

(For Democratic Services use)

Decision Number: 28 (2016-2017)

Portfolio Holder Executive Decision Statement

The Local Authority (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012

Subject: Building Regulation Fees - Annual Review

Details of Decision taken:

This report recommends an amended charging regime intended to more accurately cover the costs of the fee earning aspects of the Building Control Partnership service as part of our annual review of the fees schedules.

Reason for Decision

1 BUILDING REGULATION FEES

1.1 Background

1.1.1 On the 1 October 2010 the Building [Local Authority Charges] Regulations 2010 came into force. The key principle of the Regulations was to ensure optimum cost recovery of the service on a 'user pays' basis, ensuring that the customer pays the cost of the service delivered, no more, no less. Local Authorities are encouraged to cover all of their 'fee earning' costs in this way, recognising that there are other aspects of Building Control activity (such as work related to dangerous structures and enforcement issues) that are not recoverable.

1.1.2 As a consequence of this requirement the statutory fee structure was considered no longer fit for purpose. Equally, provision of a dedicated quoting system for every application received would have been a considerable administration burden. Consequently, in 2013 a new fee scheme and schedule was developed and adopted utilising fixed fees for standard work types and enabling fee quotation on larger or more unusual work types.

1.1.3 In October 2014 we entered into a Partnership arrangement with Tonbridge & Malling BC to provide the Building Control service for both authorities. The Partnership comprises of a shared BC Manager, team of BC Surveyors and administration officers located across both council offices.

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- 1.1.4 It has now been four years since the introduction of the new charging scheme and over two years of operating as a Partnership. The opportunity has been taken to review how the cost of administering applications has worked in practice, in relation to the fees charged. We have carried out some detailed working in order to assess more accurately the costs of our service and the level of fee required to recover the cost on an application by application basis. Consequently, it is proposed that the charges be amended in accordance with the attached fee schedule to reflect cost recovery, which are set out at **[Annex 1]**.
- 1.1.5 The new fees proposed represent an increase in respect of some works but in some areas there is no change. The overall picture represents a fair reflection of the cost of providing the service for each type of project. These costs are met by the beneficiary of the service, which are those developers or private parties undertaking construction work. In overall terms the fee levels are a small fraction of the cost of development projects and in any event it seems appropriate that those directly benefitting from the service are required to pay the properly calculated amount.
- 1.1.6 In setting the fees we have also to be mindful that in Building Control we operate in competition with Approved Inspectors in the private sector who are able to carry out Building Control work. I am satisfied that the proposed fee scales will retain the balance of properly recovering costs against the need to maintain our competitiveness. Some comparison with some other authorities has also been carried out to gauge the general level of fee scales and this puts us in relatively close order, which seems appropriate.
- 1.1.7 Whilst reviewing the charging regime, analysis has also been undertaken of other aspects of service provision and how the team must continually adapt to developing threats and opportunities in this service sector such as investing in mobile working technology to bring about improved productivity and customer service. The proposed changes to the charging scheme are just one facet of the continuing service development.
- 1.1.8 In July 2016 a Building Control Surveying Apprentice post was created with a view to training and developing a junior officer in readiness for a vacancy, which is likely to occur due to the potential retirement of a Building Control Surveyor over the next 12-36 months. This initiative was pursued in the light of our recent experience of the national shortage of qualified surveyors and concern that we will be unable to recruit a suitably qualified surveyor with the appropriate skills. We propose to recruit to an apprentice in Summer 2017 in line with the academic year and the new fees and charges will cover the cost

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of the post.

1.1.9 The post of Building Control Partnership Manager is soon to be become vacant. This post is hosted by Sevenoaks DC and in reviewing recruitment, the job has been re-evaluated resulting in an increased cost of approximately £5000 which will also be covered by the proposed fees and charges.

1.1.10 It is recommended that the revised Building Control Charges as detailed in Annex 1 be **APPROVED** and **ADOPTED** from 1 April 2017.

All Documents considered:

Annex 1: Draft Fee Schedule (with effect from 1st April 2017)

Details of any alternative options considered and rejected by the Member when making the Decision:

Financial implications

It is critical that the Council continuously reviews how it recovers the cost of services, particularly where provision is specifically made to do so. In this case, assuming that current workload trends remain broadly the same, It is estimated that the annual effect of the proposed fee scheme would represent an increase in income in the region of £36,000 across the Partnership which will cover the increase in providing the service.

Legal Implications and Risk Assessment

The approach to setting fees for Building Control is set out in the Building (Local Authority Charges) Regulations 2010.



Equality Impacts (Consideration of impacts under the Public Sector Equality Duty)

The Regulations make provision for dispensations in connection with projects such as disabled adaption of properties and related works

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Local Member (s), other Portfolio Holders and/or Directors/Heads of Service Consulted	
Details of any conflicts of interest a) declared by any executive member who is consulted by the Decision Taker b) and any details of dispensations granted by the Chief Executive in respect of any declared conflict	
Decision taken by:	Portfolio Holder for Planning
Signed by Portfolio Holder	
Date of Decision	24/1/17
Record made by:	
Date of record:	24/1/17

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BUILDING CONTROL PARTNERSHIP



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Building Control Fees

Guidance notes and summary of fees charged (valid from 1 April 2017)

These tables of fees charged and guidance notes are based on Sevenoaks District Council's and Tonbridge & Malling Borough Council Building Control Charge Scheme. The charges scheme has been made under the Building (Local Authority Charges) Regulations 2010, which contains the full statement of law. A copy of Sevenoaks District Council's and Tonbridge & Malling Borough Council's charges scheme is available for viewing on request.

Where Building Regulations apply to your work, you or your Agent will need to submit a Full Plans Application for approval or give a Building Notice.

Full Plans Application

If you submit a Full Plans Application, we will examine your plans and details within 14 days and if we are satisfied that they comply with the Building Regulations, a notice of approval or conditional approval will be issued. Should further information or clarification be required prior to approval, we will ask you to provide this. A 'Submission Charge' is payable with your application. You will be invoiced for the 'Inspection Charge' (where applicable) following the first inspection by Building Control.

Building Notice

If you submit a valid Building Notice you will need to be confident that the work will comply with the Building Regulations as no approval is given for your plans under this procedure. The Building Regulations preclude Building Notices for most work in non-domestic buildings.

Regularisation Application

A Regularisation Application may be submitted when seeking retrospective approval for work, which has been substantially completed. A charge of 150 per cent of the total Full Plans application charge (i.e submission charge + inspection charge) must be paid when the application is submitted. This type of application is, however, exempt from VAT.

Disabled Exemptions

There are no charges payable when the proposed works are to provide access and facilities in an existing dwelling or is an extension to store equipment or provide medical treatment for a disabled person. In order to claim exemption, the appropriate evidence as to the nature of the disabled person's disability must support any application.

Multiple Works

Where other works are carried out at the same time as building work which is described in classes 1 - 10 in Table 2, the total charge payable will be the appropriate charge in Table 2 added to the appropriate charge in Table 3. Please see the appropriate table for further information.

Estimated Cost of Works

The estimated cost of work used to determine the charge in Table 3 should be a reasonable estimate that would be charged by a professional builder to carry out such work (excluding the amount of any VAT).

Electrical Work

Where you choose not to use an electrician who belongs to an approved self-certification scheme, we will carry out inspections of the new electrical work and test it once it has been completed. We will employ qualified electricians for this and there is an additional fee to cover costs. (See Table 2 - Class 9).

Building Control Fees

Table 1 - Standard Charges for the Erection of New Dwellings

The standard charges below relate to creation or construction of new dwellings each unit not exceeding 300m² in floor area, for larger properties please contact Building Control to obtain an individual fee quotation for the work.

VAT applies at the current rate of 20% (except for a Regularisation Application).

No of New Dwellings	Full Plans Submission				Building Notice Charge		Regularisation charge
	Plan Submission Charge		Inspection charge		Exc Vat	Inc Vat	
	Exc Vat	Inc Vat	Exc Vat	Inc Vat			No Vat
1	£240.00	£288.00	£495.00	£594.00	£882.00	£1058.40	£1323.00
2	£300.00	£360.00	£800.00	£960.00	£1320.00	£1584.00	£1980.00
3	£360.00	£432.00	£1050.00	£1260.00	£1692.00	£2030.40	£2538.00
4	£420.00	£504.00	£1295.00	£1554.00	£2058.00	£2469.60	£3087.00
5	£480.00	£576.00	£1420.00	£1704.00	£2280.00	£2736.00	£3420.00

For schemes where the number of units exceed 5 or floor areas of individual units exceed 300m² please contact Building Control to obtain an individual fee quotation for the work.

Note: Where electrical installations are not to be certified by an installer registered with one of the Governments Competent Persons Schemes the additional charge in Table 2 Class 9 will be required for each unit. This is to enable checks and tests on the work to be made by our nominated contractor to establish that the work meets with the requirements of Approved Document P.

Shaded figures indicate that the 'Building Notice' charge exceeds the 'Full Plans' charge by 20%, which reflects the additional work associated with servicing Building Notices for such work compared to work associated with a Full Plans application.

Table 2 - Standard Charges for Extensions & Alterations to Domestic Buildings

VAT applies at the current rate of 20% (except for a Regularisation Application).

Class & Description		Full Plans Submission				Building Notice Charge		Regularisation Charge
		Plan Submission Charge		Inspection charge		Exc Vat	Inc Vat	No Vat
		Exc Vat	Inc Vat	Exc Vat	Inc Vat			
1	Single storey garage up to 60m ²	£120.00	£144.00	£150.00	£180.00	£270.00	£324.00	£405.00
2	Extension less than 6m ²	£120.00	£144.00	£300.00	£360.00	£420.00	£504.00	£630.00
3	Extension 6m ² - 40m ²	£180.00	£216.00	£420.00	£504.00	£600.00	£720.00	£900.00
4	Extension 40m ² - 100m ²	£240.00	£288.00	£480.00	£576.00	£720.00	£864.00	£1080.00
5	Loft conversion up to 40m ²	£240.00	£288.00	£420.00	£504.00	£660.00	£792.00	£990.00
6	Loft conversion 40m ² - 100m ²	£240.00	£288.00	£480.00	£576.00	£720.00	£864.00	£1080.00
7	Conversion of garage to habitable room up to 30m ²	£120.00	£144.00	£220.00	£264.00	£340.00	£408.00	£510.00
8	Recovering of roofs or cladding of walls to single dwellings (renovation of thermal element)	£180.00	£216.00	£0.00	£0.00	£180.00	£216.00	£270.00
9	Electrical/ Gas/ HETAS installation	£200.00	£240.00	£0.00	£0.00	£200.00	£240.00	£240.00
10	Replacement windows	£180.00	£216.00	£0.00	£0.00	£180.00	£216.00	£270.00

For all other works to a single domestic building and extensions/conversions over the floor areas specified above, please refer to Table 3 - Estimated Cost of Works.

For all other works to a single domestic building and extensions/conversions over the floor areas specified above, please refer to Table 3 - Estimated Cost of Works.

Where an extension or loft conversion over 100m² is proposed, the total fee payable will not be less than that specified in Class 4/6 above.

Where more than one extension, or an extension and a loft conversion is proposed, and the work is to be carried out concurrently, the individual fees should be combined and reduced by 30%.

Note: Where electrical installations are not to be certified by an installer registered with one of the Governments Competent Persons Schemes, the additional charge in Table 2 Class 9 will be required for each unit. This is to enable checks and tests on the work to be made by our nominated contractor to establish that the work meets with the requirements of Approved Document P.

Table 3 - Standard Charges for Alterations to Single Domestic Buildings (Other Than Those Specified in Table 2) and All Work to Non - Domestic Buildings

Please note: Building Notices should not be submitted for works to non-domestic buildings.

VAT applies at the current rate of 20% (except for a Regularisation Application).

Estimated Cost of Works	Plan Submission Charge		Inspection Charge		Building Notice Charge		Regularisation Charge
	Exc VAT	Inc VAT	Exc VAT	Inc VAT	Exc VAT	Inc VAT	No VAT Payable
Up To:							
£2,000	£180.00	£216.00	£0.00	£0.00	£180.00	£216.00	£270.00
£5,000	£250.00	£300.00	£0.00	£0.00	£250.00	£300.00	£375.00
£10,000	£110.00	£132.00	£210.00	£252.00	£320.00	£384.00	£480.00
£15,000	£130.00	£156.00	£252.00	£302.40	£382.00	£458.40	£573.00
£20,000	£150.00	£180.00	£294.00	£352.80	£444.00	£532.80	£666.00
£25,000	£170.00	£204.00	£336.00	£403.20	£506.00	£607.20	£759.00
£30,000	£190.00	£228.00	£378.00	£453.60	£568.00	£681.60	£852.00
£35,000	£210.00	£252.00	£420.00	£504.00	£630.00	£756.00	£945.00
£40,000	£230.00	£276.00	£462.00	£554.40	£692.00	£830.40	£1038.00
£45,000	£250.00	£300.00	£504.00	£604.80	£754.00	£904.80	£1131.00
£50,000	£270.00	£324.00	£546.00	£655.20	£816.00	£979.20	£1224.00

For work exceeding an estimated cost of £50,000 in Table 3 please contact Building Control to obtain an individual fee quotation for the work.

Where domestic alterations up to £10,000 are to be carried out at the same time as work described in categories 2 - 6 of Table 2 the charge payable in Table 3 is reduced by 30%.

Further information

If you have any queries regarding Building Control charges, please telephone 01732 227376 or email; building.control@sevenoaks.gov.uk.