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REPORT TO:	Finance & Management Committee	AGENDA ITEM:	13
DATE OF MEETING:	25 July 2002	CATEGORY:	DELEGATED
REPORT FROM:	Deputy Chief Executive	OPEN	
MEMBERS' CONTACT POINT:	Steve Powell Building Control Manager Ext 5730	DOC:	
SUBJECT:	Charges for Building Regulation Enquiries	REF:	
WARD(S) AFFECTED:	All	TERMS OF REFERENCE:	

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#### 1.0 Recommendations

1.1 The following charges are levied for the supply of manually researched information relating to the Building Regulations

Land Charge and Personal Searches	£50.00
Follow up & general enquiries	£30.00

1.2 The Chief Executive is authorised to appoint temporary or agency staff to cater for additional workloads generated, as set out in paragraphs 5.3 and 5.4.

#### 2.0 Purpose of Report

2.1 To set charges for the provision of additional information from manually accessed building control records and to consider the resource implications for the additional work involved.

#### 3.0 Executive Summary

3.1 The revised land charges search form asks questions, which requires Building Regulation records to be researched. Where these records are not computerised additional staff time will be required in dealing with enquiries. Following the local Government Association recommendations, charges are proposed to cover the costs incurred by the authority for the provision of the information. The need for temporary staff is also considered.

#### 4.0 Detail

4.1 The Local Land Charges Act 1975 places a statutory obligation on local authorities to make information maintained on the Land Charges Register available to the public and or their legal representatives. The local Land Charges Rules 1977 place further obligations on authorities.

- 4.2 Requests for information are received using an LLC1 form (produced by the Law Society) and a form known as Con 29. Charges are currently levied by authorities for the provision of information using these forms.
- 4.3 The Con 29 form contains an agreed set of questions drawn up by the Law Society and the Local government Association (LGA). The form has recently been revised and recommendations on how the revisions should be implemented have been received from the LGA (circular 56/02).
- 4.4 One of the changes relates to the provision of information related to Building Regulations as they affect properties. The type of records held (micro-fiche or computer based) determines the ease or otherwise with which they can be accessed. The LGA circular suggests that where records have to be searched manually an additional charge may be made.
- 4.5 Comprehensive computerised Building Regulation records extend back to April 1999. Manual searches on microfiche records would have to be made prior to this date. Most of the relevant information related to properties is held on microfiche. In order to obtain a full response to Building Regulation matters, a manual search of these records would have to be made in the majority of cases. Some enquirers however may be satisfied with a response which does not necessitate a manual search, in which case the only charge which would apply would be that which is normally levied by the Land Charges Service
- 4.6 It is estimated that manual searches for Building Regulations records together with an evaluation of the information found may take on average up to two hours per search by professional and administrative staff, from the receipt of the request to the formulation of the written response. A charge of £50.00 per manual search would therefore reflect officer time taken together with on costs. Follow up enquiries together with general enquiries relating to Building Regulation records would attract a pro rata charge of £30.00.

## 5.0 Financial Implications

- 5.1 Approximately 3400 land charge searches and personnel searches were received last year. If 10% of these require a manual search, the income generated based on the above charges would amount to:

	£
Land charge & personal searches (340 x £50)	17,000.00
Follow up and general enquiries (34 x £30, 10% of manual searches)	<u>1,020.00</u>
	18,020.00

- 5.2 From the above it can be seen that the staff time to deal with these enquiries will amount to an additional 714 person hours approximately equivalent to 0.5 full time employee; indicative costs are as follows:

Officer time analysis:  $(340 \times 2) + (34 \times 1) = 714\text{hrs}$

Admin officer 1.5 hrs @ £22.00/hr = £33.00

Building Control Surveyor 0.5 hrs @ £31.00/hr = £15.50

Average hourly rate  $\frac{£48.50}{2} = £24.25$

Total estimated cost  $714 \times £24.25 = £17314.50$

Hourly rates represent costs to the council for the year 2002/03 including overheads. They equate to 96% of estimated income.

- 5.3 Although modest, the above figures are estimates. Once an initial appraisal of the actual workload has been made, the decision to use agency or temporary staff can be taken. It is suggested that the appointment of temporary staff be delegated to the Chief Executive. In the medium term, a review of these proposals can be made and permanent staffing arrangements considered, through a further report to this committee.
- 5.4 The above proposals are based on the premise that income generated by the charges will equate to costs incurred, with no net increase in expenditure by the authority.

## **7.0 Corporate Implications**

- 7.1 The Planning Services Division provides the element of the service for which charges are being considered. However the primary responsibility for Land Charge Services rests with the Chief Executive. The charges for the primary Land Charge Service would be unaffected.

## **8.0 Community Implications**

- 8.1 The majority of enquiries relate to house sales and therefore the charges will form part of a house sale transaction. The level of the charges themselves in this context is relatively small.

## **9.0 Conclusions**

- 9.1 The introduction of a charge for the manual searching of Building Regulation records meets the recommendations of the LGA whilst covering the costs incurred by the authority for the delivery of the service. Additional staff resources will be required depending on the level of requests for information, but the costs will be met by the fees charged.

## **10.0 Background Papers**

- 10.1 Local Government Circular 56/02 Revised Con29 Form and Notes

