

20th June 2013**Agenda Item:13****REPORT OF THE CORPORATE DIRECTOR FOR POLICY, PLANNING AND
CORPORATE SERVICES****REVIEW OF MINERALS SEARCH FEES****Purpose of the Report**

1. To seek Committee approval for an increase to the charging schedule for Mineral Searches.

Information and Advice

2. The Planning Policy Team at Nottinghamshire County Council (NCC) provides specific information about a particular site/property and the surrounding area for buyers and sellers and other interested parties. The team prepares a report to identify if a local area is likely to be affected by existing or future quarrying operations. This service is performed as part of 'The Local Authorities (England) (Charges for Property Searches) Regulations 2008'.
3. The County Council currently charge £20.00 per search for this service which identifies:
 - § If the property is situated within a mineral consultation area (i.e. an area containing a potentially economic mineral resource);
 - § Any planning permissions granted for quarrying or related operations on land near to the property, and the status of that site (e.g. active, closed, dormant, not commenced);
 - § Mineral-related policies of the Local Plan relating to the land surrounding the property which could include details of land identified by the plan for future mineral working;
 - § Any planning applications submitted to Nottinghamshire County Council for quarrying or related operations near the property.

As the County Council is not responsible for maintaining records on Deep Mined Coal extraction, the searches do not include this information and applicants are directed to the Coal Authority to acquire this information. The current charge was set in the 1990's.

4. Following the changes to planning legislation in 2004, mineral consultation areas were no longer recognised and, as a consequence, the number of requests for

mineral searches decreased due to the lack of information as to how Mineral Planning Authorities should offer advice in this respect.

5. Work has been undertaken by the Planning Policy team to compare the County Council's charges with other Mineral Planning Authorities. During this process it became apparent that most Authorities were charging considerably higher rates than Nottinghamshire County Council for the same service. More detail is provided in Appendix 1.
6. To ensure general consistency with other Mineral Planning Authorities and to reflect the actual costs of officer time to provide this information, it is proposed that the charges for this service are increased to £60.00 (plus VAT) per search. A potential risk of increasing the cost would be that the Council could receive fewer enquiries, however it is anticipated that this would be highly unlikely.
7. Prior to the economic downturn the County Council received, on average, approximately 300 search requests per year. Last year this significantly decreased to 60. An increase in the charge for this service could potentially generate an additional income of £12,000 per annum (based on 300 searches per year).

Other Options Considered

8. This report considers all of the relevant issues in relation to increasing the charges for minerals searches which has led to the recommendation. Alternative options considered would have been to continue charging for searches at the existing rate.

Reason/s for Recommendation/s

9. To ensure that Nottinghamshire County Council's charging schedule for mineral searches is consistent with other Mineral Planning Authorities.

Statutory and Policy Implications

10. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

11. The changes to the charges for this service could potentially increase the income to the Council.

Implications for Sustainability and the Environment

12. There are no direct implications for Sustainability and the Environment.

RECOMMENDATION/S

- 1) That Committee approve the increase in charges for minerals searches from £20.00 to £60.00 (plus VAT).

Jayne Francis-Ward
Corporate Director, Policy, Planning and Corporate Services

For any enquiries about this report please contact: Lisa Bell, Planning Policy Team Manager, ext 74547

Constitutional Comments (SHB.21.05.13)

13. Committee have power to decide the Recommendation

Financial Comments (SEM 21/05/13)

14. The financial implications are set out in the report.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Electoral Division(s) and Member(s) Affected

All

APPENDIX 1:

COMPARISON OF CHARGES WITH OTHER MINERAL PLANNING AUTHORITIES

Similar sized Mineral Planning Authorities – where information available

Mineral Planning Authority	Charge/Rate
Derbyshire County Council No Charge to members of public, but charge hourly rate to professional conveyance / search companies.	£45.00 + vat per hour for detailed reports.
Devon County Council Mineral and Waste Management Search £12.70 as part of CON029R Land Charge, specifically to answer whether land is affected by mineral consultation area.	£46.00 + vat per hour for detailed mineral reports.
Leicestershire County Council As part of a comprehensive range of services offered by Planning Service, they offer a property report for minerals and waste searches.	£47.00 + vat.
Lincolnshire County Council Basic information - status of Minerals and Waste Development Plan. No specialist Minerals report data service available.	£14.00 + vat.
Northamptonshire County Council Mineral and Waste Management Search	£35.00.
Shropshire County Council Specifically relating to Minerals search enquiries, Shropshire have introduced a new charging scheme based on officer time. Upon receipt of an enquiry the cost will be calculated and advised. Payment is required in advance.	£66.30 per hour + vat.
Staffordshire County Council Standard report for minerals and waste searches. They also provide information on Mineral/Waste Sites in a digital mapping format.	£52.40 + vat. £58.60 + vat.

Note: Most authorities now set their fees based on electronic responses only, where paper responses are required a small additional charge is made for printing and postage costs.