

Local Land Charges CON29 Form Changes from 4 July 2016

SUMMARY

- 1.1 The Law Society have revised the questions that we are required to answer relating to the property search process on form CON29.
- 1.2 As a result of the change there are additional questions to be answered that cover a number of different aspects of property information that the council holds. As a result there is an increased cost relating to the time spent answering CON29 questions and we need to revise fees accordingly from Monday 4 July 2016. The cost of a residential property search will increase from £82.50 to £98. The cost of a Commercial search will rise from £249.00 to £275.
- 1.3 There are possible changes to VAT regulations that could increase prices to customers further, however, once details are known that will be the subject of a further report.
- 1.4 A schedule of revised fees and charges from 4 July 2016 is enclosed at Appendix 2.

RECOMMENDATION

- 2.1 To note the change in questions and pricing for the CON29 search form.
- 2.2 To approve the increase in CON29 related fees for property searches to ensure that the Council recovers its costs in respect of the additional work required to answer the revised CON29 questions.

REASONS FOR RECOMMENDATION

- 3.1 To comply with Law Society changes to the standard enquiries made of a Local Authority.
- 3.2 To ensure that necessary costs are recovered in respect of changes to the way we answer CON29 searches.

SUPPORTING INFORMATION

- 4.1 A Local Land Charges property search consists of a search of the items contained in the Local Land Charges Register (LLC1) together with standard questions asked by solicitors on forms CON29 (R) and (O).
- 4.2 The LLC1 is a statutory fee. Answers to CON29 questions are non-statutory but form part of the 'Official' property search offered to customers..
- 4.3 The service generates in the region of £400,000 income per year through LLC1 and CON29 and associated charges.

OTHER OPTIONS CONSIDERED

- 5.1 Consideration has been given to implementing the form changes without increasing charges to customers, however this would result in the Council absorbing the additional cost in responding to CON29 questions, which would cost the authority approximately £30k per year.

This report has been approved by the following officers:

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| Legal officer Financial officer Human Resources officer Estates/Property officer Service Director(s) Other(s) | Janie Berry, Director of Governance and Monitoring Officer Martyn Marples, Director of Finance Diane Sturdy, Organisational Development Manager N/A N/A N/A |
| For more information contact: Background papers: List of appendices: | Mick Styne 01332 641663 mick.styne@derby.gov.uk None Appendix 1 – Implications Appendix 2 – Revised schedule of fees and charges from 4 July 2016 |

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| IMPLICATIONS |
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Financial and Value for Money

- 1.1 The changes to fees outlined in the report are required to ensure that we comply with changes to the questions contained in the CON29 form from Monday 4 July 2016.
- 1.2 Consideration has been given to absorbing the changes within the existing pricing structure, however, this approach would cost the authority in the region of £30k per year.

Legal

- 2.1 The change in pricing structure will ensure that the Council recovers appropriate costs for delivering the revised service offer.

Personnel

- 3.1 There are no implications directly arising from this report

IT

- 4.1 The changes to fees will require minor changes to ICT and income receipting systems.

Equalities Impact

- 5.1 There are no implications directly arising from this report

Health and Safety

- 6.1 There are no implications directly arising from this report

Environmental Sustainability

- 7.1 There are no implications directly arising from this report

Property and Asset Management

- 8.1 There are no implications directly arising from this report

Risk Management

9.1 The change will ensure that the Council remains compliant with form requirements.

Corporate objectives and priorities for change

10.1 There are no implications directly arising from this report