

SPECIAL ANGUS COUNCIL

27 FEBRUARY 2020

REVIEW OF CHARGES WITHIN LEGAL & DEMOCRATIC SERVICES

REPORT BY DIRECTOR OF LEGAL & DEMOCRATIC SERVICES

ABSTRACT

This report sets out proposals for the charges to be levied by Legal & Democratic Services for the financial year 2020/21.

1. RECOMMENDATIONS

It is recommended that the Council:

- (i) Notes that this report has been prepared on the basis that the percentage increases for charges have, in the main, been applied at a rate of 3% rounded up where appropriate;
- (ii) Approves the pricing structures as contained within **Appendix 1**.
- (iii) Agrees that the charges are effective from 1 April 2020.

2. ALIGNMENT TO THE ANGUS LOCAL OUTCOMES IMPROVEMENT PLAN/CORPORATE PLAN

The proposal contributes to the following local outcomes contained within the Angus Local Outcomes Improvement Plan and Locality Plans:

- An inclusive and sustainable economy

3. BACKGROUND

3.1 The charges covered by this report are reviewed annually by Legal & Democratic Services and all amendments to charges are reported to Members on an annual basis as part of the budget setting process. The last annual review of charges was reported to Angus Council on 21 February 2019 (Report No. 52/19 refers).

3.2 The review of charges for 2020/21 has been carried out as part of the budget setting process and the percentage increase, has been standardised across the council to the May 2019 RPI indicator - 3%, before accounting for VAT, where applicable. The charging structure attached at **Appendix 1** has been prepared on the basis of this percentage increase.

3.3 An increase in Licensing fees are not proposed as the Civic Licensing Committee on 31 October 2019 agreed that the fees charged by the Council in relation to Licensing shall be set annually in September each year starting from 1 September 2020.

4. PROPOSED CHARGES

4.1 The proposals summarised in the table below would come into force on 1 April 2020.

5. FINANCIAL IMPLICATIONS

5.1 It is estimated that the increased charges for Legal & Democratic Services, as detailed in **Appendix 1**, will generate additional income of £6k per annum, which will be reinvested in the service.

NOTE: The background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) which were relied on to any material extent in preparing the above report are:

Report Author: Shona Cameron, Manager Elections, Commercialisation & Facilities

Email Details: cameronsd@angus.gov.uk

Conveyancing						
No		Nature of Transaction		Fees from 1/4/19*	Fees from 1/4/20*	BENCHMARKING/RATIONALE
1		Discharge of Standard Security /Inhibition/Release of Charging Order/Discharge of Section 75 Agreement		£200.00	£206.00	No benchmarking information available/ Cost Recovery
2		Revising deed of Postponement of Standard Security		£200.00	£206.00	As above
3		Leases:				
	a	Landlord's fees (Economic Development Leases)				
		**Leases on standard terms and conditions:-				
			1. Properties up to and including 1,000 square feet	£215.00	£221.00	As above
			2. 1,000 square feet - 2,000 square feet	£286.00	£295.00	As above
			3. 2,001 square feet - 5,000 square feet	£357.00	£368.00	As above
			4. 5,001 square feet - 10,000 square feet	£500.00	£515.00	As above
			5. 10,000 square feet and over	Time & Line	Time & line	As above`
	b	Template lease on standard terms and conditions		£430.00	£443.00	As above
	c	Non-standard missives/lease		Time & Line	Time & Line	As above
	d	Rent Review/Variation of Lease				
			1. Standard Template - no extensions	£216.00	£222.00	As above
			2. Rent review plus variation of terms (including extension)	£286.00	£295.00	As above
	e	Termination of Lease/Renunciation		£286.00	£295.00	As above
	f	Consent to sub-lease				
			1. Minimal revisal required	£286.00	£295.00	As above
			2. Complex Transaction	Time & Line	Time & Line	As above

No		Nature of Transaction		Fees from 1/4/19*	Fees from 1/4/20*	BENCHMARKING/ RATIONALE
	g	Assignment of Lease (revising)		£215.00	£221.00	As above
4		Deed of Servitude/Wayleave		Time & Line	Time & Line	As above
	a	Utility Wayleaves		£250.00	£258.00	As above
5		Conveyance of Ground & Property				
			1. Small area of ground (Council houses - additional areas or less than 250 square metres)	£500.00	£515.00	As above
			2. All other areas	Time & Line	Time & Line	As above
6		Section 75 agreements				
			1. Standard Template (agricultural worker, commuted sum etc.)	£500.00	£515.00	As above
			2. All others (including affordable housing)	Time & Line	Time & Line	As above
7		Modification of Planning Obligation Agreement		£299.00	£308.00	As above
8		Ranking Agreement				
			1. Council House Sales (revising)	£200.00	£206.00	As above
			2. All others	Time & Line	Time & Line	As above
9		Restoration Bond Agreement		£407.00	£419.00	As above
10		Community Asset Transfers		£500.00	£515.00	As above
11		Lending Prior Titles				
			1. Without Inventory	£25.00	£26.00	As above
			2. With Inventory	£33.00	£34.00	As above
		New fees for 20/21				
12		Licence to Occupy				
			1. Licence to Occupy (standard template used)	-	£200.00	As above
			2. Licence to Occupy non standard	-	Time & Line	As above

No	Nature of Transaction		Fees from 1/4/19*	Fees from 1/4/20*	BENCHMARKING/ RATIONALE
13	Corrective Conveyancing				
		1. Prepare documentation	-	£350.00	As above
		2. Revising documentation	-	£250.00	As above
	Notes:				
	(1) Outlays are payable in addition				
	(2) Where Angus Council is preparing the deed plan, the outlay to Property is £80 (nil VAT)				
	(3) Time & Line Basis: The current hourly rate applied by Legal & Democratic Services for this purpose is £100.00.				
	(4) * rounded up/down				
	(5)** table indicates minimum recoverable amount for each fee option. Variation to fees (both increases and decreases) may be negotiated by Economic Development with prospective tenant and agreed after consultation with Legal & Democratic Services. The balance of any reduction in minimum fees will be recovered from Economic Development.				

Registration

	Nature of Transaction	Fees from 1/4/19*	Fees from 1/4/20*	BENCHMARKING/ RATIONALE
1.	Registrar to conduct a civil marriage ceremony, civil partnership or citizenship ceremony on a:-			No benchmarking information available/ Cost Recovery
	a. Saturday	£211.00	£217.00	As above
	b. Sunday	£287.00	£296.00	As above
	c. Public Holiday	£364.00	£375.00	As above
2.	Registrar to conduct a civil marriage ceremony, civil partnership registration or private citizenship ceremony at an Approved Place within normal hours	£211.00	£217.00	As above
	Accommodation Fee for the use of the ceremony rooms within Registration Offices on occasions where numbers exceed 10	£61.00	£63.00	As above
3.	Annual clothing allowance payable to staff	£273.00	£281.00	As above
4.	Naming Ceremonies/Renewal of Marriage Vows			
	a. Monday to Friday during office hours (under 10 people) - Forfar Registration Office	£63.00	£65.00	As above
	b. Monday to Friday during office hours (over 10 people) - Forfar Registration Office	£122.00	£126.00	As above
	c. Outwith normal office hours including Saturday - Forfar Registration Office or Agreed Venue	£269.00	£277.00	As above
	d. Sunday - Forfar Registration Office or Agreed Venue	£343.00	£353.00	As above
	e. Public Holiday - Forfar Registration Office or Agreed Venue	£416.00	£428.00	As above