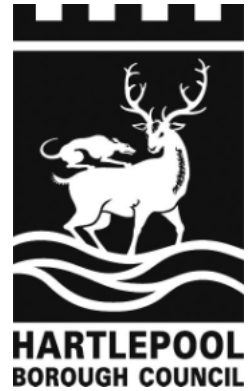


COMMUNITY SAFETY AND HOUSING PORTFOLIO DECISION SCHEDULE



Friday, 24 September 2010

at 10.00 am

in Committee Room C, Civic Centre, Hartlepool

The Mayor, Stuart Drummond responsible for Community Safety and Housing will consider the following items.

1. KEY DECISIONS

No items

2. OTHER ITEMS REQUIRING DECISION

2.1 The Building (Local Authority Charges) Regulations 1998 – *Assistant Director (Regeneration and Planning)*

3. ITEMS FOR INFORMATION

3.1 Regeneration And Planning Departmental Plan 2009/10 – Year End Indicator Performance – *Assistant Director (Regeneration and Planning)*

4. REPORTS FROM OVERVIEW OF SCRUTINY FORUMS

No items

COMMUNITY SAFETY AND HOUSING PORTFOLIO

Report to Portfolio Holder
24 September 2010



Report of: Assistant Director (Regeneration and Planning)
Subject: THE BUILDING (LOCAL AUTHORITY CHARGES) REGULATIONS 1998

SUMMARY

1. PURPOSE OF REPORT

To update the Portfolio Holder of the position in respect of Building Control charge levels and to seek agreement for the proposed new charges with effect from 1 October 2010.

2. SUMMARY OF CONTENTS

The 1998 Regulations have been replaced by 'The Building (Local Authority Charges) Regulations 2010' introducing a new more flexible approach to setting charges based on the actual surveyor input time for chargeable work. This should allow Local Authorities to compete more effectively with Approved Inspectors (private Building Control providers) to win work.

The latest charge Regulations require authorities to set charges at such a level to fully cover their relevant costs for fee earning work. Much work has been done to ensure as far as possible that the new charges will cover the current costs for the fee earning portion of the service whilst keeping any charge increases to a minimum to ensure we remain competitive both in cost and service delivery against private building control providers.

The charging system is based on the Council achieving full cost recovery for the chargeable element of the service each year (break even). It is proposed therefore that the Council hourly rate is set at £50 which may need to be reviewed periodically to ensure this remains sufficient. Each charge has been calculated using the hourly rate multiplied by the number of hours of work involved for specific application types.

Building Control charges will be reviewed each year and as before the income from charging should equal the cost of the fee earning element of the Building Control Service (plan checking and site inspection) over any three year rolling period.

The new Regulations must be implemented and in force for the 1st October 2010 to enable the Council to continue to charge for its Building Control service.

3. RELEVANCE TO PORTFOLIO MEMBER

The Portfolio Holder has authority in relation to the Building Control Charges Scheme

4. TYPE OF DECISION

Non-Key.

5. DECISION MAKING ROUTE

Portfolio Holder meeting

6. DECISION REQUIRED

Officer advice is that the Portfolio Holder formally adopts the proposed new Building Control Charges Scheme to commence on the 1st October 2010.

Report of: Assistant Director (Regeneration and Planning)

Subject: THE BUILDING (LOCAL AUTHORITY CHARGES) REGULATIONS 1998

1. PURPOSE OF REPORT

- 1.1 To update the Portfolio Holder of the position in respect of Building Control charge levels and to seek agreement for the proposed new charges with effect from 1 October 2010.

2. BACKGROUND

- 2.1 On 1 April 1999 the Government devolved the setting of Building Control charges to individual Local Authorities by way of the introduction of The Building (Local Authority Charges) Regulations 1998. These regulations were drafted in the form of “principles” with sufficient detail and precision to provide that all Building Control Authorities have a consistent scheme throughout England and Wales.
- 2.2 The 1998 Regulations have now been replaced by ‘The Building (Local Authority Charges) Regulations 2010’ to address the inflexibility and restrictions in the 1998 regulations by introducing a new more flexible approach to setting charges based on the actual surveyor input time for chargeable work. This should allow Local Authorities to compete more effectively with Approved Inspectors (private Building Control providers) to win work. (See **Appendix 1** for table of charges).
- 2.3 The latest charge Regulations require authorities to set charges at such a level to fully cover their relevant costs for fee earning work. As this is a totally new method for achieving these costs much work has been done to ensure as far as possible that the new charges will cover the current costs for the fee earning portion of the service whilst keeping any charge increases to a minimum to ensure we remain competitive both in cost and service delivery with private building control.

- 2.4 With the new Regulations the charging system is based on the Council achieving full cost recovery for the chargeable element of the service each year (break even). The chargeable element is for the service to plan appraise and site inspect various building work subject to the Building Regulations - It should be noted, however, that many other Building Control functions, such as works for people with disabilities, safety at sports grounds and enforcement and general advice do not attract a charge and are hence regarded as 'non chargeable elements'.
- 2.5 Building Control charges will be reviewed each year and as before the income from charging should equal the cost of the fee earning element of the Building Control Service (plan checking and site inspection) over any three year rolling period.
- 2.6 The new Regulations must be implemented and in force for the 1st October 2010 to enable the Council to continue to charge for its Building Control service.

3. PROPOSALS / OPTIONS

- 3.1 The Council's present Building Control charging scheme, was approved by the Portfolio Holder at the meeting on the 17th July 2009 and must be replaced before the 1st October 2010 to enable charging to continue.
- 3.2 To maintain a degree of consistency nationally, the LABC (Local Authority Building Control – this is the member organisation that represents Local Authority Building Control departments in England and Wales) have produced a model scheme, which ensures that charges are made on a common basis. This scheme allows some flexibility for local adjustment as dictated by the requirement of the charges regulations in relation to the recovery of costs. Hartlepool Council has therefore decided to adopt this scheme as a basis of our building control charges.
- 3.3 Whilst the Local Authority Building Control model has been used as a basis for the scheme LABC have not published any levels of recommended charges for authorities, as this must be decided by individual authorities based on their calculated hourly charge.
- 3.4 The charges have therefore been written in line with published information from CIPFA using the LABC model scheme as a basis for categories. Our previous charges scheme has therefore been completely changed.

3.5 It is proposed that the Council basis its charges on a £50 hourly rate which may need to be reviewed periodically to ensure this is sufficient. Each work category description has been given a calculated hourly time based on past history of work types and experience. The charges have then been calculated using the hourly rate multiplied by the number of hours of work involved for specific application types. Where a direct comparison can be made with the current and proposed work types this has resulted in charges being very similar or the same as the current levels - for example

- a 9m² single storey extension would currently be £317.25 and on the new scheme this would increase to £323.12
- a 36m² two storey extension on the old scheme would be £470 and on the new scheme this would be exactly the same.

3.6 Due to much consultation the level of charges have resulted in a similar charge rate as the surrounding authorities within the Tees Valley. This will therefore assist our clients working across the boundaries.

3.7 It is also proposed that the current £30 charge for the search and reproduction for copies of building regulation decision and completion certificates is increased to £35. This is to cover the costs of obtaining and printing copies

4.0 RISK IMPLICATIONS

4.1 If this scheme is not accepted the Council will be unable to continue with charging until such a scheme is in place.

The hourly rate of £50 reflects actual costs as near as can be ascertained and past records have been used for the number and type of applications to calculate as accurately as possible the hours spent on various projects. A similar amount of work is expected as the previous year – although in the current economic climate we feel this is difficult to judge accurately. The risk is therefore that the Council may not achieve full cost recovery in line with the schemes principal, although as much as possible has been done to minimise this risk.

We have also ensured that charges remain competitive against private building control bodies so we can reduce the risk of losing work to them.

4.2 FINANCIAL CONSIDERATIONS

The Building Control Service is subject to competition from the private sector and especially in the current economic climate it makes expenditure on staff and income difficult to predict. However, levels of income against expenditure are monitored continuously and it is

anticipated, given present workload levels, and pressures on salaries that income from the proposed charge levels should be equal to the level of expenditure on the charge account based on the CIPFA accounting methods.

4.3 **EQUALITY AND DIVERSITY CONSIDERATIONS**

Charges for work for disabled person's remains charge exempt in a similar manner to the previous scheme.

4.4 **SECTION 17**

No impact.

4.5 **IMPACT CHILD / FAMILY POVERTY**

No impact

5. **RECOMMENDATIONS**

- 5.1 Officer advice is that the Portfolio Holder formally adopts the proposed new scheme as attached to commence on the 1st October 2010.

6. **REASONS FOR RECOMMENDATIONS**

- 6.1 Given that we must cover our costs and that the hourly rate has been calculated from staff levels and income from the expected workload then Hartlepool Borough Council's proposed Building Control Scheme should provide a full cost recovery of its chargeable services.

7. **BACKGROUND PAPERS**

- 7.1 Please refer to Appendix 1 in 2.2. of this report for full information.

8. **CONTACT OFFICER**

Garry Hutchison MRICS
Building Control Manager
Tel: 523290
Email: garry.hutchison@hartlepool.gov.uk

APPENDIX 1

Building Control
Regeneration and Neighbourhoods
Bryan Hanson House
Hanson Square
Hartlepool
TS24 7BT



HARTLEPOOL BOROUGH COUNCIL
BUILDING CONTROL
SCHEME FOR THE RECOVERY OF
BUILDING REGULATION CHARGES
2010 – 2011

Effective from 1st October 2010



1.0 Introduction

- 1.1 The charges scheme is made under 'The Building (Local Authority Charges) Regulations 2010' and comes into effect on the 1st October 2010.

It will remain in force until it is amended or modified in accordance with the regulations.

Please note this document should be read in conjunction with 'The Building (Local Authority Charges) Regulations 2010'.

10.09.24 - CS&Hsg - 2.1 -The Building (Local Authority Charges) Regulations 1998 App 1

2.0 Definitions

The following definitions apply to this Charging Scheme and should be read in conjunction with the other clauses and tables which constitute the Charging Scheme:

‘the Act’ - means The Building Act 1984

‘building’ - means any permanent or temporary building but not any other kind of structure or erection, and a reference to a building includes a reference to part of a building.

‘building notice’ - means a notice given in accordance with regulations 12(2)(A)(a) and 13 of the Building Regulations 2000 (as amended).

‘building usage’ - means for the purposes of this scheme, the purpose groups set out in Approved Document B of the Building Regulations 2000 (as amended).

‘building work’ means:

- (a) the erection or extension of a building;
- (b) the provision or extension of a controlled service or fitting in or in connection with a building;
- (c) the material alteration of a building, or a controlled service or fitting;
- (d) work required by building regulation 6 (requirements relating to material change of use);
- (e) the insertion of insulating material into the cavity wall of a building;
- (f) work involving the underpinning of a building;
- (g) work required by building regulation 4A (requirements relating to thermal elements);
- (h) work required by building regulation 4B (requirements relating to a change of energy status);
- (i) work required by building regulation 17D (consequential improvements to energy performance);

‘change of use’ - means a material change of use as set out in regulation 5 of the Building Regulations 2000 (as amended).

‘chargeable function’ - means a function relating to the following –

- (a) the passing or rejection of plans of proposed building work which has been deposited with the council in accordance with section 16 of the Building Act 1984 (as amended).
- (b) the inspection of building work for which plans have been deposited with the council in accordance with the Building Regulation 2000 (as amended) and with section 16 of the Building Act 1984 (as amended)
- (c) the consideration of a building notice which has been given to the council in accordance with the Building Regulations 2000 (as amended)
- (d) the consideration of building work reverting to the council under the Building (Approved Inspectors etc.) Regulations 2000 (as amended)
- (e) the consideration of a regularisation application submitted to the council under regulation 21 of the Building Regulations 2000 (as amended).

‘cost’ - does not include any professional fees paid to an architect, quantity surveyor or any other person.

‘dwelling’ - includes a dwelling-house and a flat.

‘dwelling-house’ - does not include a flat or a building containing a flat.

‘flat’ - means a separate and self-contained premises constructed or adapted for use for residential purposes and forming part of a building from some other part of which it is divided horizontally.

'floor area of a building or extension' - is the total floor area of all the storeys which comprise that building. It is calculated by reference to the finished internal faces of the walls enclosing the area, or, if at any point there is no enclosing wall, by reference to the outermost edge of the floor.

2.0 Definitions

'relevant person' means:

- (a) in relation to a plan charge, inspection charge, reversion charge or building notice charge, the person who carries out the building work or on whose behalf the building work is carried out;
- (b) in relation to a regularisation charge, the owner of the building; and
- (c) in relation to chargeable advice, any person requesting advice for which a charge may be made pursuant to the definition of 'chargeable advice'

'Other Residential (Institutional and Other Residential) building' - Approved document B: Volume 2 table D1 states that:

- 2(a) Institutional - Hospital, home, school or other similar establishment used as living accommodation for, or for the treatment, care or maintenance of persons suffering from disabilities due to illness or old age or other physical or mental incapacity, or under the age of 5 years, or place of lawful detention, where such persons sleep on the premises.
- 2(b) Other - Hotel, boarding house, residential college, hall of residence, hostel and any other residential purpose not described above

'Assembly and Recreational building' - Approved document B: Volume 2 table D1 states that: Place of assembly, entertainment or recreation; including bingo halls, broadcasting, recording and film studios open to the public, casinos, dance halls; entertainment, conference, exhibition and leisure centres; funfairs and amusement arcades; museums and art galleries; non-residential clubs, theatres, cinemas and concert halls; educational establishments, dancing schools, gymnasia, swimming pool buildings, riding schools, skating rinks, sports pavilions, sports stadia; law courts; churches and other buildings of worship, crematoria; libraries open to the public, non-residential day centres, clinics, health centres and surgeries; passenger stations and termini for air, rail, road or sea travel; public toilets; zoos and menageries.

'Industrial and storage building' - Approved document B: Volume 2 table D1 states that: Factories and other premises used for manufacturing, altering, repairing, cleaning, washing, breaking-up, adapting or processing any article; generating power or slaughtering livestock.

Place for the storage or deposit of goods or materials (other than described under 7(b)) and any building not within any of the Purpose Groups 1 to 6.

Car parks designed to admit and accommodate only cars, motorcycles and passenger or light goods vehicles weighing no more than 2500kg gross.

'Office' - Approved document B: Volume 2 table D1 states that:

Offices or premises used for the purpose of administration, clerical work (including writing, book keeping, sorting papers, filing, typing, duplicating, machine calculating, drawing and the editorial preparation of matter for publication, police and fire and rescue service work), handling money (including banking and building society work), and communications (including postal, telegraph and radio communications) or radio, television, film, audio or video recording, or performance (not open to the public) and their control.

'Shop and Commercial' - Approved document B: Volume 2 table D1 states that:

Shops or premises used for a retail trade or business (including the sale to members of the public of food or drink for immediate consumption and retail by auction, self-selection

and over-the-counter wholesale trading, the business of lending books or periodicals for gain and the business of a barber or hairdresser and the rental of storage space to the public) and premises to which the public is invited to deliver or collect goods in connection with their hire repair or other treatment, or (except in the case of repair of motor vehicles) where they themselves may carry out such repairs or other treatments.

3.0 Principles of this Scheme

3.1 The set charges or method of establishing the charge have been established in this scheme for the functions prescribed in the Building (Local Authority Charges) Regulations 2010 (referred to as the chargeable functions), namely:

- **A plan charge**, payable when plans of the building work are deposited with the Local Authority.
- **An inspection charge**, payable on demand after the authority carry out the first inspection in respect of which the charge is payable.
- **A building notice charge**, payable when the building notice is given to the authority.
- **A reversion charge**, payable for building work in relation to a building: -
 - Which has been substantially completed before plans are first deposited with the Authority in accordance with Regulation 20(2)(a)(i) of the Approved Inspectors Regulations, or
 - In respect of which plans for further building work have been deposited with the Authority in accordance with the Regulation 20(3) of the Approved Inspectors Regulations, on the first occasion on which those plans are or have been deposited.
- **A regularisation charge**, payable at the time of the application to the authority in accordance with Regulation 21 of the Building Regulations.
- **Chargeable advice**, LAs can make a charge for giving advice in anticipation of the future exercise of their chargeable functions (i.e. before an application or notice is received for a particular case), which is payable after the first hour of advice, on demand after the authority has given notice required by Regulation 7(7) of the Building (Local Authority) Charges Regulations 2010 (i.e. the charge has been confirmed in writing following an individual determination). This charge can be discounted from a subsequent application or notice received for the work in question.

3.2 The above charges are payable by the relevant person (see definitions).

3.3 Any charge which is payable to the authority may, in a particular case, and with the agreement of the authority, be paid by instalments of such amounts payable on such dates as may be specified by the authority. If the applicant and an authority are agreeable, an inspection charge can be fully or partly paid up front with the plans charge.

- 3.4 The charge for providing a chargeable function or chargeable advice is based on the principle of achieving full cost recovery. The charges will be calculated by using the Council officers' average hourly rate stated in the charging scheme, multiplied by the time taken to carry out the functions/advice, taking the following factors into account, as applicable, in estimating the time required by officers to carry out the function/advice:
1. The existing use of a building, or the proposed use of the building after completion of the building work;
 2. The different kinds of building work described in regulation 3(1)(a) to (i) of the Building Regulations;
 3. The floor area of the building or extension;
 4. The nature of the design of the building work and whether innovative or high risk construction techniques are to be used;
 5. The estimated duration of the building work and the anticipated number of inspections to be carried out;
 6. The estimated cost of the building work;
 7. Whether a person who intends to carry out part of the building work is a person mentioned in regulation 12(5) or 20B(4) of the Building Regulations (i.e. related to competent person/self certification schemes);
 8. Whether in respect of the building work a notification will be made in accordance with regulation 20A(4) of the Building Regulations (i.e. where design details approved by Robust Details Ltd have been used);
 9. Whether an application or building notice is in respect of two or more buildings or building works all of which are substantially the same as each other;
 10. Whether an application or building notice is in respect of building work, which is substantially the same as building work in respect of which plans have previously been deposited or building works inspected by the same local authority;
 11. Whether chargeable advice has been given which is likely to result in less time being taken by a local authority to perform that function;
 12. Whether it is necessary to engage and incur the costs of a consultant to provide specialist advice in relation to a particular aspect of the building work.

4.0 Principals of the scheme in respect of the erection of domestic buildings, garages, carports and extensions

Where the charge relates to an erection of a dwelling the charge includes for the provision of a detached or attached domestic garage or carport providing it is constructed at the same time as the dwelling.

Where any building work comprises or includes the erection of more than one extension to a building, the total floor areas of all such extensions shall be aggregated to determine the relevant charge payable, providing that the building work for all aggregated extensions is carried out at the same time.

5.0 Exemption from charges

5.1 The Authority has not fixed by means of its scheme, nor intends to recover a charge in relation to an existing dwelling that is, or is to be, occupied by a disabled person as a permanent residence; and where the whole of the building work in question is solely-

- (a) for the purpose of providing means of access for the disabled person by way of entrance or exit to or from the dwelling or any part of it, or
- (b) for the purpose of providing accommodation or facilities designed to secure the greater health, safety, welfare or convenience of the disabled person.

5.2 The council has not fixed by means of its scheme, nor intends to recover a charge for the purpose of providing accommodation or facilities designed to secure the greater health, safety, welfare or convenience of a disabled person in relation to an existing dwelling, which is, or is to be, occupied by that disabled person as a permanent residence where such work consists of-

- (a) the adaptation or extension of existing accommodation or an existing facility or the provision of alternative accommodation or an alternative facility where the existing accommodation or facility could not be used by the disabled person or could be used by the disabled person only with assistance; or
- (b) the provision of extension of a room which is or will be used solely-
 - (i) for the carrying out for the benefit of the disabled person of medical treatment which cannot reasonably be carried out in any other room in the dwelling, or
 - (ii) for the storage of medical equipment for the use of the disabled person, or
 - (iii) to provide sleeping accommodation for a carer where the disabled person requires 24-hour care.

5.3 The council has not fixed by means of its scheme, nor intends to recover a charge in relation to an existing building to which members of the public are admitted (whether on payment or otherwise); and where the whole of the building work in question is solely-

- (a) for the purpose of providing means of access for disabled persons by way of entrance or exit to or from the building or any part of it; or
- (b) for the provision of facilities designed to secure the greater health, safety, welfare or disabled persons.

Note: 'disabled person' means a person who is within any of the descriptions of persons to whom Section 29(1) of the National Assistance Act 1948, as extended by virtue of

Section 8(2) of the Mental Health Act 1959, applied but disregarding the amendments made by paragraph 11 of Schedule 13 to the Children Act 1989. The words in section 8(2) of the Mental Health Act 1959 which extend the meaning of disabled person in section 29(1) of the National Assistance Act 1948, are prospectively repealed by the National Health Service and Community Care Act 1990, section 66(2), Schedule 10, as from a day to be appointed.

6.0 Information required to determine charges

If the authority requires additional information to enable it to determine the correct charge the authority can request the information under the provisions of regulation 9 of The Building (Local Authority Charges) Regulation 2010.

The standard information required for all applications is detailed on the authority's Building Regulation application forms. This includes the existing and proposed use of the building and a description of the building work

Additional information may be required in relation to –

- The floor area of the building or extension
- The estimated duration of the building work and the anticipated number of inspections to be carried out.
- The use of competent persons or Robust Details Ltd.
- Any accreditations held by the builder or other member of the design team.
- The nature of the design of the building work and whether innovative or high-risk construction is to be used.
- The estimated cost of the building work. If this is used as one of the factors in establishing a charge the 'estimate' is required to be such reasonable amount as would be charged by a person in business to carry out such building work (excluding the amount of any value added tax chargeable).

7.0 Establishing the Charge

7.1 The authority has established standard charges using the principles contained within The Building (Local Authority Charges) Regulation 2010. Standard charges are detailed in the following tables. In the tables below any reference to number of storeys includes each basement level as one-storey and floor areas are cumulative.

7.2 If the building work you are undertaking is not listed as a standard charge it will be individually determined in accordance with the principles and relevant factors contained within The Building (Local Authority Charges) Regulation 2010. If the authority considers it necessary to engage and incur the costs of a consultant to provide specialist advice or services in relation to a particular aspect of building work, those costs shall also be included in setting the charge.

7.3 When the charge is individually determined the authority shall calculate the charge in the same way a standard charge was set by using the average hourly rate of officers' time, multiplied by the estimated time taken to carry out their building regulation

functions in relation to that particular piece of building work and taking into account the applicable factors listed in regulation 7(5) of the charges regulations.

7.4 Individually determined charges will be confirmed in writing specifying the amount of the charge and the factors that have been taken into account in determining the charge.

7.5 The building regulation charges for the following types of building work will be individually determined and the authority will state which factors in regulation 7(5) of the charges regulations it has taken into account in establishing a standard or individually determined charge:

- A reversion charge;
- Building work is in relation to more than one building or;
- Building work consisting of alterations to any use of building where the estimated cost exceeds £100,000 or;
- Work consisting of a non-domestic extension or new build and the floor area exceeds 200m² or;
- Work consisting of a single storey domestic extension over 100m² or;
- Work consisting of a two storey domestic extension over 200m² or;
-
- Work consisting of a domestic garage or carport with a floor area over 100m² or;
- Work consisting of the erection or conversion of 20 or more dwellings or;
- Work consisting of the erection or conversion of dwellings where the floor area of each dwelling exceeds 300m² or;
- Any other work when the estimated cost of work exceeds £250,000 or;
- Non domestic window or shop fronts of more than 50 windows
- Where more than one standard charge applies to the building work and, with the agreement of the relevant person, the authority will establish the charge by individually determining the charge.
- Where in accordance with Regulation 7(5)(i) of the charges regulations one application or building notice is in respect of two or more buildings or building works all of which are substantially the same as each other.

8.0 Other matters relating to calculation of charges

- In calculating these charges, refunds or supplementary charges, an officer hourly rate of £50 has been used.
- Any charge payable to the authority shall be paid with an amount equal to any value added tax payable in respect of that charge.
- Charges are not payable for the first hour when calculating an advice charge
- The authority accepts payment by instalment in respect of all building work where the total charge exceeds £500. The authority on request will specify the amounts payable and dates on which instalments are to be paid.

- Except where otherwise stated the split between the plan and inspection charge will be 30% / 70%.

9.0 Reductions

The authority shall make a reduction in a standard or individually determined charge when chargeable advice has been given before receipt of an application or notice for proposed building work, which is likely to result in less time being taken by the local authority to perform the chargeable function for that work.

When it is intended to carry out additional building work on a dwelling at the same time that any of the work to which Table C relates then the charge for category 4 work up to £5,000 and category 5 work up to 20 windows shall be reduced by 50%.

Where in accordance with Regulation 7(5)(j) of the charges regulations an application or building notice is in respect of building work which, where it can be demonstrated by the applicant or their agent that that building work is substantially the same as work in respect of which plans have previously been deposited by that applicant or agent or building works inspected by the same local authority, a 50% reduction in plan charge will be made.

10.0 Refunds and supplementary charges

10.1 If on the basis on which the standard charge or individually determined charge has been set changes, the local authority will refund or request a supplementary charge and provide a written statement setting out the basis of the refund/supplementary charge and also state how this has been calculated. In the calculation of refunds/supplementary charges no account shall be taken of the first hour of an officer's time.

10.2 Supplementary charges are shown in the tables of standard charges and supplementary charges will also be made in relation to individually assessed charges when work, or the relevant part of the work, has been, or intends to be carried out by a person mentioned in regulation 12(5) or 20B(4) of the Building Regulations in respect of that part of the work, (*i.e. competent person/self-certification or other defined non-notifiable work*).

10.3 Certain charges are calculated by reference to the total aggregated time taken to discharge the required function. The Plan Charge and Inspection charges are therefore not necessarily split in accordance with the general percentage split as set out above.

11.0 Non-Payment of a Charge

11.1 Your attention is drawn to Regulation 8(2) of the Building (Local Authority Charges) Regulations 2010, which explains that plans are not treated as being deposited for the purposes of Section 16 of the Building Act or building notices given unless the Council has received the correct and full applicable charge. In other words, relevant timescales do not start until the agreed payment has been made. The debt recovery team of the authority will also pursue any non-payment of inspection charges.

12.0 Complaints about Charges

12.1 If you have a complaint about the level of charges you should initially raise your concern with the relevant officer. The council has a comprehensive complaint handling process. If your complaint is not satisfactorily responded to by the officer concerned, details of how to resolve your complaint is available on request and can be viewed on the council's web site.

13.0 Publicity

13.1 The Local Authority shall, not less than seven days before the coming into effect publish the fact that a charging scheme or an amended charging scheme has been made, the date on which it comes into effect and the address and times at which a copy of the charging scheme may be inspected free of charge

14.0 Transitional Provisions

13.1 The Council's scheme for the recovery of charges dated 1st August 2009 continues to apply in relation to building work for which plans were first deposited, a building notice given, a reversion charge becoming payable, or a regularisation application is made, between 1st April 2009 and 1st October 2010 (inclusive).

15.0 Monitoring and Review

15.1 The Council will monitor the charges within this scheme in order to meet the accounting requirements contained in the regulations

15.2 Periodic amendments or replacement of this scheme may be necessary. Any such amendment or replacement shall be subject to the publicity requirements above.

16.0 Standard charges

16.1 Standard charges includes works of drainage in connection with the erection or extension of a building or buildings, even where those works are commenced in advance of the plans for the building(s) being deposited.

16.2 These standard charges have been set by the authority on the basis that the building work does not consist of, or include, innovative or high risk construction techniques (clarification is available from the authority). The duration of the building work from commencement to completion does not exceed 12 months.

16.3 The charges have also been set on the basis that the design and building work is undertaken by a person or company that is competent to carry out the design and building work referred to in the standard charges tables that they are undertaking. If not, the work may incur supplementary charges.

16.4 If chargeable advice has been given in respect of any of the work detailed in these tables and this is likely to result in less time being taken by the authority when a submission is made then a reduction to the standard charge may be made. If no

submission is received within 6 months or a submission is made other than to this authority then an invoice will be issued for the cost of this advice.

16.5 Plan and Inspection Charges

The plan charge and inspection charge are listed in tables A to E.

16.6 Building Notice Charge

The Building Notice charge is the plan and inspection charge added and is listed in tables A to E.

16.7 Reversion Charge

These charges will be individually determined

16.8 Regularisation Charge

The charge is listed in listed in tables A to E.

17.0 Further Advice

17.1 Further information and advice concerning Building Regulation charges can be obtained from:

Garry Hutchison MRICS
Building Control Manager
Hartlepool Borough Council
Bryan Hanson House
Hanson Square
Hartlepool
TS24 7BT

TABLE A - Standard charges for the creation or conversion to new dwelling

Number of Dwellings	Plan Charge £	Inspection Charge £	Building Notice Charge £	Regularisation charge £	Additional charge £
(1)	(2)	(3)	(4)	(5)	(6)
1	150	375	525	700	300
2	200	525	725	975	300
3	275	675	950	1,300	300
4	350	850	1,200	1,625	300
5	400	900	1,300	1,750	300
6	450	1,050	1,500	2,025	300
7	475	1,125	1,600	2,150	300
8	525	1,275	1,800	2,425	300
9	575	1,325	1,900	2,550	300
10	625	1,475	2,100	2,825	300
11	700	1,600	2,300	3,100	300
12	750	1,750	2,500	3,375	300
13	775	1,825	2,600	3,500	300
14	825	1,975	2,800	3,775	300
15	875	2,025	2,900	3,900	300
16	925	2,150	3,075	4,175	300
17	950	2,250	3,200	4,325	300
18	1,000	2,300	3,300	4,450	300
19	1,050	2,450	3,500	4,725	300
20	1,100	2,600	3,700	4,975	300

Note:

- For more than 20 dwellings, or if the floor area of a dwelling exceeds 300m² the charge will be individually determined
- The number of dwelling types should be used for the plan appraisal charge and not the total number of dwellings on site
- The total number of dwellings on site should be used for the inspection charge

* An additional charge is for work when the relevant building work, or part thereof, has not been carried out by a person referred to in regulation 7(5) (g) or (h) of the Building (Local Authority Charges) Regulations 2010 applies. It is additional to the inspection charge, building notice charge or regularisation charge.

TABLE B - Domestic extensions to a single domestic building

Category	Description	Plan Charge £	Inspection Charge £	Building Notice Charge £	Regularisation charge £	Additional charge £ *
1	Single storey extension with a floor area not exceeding 10m ²	100	175	275	380	250
2	Single storey extension floor area exceeding 10m ² but not exceeding 40m ²	175	225	400	550	250
3	Single storey extension with a floor area exceeding 40m ² but not exceeding 100m ²	200	300	500	700	250
4	Two storey extension with a floor area not exceeding 40m ²	175	225	400	550	250
5	Two storey extension with a floor area exceeding 40m ² but not exceeding 200m ²	225	300	525	700	250
6	A loft conversion that does not include the construction of a dormer	175	200	375	550	250
7	A loft conversion that includes the construction of a dormer	225	200	425	625	250
8	Erection or extension of a non exempt detached domestic garage or carport up to 100m ²	50	100	150	225	250
9	Erection of a non exempt attached single storey extension of a domestic garage or carport up to 100m ²	50	100	150	225	250
10	Conversion of a garage to a dwelling to a habitable room(s)	100	100	200	275	250
11	Alterations to extend or create a basement up to 100m ²	150	0	150	225	250

- * • An additional charge is for work when the relevant building work, or part thereof, has not been carried out by a person referred to in regulation 7(5) (g) or (h) of the Building (Local Authority Charges) Regulations 2010 applies. It is additional to the inspection charge, building notice charge or regularisation charge.
- Also an additional charge may be payable where complex structural calculations have or need to be submitted as part of the work not complying with the guidance offered in AD A. It is additional to the plan charge, building notice charge or regularisation charge.

TABLE C - Domestic alterations to a single domestic building

Category of Work	Basis of Charge	Plan Charge	Inspecti on Charge	Building Notice Charge		Regularisation charge
1 Underpinning	Fixed price	100	100	200	50% reduction for work carried out at the same time as work referred to in Table B	275
2 Renovation of thermal elements to a single dwelling.	Fixed price.	125	0	125		175
3 Internal and external alterations, installation of fittings (not electrical or windows) and /or structural alterations. (No additional charge for works ancillary to the building of an extension)	Fixed price based on cost bands:					
	Estimated cost up to £1,000	100	0	100		150
	Estimated cost between £1,000 and £5,000	125	0	125		175
	Estimated cost between £5,001 and £25,000	100	200	300		400
	Estimated cost between £25,001 and £50,000	150	300	450		625
	Estimated cost between £50,001 and £75,000	175	300	475		650
4 Window replacement	Fixed price grouped by numbers of windows:					
	Up to 1	50	0	50		75
	2 to 20	150	0	150		200
	Over 20	200	0	200		275
5 Electrical work (not competent persons scheme).	Fixed price based on extent of works.					
	Any electrical work other than the rewiring of a dwelling.	50	200	250	N/A	350
	The re-wiring or new installation in a dwelling	50	250	300	N/A	400

TABLE D – Non domestic work - Extensions and new build

Assembly and Recreational use buildings and Other Residential (Institutional and Other),			
Category of work / Description	Plan charge £	Inspection charge £	Regularisation charge £
1 Floor area not exceeding 10m ²	175	425	825
2 Floor area exceeding 10m ² but not exceeding 40m ²	200	500	950
3 Floor area exceeding 40m ² but not exceeding 100m ²	250	575	1100
4 Floor area exceeding 100m ² but not exceeding 200m ²	275	650	1250

Industrial and storage			
Category of work / Description	Plan Charge £	Inspection charge £	Regularisation charge £
1 Floor area not exceeding 10m ²	75	150	325
2 Floor area exceeding 10m ² but not exceeding 40m ²	85	200	400
3 Floor area exceeding 40m ² but not exceeding 100m ²	95	225	425
4 Floor area exceeding 100m ² but not exceeding 200m ²	110	250	475

All other use Classes			
Category of work / Description	Plan Charge £	Inspection charge £	Regularisation charge £
1 Floor area not exceeding 10m ²	125	275	550
2 Floor area exceeding 10m ² but not exceeding 40m ²	150	350	700
3 Floor area exceeding 40m ² but not exceeding 100m ²	175	400	800
4 Floor area exceeding 100m ² but not exceeding 200m ²	200	450	900

The amount of time to carry out the building functions varies dependent upon the different use categories of building. The amount of time to check and inspect a building used for industrial and storage use is less than that for other use, same size buildings and the charge for an assembly use building is higher due to the additional time in respect of this type of work. The use of a building is different under the provisions

of the Building Regulations 2000 (as amended). For further definitions see Building Regulations Approved Documents to Part B.

Note: A basement is considered to be a storey and there is an additional charge of £170 if this work is in relation to a basement.

TABLE E – Non domestic work – Alterations

Cat.	Description	Basis of charge	Plan charge	Inspection charge	Regularisation charge
1	Installation of any fitting or other work ancillary to the building of an extension	Included in the charge for the building			
2	Underpinning	Estimated cost up to £50,000	125	300	550
		Exceeding £50,000 up to £100,000	150	350	700
		Exceeding £100,000 up to £250,000	175	400	775
3	Window replacement (non competent persons scheme)	Fixed price grouped by numbers of windows			
		Up to 20 windows	50	100	225
		Over 20 up to 50	75	150	325
4	Shop fronts	Fixed price grouped by numbers of windows			
		Up to 20 windows	50	100	225
		Over 20 up to 50	75	150	325
5	Renovation of a thermal element	Estimated cost up to £50,000	100	250	500
		Exceeding £50,000 up to £100,000	175	325	700
		Exceeding £100,000 up to £250,000	200	350	775
6	Alterations not described elsewhere including structural alterations and installation of controlled fittings	Estimated cost up to £5,000	50	125	250
		Exceeding £5,000 up to £25,000	100	225	400
		Exceeding £25,000 up to £50,000	100	250	500
		Exceeding £50,000 up to £100,000	125	300	550
		Exceeding £100,000 up to £250,000	150	300	625
7	Installation of Mezzanine floor	Fixed price based on floor area:			
		Up to 100m ²	50	150	275
		Between 100m ² to 500m ²	150	350	700
8	Office fit out	Fixed price based on floor area			
		Up to 100m ²	50	150	275
		Between 100m ² to 500m ²	125	250	525
		Between 500m ² to 1000m ²	150	350	700
9	Shop fit out	Fixed price based on floor area			
		Floor up to 100m ²	50	150	275
		Between 100m ² to 500m ²	125	250	525
		Between 500m ² to 1000m ²	150	350	700

Additional Charge for the change of use of a building

The charge is £75 where there are no associated substantive building works required to change the use of the building. The charge can be discounted from any application or notice received when substantive works are required.

This additional charge does not apply in relation to a building used for residential purposes that is altered to create more or fewer dwellings.

COMMUNITY SAFETY & HOUSING

Report to Portfolio Holder

24 September 2010



Report of: Assistant Director (Regeneration and Planning)

Subject: REGENERATION AND PLANNING
DEPARTMENTAL PLAN 2009/10 – YEAR END
INDICATOR PERFORMANCE

SUMMARY

1. PURPOSE OF REPORT

To inform the Portfolio Holder of the progress made against Performance Indicators identified in the Regeneration and Planning Departmental Plan 2009/10 for the year to the end of March 2010.

2. SUMMARY OF CONTENTS

The progress against key performance indicators contained in the Regeneration and Planning Departmental Plan 2009/10.

3. RELEVANCE TO PORTFOLIO MEMBER

The Portfolio Member has responsibility for Community Safety & Housing issues

4. TYPE OF DECISION

Non-key.

5. DECISION MAKING ROUTE

Portfolio Holder meeting 24th September 2010.

6. DECISION REQUIRED

The Portfolio Holder is requested to:

- a. Note the progress of key Performance Indicators

Report of: Assistant Director (Regeneration and Planning)

Subject: REGENERATION AND PLANNING
DEPARTMENTAL PLAN 2009/10 – YEAR END
INDICATOR PERFORMANCE

1. PURPOSE OF REPORT

- 1.1 To inform the Portfolio Holder of the progress made against Performance Indicators identified in the Regeneration and Planning Departmental Plan 2009/10 for the year to the end of March 2010.




2. BACKGROUND

- 2.1 The Portfolio Holder has responsibility for performance management issues in relation to community safety and housing functions described within the Regeneration and Neighbourhoods Departmental Plan.
- 2.2 The Portfolio Holder for Community Safety & Housing has responsibility for the Regeneration and Planning Departmental Plan.
- 2.3 The Regeneration and Planning Departmental Plan 2009/10 sets out the Department's priorities along with an action plan to show how the Department will achieve these over the coming year. It provides a framework for managing the competing priorities, communicating the purpose and challenges facing the department and monitoring progress against overall Council aims.
- 2.4 A number of performance indicators are also included within this plan showing how the Department is performing in relation to both national and local performance indicators.

3. END OF YEAR PERFORMANCE

- 3.1 A report was provided to the Portfolio on the 14th May 2010, detailing the position in relation to the Actions and Risks identified in the Regeneration and Planning Departmental Plan 2009-10, with an update to be provided at a later date on Performance Indicators.
- 3.2 This section looks in detail at how the Department has performed in relation to the key Performance Indicators that were included in the Regeneration and Planning Departmental Plan 2009/10.




- 3.3 On a quarterly basis officers from across the department are requested, to provide an update on progress against every performance indicator contained in the performance plans.
- 3.4 Officers are asked to provide a short commentary explaining progress made to date, and asked to traffic light each performance indicator based on whether or not the indicator has met the target set. The traffic light system is: -

-  Target achieved
-  Progress acceptable
-  Target not achieved

- 3.5 Within the Regeneration and Planning Departmental Plan there are a total of 23 Performance Indicators for which the Community Safety & Housing Portfolio Holder has responsibility. Table 1, below, summarises the performance achieved at year end against the targets.

4. OVERVIEW OF PERFORMANCE

Table1 – Regeneration and Planning Departmental Plan progress summary

Departmental Plan	
PIs	
	17
	2
	3
Not reported	3
Total	25

- 4.1 It can be seen that 19 of the Performance Indicators have been highlighted as being ‘on target’ or as ‘progress acceptable’ with 2 indicators highlighted as being within acceptable limits.
- 4.2 One of the indicators, Perceptions of anti-social behaviour, is based on a survey carried out every two years and was not required to be undertaken during 2009/10.
- 4.3 Three of the indicators have been identified as ‘Target not achieved’. These are shown in table 2 below along with comments detailing actions being taken to improve future performance.

Table2 – Regeneration and Planning Departmental Plan Indicators not achieving target

Indicator	Target	Outturn	Comments
NI 20 - Assault with injury crime rate	7.45	8.92	Council, Police and partners have actions in place to reduce violent crime, with the Safer Hartlepool Partnership pro-actively managing performance and activity throughout 2010/11. The target set was recognised to be very challenging when agreed with Government Office North East.
RPD P102 - Percentage of properties licensed as a percentage of estimated licensable properties	50%	13%	A challenging target of licensing 260 (50%) of the estimated licensable properties was set for the first year of the scheme. 64 licences/ draft licences have been issued. A further 71 licences are expected to be issued in the 1st Quarter of 2010/11 following work on applications requiring follow-up documents e.g. after service of notices for gas reports and smoke alarm declarations prior to the issue of licences. Resources are being redirected to the assessment of new applications in order to meet this target.
RPD P103 - Percentage of applications received (under selective licensing scheme and as a % of estimated licensable properties)	75%	59%	There are an estimated 520 dwellings to be licensed. This was always intended to be a phased approach. We did however set an ambitious target of 75% for the percentage of those 520 in respect of which an application had been received by the end of the year. The out-turn figure was 59% which was an 11% improvement on the 3rd Quarter. The focus of the selective licensing team's during the fourth quarter has been on assessing applications and to process them towards the issuing of licences.

- 4.4 The remaining indicators, 'Reoffending rate of prolific and other priority offenders' and 'Drug related (Class A) offending rate' are based on information provided by the Home Office, which is not available at this time.
- 4.5 Key areas of achievement made in regard to the Performance Indicators identified within the Regeneration and Neighbourhoods Departmental Plan 2009/10, include:
- 127 affordable homes delivered across the town.
 - 95 households receiving assistance to secure more suitable accommodation in relation to their disability

5. RECOMMENDATIONS

- 5.1 It is recommended that progress on key Performance Indicators are noted.

6. CONTACT OFFICER

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