

## RIBBLE VALLEY BOROUGH COUNCIL REPORT TO POLICY & FINANCE COMMITTEE

Agenda Item No.

meeting date: 23 MARCH 2010  
 title: LOCAL LAND CHARGES FEES AND CHARGES  
 submitted by: LEGAL SERVICES MANAGER  
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### 1 PURPOSE

1.1 To seek Committee approval for a scale of charges for use in the financial year 2010/11 when supplying information as required by the Local Authority's (Charges for Property Searches) Regulations 2008 and for local land charge and personal searches.

1.2 Relevance to the Council's ambitions and priorities

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| <ul style="list-style-type: none"> <li>• Council Ambitions -</li> <li>• Community Objectives -</li> <li>• Corporate Priorities -</li> <li>• Other Considerations -</li> </ul> | }<br>}<br>}<br>} | <p>The Council aims to be a well managed Council providing efficient services. Ensuring the cost of services relates to the guidance issued and the costs incurred by the Council supports this.</p> |
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### 2 BACKGROUND

2.1 The Council provides information based on its Local Land Charges Register in three ways.

#### 2.2 Personal Search

2.2.1 This is where an individual or company come to inspect the Council's records. The fee for this is set nationally and is currently £22.

#### 2.3 Full Search

2.3.1 The search is submitted and answered in writing and provides more information than a personal search. The full search is in two parts; the LLC1 (which gives information re registrations on the local land charges register) and CON29R (which gives information re planning, highways and environmental issues).

The cost of a full search is currently £107 split as follows:

- LLC1                    £12
- CON29R                £95

An additional £33.00 is charged if an express search is requested.

2.3.2 There are also extra questions which can be asked in connection with a full search and these are charged at £12 in all cases except for the common lands question

which is charged at £20, of which £15 is paid over to Lancashire County Council as they hold the Common Land Register.

## 2.4 Required Data Information

2.4.1 When setting 2009/10 fees, Committee also set fees as required by regulations relating to supply of components parts of the information provided in a full search. The costs charged in respect of these questions which are component parts of the full search are shown at Appendix 1.

2.4.2 The way in which this information is charged for is based on calculations which aims to pass on the cost of the time involved in refining the information to purchasers.

## 3 ISSUES

3.1 The current economic climate has shown a reduction in income from land charges generally and full searches in particular. It could, therefore, be possible to justify an increase in the fees charged, as the cost of providing the service is split between fewer users. However, increasing the cost of full searches often results in solicitors/mortgagors opting for a personal search and sometimes paying separately for other information.

3.2 Local land charges income is affected by two main factors, namely the property market and the application of changes in regulations or in advice to local authorities.

3.3 Members may be aware that the power of local authorities to charge for some or all of the information that they provide has been challenged by reference to the Environmental Information Regulations.

3.4 Officers are monitoring the advice provided by the Local Government Association and appeals against decisions made by the Information Commissioner's Office. However, Committee should be aware that the Council may, ultimately, have to alter its approach to charging for information and also make access more readily available to members of the public.

3.5 Committee should also be aware that some companies who purchase information from the Council have indicated at the point of purchase that they do so under protest and will seek reimbursement if it is established that the Council should not charge for the information.

3.6 In order to allow the Council to respond to the final guidance when it is received, Committee may wish to delegate authority to the Chief Executive to amend the fees charged as advised.

3.7 The only change proposed to the fees for 2010/11, bearing in mind the current economic climate, is that the component parts of the £107 for the full search be amended to the following:

LLC1	£17
CON29R	£90

## 4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications

- Resources - }

See matters set out at 3 above.

