard to the Corporate Plan cross cutting objective to support economic growth in the Borough, the charges have been waived.
- 5.7. The pre-application advice service will also be available to those seeking to regularise positions which have necessitated enforcement action. Advice that is currently given as part of the enforcement procedure will remain the same.
- 5.8. A good pre-application service reduces the costs for both the applicant (in failed application and lost time) and for the Council – avoiding the need for repeat or free go applications. The authority strongly encourages and welcomes pre-application discussions. The last significant review of the pre-application advice service was undertaken in 2008 and on 18 March 2008 the Cabinet agreed to the introduction of a more formalised service and associated charging regime for Pre-application planning advice and the introduction of the use of Planning Performance Agreements for major proposals.
- 5.9. The charges for the paid pre-application advice service have been reviewed most recently by Cabinet on 7 February 2012 which agreed updated fees and charges from 1 April 2012 including charges for the paid pre-application planning advice. The Council’s current published leaflet sets the charges and service offer to be applied from 1 January 2013.



## **The current pre-application advice service**

### **5.10. *Householder and Small commercial proposals***

Advice is provided in the following ways:

- Through the website where there is information on whether planning permission is required, new permitted development rights, how to make a planning application, the planning application process and the information requirements when submitting a planning application;
- A written advice service whereby customers can write/email planning customer care and receive written advice as to how to take their proposal forward
- A telephone duty officer service which operates 5 days a week on the telephone between 2-5pm (Monday- Friday)
- A face to face walk in service for householder and small proposals on Tuesdays and Thursdays from 2-4pm. Common reasons for using the walk-in Duty officer service include: advice as to whether the proposal is permitted development, advice on proposals to extend or make alterations to dwellings, advice about converting houses to flats and enforcement matters. Very few of the enquiries are from neighbours or third parties seeking advice about applications which have been submitted.

5.11. Both the face to face duty service and telephone calls are limited to 10 minutes. The advice provided is informal and unwritten because the current system means that the case officer will not have researched the planning history of the site. Advice is often given without the benefit of any plans and is therefore non- specific and is not binding. Nevertheless those obtaining advice in this way often rely on it. This can lead to difficulties as it is often given without full knowledge of the facts.

5.12. There is currently no charge made for the duty officer service. It is estimated that the face to face and telephone duty planning services account for the time of 1FTE case officer. As a result of the changes proposed, the walk in and telephone Duty Planner Service will cease. Customers with current applications will however be able to secure advice online, as well as via the Customer Contact Centre. Telephone contact with the planning case officer on planning application matters will continue.

### **5.13. *Non Householder/commercial proposals***

Advice is currently provided in the following ways:

- Through the website where there is information on how to make a planning application, the planning application process, permitted development rights and prior approval procedures, the role of the planning sub-committee and links to other useful sites
- A range of paid pre-application services for commercial proposals provided by appointment only A written advice note is provided. The charges for these are set out in a leaflet on the Council's website and vary according to the scale of the proposal



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For the major or more complex schemes a Planning Performance Agreement between the developer and the Council is suggested. A PPA is a commitment to work in partnership throughout the entire planning process including the pre-application stage and can provide a more structured way of project managing the proposal through the planning process. Such agreements are individually costed based on the needs of the project.

- 5.14. In addition to the above some of the more significant major proposals also receive advice through the following mechanisms:
- **Development Management Forum:** Since the introduction of the Planning Protocol in July 2014 the Council is increasingly using the established Development Management Forum to facilitate the discussion of large-scale or contentious planning proposals. The aim is to allow early discussion by Members and members of the public on planning issues related to these planning proposals.
  - **Quality Review Panel (formerly the Design Review Panel):** As part of the pre-application process for major and /or sensitive applications, the Council encourages applicants to present their proposals to the Haringey Quality Review Panel. The advice is used to help officers and the developer to improve upon the quality of the scheme as it evolves.
  - **Developer briefings to Planning Sub Committee:** The Planning Protocol adopted by Regulatory Committee in July 2014 provided for the introduction of developer's briefings for major or controversial proposals at the pre-application stage to Planning Sub-Committee and these have been taking place since September 2014.
- 5.15. Full cost recovery of taking proposals through the Development Management Forum, Quality Review Panel (formerly called the Design Panel) or developer briefings to the Planning Sub Committee is not currently being secured.

## **6. Proposals for the new Planning Advice Service**

- 6.1. The service will introduce an enhanced paid pre application advice service for householders. This would replace the pre-application advice service for householders currently provided through our face to face or telephone duty planning service.
- 6.2. The new service will encourage prospective applicants to discuss proposals at the earliest stages and thereby achieve the potential benefits for all, the re-designed advice service seeks to approach the delivery of a development project from a customer (rather than service) perspective. This is particularly the case for householder proposals, where expertise and understanding of the development process (and risks to successful delivery of the project) represents the greatest challenge.



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- 6.3. In addition a building control pre-application service would also be offered – exploring the construction implications and considerations that need to be considered at the design stage, alongside advice on choosing a builder and appointing designers/architects. For complex householder projects the service has had regard to the recent best practice advice produced by the Planning Advisory Service in conjunction with the British Property Federation (July 2014) and will offer a bespoke service to reflect the needs of the project and officer time commitments.
- 6.4. The proposed new paid advice service will also be utilised for advising customers on retrospective planning applications in order to remedy a breach of planning permission.
- 6.5. These changes align with the corporate priorities of preventing problems from occurring by providing help earlier – our aim would be to enable customers to submit applications for planning permission which are right first time and incorporate the information required for a decision to be taken as quickly as possible. In introducing the service we have taken account of the need to support people who need extra help and no charge will be made for customers needed to extend their properties as a result of a disability. In line with the Scrutiny Panel's recommendations (September 2014) these measures seek to provide better feedback than is currently available in our Duty Planning Service (through written records and a 'traffic light' system), and updating the information on our website with clearer guidance about our service offer and alternative planning advice services.
- 6.6. An ongoing survey of those attending the face to face duty service (running since December 2014) shows that 57% of respondents would consider using a 'charged-for' service that met them at the house or the site in question, 29% of respondents would like a written response and background research on their property, and 29% would like the option of getting Building Control advice. 21% of respondents also wanted appointment times instead of a walk in service.
- 6.7. The charges for our new householder services can be found in Table 2 of the appendix.
- 6.8. *Basic free advice*

The service will retain the provision of basic free advice made by way of written enquiries. This would generally be by signposting customers to information, encouraging them to submit applications for a Certificate of Lawful Development, or providing retrospective advice where Planning enforcement action is being proposed. The service would continue to provide access to the relevant case officer to respond to enquiries about a current planning application. The Council's web site will provide basic general pre-application advice on the development plan policies and information requirements for the submission of a planning application together with information on constraints such as conservation areas, listed buildings and tree



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preservation orders. Links to offsite national planning resources will also be provided such as the interactive house on the Planning Portal.

### 6.9. *Updates of current charges for residential and mixed use developments*

The proposals also increase and vary the current structure of charges for the existing pre-application paid advice service for non householder/commercial proposals. The charges have been reviewed so that full cost recovery of the service is reflected in the proposed charges. It is also proposed to amend the categories to more accurately reflect the level of input required for different categories of development. Provision would be made to charge for 'add on' services such as consideration by a Development Management Forum, Quality Review Panel or a pre-application briefing to members of the Planning Sub Committee where considered appropriate. In addition the service will continue to offer Planning Performance Agreements for more complex/larger schemes to provide a tailored and bespoke service. The updated charges can be found in Table 3 of the appendix.

### 6.10. *Discounts for businesses*

Reflecting the Corporate Plan commitment to supporting enterprise and new employment in the Borough, it is proposed to exempt micro businesses seeking pre application advice on planning matters from charges, and to offer small to medium sized business discounts for non residential development. This will help to reduce the barriers for micro businesses (those employing less than 10 people) in seeking premises and addressing the costs of business establishment, and support the Council's objectives to support economic growth in the borough. Fees for planning applications, which are set nationally, will continue to be applied. The proposed new charges for this new service can be found in Table 4 of the appendix.

### 6.11. *Quality Review Panel*

As part of its commitment to improving the quality of new development delivered in the Borough, and alongside a range of new planning policy documents, the Council is proposing to refresh the existing Design Review Panel with a newly formatted and appointed Quality Review Panel. In spring 2015, the Council expects to appoint an independent chair, and a panel of development experts to form part of a fully managed Quality Review process, along the lines of the London Legacy Development Corporation and leading London Boroughs. This QRP process will provide two review options depending upon the stage at which the process has reached, and the size of development. The proposed charging schedule for the QRP (below) reflects an estimate of operating costs based upon a comparison with similar services in London, but will be subject to annual review

The charges for this new service are set out in Table 5 of the Appendix.



## **7. The basis of new charges**

- 7.1. In accordance with best practice the proposed charges have been calculated on the basis of the cost of providing the service using the ‘productive hourly rate’, which accounts for the amount of hours of work the application advice will take, the hourly rate of staff and their overheads. A schedule of the “charged rates” for all officers in the service is appended to the report – in the interests of transparency and for completeness – this will support the Council in its application for costs for appeal and prosecution purposes. The charges are laid out in table 9 of the Appendix.
- 7.2. The service has also benchmarked the proposed charges with other London boroughs offering pre-application services. All London boroughs now charge for their pre-application advice services for non householder proposals, and 17 out of 33 now charge for pre-application advice/duty planning services to householders. The level of service offered by those authorities not charging for their duty planning services varies. Only 2 London Boroughs would appear to include written advice for free, with most other councils charging fees for written feedback. There is a mix of drop in and appointment only services across London, and 3 of them will not provide site specific advice. Benchmarking data shows that the average fees amongst London boroughs that charge for householder advice is around £154. The proposed paid householder service set out below has been costed to account for all officer time but has then been discounted to incentivise take up of the advice service. The final proposed charge is £152 per request. Whilst comparison between Boroughs is difficult, Table 1 in the Appendix attempts to show the charges across the London boroughs for each category compared to the current Haringey fee rate, and the proposed fee rate.
- 7.3. During 2013/2014 there were a total of 106 paid for pre-application requests with a total fee income of £80,275.

## **8. Building Control**

- 8.1 Building Control do not currently charge for pre building regulation application advice, as this is seen as an important part of the service offer to customers, The service will monitor take-up of the new offers, and the impact upon income and users applying to LABC. . The new service providing pre application advice (primarily to homeowners, but could easily be for any sector) at the property or site, is aimed at supporting Haringey residents to make informed choices about the development process, including advice on things to consider and the appointment of contractors and advisors, as well as construction and feasibility considerations. The service is intended to help those embarking on a project realise their aspirations whilst at the same time allowing customers to better understand the services provided by the Local Authority Building Control offer.



8.2 In addition, the service is proposing to charge for the following services:

- Dangerous Structures – this will be a discretionary charge, based upon the time spent resolving the dangerous structure by a Building Surveyor. This charge will be based upon an hourly rate of £90 or £135 if the dangerous structure is dealt with outside normal office hours;
- Demolition Notices – it is proposed to charge a set fee of £180 for the counter issue of a demolition Notice under the Building Act 1984 Section 81;
- Safety at Sports Grounds – it is proposed to charge for work carried out in association with the issue of and the monitoring a Safety Certificate

The proposed new services and charges are laid out in table 6 of the Appendix.

8.3 Additionally, it is proposed that a number of Building Control Charges are updated. The general Building Control charges are set based upon the time taken to carry out the work along with the rates that our near neighbours charge and are set in accordance with The Building (Local Authority Charges) Regulations 2010. It is proposed that the charges are amended slightly to take account of recent changes in legislation and to reflect the cost of providing the services (See table 7 in the Appendix). Please note that the percentage increase on some charges are greater than others, as certain categories of work are more sensitive to competition from the private sector, while a number of services were previously undercharged. The 'works under £5,000' category has also been split into two different categories with corresponding differences in the fees, to reflect the different levels of work required for the different bands. It is also proposed to slightly increase the Building Control miscellaneous charges (See table 8 in the Appendix) to reflect the cost of provision. These have been benchmarked to ensure that they are in line with those that other LA's charge.

## **9 The hourly rates of officers**

9.1 In line with CIPFA guidelines, planning advice service charges and building control charges must be calculated on the basis of cost recovery only (i.e. not make a profit). Charges have been based on the hourly rates of officers, which can be found in Table 9 of the Appendix.

## **10 Comments of the Section 151 Officer and financial implications**

10.1 Local planning authorities have the power to charge for services provided in the pre-application phase of a planning application under Section 93 of the Local Government Act 2003. Any charging system must be based on recovering costs and should not be profit making.



**11 Comments of the AD Governance and legal implications**

- 11.1 The Assistant Director of Corporate Governance has been consulted on the preparation of this report, and makes the following comments.
- 11.2 The Regulatory Committee was consulted on the proposed changes to the Council's pre-application planning advice services in accordance with the terms of reference of Regulatory Committee provided for in the Constitution. Regulatory Committee resolved to recommend to Cabinet that (i) it adopts the "Supporting high quality development in Haringey – our pre-application advice services" set out at Appendix 1 for use by the Planning Service with effect from 1 April 2015; (ii) adopts the Building Control charges set out in Table 7 of the report (now Table 6 of this report) for use by the Building Control Service with effect from 1 April 2015; and (iii) it reviews annually the fees and charges set out therein.
- 11.3 S93 Local Government Act 2003 provides the broad power to charge for discretionary services namely that a relevant authority may charge a person for providing a service to him if (a) the authority is authorised, but not required, by an enactment to provide the service to him, and (b) he has agreed to its provision.
- 11.4 The power to charge does not apply if the authority (a) has power apart from this section to charge for the provision of the service, or (b) is expressly prohibited from charging for the provision of the service. The power is subject to a duty to secure that, taking one financial year with another, the income from charges under that subsection does not exceed the costs of provision the duty shall apply separately in relation to each kind of service.
- 11.5 It is open to the authority to set charges as it thinks fit and may, in particular charge only some persons for providing a service; (b) charge different persons different amounts for the provision of a service. In carrying out functions under this section, a relevant authority shall have regard to such guidance as the appropriate person may issue (emphasis added).
- 11.6 The Secretary of State has issued guidance in respect of whether the local planning authority charges for pre-application services? This provides (Paragraph:004 Reference ID: 20-004-20140306 as at 28.11.2014) as follows: "Local planning authorities may charge for providing discretionary services under section 93 of the Local Government Act 2003. Where charges are made they must be on a not-for-profit basis. It is important that any charging does not discourage appropriate pre-application discussions. In this context, local planning authorities need to consider whether charging is appropriate in all cases, given the potential for pre-application engagement to save time and improve outcomes later in the process. Where possible, local planning authorities are strongly encouraged to provide at least a basic level of service without a charge (emphasis added). To ensure transparency, where local planning authorities opt to charge for certain pre-application services, they are strongly encouraged to provide information online about:



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- the scale of charges for pre-application services applicable to different types of
- application (e.g. minor or major and other)
- the level of service that will be provided for the charge, including:
- the scope of work and what is included (e.g. duration and number of meetings or
- site visits)
- the amount of officer time (recognising that some proposed development requires input from officers across the local authority or other statutory and non statutory bodies)
- the outputs (e.g. a letter or report)
- the guaranteed response times”

11.7 The Council is subject to the provisions of the Equality Act 2010.

11.8 This provides that the Council must, when making decisions of a strategic nature about how to exercise its functions, have due regard to the desirability of exercising them in a way that is designed to reduce the inequalities of outcome which result from socio-economic disadvantage.

11.9 In particular it is under a Public Sector Equality Duty. A public authority must, in the exercise of its functions, have due regard to the need to (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. Services need to demonstrate that they have considered whether an Equalities Impact Assessment (EqIA) should be carried out and undertake an EqIA if found to be necessary.

11.10 London Building Acts (Amendment) Act 1939 Section 66 provides in respect of expenses associated with dangerous structures that "All expenses incurred by the local authority in respect of any dangerous structure shall be paid by the owner of the structure but without prejudice to his right to recover the amount of the said expenses from any person liable to pay the expenses of the repair of the structure."

11.11 Building Act 1984 Section 107 in respect of expenses associated with demolition notices provides that "Where a local authority have incurred expenses for whose repayment the owner of the premises in respect of which the expenses were incurred is liable, either under this Act or by agreement with the authority, those expenses, together with interest from the date of service of a demand for the expenses, may be recovered by the authority (a) from the person who is the owner of the premises at the date on which the works are completed, or (b) if he has ceased to be the owner of the premises before the date on which a demand for the expenses is served, either from him or from the person who is the owner at the date on which the demand is served, and, as from the date of the completion of the



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works, the expenses and interest accrued due thereon are, until recovered, a charge on the premises and on all estates and interests in them.

- 11.12 Regulation 8 of the Safety of Sports Grounds Regulations 1987 provides the legal authority for charging in respect of Safety of Sports Grounds Act 1975 safety certificates for large sports stadia. This provides that “A local authority may determine the fee to be charged in respect of an application for the issue, amendment, replacement of a safety certificate (emphasis added) but such fee shall not exceed an amount commensurate with the work actually and reasonably done by or on behalf of the local authority in respect of the application”.

## 12 Equalities and Community Cohesion Comments

- 12.1 An initial draft Equalities Impact assessment was carried out by the service and published with a number of other EIAs in December 2014 as a supporting document with the Medium Term Financial Strategy in December 2014. This initial Equalities Impact Assessment identified that the proposals could disincentivise people with disabilities to apply for planning permission to adapt their homes, but found no other equalities impacts. However the planning fee regulations *'The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012'* provide an exemption for alterations, extensions etc to a dwelling house for the benefit of a disabled person or for an application solely for the carrying out of the operations for the purpose of providing a means of access for disabled persons to or within a building to which members of the public are admitted. These exemptions would also be applied to the revised pre-application service. The Planning Service will collect equalities data during the implementation phase and beyond, and if protected groups are impacted, proposals to mitigate the effects will be introduced. This potential impact is considered to be outweighed by the benefit derived by customers from getting their applications correct the first time around, and thereby reducing the stress caused to individuals engaging in the Planning process who may otherwise have received confusing advice or have had to reapply multiple times.

## 13 Head of Procurement Comments

- 13.1 Not applicable

## 14 Policy Implication

- 14.1 Haringey's Corporate Plan sets out the Council's strategic direction from 2013/14 to 2014/15 with the vision of 'One Borough, One Future' the Corporate Plan guides the work of all Council programmes. The overarching theme is that everyone who lives in Haringey will have the opportunity to lead a successful and fulfilling life.
- 14.2 The Corporate Plan lists twelve priorities grouped into the four main outcomes which are being sought. The proposed new pre-application service



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addresses primarily Outcome 4: A better Council: Delivering responsive, high quality services – The new service will enable the Council to get the basics right by enabling more timely and effective advice on pre-application proposals.

14.3 Haringey has recently started consultation on a draft Corporate Plan for 2015-2018, which explains the priorities for the borough, and how the Council will achieve these priorities. The overall approach is to encourage investment in the borough to create more opportunities. While this is not yet adopted policy the proposed service sits alongside the emerging delivery aspirations that focus on:

- Preventing problems from occurring by providing help earlier
- Tackling inequalities and supporting people who need extra help to reach their potential
- Building community skills and capacity
- Providing value for money and ensuring that every penny spent has greater outcomes
- Placing customer care the centre of what we do
- Working in partnership with others, creating a sense of team across our community with shared objectives.

## **15 Reasons for Decision**

15.1 The Corporate Plan promotes a confident, new vision for Haringey including a more collaborative and constructive relationship with our service users and residents. The changes to the Planning Advice Service have been prompted by a fundamental reappraisal of our users needs, coupled with a reappraisal of the costs in delivering the planning service (and the avoidable elements of costs that will help improve value for money). The proposals reflect our commitment to supporting pre-application discussions. The last significant review of the pre-application advice service was undertaken in 2008 and on 18 March 2008 the Cabinet agreed to the introduction of a more formalised service and associated charging regime for Pre-application planning advice and the introduction of the use of Planning Performance Agreements for major proposals. These proposals will bring the charges and the service offer “up to date” and help realise the shared objective within the corporate plan to support high quality housing and growth across the Borough.

## **16 Use of Appendices**

**Appendix 1- tables of charges**

**Appendix 2- PAPA leaflet**

## **17 Local Government (Access to Information) Act 1985**



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The background papers are set out below:

- Corporate Plan 2015-2018
- Corporate Delivery Unit Deep Dive, October 2014
- Local Government Act 2003
- Equality Act 2010
- Planning Practice Guidance 2014
- Planning Advisory Service Pre Application Suite published in June 2014
- Planning Service telephone customer satisfaction survey October 2013
- Planning service customer survey December 2014
- Planning Protocol adopted by Regulatory Committee on 12 June 2014(Regulatory Committee)
- Community Engagement in the Planning Service – Report to Cabinet on 16 September 2014
- Planning- Increased Income 2- Equalities Impact Assessment published on December 2014.



**Appendix One**

**17.1 Table 1 - Benchmarking pre-application advice charges across London**

<b>Category</b>	<b>London Average</b>	<b>Haringey current</b>	<b>Proposed new rate</b>
Minors 1-5	£591.10	£600	£670
Minors 6-9	£963.31	£600	£770
Majors 10-24	£1,813.60	£1,300	£2,370
Majors 25-50	£2,371.31	£2,100	£2,850
Majors 51-100	£2,724.53	£2,100	£2,850 first meeting then suggestion for PPA
Majors 100+	£3,351.80	£4,150	As above
PPA	Bespoke	Bespoke	Bespoke

**17.2 Table 2- Proposed new charges for the Householder Pre-application advice service**

<b>Service</b>	<b>Explanation of the service</b>	<b>Cost</b>
Building Control pre-app meetings on site	Building Control does not currently charge for pre application meetings as this is seen as a key marketing tool (charges could lead to losing market share), However it is proposed to offer a pre application meeting at the property or on the site of the proposed works at a charge. This service would support people who might want advice about how to ensure their building works are carried out to a high standard and could include detailed site specific details, as well as advice on type of professional advisors that they need to appoint – all before they go too far in appointing advisors and then finding that for some reason they cannot do what they want to do.	Flat rate of £90  (If the customer then uses our Building Control Service, £45 (50% of the fee) would be discounted from the relevant Building Control fee for their first meeting.
Householder advice	This service will provide an enhanced planning advice service about the proposed development. Householders will be able to book an appointment and will be asked to provide basic information about their project before the meeting. This would allow our planning officers to do prior research on the site, providing bespoke advice about the property. The	£152



	meeting would last half an hour, after which written advice will be provided within 10 working days, including the information requirements when submitting a planning application, so both the officer and customer have a record of the advice provided.	
Bespoke Householder advice	Householders with complex projects, for example large basement excavations, loft conversions, listed buildings or proposals raising conservation issues will be offered an enhanced service based on the hourly rates of the staff needed to provide comprehensive advice. Customers will be offered advice about the support they will need before they commit to buying this service.	Bespoke price on request The hourly rates to be used for staff are: - £60/hr for a planning officer - £60/hr for a design officer - £80/hr for team leader sign off - £90/hr for a building control officer
Out of office visits	If customers wish to get advice on site, for example at the site of the proposed development, they will be charged an additional cost for a half hour meeting and travelling time. If the customers wants Building Control advice at this site meeting, then a Surveyor will attend and the charge will be as described earlier (£90 with 50% refunded when the formal application is submitted to Haringey Building Control)	£90

**17.3 Table 3- Non householder/residential developments pre-application advice services**

<b>Service</b>	<b>Explanation of service</b>	<b>Old Charge</b>	<b>New Charge</b>
Minors - (Category 5) 1-5 residential units	Previously we had one category for developments of between 1-10 units. However, we have split the previous category because developments with 1-5 houses do not require input from a viability consultant for affordable housing.  The increase in the fee proposed is due to the need to provide advice on the	£600 (inc. VAT)  £300 each additional meeting (inc. VAT)	£670 + VAT



	Community Infrastructure Levy (hereafter called CIL), and inflation.		
Minors (Category 4) 6-9 residential units	Developments of over 6 residential units require input from a viability consultant for affordable housing.  The increase is explained by the new advice on CIL, and affordable housing.	£600 (inc.VAT)  £300 each additional meeting (inc. VAT)	£770+ VAT
Majors (Category 3) 10-24 residential units	This category is the same as the previous category we had for majors of between 10-24 units. However, the cost of providing this service has been increased to reflect the need for input from Transportation planning officers, design officers, advice on CIL, and the viability of affordable housing	£1,300 (inc.VAT)  £650 each additional meeting (inc. VAT)	£2,370 +VAT
Majors (Category 2) 25-50 residential units Mixed used developments	This service was previously provided under category 1 services for '25-100' units. However, this has been split to recognise that there is big differences in the amount of work planning officers have to carry out between developments of 25 units, and development of more than 51 units. As above, the costs of Transportation planning, Highways input, input from design officers, advice on CIL and advice around the viability of affordable housing have been included in this cost.	£2,100 (inc.VAT)  £1,050 each additional meeting (inc. VAT)	£2,850 + VAT
Majors (Category 1) 50 or more residential units Mixed use developments	For developments of this size we would propose that the customer has one outline meeting at this flat rate, after which they will be asked to sign a PPA. This is because developments of this size are complex, require a wide range of expert advice, and often require bespoke and varying amounts of advice.	£4,150 (inc. VAT)  £2,100 each additional meeting (inc. VAT)	£2,850 + VAT
Senior management time	This service will be provided subject to availability. This service is for customers who want to supplement the advice with the input from senior managers/Head of Service	N/A service did not exist	£100 per hour + VAT



Director's time	This service will be provided subject to availability. This service is for customers who want to supplement the advice with input from the Assistant Director - Planning.	N/A service did not exist	£120 per hour +VAT
PPA (Planning Performance Agreements)	A bespoke service that calculates the amount of work and expertise a proposal will take and offers a bespoke price. Different developments will require different kinds of expertise, and different levels of that expertise, and the bespoke price reflects this. The hourly rates/costs will be used as the basis for calculating the cost of a PPA. This may include taking a proposal to a Quality Review Panel, Development Management Forum or to a Pre-application committee briefing. Charges will be on the basis of full cost recovery. A standard initial meeting charge of £2850 would be applied and the meeting would scope out the terms of the Planning Performance Agreement.	Bespoke	Bespoke
Transportation assessments	For complex projects which require additional transport scoping assessments as part of a technical working group/ pre application advisory role, or post permission implementation support, additional charges will apply based on the Transport officer hourly rate (see table – for individual officer hourly rates)	N/A this was not previously accounted for separately	£60 per hour of work +VAT

**17.4 Table 4- charges for non-residential commercial developments**

<b>Service</b>	<b>Explanation of service</b>	<b>Cost</b>
Advice for micro businesses (10 employees or less for change of use of 100m <sup>2</sup> -499m <sup>2</sup> )	Similar level of service to that offered in the Householder pre-application advice service.	Free
Minors proposals (Category 4) 499m <sup>2</sup> -999m <sup>2</sup> floorspace	This would be charged at half the residential/mixed use development rate to reflect the discount for small/medium sized business.	£385 + VAT for first meeting



Major proposals Category 3 non residential development 1000- 1999m <sup>2</sup>	. These would be charged at half the cost of the corresponding fee scale charged for residential developments	£1,185 + VAT for first meeting
Majors (Category 2) 2000m <sup>2</sup> -9999m <sup>2</sup> commercial space	These would be charged at half the cost of the corresponding fee scale charged for residential developments	£1,425 + VAT for first meeting
Majors (Category 1) 10,000m <sup>2</sup> or more commercial floor space	For developments of this size we would propose that the customer has one outline meeting at this flat rate, after which they will be asked to sign a PPA. This is because developments of this size are complex, require a wide range of expert advice, and often require bespoke and varying amounts of advice.	£2,850 + VAT for first meeting
PPA (Planning Performance Agreements)	A bespoke service that calculates the amount of work and expertise a proposal will take and offers a bespoke price. Different developments will require different kinds of expertise, and different levels of that expertise, and the bespoke price reflects this. The hourly rates/costs will be used as the basis for calculating the cost of a PPA. This may include taking a proposal to a Quality Review Panel, Development Management Forum or to a Pre-application committee briefing. Charges will be on the basis of full cost recovery. A standard initial meeting charge of £2850 would be applied and the meeting would scope out the terms of the Planning Performance Agreement.	£2,850 initial meeting  Bespoke price after first meeting

17.5 **Table 5- Charges for the Quality Review Panel**

<b>Service</b>	<b>Charge</b>
Formal review- Quality Review Panel with full presentation and feedback from panel of experts	£3,500 + VAT + room hire charge for the venue
Chair's review- Quality Panel review with feedback from the Chair only - usually for smaller or less complex schemes.	£1,350 + VAT + room hire charge for the venue



17.6 **Table 6- Charges for proposed new Building Control services**

<b>Service</b>	<b>Explanation of the service</b>	<b>Cost</b>
Building Control pre-app meetings on site	Building Control does not currently charge for pre application meetings as this is seen as a key marketing tool (charges could lead to losing market share). However it is proposed to offer a pre application meeting at the property or on the site of the proposed works at a charge. This service would support people who might want advice about how to ensure their building works are carried out to a high standard and could include detailed site specific details, as well as advice on type of professional advisors that they need to appoint – all before they go too far in appointing advisors and then finding that for some reason they cannot do what they want to do.	Flat rate of £90  (If the customer then uses our Building Control Service, £45 (50% of the fee) would be discounted from the relevant Building Control fee.
Dangerous Structures	A discretionary charge, based upon the time spent resolving the dangerous structure by a Building Surveyor.	This charge will be based upon an hourly rate of £90 or £135 if the dangerous structure is dealt with outside normal office hour
Demolition Notices	For the counter issue of a Demolition notice under the Building Act 1984 Section 81	Set fee of £180
Safety at Sports Grounds	Proposed to charge for work carried out in association with the issue of and the monitoring of a Safety Certificate	To be charged at full cost recovery



17.7 Table 7- updated charges for Building Control services

<b>SCHEDULE A</b>			
	<b>Building Control Charge 2014</b>	Proposed Building Control Charge 2015	<b>% increase</b>
<b>Extension &lt;10m<sup>2</sup></b>	£428.00	£440.00	3%
<b>Extension 10m<sup>2</sup> - 40m<sup>2</sup></b>	£515.00	£525.00	2%
<b>Extension 40m<sup>2</sup> - 60m<sup>2</sup></b>	£598.00	£600.00	0%
<b>Over 60m<sup>2</sup></b>	Building Control Charge based on estimated cost of work		
<b>Loft Conversion without dormer(s)</b>	£428.00	£440.00	3%
<b>Loft Conversion with dormer(s)</b>	£598.00	£600.00	0%
<b>Detached garage 30m<sup>2</sup> - 60m<sup>2</sup></b>	£428.00	£440.00	3%
<b>Recovering roof (per dwelling)</b>	£257.50	£265.00	3%
<b>Replacement of windows/doors for every five windows or part thereof</b>	£180.00	£200.00	11%
<b>Electrical works (non competent person)</b>	£257.50	£265.00	3%
<b>Green Deal works</b>	£166.67	£180.00	8%
<b>Shop Fitout each 100m<sup>2</sup> or part there of</b>	£248.00	£255.00	3%
<b>New Shop front (up to 10m)</b>	£210.00	£220.00	5%
<b>NEW BUILD DWELLINGS (houses and flats, three stories without basements)</b>			
<b>1 new dwelling</b>	£598.00	£700.00	17%
<b>2 - 5 dwellings (per additional dwelling - in addition to the charge for one dwelling)</b>	£218.00	£220.00	1%
<b>6 - 20 new dwellings (per additional dwelling over 5 - in addition to the charge for five dwellings (plan charge - £514.50+VAT and inspection charge</b>	£181.00	£183.00	1%



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£1,470+VAT))			
Over 20 dwellings	Estimate required, individually assessed charges to be determined - please contact Building Control (0208 489 5504) for quote		
<b>ALL OTHER WORKS</b> Estimated cost of works	<b>Building Control Charge</b>	<b>Proposed Building Control Charge</b>	
up to £2000	£217.00	£200.00	-9%
up to £5000 (£2,001 - £5,000)	£217.00	£225.00	4%
£5001 - £10,000	£268.00	£280.00	4%
£10,001 - £20,000	£371.00	£390.00	5%
£20,001 - £30,000	£474.00	£500.00	5%
£30,001 - £40,000	£577.00	£600.00	4%
£40,001 - £50,000	£680.00	£710.00	4%
£50,001 - £60,000	£783.00	£820.00	5%
£60,001 - £70,000	£886.00	£930.00	5%
£70,001 - £80,000	£989.00	£1,010.00	2%
£80,001 - £90,000	£1,092.00	£1,110.00	2%
£90,001 - £100,000	£1,195.00	£1,210.00	1%
£100,001 - £120,000	£1,298.00	£1,315.00	1%
£120,001 - £140,000	£1,401.00	For estimated cost over £120k individually assessed charges to be determined - please contact Building Control (0208 489 5504) for quote	

17.8 Table 8 - Additional charges

Additional Building Control Charges			
	2014	2015	% increase
Completion Certificates	£41.00	£45.00	10%
Copy Documents	£15.50	£20.00	29%
Copy Plans A3 (where permissible) - first page	£10.00	Individually determined	
Subsequent page(s)	£5.00		
Research fee	£32.00	£35.00	9%



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Surveyor hourly charge (08:00 - 18:00)	£83.00	£90.00	8%
Surveyor hourly charge (18:00 - 08:00)	£124.50	£135.00	8%
Technical Support charge	£41.50	£45.00	8%

17.9 **Table 9- The Hourly rates of Officers**

<b>Title/Role</b>	<b>£ Rate per hour</b>
Assistant Director	£120
Head of Service	£100
Planning Service Team Leader	£80
Building Control Officer	£90
Planning Officer	£60
Subject specialist (e.g. transport, conservation officer, trees, ecology, urban design)	£60
Support service costs	£40

**18 Local Government (Access to Information) Act 1985**

The background papers are set out below:

- Corporate Plan 2015-2018
- Corporate Delivery Unit Deep Dive, October 2014
- Local Government Act 2003
- Equality Act 2010
- Planning Practice Guidance 2014
- Planning Advisory Service Pre Application Suite published in June 2014
- Planning Service telephone customer satisfaction survey October 2013
- Planning service customer survey December 2014
- Planning Protocol adopted by Regulatory Committee on 12 June 2014(Regulatory Committee)
- Community Engagement in the Planning Service – Report to Cabinet on 16 September 2014
- Planning- Increased Income 2- Equalities Impact Assessment published on December 2014.



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## Appendix 2