



DRAFT PORTFOLIO HOLDER DECISION NOTICE

PROPOSED INDIVIDUAL DECISION BY THE PORTFOLIO HOLDER FOR CULTURE, HERITAGE AND SPORT

TOPIC – Charges for Advice from the Historic Environment Team

PROCEDURAL INFORMATION

The Access to Information Procedure Rules – Part 4, Section 22 of the Council's Constitution provides for a decision to be made by an individual member of Cabinet.

In accordance with the Procedure Rules, the Corporate Director (Governance), the Chief Executive and the Head of Finance are consulted together with Chairman and Vice Chairman of The Overview and Scrutiny Committee and any other relevant overview and scrutiny committee. In addition, all Members are notified.

If five or more Members from those informed so request, the Leader may require the matter to be referred to Cabinet for determination.

If you wish to make representation on this proposed Decision please contact the relevant Portfolio Holder and the following Committee Administrator by 5.00pm on Wednesday 29 June 2011.

Contact Officers:

Case Officer: Head of Historic Environment Alison Davidson, Tel: 01962 848 481, Email: adavidson@winchester.gov.uk

Committee Administrator: Nancy Graham, Tel 848 235
ngraham@winchester.gov.uk

SUMMARY

- The Historic Environment Services receives up to 3,000 requests for advice each year. Pre-application advice is considered by heritage bodies to be a very effective way to support planning and Listed Building applications, often reducing unnecessary work at a later stage.
- Although the Council's Planning Management Team has charged for pre-application advice since October 2008, and the Council's archaeology officer also makes a charge to agents and architects consulting the Historic Environment Record in certain circumstances, there are no other charges levied for advice from the Historic Environment Team.

- In setting the budget for 2011/12, Council approved the principle of introducing charges for pre-application advice from the Historic Environment Team ([CAB 2125](#), 9 February 2011 refers).
- An income figure of £8,000 p.a. was included in the final budget, based on cautious estimates produced by the Team.
- In developing the charging scheme, officers have taken into consideration schemes operated by other local authorities, feedback from local agents and architects and discussion with other members of the Institute of Historic Building Conservation and the Hampshire and Isle of Wight Conservation Officers Liaison Group.
- This Portfolio Holder Decision Notice sets out the proposed charges for 2011/12.
- Members should note that they are not being asked for approval to introduce the charging scheme, but for the overall approach outlined in this Decision Notice and the initial charges set out at Appendix 1.
- It is proposed that the Head of Historic Environment reviews the charging arrangements with the Portfolio Holder after six months to establish their impact, along with the level of income generated.

PROPOSED DECISION

- That the new charging scheme for pre-application advice from the Historic Environment Team be approved as outlined here, and at the rates proposed at Appendix 1.
- That the Portfolio Holder for Culture, Heritage and Sport authorises officers to implement the schemes with immediate effect in order to meet the budget target for 2011/12.

FURTHER DETAILS

As part of the Council's programme of service redesign initiated last summer, officers considered the work of the Historic Environment Team. This team consists of one Head of Team, 2.5 FTE conservation professionals and 1 FTE archaeology advisor. 2009/10 saw the traditional consultation workload of this team double, and the level has stayed constant over the last year. As a result of this increase, officers had already reviewed working practices in order to maintain levels of customer satisfaction and meet statutory consultation deadlines. A number of changes had been introduced to ensure the team was working efficiently, and focused on the most important customer outcomes.

The service redesign programme did not, consequently, lead to proposals for changes to working practices but did prompt a proposal for pre-application charging for advice from the Historic Environment Team to generate additional revenue. The Planning Management Team introduced a pre-application scheme in October 2008, and pre-application charging has become widespread across local authorities in recent years for both planning and conservation advice, although the fees vary widely.

The Historic Environment Team deals with up to 3,000 enquiries a year. Many of these are straightforward minor enquiries which are dealt with either over the phone or via short emails. However, it is rarely possible to give more than general advice on historic buildings without undertaking some form of research since each building is individual and needs a bespoke response. Consequently, a large number of enquiries involving advice on a specific building or site necessitate lengthy desk top research, a site visit, meetings and written correspondence. None of this is currently charged for unless it is associated with a planning enquiry, in which case the fee is charged by Planning Management.

One element of Historic Environment advice already charged for is where commercial companies make enquiries of the Historic Environment Record (HER). This modest income helps to offset the licence and maintenance cost of the HER and other works such as urgent surveys, required in response to local archaeological issues. This charge has not been reviewed in some time, and is therefore included in the proposed scale of charges at Appendix 1 for the sake of completeness.

The Government, English Heritage and The Royal Town Planning Institute commend the process of pre-application discussions as a way to improve the quality of planning applications; improve the likelihood of a successful outcome; reduce the number of unnecessary conditions handed out with consents, and in some cases completely remove the need for consent.

Historic Environment customers benefit most by having access to a pre-application service which has some flexibility built into it and is bespoke to the needs of the individual client. However, there are some activities common to the early stages of most pre-application discussions as outlined above.

Officers have therefore developed a scale of charges set out at Appendix 1. These are divided into three broad categories of customer (domestic, commercial and HER), and again into a number of types of task undertaken to support enquiries. The fees proposed take into account the likely amount and the cost of work undertaken by officers. The charges are intended to be proportionate and reasonable. Above all, officers propose that

- a) customers should be able to understand exactly what they will get for their fee, and
- b) the Council's service is seen as providing good value for money and is fair to all.

Many simple enquiries will remain outside the scope of the charging scheme. A number of assumptions have therefore been made to assist in the calculation of possible income resulting from the scheme. These are:

- Number of enquiries likely to attract the lower level of fee is 268 pa (10% of average annual incoming enquiries)
- Number of enquiries likely to attract the higher level of fee is 80 pa (3% of average annual incoming enquiries)

New pages on the Council's website will clearly explain the process and the fees involved.

It is therefore recommended that the overall approach to charging outlined in this Decision Notice, including the scale of charges set out at Appendix 1, be approved with a view to immediate implementation. It is further proposed that the Head of Historic Environment reviews the impact of the charges and the level of income generated with the Portfolio Holder after six months.

REASON FOR THE PROPOSED DECISION AND OTHER ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

The proposed charging scheme outlined in this Decision Notice has been developed with the benefit of consultation with customers, other local authorities and colleagues from the conservation sector. It is considered to be the most appropriate scheme for the Winchester District, having taken the most helpful and pragmatic characteristics of other schemes and adapted them to the local situation.

Failure to introduce the charging scheme in June 2011 will result in a deficit in the Historic Environment Team budget for 2011/12.

A wide range of budget options was put forward for consultation last winter, and Members were able to give views on these options through the Scrutiny cycle. No objections were raised to this charging scheme, which is the only easily identifiable way for the Historic Environment Team to generate income at the present time.

RESOURCE IMPLICATIONS:

Under Section 93 of the Local Government Act 2003, charges may be made for discretionary services such as these. There is a duty to secure that, taking one year with another, the income from charges does not exceed the costs of provision. The charges in Appendix 1 have been set taking this duty into account, and the income and costs will be reviewed when charges are set for future years to ensure compliance.

There is no cost to implementing this scheme, but as this notice makes clear there is an income target of £8,000 attached to this scheme in the baseline budgets from 2011/12 onwards.

Some officer time will need to be required to set up and run the administration process supporting the charging scheme, as well as to write and upload new web pages explaining it, but this should not be very time-consuming.

CONSULTATION UNDERTAKEN ON THE PROPOSED DECISION

As the notice makes clear above, the proposal to introduce a charge for pre-application advice from the Historic Environment Team formed part of the statutory budget consultation process last winter. As such, the idea was passed before the Scrutiny Panels, parish councils and local businesses.

In developing the detail of the scheme, officers have discussed it and considered feedback from the following stakeholder groups:

- local agents and architects who are regular customers of the Council
- members of the Institute of Historic Building Conservation
- the Hampshire and Isle of Wight Conservation Officers Liaison Group

Officers have also considered formal guidance from Government, English Heritage and The Royal Town Planning Institute, as well as comparing schemes already in operation by other local authorities.

FURTHER ALTERNATIVE OPTIONS CONSIDERED AND REJECTED FOLLOWING PUBLICATION OF THE DRAFT PORTFOLIO HOLDER DECISION NOTICE

n/a

DECLARATION OF INTERESTS BY THE DECISION MAKER OR A MEMBER OR OFFICER CONSULTED

n/a

DISPENSATION GRANTED BY THE STANDARDS COMMITTEE

n/a

Approved by: (signature)

Date of Decision

Councillor Patricia Stallard, Portfolio Holder for Culture, Heritage and Sport

Appendix 1

Proposed Scale of Charges for Pre-Application Advice from the Historic Environment Team

A. Category HE 1:

Enquiries by householders for single householder proposals; proposals involving less than 100 sq m of commercial floorspace, alteration of single listed buildings; conservation area consent enquiries requiring some research.

	Task	Fee
1	Simple desk top survey including relevant planning history research and advice letter	£45
2	Site visit or site meeting in addition to above	£45
3	Subsequent or follow up letters	£25
4	Does proposal require consent? (written response where some research required)	£25

B. Category HE2:

Enquiries by commercial developers or companies seeking advice for small developments including conversion of historic buildings, advertisement consents, developments affecting other heritage assets.

	Task	Fee
1	Simple desk top survey including relevant planning history research and advice letter	£100
2	Site visit or 30 minute meeting in addition to the above	£100
3	Subsequent or follow up letters	£50

C. Category HE3:

Enquiries by commercial developers or companies seeking specific information gathered from the Historic Environment Record as per the existing system.

	Task	Fee
1	Information based on up to 1st hour plus a written response	£62.50
2	Additional half hour research or part thereof	£30

Notes:

- a) Charges above are net and would attract VAT (currently 20%)
- b) These charges would apply only to pre-application enquiries which are specifically about heritage assets. Other enquiries may include planning issues and, in these cases, the current pre-planning application charges will continue to apply. These charges include an element for specialist advice.