

DECISION RECORDING FORM

DECISION:

To increase the fee for a full local land charges search

REASON FOR DECISION:

To increase the fee for a full local land charges search from £81.18 to £85 (incl VAT), with effect from 1 August 2021.

The fee for a local land charges search has remained unchanged since 2009. Since that time, improvements to processes and technology have been made, avoiding the need for an increase to date. As a service, it has to remain cost neutral i.e. the income must not exceed the cost of providing the service year on year.

In 2023/24, the responsibility for searches will pass to the Land Registry, although specific questions (under Con29) will remain with the Council. Mid Devon will transfer in the same year with other Devon authorities. Prior to the transfer there will be significant work involved in data cleansing and reviewing/checking digital records against historic paper documents to ensure harmony. Although some of that work has commenced, it now needs to escalate to ensure a smooth and timely transition. Whilst some new burdens funding may be available in due course, the team (of 2 – 1FTE & 0.81FTE) considers that the work needs to escalate now. By increasing the hours to 2FTE, this will ensure that the well-regarded and award-winning team can increase the pace of the progress already made - without sacrificing the excellent turnaround time for searches which is a priority for purchasers and those advising them.

The increase in hours is a cost to the Council which can be met by a small increase in the search fee. The increase will ensure that the service remains cost neutral i.e. it has not been set at a level which will result in profit from one year to the next. This will be reviewed again following the transfer to the Land Registry, along with the service provision. By comparison, neighbouring authorities charge as follows:

North Devon - £60

Mid Devon - £81.18 (increase to £85 proposed)

East Devon - £91

Teignbridge - £105

The fee will be broken down as follows:

£56.09 Vatable

£11.21 VAT

£67.30 Total for Con29

£17.70 LLC Non-Vatable

£85.00 Total cost

DECISION BY:

Cabinet Member for Community Well Being (Councillor Dennis Knowles)

CONSULTEES**WARD(S)**

N/A

HAS/HAVE WARD MEMBER(S) BEEN CONSULTED

NO

COMMENTS OF OTHER CONSULTEES

Cabinet – No responses

DATE OF DECISION

8 June 2021

EXEMPT INFORMATION

Open

*If yes to either question, state why:

FINANCIAL, LEGAL & EQUALITY ISSUES, IF ANY:

As set out above. The increase in the fee will result in the service still remaining cost neutral.

RISK ASSESSMENT

If the fee is not increased by this modest amount and if the team nevertheless increases to 2FTE, the service will not be cost neutral. If the increase to 2FTE does not happen, there is a risk that either the transition work or the usual search work will be compromised to a degree. A review post transition will ensure that the service (and fee charged) remains appropriate for the level of commitment needed.

ADDITIONAL INFORMATION / DOCUMENTS TAKEN INTO ACCOUNT:*

N/A

SIGNED Councillor Dennis Knowles

DATE 8 June 2021