

<b>Notice of:</b>	Leader of the Council and Cabinet Member for Arts, Tourism and Culture
<b>Decision Number:</b>	PH9/2023
<b>Relevant Officer:</b>	Alan Cavill, Director of Communications and Regeneration
<b>Relevant Cabinet Member:</b>	Councillor Lynn Williams, Leader of the Council and Cabinet Member for Tourism, Arts and Culture
<b>Date of Decision:</b>	1 February 2023

## **PLANNING FEES AND CHARGES 2023/24**

### **1.0 Purpose of the report:**

1.1 To set out the proposed fees and charges for Planning for 2023/24.

### **2.0 Recommendation(s)**

2.1 To maintain the national charging schedule for statutory planning applications as detailed in Appendix 'A' with effect from 1 April 2023 to 31 March 2024.

2.2 To update the Council's pre-application advice charging schedule as detailed in Appendix 'A' with effect from 1 April 2023 to 31 March 2024.

2.3 To update the Council's charging schedule in terms of the level of fees retained when invalid applications are not subsequently made valid and for miscellaneous items as detailed in Appendix 'A' with effect from 1 April 2023 to 31 March 2024.

2.4 To agree that the fees charged can be reduced from these rates in exceptional circumstances. At present, such departure requires a published Officer decision from the Director of Communications and Regeneration, following consultation with the relevant Cabinet Member. It is proposed that, with effect from 1 April 2023 to 31 March 2024 this be delegated to the Growth and Prosperity Programme Director.

### **3.0 Reasons for recommendation(s):**

3.1 The fees and charges for 2023/24 need to be approved in order to take account of

inflation, the budget, market and the costs of providing the service.

The fees for statutory planning applications are set by central government.

The Council's charging regime for pre-application advice is below the average for Local Planning Authorities in Lancashire. It has not been updated since 2016. A number of Local Planning Authorities across Lancashire have undertaken reviews of their pre-application advice charging regime this year and have uplifted their charges. It is proposed that Blackpool fees are increased to 75% of the average across Lancashire. It is considered that this would provide a more appropriately proportionate income to reflect the amount of work and officer time involved in pre-application work, whilst also acknowledging the economic challenges faced in Blackpool and the need to ensure that regenerative development is not discouraged. It is also proposed to remove the obligation for meetings to be held for more minor enquiry types. Meetings may still be held when considered appropriate by the officer but will not be offered as standard to maximise officer capacity. The existing pre-application advice service for vehicle crossings provides an informal legal opinion which is not the purpose of or appropriate for the pre-application advice regime. This option would therefore be withdrawn.

The Council's charging regime to cover the abortive work incurred when invalid applications are not subsequently made valid is considered to be proportionate and reasonable. However, the charges for miscellaneous items are lower than equivalent charges levied in respect of Land Charges and Building Control requests. It is considered appropriate to levy consistent charges across the department regardless of the source of the request.

3.2 Is the recommendation contrary to a plan or strategy adopted or approved by the Council?

No

3.3 Is the recommendation in accordance with the Council's approved budget?

Yes

4.0 **Other alternative options to be considered:**

4.1 As the fees for statutory planning applications are set by central government, there are no alternative options available for those fee rates.

The other options with regard to the provision of pre-application advice are to increase or reduce the charges, to remove the charges, or to discontinue the service.

The current fees are considered to be disproportionately low relative to the officer work and time involved and the fees charged by other Local Planning Authorities across Lancashire. It is possible that the increase in fees could discourage some uptake, but this is not considered likely to affect the more major and strategically important schemes that deliver the most regenerative benefit and where pre-application charges would represent a small proportion of the overall professional fees of the development process. Discontinuance of the service would remove the potential to influence proposals prior to submission and improve the quality of submissions. To reduce or waive the pre-application advice fees would mean that the Council could not recover the cost of providing the service and this would compromise wider service delivery.

The other option for invalid applications would be to not charge a fee. However, this would prevent the Council from recovering the cost of abortive work and could compromise wider service delivery. To waive the charge for miscellaneous items would result in the cost falling to the Council.

Departure from the fee schedule in exceptional circumstances could still require a published Officer decision from the Director of Communications and Regeneration, following consultation with the relevant Cabinet Member. However, this is considered to be an excessive requirement which increases workload for senior staff and has the potential to delay the development process.

## **5.0 Council Priority:**

5.1 The relevant Council Priorities are both “The economy: Maximising growth and opportunity across Blackpool” and “Communities: creating stronger communities and increasing resilience”. The proposals set out above would not conflict with either priority.

## **6.0 Background Information**

6.1 The schedules are attached at Appendices A(a), A(b) and A(c). The proposals are in-line with the Council’s General Fund Revenue Budget for 2023/24 and were compiled taking into account inflation and market conditions and the opinion of the Planning Advisory Services.

6.2 It is further proposed that the Director of Communications and Regeneration be delegated authority, following consultation with the relevant Cabinet Member, to make reductions to these fees if necessary in order to achieve additional flexibility to adapt to market conditions.

6.4 Does the information submitted include any exempt information? No

**7.0 List of Appendices:**

Appendix Aa – National planning fee schedule 2018

Appendix Ab – schedule of charges for pre-application planning advice charges for retained fees for 2023/24

Appendix Ab(ii) – comparison table of pre-application advice charges for Lancashire Local Planning Authorities for 2023/24

Appendix Ac – schedule of other planning charges for 2023/24

Appendix Ad – summary schedule of charges for 2023/24

**8.0 Financial considerations:**

8.1 Changes to or loss of fee income could impact on the 2023/24 Revenue Budget.

**9.0 Legal considerations:**

9.1 None.

**10.0 Risk Management considerations:**

10.1 Impact on budget could impact on staffing levels and therefore the efficiency and quality of service delivery. Failure to meet statutory targets could result in the Council being placed in special measures and having its decision-making powers removed.

**11.0 Equalities considerations:**

11.1 None directly

**12.0 Sustainability, climate change and environmental considerations:**

12.1 None.

**13.0 Internal/ External Consultation undertaken:**

13.1 None.

**14.0 Background papers:**

14.1 None.

**15.0 Key decision information:**

15.1 Is this a key decision? No

15.2 If so, Forward Plan reference number:

15.3 If a key decision, is the decision required in less than five days? N/A

15.4 If **yes**, please describe the reason for urgency:

**16.0 Call-in information:**

16.1 Are there any grounds for urgency, which would cause this decision to be exempt from the call-in process? No

16.2 If **yes**, please give reason:

**TO BE COMPLETED BY THE HEAD OF DEMOCRATIC GOVERNANCE**

**17.0 Scrutiny Committee Chairman (where appropriate):**

Date informed:

Date approved:

**18.0 Declarations of interest (if applicable):**

18.1 None

**19.0 Executive decision:**

19.1 The Leader of the Council agreed the recommendations as outlined above namely:

1. To maintain the national charging schedule for statutory planning applications as detailed in Appendix 'A' with effect from 1 April 2023 to 31 March 2024.
2. To update the Council's pre-application advice charging schedule as detailed in Appendix 'A' with effect from 1 April 2023 to 31 March 2024.
3. To update the Council's charging schedule in terms of the level of fees

retained when invalid applications are not subsequently made valid and for miscellaneous items as detailed in Appendix 'A' with effect from 1 April 2023 to 31 March 2024.

4. To agree that the fees charged can be reduced from these rates in exceptional circumstances. At present, such departure requires a published Officer decision from the Director of Communications and Regeneration, following consultation with the relevant Cabinet Member. It is proposed that, with effect from 1 April 2023 to 31 March 2024 this be delegated to the Growth and Prosperity Programme Director.

**20.0 Date of Decision:**

20.1 1 February 2023

**21.0 Reason(s) for decision:**

21.1 The fees and charges for 2023/24 need to be approved in order to take account of inflation, the budget, market and the costs of providing the service.

The fees for statutory planning applications are set by central government.

The Council's charging regime for pre-application advice is below the average for Local Planning Authorities in Lancashire. It has not been updated since 2016. A number of Local Planning Authorities across Lancashire have undertaken reviews of their pre-application advice charging regime this year and have uplifted their charges. It is proposed that Blackpool fees are increased to 75% of the average across Lancashire. It is considered that this would provide a more appropriately proportionate income to reflect the amount of work and officer time involved in pre-application work, whilst also acknowledging the economic challenges faced in Blackpool and the need to ensure that regenerative development is not discouraged. It is also proposed to remove the obligation for meetings to be held for more minor enquiry types. Meetings may still be held when considered appropriate by the officer but will not be offered as standard to maximise officer capacity. The existing pre-application advice service for vehicle crossings provides an informal legal opinion which is not the purpose of or appropriate for the pre-application advice regime. This option would therefore be withdrawn.

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**22.0 Date Decision published:**

22.1 1 February 2023

**23.0 Executive Members in attendance:**

23.1

**24.0 Call-in:**

24.1

**25.0 Notes:**

25.1