

Report to the Cabinet

Report reference: C-069-2016/17

Date of meeting: 9 March 2017



**Epping Forest
District Council**

**Portfolio: Governance and Development Management
Finance**

Subject: Planning Application Fees

**Responsible Officer: Colleen O'Boyle (01992 564475)
Bob Palmer (01992 564279)**

Democratic Services: Gary Woodhall (01992 564470)

Recommendations:

- (1) That the Cabinet accepts the offer from the Department for Communities and Local Government (DCLG) to increase planning application fees by 20% from July 2017;**
- (2) That the Cabinet commits to spending the additional income on planning functions;**
- (3) That the Director of Resources be authorised to complete the proforma required by the DCLG to accept the offer; and**
- (4) That a request be made to the Chairman of Council to waive the usual call-in arrangements for the Cabinet's decisions on the grounds that, since the Cabinet's decisions would need to be actioned by 13 March 2017, it would leave insufficient time for any call-in of the decision to be considered by the Overview and Scrutiny Committee and any subsequent disagreement with the decision by the Committee to be considered by the Cabinet.**

Executive Summary

On 7 February the Department for Communities and Local Government (DCLG) published the white paper "Fixing our broken housing market". The paper set out a need to boost local authority capacity and capability to deliver. To address this DCLG stated that they would increase nationally set planning fees.

An offer has been received from DCLG and Councils are required to respond to this by 13 March 2017. Acceptance of the offer would allow the Council to benefit from a 20% increase in planning application fees from July 2017. However, DCLG require a commitment that the additional income will be spent on planning functions.

Reasons for Proposed Decision

To allow the Council to benefit from an increase in planning application fees, this will be used to enhance the service provided by Development Control.

The Development Control service is not cost neutral so there is an argument that the users of the service should be paying more already. Currently the service is being part funded by all Council Tax payers even though the majority of them do not use the service.

Other Options for Action:

The other option is to reject the increase in planning application fees. This is not recommended as it would mean either that no enhancements could be made to the Development Control Service or that any enhancements would need to be funded from savings in other areas which may be of more general benefit to Council Tax payers. This would not allow the service to address the anticipated increase in workload as the Local Plan emerges.

Report:

1. The housing white paper repeats the claim from developers that the lack of capacity and capability in planning departments is restricting their ability to get on site and build. To boost local authority capacity and capability to deliver, DCLG has offered to increase nationally set planning fees by 20% from July 2017. The stated intention here is to improve the speed and quality with which planning applications are handled while deterring unnecessary appeals.
2. Local authorities can choose to accept or reject the proposed 20% increase in planning application fees. If an authority wishes to accept the increase they must commit to spending the additional income on planning functions.
3. The offer was made in a letter sent by DCLG on 21 February 2017, see Annex 1. This letter requires a response by 13 March 2017 and the response must be signed by the Section 151 Officer (the Director of Resources).
4. There are already considerable pressures on the Development Management Service and these are likely to increase as the Local Plan progresses. By accepting the increase in fees and using the additional money to enhance the service the Council will be providing a better service at no additional cost to Council Tax payers.

Resource Implications:

The table below sets out the current budget for the Development Management Service.

	Revised Estimates 2016/17 £	Original Estimates 2017/18 £
Total Costs	1,499,470	1,486,180
Total Income	(1,104,000)	(1,077,860)
Net Costs	395,470	408,320

The service is anticipated to have a net cost to the Council of approximately £400,000 in both 2016/17 and 2017/18. If fees were to be increased from July 2017 this would be likely to generate additional income in 2017/18 of £150,000. As this income would have to be spent on planning functions there would not be any reduction in the net cost of the service but an enhanced service could be provided.

Legal and Governance Implications:

Planning fees are set nationally in accordance with the Town & Country Planning Act 1990 (as amended) and by various Regulations made thereunder.

A waiver of the normal call-in arrangements is being requested as this meeting is being held on 9 March and a response must be made to DCLG by 13 March. Clearly within this timeframe it is not possible to accommodate the call-in procedure.

Safer, Cleaner and Greener Implications

None.

Consultation Undertaken

None.

Background Papers:

Housing white paper "Fixing our broken housing market"

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/590463/Fixing_our_broken_housing_market_-_accessible_version.pdf

Risk Management:

The main risk is reputational. If the Council decides not to accept the fee increase and the Development Management Service is subsequently criticised, Members could be criticised for not having taken an opportunity to enhance the service.

Equality Analysis

The Equality Act 2010 requires that the Public Sector Equality Duty is actively applied in decision-making. This means that the equality information provided to accompany this report is essential reading for all members involved in the consideration of this report. The equality information is provided below.