

## Appendix 3

### Charging Decision: Business Case

Please note that this business case relates only to operational decisions to vary existing non-subsidised charges, as in line with the Corporate Charging Policy.

#### Summary

Author	Palbinder Mann
Date	24 <sup>th</sup> March 2021

<b>Service area and charging opportunity</b>	Local Land Charges
<b>Rationale for the charging decision (how does it support corporate objectives)</b>	
<p>The rationale for charging Local Land charge fees is set out in the Local Authorities (England) (Charges for Property Searches) Regulations 2008. Regulation 6 in this legislation states that <i>This regulation and regulation 7 make provision for the charges and internal recharges made under regulation 5(2) to be no more than the costs to the local authority of granting access to property records.</i></p> <p>Due to annual increments implemented in each of the previous years, we are now one of the highest charging authorities in the area for a comparable service. Details of comparable charges of other authorities are outlined further in this document.</p> <p>We have also had to suspend a statutory duty allowing free access to the register (due to covid requiring offices being closed to the public) and the only way customers can now access this data is by paying for an official search. By increasing these fees when no alternative method is being offered will increase the probability of legal challenge and complaints by customers.</p> <p>There will also be the argument made by customers that costs should have decreased due to staff being homebased and there being more electronic documentation.</p> <p>Due to this, it is recommended the increase is not implemented.</p>	

#### Financial Considerations (these are 20/21 figures)

No.	Current Charge £	Current Income £	Current Expenditure £	Net Position £	Cost Recovery %
1		£130,670	£75,463		100
2					
3					

Ref No.	Varied Charge £	Projected Annual Income £	Projected Annual Expenditure £	Net Position £	Cost Recovery %
1					
2					
3					

#### Supporting Calculations

## Appendix 3

<b>Key evidence and assumptions (include the outcomes of any consultation and options appraisal):</b>				
<p>Comparison between authorities and fees SDC fees are currently</p> <p>LLC1 currently £22.70 CON29 Currently £126.12 (inc VAT) Additional questions currently £26.04 (inc VAT)</p> <p>Having assessed figures against neighbouring authorities as per the table below, we would like to not implement the uplift and keep prices as they are at present.</p>				
<b>Authority</b>	<b>LC1</b>	<b>CON29</b>	<b>CON 290</b>	<b>Anything else</b>
Selby	23.20	128.64	26.52	
York	15	120 (residential) 234 (commercial)	36	
Scarborough	28	60.36		These are 2019 fees
Ryedale	22	70 (residential) 120 (commercial)	17	
Harrogate	25.71	78.24 (residential) 178.44 (commercial)	22.80	
Craven	23.50 (domestic) 35.67 (commercial) Plus VAT both	88.72 (residential) 141.16 (commercial) Plus VAT on both	21.00 plus VAT	These are charges for via 3 <sup>rd</sup> party ie NLIS, more expensive if sent by post!
East Riding	30 (residential) 40 (commercial)	120 (residential) 144 (commercial)	24	Last updated 2017
Hambleton	20	72	vary	
Harrogate	25.71	78.24 (residential) 178.44 (commercial)	22.80	
<p>This is due to us already having higher prices when compared to other areas across the LLC service area and us risking to being in contravention of the service needing to be not for profit. The only possible addition I could suggest is that we implement a higher commercial charge for CON29 searches however this will have to be analysed in depth as the residential charge may have to be decreased. This could be looked at next year.</p>				

## Appendix 3

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### Equality Impact Screening

Completed Date	
Completed By	
Full Assessment Required	
Completed Date	
Completed By	
Outcome	

### Issues/ Risks

Issue/ Risk	Impact (Low/ Med/ High)	Likelihood (Low/ Med/ High)	Mitigating Actions
Authority challenged for profiteering	High	High	Keep fees at current rates until through cost assessment completed

### Implementation Plan

Milestone / Key Action	Date

### Further Information

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### Approvals

	Print Name	Signed	Date
Responsible Officer	Palbinder Mann	Signature redacted	24.03.2021
Head Of Service	Alison Hartley	Signature redacted	24.03.2021
Legal	Alison Hartley	Signature redacted	24.03.2021
Finance			