

# **Budget Proposals 2019/20: Planning and Transport Policy Advice and Self-Build Register**

## **Consultation Summary Report**

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### **Why we consulted?**

Over the last nine years we've had to make savings of £60 million as our central government funding, the Revenue Support Grant (RSG), has reduced and the need for social care support has increased. We've done this by becoming more efficient at what we do, by reducing some of our administrative functions and increasing our income. Throughout this period we have done our best to protect your services.

Six years ago, the RSG was worth £24 million to the council and was reduced to just £100,000 last year. In 2019/20 there will be no grant and our costs will exceed our income. As a result, we'll need to find a further £7 million in savings or income generation. Much of this will come from becoming a more efficient council, however, 14 proposals, amounting to approximately £300,000, have been identified from services that will impact the public.

It was these proposals that made up the Budget Proposals 2019/20 consultation.

### **Approach**

We published all the public facing proposals on our website on 12 November 2018 with feedback requested by midnight on 23 December 2018.

Respondents were directed to a central index page<sup>i</sup>, which outlined the overall background to the exercise, and provided links to each of the individual proposals on our Consultation Portal<sup>ii</sup>.

Each individual page included further details on the specifics of what the proposal contained and what we thought the impact might be, along with any other elements we'd taken into account. Feedback was then invited through an online form and a dedicated email address. Hard copies of the proposal documents and surveys were also made available on request.

As well as publishing the consultations on our website, we also emailed members of the West Berkshire Community Panel (around 400 people), all current members of the self-build register and individual agents/developers, notifying them of the exercise and inviting their contributions. Heads of Service also made direct contact with those organisations directly affected prior to them being made publicly available.

Finally, we issued a press release on the 12 November 2018, and further publicised our consultations through our Facebook and Twitter accounts. We also placed posters in our main offices and other council properties e.g. libraries, and made them available to WBC Councillors and Parish and Town Councils to put in the wards/parishes.

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### **Proposal Background**

Planning law requires that applications for planning permission are determined in accordance with the Core Strategy Development Plan Document<sup>iii</sup>, unless material considerations indicate otherwise.

A material consideration is a matter that should be taken into account in deciding a planning application or on an appeal against a planning decision, for example:

- Overlooking/loss of privacy
- Loss of light or overshadowing
- Parking
- Highway safety
- Traffic
- Noise

The Planning<sup>iv</sup> and Transport<sup>v</sup> Policy Team consists of eight officers (six Planning, two Transport) who currently spend time responding to queries. This can range from simple policy advice on two or three unit schemes, to advice on developments of over 100 from individual developers, landowners or agents who wish for their site to be promoted through the local plan process.

### **Legislation Requirements**

The Town and Country Planning Act 1990<sup>vi</sup> and the Planning and Compulsory Purchase Act 2004 (in particular section 39 (2))<sup>vii</sup> set the legal requirement for the production of spatial strategies. Other legislation is also of relevance such as the Self-Build and Custom Housebuilding Act 2015<sup>viii</sup>.

### **Proposal Details**

To introduce the following charges:

- (a) From 1 April 2019, any request to meet with policy officers (transport or planning) to discuss anything relating to a site specific issue will incur a charge based on the table below:

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	Criteria	WBC Officer	Service	Fee
<b>Category 1</b>	Development of over 100 houses or 10,000 sq. m commercial or site area over 2 ha	Policy Manager and/or Team Leader (Policy) together with other Policy Officers	Detailed policy discussions. Written advice note.	£1000 + VAT
<b>Category 2</b>	Development between 10 and 99 houses, commercial development between 1,000 and 9,999 sq m or site area between 0.5 ha and 1.99 ha	Team Leader and/or Principal officer	Site Visit. Attendance at one meeting of up to two hours if necessary. Written advice note.	£750 + VAT
<b>Category 3</b>	Development of 9 or fewer houses and less than 1 hectare commercial development	Principal Officer	Attendance at one meeting of one hour if necessary. Written advice note.	£500 + VAT

In the interests of clarity, if an application is made via the pre-application process<sup>ix</sup> these fees will not apply.

Based on work undertaken during the West Berkshire Core Strategy and West Berkshire Housing Site Allocations DPD, it is expected that officers will spend between 10 and 20 hours per year on this work.

- (b) From 1 October 2019, anyone wishing to appear on the Self Build Register (part 1 or part 2)\* will be charged an annual fee of £100 + VAT. This fee will apply to anyone who is currently on the register.

It has not been possible to clean the register each year of people who have applied to more than one authority, have already built their own house or have multiple entries on the register. Currently, 171 people are on the Self Build Register, and it is not expected that all of these will wish to remain on the register.

These charges together, would suggest an annual income of approximately £10,000.

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### **Consultation Response**

#### Number of Responses

In total, 20 responses were received, although one respondent did not complete the questionnaire.

10 of the respondents identified themselves as a user of the service, nine as residents, one as employed by the council, one as a service provider and three as other, including the National Custom and Self Build Association.

#### Summary of Main Points

##### Proposal A

Of the 17 completed responses, six respondents either strongly agreed or agreed with the proposal. A further six strongly disagreed or disagreed.

The main reasons cited were:

- Concern that the introduction of a fee for policy advice would be made for Parish and Town councillors, as well as developers.
- Getting advice from planning officers is virtually impossible.
- Charge of £500 per hour is outrageous.
- Those requesting a service should pay for it

##### Proposal B

Of the 19 completed responses, 11 respondents strongly disagreed with the proposal, whilst six either strongly agreed or agreed.

The main reasons cited were:

- Concern that the fee for the self-build register was an attempt to reduce the list.
- Concern that the introduction of a fee for the self-build register was illegal.
- Concern that the Council had done nothing with regards to the people already on the list.
- Would like the local authority to focus on the requirements of genuinely interested individuals.
- Those requesting a service should pay for it.

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### Summary of Responses by Question

#### 1. Are you...?

(N.B. respondents were able to tick more than one option)

	Responses		Percent of Cases
	N	Percent	
A user of this service	10	41.7%	50.0%
A resident of West Berkshire	9	37.5%	45.0%
Employed by West Berkshire Council	1	4.2%	5.0%
A Parish/Town Councillor	0	0.0%	0.0%
A District Councillor	0	0.0%	0.0%
A service provider	0	0.0%	0.0%
A partner organisation	1	4.2%	5.0%
Other	3	12.5%	15.0%

#### 2. How far do you agree with the proposal to introduce the following charges in the Planning and Transport Policy Team?

- a) From 1 April 2019, any request to meet with policy officers (transport or planning) to discuss anything relating to a site specific issue will incur a charge

	Frequency	Percent	Valid Percent
Strongly agree	5	25.0	29.4
Agree	1	5.0	5.9
Neither agree nor disagree	5	25.0	29.4
Disagree	1	5.0	5.9
Strongly disagree	5	25.0	29.4
<b>Total</b>	<b>17</b>	<b>85.0</b>	<b>100.0</b>
Not answered	3	15.0	
<b>Total</b>	<b>20</b>	<b>100.0</b>	

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- b) From 1 October 2019, anyone person wishing to appear on the Self Build Register (part 1 or part 2) will be charged an annual fee of £100 + VAT

	Frequency	Percent	Valid Percent
Strongly agree	4	20.0	21.1
Agree	2	10.0	10.5
Neither agree nor disagree	2	10.0	10.5
Disagree	0	.0	.0
Strongly disagree	11	55.0	57.9
<b>Total</b>	<b>19</b>	<b>95.0</b>	<b>100.0</b>
Not answered	1	5.0	
<b>Total</b>	<b>20</b>	<b>100.0</b>	

3. **What do you think we should be aware of in terms of how this proposal might impact people? For example, do you think it will affect particular individuals more than others?**

Responses included:

- Must not apply to Councillors

4. **If the decision is taken to proceed with this proposal, do you have any suggestions for how we can reduce the impact on those affected? If so, please provide details.**

Responses included:

- Treat as a trial for six months
- Offer a guaranteed service plot within 2 years or return money.
- Make sure list is not full up of developers
- Support local self-builders not rich developers

5. **Do you have any suggestions on how we might save money or increase income, either in this service, or elsewhere in the council? If so, please provide details.**

Responses included:

- Work with developers and agents more proactively to avoid unnecessary appeals.
- Reduce the number of councillors.
- Increase the retirement age for local authority workers.
- Increase income tax
- Don't sell the bus station for £1
- Increase CIL

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- Increase S106
- Increase Council tax on second homes above 100%

### 6. Any further comments?

Comments included:

- Councils need to work more efficiently from the top down. Private sector businesses are run completely different to local authority. It is all about managing the resources that the local authority has; not having too many people doing the same job which causes confusion, time delays and of course money.
- Encourage small development and self-build projects don't 'shoot them down'.
- If you can afford to build a property or extension you should be able to afford to pay for a consultation.

Officer conclusion and recommendation can be found in the associated Overview of Responses and Recommendations document.

Bryan Lyttle  
Planning and Transport Policy Manager  
Development and Planning  
08/01/2019

**Please note:** *In order to allow everyone who wished the opportunity to contribute, feedback was not sampled. Therefore this wasn't a quantitative, statistically valid exercise. It was neither the premise, purpose, nor within the capability of the exercise, to determine the overall community's level of support, or views on the proposals, with any degree of confidence.*

*The feedback captured therefore should be seen in the context of 'those who responded', rather than reflective of the wider community.*

*All the responses have been provided verbatim as an appendix to this report. Whilst this summary seeks to distil the key, substantive points made, it should also be read in conjunction with the more detailed verbatim comments to ensure a full, rounded perspective of the views and comments are considered.*

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<sup>i</sup> <http://www.westberks.gov.uk/budgetproposals>

<sup>ii</sup> <http://info.westberks.gov.uk/consultations>

<sup>iii</sup> <https://info.westberks.gov.uk/corestrategy>

<sup>iv</sup> <https://info.westberks.gov.uk/planningpolicy>

<sup>v</sup> <https://info.westberks.gov.uk/ltp>

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- vi <https://www.legislation.gov.uk/ukpga/1990/8/contents>
- vii <https://www.legislation.gov.uk/ukpga/2004/5/contents>
- viii <http://www.legislation.gov.uk/ukpga/2015/17/contents/enacted>
- ix <https://info.westberks.gov.uk/preapp>
- x <https://info.westberks.gov.uk/selfbuild>



## Overview of Responses and Recommendations

Budget Proposals 2019/20: Planning and Transport Policy Advice and Self-Build Register			Head of Service: Gary Lugg Author: Bryan Lyttle		14 February 2019 Version 1 (Executive)	
Proposal:	To introduce the following charges:  a) From 1 April 2019, any request to meet with policy officers (transport or planning) to discuss anything relating to a site specific issue will incur a charge. b) From 1 October 2019, anyone wishing to appear on the Self-Build Register self-build (part 1 or part 2) <sup>i</sup> will be charged an annual fee of £100 + VAT.					
Total income 2018/19:	£0	Initial expected income 2019/20	£10,000	Final expected income 2019/20	£10,000	
No. of responses:	In total, 20 responses were received. Of those that responded:  <ul style="list-style-type: none"><li>• 10 identified themselves as users of the service</li><li>• Nine as residents of West Berkshire</li><li>• One as council employees</li><li>• 0 as Parish/Town Councils</li><li>• 0 as District Councillors</li><li>• 0 as service providers</li><li>• One as partner organisations</li><li>• Three as other, including the National Custom and Self Build Association</li></ul>					
Key issues raised:	<u>Proposal A</u>  Of the 20 respondents 17 expressed an opinion on this proposal. 6 Strongly Agreed or Agreed with the proposal while 6 Disagreed or Strongly Disagreed. 5 expressed no opinion.  <ul style="list-style-type: none"><li>• Concern that the fee for Policy advice would apply to Parish Councillors and other political representatives.</li><li>• Concern that the proposed charges equated to a principle officer being charged at £500 an hour.</li></ul> <u>Proposal B</u>  Of the 20 respondents 19 expressed an opinion on this proposal. 6 Strongly Agreed or Agreed with the proposal while 11 Strongly Disagreed. 2 expressed no opinion.					

**NB:** This Overview of Responses and Recommendations paper should be read in conjunction with the Consultation Summary Report and Verbatim Responses received in relation to this proposal. These can be found in the agenda pack or on our [Consultation Portal](#).

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	<ul style="list-style-type: none"> <li>• Concern that the introduction of a fee was an attempt to reduce the list.</li> <li>• Nothing had been done with regards the Self-Build Register for the last two years</li> <li>• Need a guarantee that a plot will come up.</li> <li>• Contrary to the Self-Build Act.</li> </ul>	
<b>Equality issues:</b>	No issues were raised during the consultation, that weren't already included in the Stage One Equality Impact Assessment.	
<b>Suggestions for reducing the impact on service users:</b>	<b>Suggestion</b>	<b>Council response</b>
	A - Introduce a trail period of six months together with further consultation.	The council has been offering pre application planning advice for developer applications for a number of years and the proposed introduction of this to the planning policy area can be viewed as ensuring that both sides of the planning service are similarly treated.
	A – Reduce the fee for individual self-builders	Self-builders can already claim an exemption from the Community Infrastructure Levy (CIL) charge imposed to assist in paying for critical infrastructure required in the authorities' area.
	A – Reduce the fee	The fees quoted are for a single meeting, but would include the preparation time prior to the meeting, time spent at the meeting and providing a note of the meeting as well. Therefore, a single meeting is likely to result in officer time of between two and a half to four hours, which infers an hourly rate of £125 - £200.
	B - Offer a guaranteed service plot within 2 years or refund money	The council will not be guaranteeing a plot in a preferred location within the next 2 – 3 years. However, it will assist the council in determining how many genuine self-builders there are in the district, provide greater robust evidence for use in the local plan and also strengthen the council's hand when negotiating with developers.
	B – make sure the list not full of developers	If an individual registers, it is impossible to tell if they are a developer or not.
	B - Any fee associated with the Self Build register should be VAT free.	The council does have VAT specialists who ensure that VAT is collected correctly in relation to all council activities.

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Suggestions for saving money or increasing income:	Suggestion	Council response
	Increase Community Infrastructure Levy	The council can only increase the CIL rate following a significant change in the infrastructure requirements perceived for the authority. This work is undertaken in conjunction with work to progress the local plan review and is subject to a separate consultation exercise and independent examination by a government appointed Inspector.
	Increase S106	The council cannot increase S106 as such. S106 can only be charged for specific mitigation which is not included on the councils CIL R123 list, and is therefore dependent on the type of planning application that the authority receives. If the government changes the legislation surrounding the use of the CIL and S106, then the council will reassess its options. However, it will still be limited to mitigating the impact of a particular development.
	Increase second homes Council Tax above 100%	The amount of Council Tax that can be charged for a second home is currently limited by government legislation to 100%.
	Increase the retirement age for local authority workers	There is no fixed retirement age for local authority workers (or any workers) which could be increased. This is because of the protected characteristic of age discrimination in the Equalities Act."
	Reduce the number of councillors	A boundary review was carried out in 2017 and the number of councillors will be reduced from 52 to 43 at the next local elections in May 2019.
<b>Conclusion and recommendation:</b>	<p>There is no clear view on the introduction of charge for consulting with Planning Policy. However there is a degree of agreement that planning policy and development management should be treated in similar ways, and <b>therefore it is recommended that the fees are introduced.</b></p> <p>In relation to the proposed charge for the Self-Build register, it is clear that most respondents clearly do not want the introduction of the charge. The National Custom and Self Build Association believe that the approach could result in West Berkshire not complying with legislative requirements. However, Regulation 3 (1) of the Self-build and Custom Housebuilding (Time for Compliance and Fees) Regulations 2016 provides that a relevant authority may charge a fee to a person to be entered on the register (for a base period or part of a base period and thereafter) and then on an annual basis, to remain on that register irrespective of whether any fee was charged to be entered on the register in the first place.</p>	

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	<p>One respondent was happy for the charge, provided it led to some positive action regarding how the council treated the issue of self-builders.</p> <p>In going through the comments and looking at the legislation once more, the Self-Build Register runs from 1 November until the 31 October. While no respondent highlighted that if the charge was imposed on the 1 October, a second fee of £100 would be due on the first of November. If left unchanged this would expose the council to opportunism and potentially represent a significant reputational risk to council.</p> <p><b>It is recommended that the fees for Self-Build Register are introduced with a minor modification, in that they run from the 1 November to the 31 October each year.</b></p>
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<sup>i</sup> <https://info.westberks.gov.uk/>

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## Stage One Equality Impact Assessment (EqIA 1)

<b>What is the proposed decision?</b>	<p>To introduce the following charges in Planning and Transport Policy:</p> <ul style="list-style-type: none"> <li>a) From 1 April 2019, any request to meet with policy officers (transport or planning) to discuss anything relating to a site specific issue will incur a charge</li> <li>b) From 1 October 2019, anyone wishing to appear on the Self Build Register (part 1 or part 2) will be charged an annual fee of £100 + VAT.</li> </ul>
<b>Summary of relevant legislation</b>	<p>The 1990 Town and Country Planning Act 1990 and the Planning and Compulsory Purchase Act 2004 (in particular section 39 (2)) set the legal requirement for the production of spatial strategies. Other legislation is also of relevance such as the Self Build and Custom Housebuilding Act 2015.</p>
<b>Does the proposed decision conflict with any of the council's key strategic priorities?</b>	No
<b>Name of budget holder</b>	Bryan Lyttle
<b>Name of Service and Directorate</b>	Economy and Environment
<b>Name of assessor</b>	Bryan Lyttle
<b>Date of assessment</b>	23/10/2018
<b>Version and release date (if applicable)</b>	V1. 12/11/2018

<b>Is this a...?</b>		<b>Is this policy, strategy, function or service...?</b>	
<b>Policy</b>	No	<b>New or proposed</b>	No
<b>Strategy</b>	No	<b>Existing and being reviewed</b>	Yes
<b>Function</b>	Yes	<b>Changing</b>	Yes
<b>Service</b>	No		



1. What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?	
<b>Aims:</b>	To bring the authority in to line with other authorities and other parts of the Economic Development and Planning Service.
<b>Objectives:</b>	To charge a fee to cover the cost of administering the Self Build Register and providing pre-planning application policy advice.
<b>Outcomes:</b>	Potential income of up to £10,000
<b>Benefits:</b>	Income to cover the cost of providing the service, greater consistency, greater efficiency in the use of resources.

2. Which groups may be affected and how? Is it positively or negatively and what sources of information have been used to determine this?		
Group affected	What might be the effect?	Information to support this
<b>Age</b>	<p>Children – None as housing is taken to be a function of the adult population</p> <p>Young Adults – None as housing is taken to be a function of the adult population</p> <p>Adults – potential easier access to a self-build plot as the register is proactively managed.</p> <p>Retired - potential easier access to a self-build plot as the register is proactively managed.</p> <p>With regards to the introduction of fees - None</p>	<p>The self-build register is not currently checked with other authorities to remove double counting. Nor is the register managed so that individuals re register each year. This means that people who have succeeded in self-building are not removed from the register leading to an over inflated register.</p> <p>Anyone can ask for policy advice and the proposed charges do not discriminate.</p> <p>Students send in “survey monkey” requests relating to policy which never take more than 10 minutes to fill out.</p>

<b>Disability</b>	None	<p>The register does not ask for disability.</p> <p>The introduction of a fee for policy advice will not have a greater impact on people with a disability.</p>
<b>Gender reassignment</b>	None	<p>The register does not ask any questions relating to this protected characteristic.</p> <p>The introduction of a fee for policy advice will not have a greater impact on people with this protected characteristic.</p>
<b>Marriage and civil partnership</b>	None	<p>The register does not ask any questions relating to this protected characteristic.</p> <p>The introduction of a fee for policy advice will not have a greater impact on people with this protected characteristic.</p>
<b>Pregnancy and maternity</b>	None	<p>The register does not ask any questions relating to this protected characteristic.</p> <p>The introduction of a fee for policy advice will not have a greater impact on people with this protected characteristic.</p>
<b>Race</b>	None	<p>The register does not ask any questions relating to this protected characteristic.</p> <p>The introduction of a fee for policy advice will not have a greater impact on people with this protected characteristic.</p>
<b>Religion or belief</b>	None	<p>The register does not ask any questions relating to this protected characteristic.</p> <p>The introduction of a fee for policy advice will not have a greater impact on people with this protected characteristic.</p>



<b>Sex</b>	None	<p>The register does not ask any questions relating to this protected characteristic.</p> <p>The introduction of a fee for policy advice will not have a greater impact on people with this protected characteristic.</p>
<b>Sexual orientation</b>	None	<p>The register does not ask any questions relating to this protected characteristic.</p> <p>The introduction of a fee for policy advice will not have a greater impact on people with this protected characteristic.</p>
<b>Further comments</b>		

<b>3. Result</b>	
<b>Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?</b>	No
<p>The proposals are equally applicable to all users of the planning and transport policy service and is in line with the relevant planning legislation.</p> <p>As part of the plan making process the council has to produce an equalities statement which is then independently examined by a Planning Inspector. This provides an independent assessment of equalities service offered by the policy teams in this regard.</p> <p>In addition, the proposal does not exclude an individual or group with a protected characteristic from contacting/speaking/emailing/writing with officers regarding their issue.</p>	
<b>Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?</b>	No
<p>The introduction of the proposal will ensure an even playing field when it comes to planning advice regardless of whether it is development management or policy development.</p> <p>It will enable staff to concentrate on the issues that matter – the production of the local plan – providing the best quality advice.</p>	





4. Next steps	
EqlA 2 required?	No
Owner of EqlA 2	
Timescale for EqlA 2	

Number of responses: 20 (including 1 incomplete)

ID	How far do you agree with the proposal to introduce the following charges in the Planning and Transport Policy Team?			What do you think we should be aware of in terms of how these proposals might impact people? For example, do you think it will affect particular individuals more than others?		If the decision is taken to proceed with these proposals, do you have any suggestions for how we can reduce the impact on those affected? If so, please provide details.	Do you have any suggestions on how we might save money or increase income, either in this service, or elsewhere in the council? If so, please provide details.	Any further comments?
	From 1 April 2019, any request to meet with policy officers (transport or planning) to discuss anything relating to a site specific issue will incur a charge	From 1 October 2019, anyone person wishing to appear on the Self Build Register (part 1 or part 2) will be charged an annual fee of £100 + VAT	Please tell us the reasons for your responses:	From 1 April 2019, any request to meet with policy officers (transport or planning) to discuss anything relating to a site specific issue will incur a charge	From 1 October 2019, anyone person wishing to appear on the Self Build Register (part 1 or part 2) will be charged an annual fee of £100 + VAT			
1	Strongly disagree	Strongly disagree	1 - Getting advice from planning officers is virtually impossible at present. Qualified planning experts currently charge £150 per hour, so how would a principle officer be worth anything like £500 per hour! 2 - The Local Authority in the last 12 months have produced nothing - now they wish to charge for doing nothing.	Small local developers will overcome this charge - will make it counter productive				
2	Disagree	Neither agree nor disagree	It is difficult to assess the full impact of introducing such charges but to charge £500 for ANY request (to meet) regarding a one house site seems excessive.	This must not apply to councillors etc!		Treat it as a trial period of six months only with a review and further public consultation before it continues as a permanent charging scheme.		
3	Strongly disagree	Neither agree nor disagree	This is not clear whether this policy will apply to members of the public and/or parish councils who wish to get information on policies or existing problems. If it does, then there is a strong objection and in addition, as the income generated will only be £10,000, the potential bad publicity that may arise from these charges is out of all proportion with such a small saving.					
4	Neither agree nor disagree	Agree	I understand the pressures that Local Authorities face these days. I'd rather pay towards less essential services so that cash is available for essential services.	As a potential Individual self builder this may affect me more than a group but still agree charges should be made.	In the long term this fee is acceptable.	Perhaps a reduced fee for Individual self build advice face to face at Council Offices?		

ID	How far do you agree with the proposal to introduce the following charges in the Planning and Transport Policy Team?			What do you think we should be aware of in terms of how these proposals might impact people? For example, do you think it will affect particular individuals more than others?		If the decision is taken to proceed with these proposals, do you have any suggestions for how we can reduce the impact on those affected? If so, please provide details.	Do you have any suggestions on how we might save money or increase income, either in this service, or elsewhere in the council? If so, please provide details.	Any further comments?
	From 1 April 2019, any request to meet with policy officers (transport or planning) to discuss anything relating to a site specific issue will incur a charge	From 1 October 2019, anyone person wishing to appear on the Self Build Register (part 1 or part 2) will be charged an annual fee of £100 + VAT	Please tell us the reasons for your responses:	From 1 April 2019, any request to meet with policy officers (transport or planning) to discuss anything relating to a site specific issue will incur a charge	From 1 October 2019, anyone person wishing to appear on the Self Build Register (part 1 or part 2) will be charged an annual fee of £100 + VAT			
5	Neither agree nor disagree	Strongly disagree	<p>From experience, planning officers are not overly keen to meet up and discuss anyway, so this will not really impact what is currently in place and won't bring in additional funds to the council. Re the self-build register, if you are going to charge to be in the register does this mean that within say 2-3 years you will be offered plot within a location that I have specified as an area where I would wish to build my own home? If people are already on the register, why do you need to charge them £100 per year? No admin work is required other than sending out a group email asking if they still wish to be on the list. It does come across at the moment that WBC are looking to try and reduce the SB register by adding in a fee and not offering any guarantee that a plot will come up. Are you also planning to charge people for being on the housing register list? In summary if you are offering people on the list a guaranteed plot within 2 years then I think people would begrudgingly accept this, but this is not offered and comes across as a way to reduce the list by taxing people that aspire to build their own home</p>	<p>Will you be charging everyone that comes and asks a question at WBC? It would appear to be the easiest way to tax the very part of the industry that drives the economy</p>	<p>Unfair, if you are going to do this then there has to be some guarantee that a plot will be offered in there preferred location within 2 years, or will return the money. It comes across as a tax to try and reduce the SB list so that WBC does not need to find plots for people on the register</p>	<p>Offer a guaranteed serviced plot within 2 years, in or near to there preferred location or the money will be returned</p>	<p>Work with developers and agents more proactively to avoid unnecessary appeals which are costly and time consuming for both WBC and the appellant. Failure to communicate with applicants leads to additional applications and or appeals. Build more houses and will get more CIL and council tax, plus government grants for building more homes. Do we need as many councillors and parish councillors all of which drain the public resources. I believe the retirement age in local authorities is much lower than the private sector. People are living longer so therefore continue to collect pensions from the WBC which is a drain on the councils resources and loss of key workers</p>	<p>Councils need to work more efficiently from the top down, private sector businesses are run completely different to LA, it is all about managing the resources that the LA has, not having too many people doing the same job which causes confusion, time delays and of course money</p>

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6	Agree	Strongly disagree	To my knowledge being on the list causes no work! I have been on the list circa two years and never been contacted or been given an update on if any sites are available. To introduce a fee to be on a list is a disgrace.		It will put people off applying to go on the list. It is a tax on hard working people on a budget wanting to build their own home. You should not assume people are well off because of wanting to be a self builder. I am not wealthy, earn an average income, however have some savings that could help me towards building a new home for my children and me.	Make sure the list is not full up of developers, and make being on the list worthwhile by making land available. Correct me if I am wrong, has any land been released for this scheme?	Lobby the government to increase income tax slightly. Reduce spending on non-essential public services. Don't sell off public land e.g. the bus station for £1	No
7		Strongly disagree	Proposed annual charge for Self Build Register I am writing to you on behalf of the National Custom and Self Build Association (NaCSBA) in response to the operation of your self build register. This follows contact with an individual on your register who is deeply concerned with your plans to introduce an annual charge. In NaCSBA's view the approach that you are proposing and the proposed justification for the charge is inconsistent with the aims and the letter of the Self Build and Custom Housebuilding Act 2015 (and subsequent amendments and regulations). NaCSBA believes that your approach could result in West Berkshire not complying with legislative. Imposition of an annual charge NaCSBA recognises that a charge for the register can be introduced. Guidance states that "Relevant authorities can only set fees on a cost recovery basis. Any fees charged must therefore be proportionate, reflect genuine costs incurred and should not act as a deterrent for people to be entered on or remain on the register." NaCSBA can find no justification on that basis within your documentation, and therefore we have concluded that your approach does not comply with the guidance. Even were the charge to be cost justified in terms of cost recovery, we believe that the work that you plan to undertake is unnecessary and therefore those on the register should not be obligated to pay the					

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			<p>charge. The removal of entries from the register of those who have built has no impact on the overall numbers that you must permission, unless they have built outside your planning authority area. Were you to adopt a charge that you can justify under the legislation, then imposing a charge on an annual basis is notably unfair. A planning authority has at least three years to deliver the required number of development permissions so an individual joining a register could well be charged four annual fees before the planning authority has to meet its obligation. Your £100 + VAT annual fee would therefore total £480 for a customer remaining on the register for the time until a “matching” plot must be permissioned. This creates a perverse incentive for the planning authority to delay the process to maximise income. Imposing a charge beyond this point is also unfair, as by this time the legislative requirements should have been met. We also question, under the VAT framework that applies to local authorities, whether any charge imposed by your authority in relation to the Register should include VAT. Duty to grant planning permission As stated within the Government guidance (and reflecting the legislation) “Relevant authorities must give suitable development permission to enough suitable serviced plots of land to meet the demand for self-build and custom housebuilding in their area. The level of demand is established by reference to the number of entries added to an authority’s register during a base period.” The legislation is clear that the number of permissioned plots to be provided is determined by the additions to the register. As you propose, it is possible to remove from the register those who have succeeded in self building. NaCSBA does not believe that maintaining entries on the register will lead to over inflated numbers where the planning authority has met its legislative obligations by giving suitable development permission in respect of serviced plots for the relevant base period. In summary, NaCSBA believes that the proposed approach from West Berkshire is significantly flawed. We urge West</p>					

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			Berkshire not to proceed with the proposal to impose a fee for your self build register. NaCSBA understands the challenges of meeting the demand for housing in areas such as yours, however we strongly believe that custom and self build is a part of the solution and not a part of the problem. We would encourage West Berkshire to recognise the value to its inhabitants and to its businesses of supporting those groups and individuals that are seeking greater choice in the homes that are built. As you will be aware. the updated National Planning Policy Framework specifically identifies those wishing to commission or build their own home as a group whose need should be reflected in strategic policies, beyond the shorter-term requirements arising from the register. I am sending a copy of this letter to Richard Bacon MP (the architect of the "Right to Build" legislation) and to Officials at the Ministry of Housing Communities and Local Government who oversee housing diversification including custom and self-build.					
8		Strongly disagree	A fee of £100 pa to be on the self-build register? The ONLY action you have done since i joined the register is to email me this proposed fee! I genuinely cannot believe you think a fee of £100 per email is justified. Are you totally deluded or just drunk with power? I am not sure why i am even replying. No-one will respond to my email because there is no justification for this ridiculous, self-righteous money making scheme. Maybe you think I am middle class enough to support this madness but please let me assure you I look after myself and my family and want to provide a secure home. I am happy to pay for a service like West Berkshire actually providing land but not to "tax" the rich because you cannot manage your budgets. Ineptitude of the highest degree. Again....					



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9	Neither agree nor disagree	Strongly disagree	I put my name on the Selfbuild Register approximately 18 months ago. Since then I have heard precisely NOTHING from WBC. How can you justify charging £100.00 p/a to someone for having their name on an electronic register - what administration is actually taking place. Daylight robbery	no comment	what services will WBC actually provide for this ridiculous fee			
10	Strongly disagree	Strongly disagree	It is already prohibitively expensive to go through planning processes without having to pay even more just for a consultation. I have been on the self build register since 2016 and this is the first contact I have had from you - you are clearly not interested in promoting self builds, and raising a charge just to be on the register is just another way of trying to put people off. Self builds can bring a lot of benefit to local areas - you should be encouraging sustainable development not abandoning it.	there will be more planning errors due to insufficient consultation	fewer people will be on the register and go to self build in other counties, which is presumably what you want.	Don't proceed with the proposals.	I haven't examined the other policies, so not at this stage, sorry.	
11	Strongly disagree	Strongly disagree	You should not charge for something that the council legally have to have	Won't stop greedy developers	How can you charge for something you have a duty to provide	Support local self-build projects not just the rich developers	Through West Berkshire planning intractability on planning applications which are later won at appeal thus must cost the council more time and money. Officers should abide by planning law and not make their own decisions	Encourage small development and self-build projects don't 'shoot them down '

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12	Neither agree nor disagree	Strongly disagree	Surely the self-build register is a list of West Berks residents who would like the opportunity/have the intention to self-build their home, is there any guarantee that people on the register will actually get to do so? Why would anyone pay £100 + VAT to be on a register that there is no guarantee they will be contacted/approached by the council that there is a self-build opportunity for them?					
13	Strongly Agree	Strongly Agree						
14	Strongly disagree	Strongly disagree	We have been on the planning register for over a year we have never been contacted about possible self build opportunities, we have received no benefits for being on the register and so far as we can determine the council has not done anything in this area		We will withdraw from the register because we derive no benefit			



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15	Neither agree nor disagree	Strongly disagree	<p>The proposal to charge £100 for entrance onto the self build register is utterly unjustified and appears to be blatantly designed to reduce the size of the register. The Register was enacted by Parliament in order for local planning authorities to have better understanding as to how many self build plots they needed to provide. Entry onto the register confers no direct benefit to those people on the register. It's Milly helps the local Planning Authority provide an adequate supply of self build plots. Therefore why would anyone would wish to pay £100 and receive no direct benefit. No justification or reasoning has been provided for setting the proposed charge for entry on the register at £100 per annum. The cost of maintaining the register has not been cited as a reason. No research has been done or evidence cited to conclude that a £100 annual charge would be more effective in increasing the accuracy of The Register. An annual charge of £100 is far more likely to reduce the accuracy of The Register because it will deter those people seeking self build plots from registering leading to the local Planning Authority underestimating planning need. The proposal states that it has not been possible to clean the register of those who are registered in other local planning authorities etc. No estimate as to the number of erroneous entrants on the register are provided. And no reasoning is provided as to why a £100 charge, as opposed to say a £5 charge, is likely to lead to a significant improvement in the number of erroneous entrants on the register. The level of the proposed charge at £100 per annum multiplied by the number of years anyone must be on the register before acquiring a building plot is wholly disproportionate to both the cost of maintaining the register and the requirement to deter erroneous applications. I repeat my fundamental point here that no one would willingly pay £100 per year for something which they achieve no direct benefit from and therefore this charge will utterly undermine the purpose of holding such a register and be in defiance of the act which enacted it. As a result</p>		<p>If you enact this it will be contrary to the Act and you will be at risk of legal action</p>	<p>Entry onto the register must be only for entry onto the Register not an annual fee and it must be wholly and directly Justified by the cost of maintaining the register.</p>	<p>Increase CIL and s106 rates Increase the council tax payable on second homes to above 100%</p>	

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			<p>the level of the proposed charge is likely to be unlawful. The act also only permits a charge for entry onto the register and does not permit an annual charge. The act also does not permit a charge which is not Justified by the cost of maintaining the register. For more detail please see the following: Cost recovery Can relevant authorities charge fees to those who apply to be entered on or remain on their register? Relevant authorities can only set fees on a cost recovery basis. Any fees charged must therefore be proportionate, reflect genuine costs incurred and should not act as a deterrent for people to be entered on or remain on the register. To recover their costs of registering an individual or association of individuals, relevant authorities can charge an entry fee to individuals and associations of individuals who apply to be entered on their register. Relevant authorities can charge a different fee to associations than to individuals where they incur a different cost for processing an application from an association of individuals compared with an application from an individual. To recover their costs incurred when complying with the 'duty to grant planning permission etc', relevant authorities can charge a higher entry fee to those whose entry onto the register counts towards the number of plots of permissioned land required. In most cases this will be people on Part 1 of the register where a relevant authority is not exempt from the 'duty to grant planning permission etc'. As a result it is possible that where relevant authorities have set a local connection test and hence have two parts to the register, the fee charged when someone enters Part 1 of the register may be different to the fee charged to someone being entered on Part 2, which would reflect any additional costs of those on Part 1 contributing to demand and hence the number of sites which must have suitable planning permission granted. Source <a href="https://www.gov.uk/guidance/self-build-and-custom-housebuilding">https://www.gov.uk/guidance/self-build-and-custom-housebuilding</a></p>					

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17	Strongly Agree	Strongly Agree	I'm genuinely interested in being on the register and I would like the local authority to focus on the requirements of genuinely interested individuals.			No		
18	Strongly Agree	Strongly Agree	It is unfair at a time of exceptional budget difficulties that developers use loop holes to get round paying for officer time.					
19	Strongly Agree	Agree						
20	Strongly Agree	Strongly Agree	they are requesting a service and should pay for it	no	no	perhaps offer concessions for planning applications relating to adaptations for disability		if you can afford to build a property or extension you should be able to afford to pay for a consultation