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**To: Planning and Property Policy Board**

**On: 25 August 2015**

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**Report by: Director of Development and Housing Services**

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**Heading: RECOVERY OF FEES FOR THE ADVERTISEMENT OF PLANNING APPLICATIONS**

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**1. Summary**

- 1.1. This report refers to the statutory requirement to advertise certain applications for planning permission and proposed increases to the charges for doing so to align cost recovery more closely with costs actually incurred.
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**2. Recommendations**

- 2.1. That the Board agree that the cost charged to applicants for the purposes of advertising planning applications be raised from £125 to £160 to better reflect the true costs involved and reduce the shortfall currently being absorbed by the Council.
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**3. Background**

- 3.1. The Town and Country Planning (Development Management Procedures) (Scotland) Regulations 2013, which came into force on 30 June, 2013 sets out the circumstances in which an application for planning permission requires to be the subject of publicity through press advertisement. The Town and Country Planning (Charges for Publication of Notices) (Scotland) Regulations 2009 sets out that where a planning authority publish a notice in a newspaper they are to charge the cost of publishing that notice to the applicant.

- 3.2 The Planning and Economic Development Policy Board at the meeting on 20 March, 2012 agreed to the introduction of a flat rate fee in place of the previous arrangements which apportioned costs to applicants on an individual basis. This sought to introduce greater efficiency and certainty into the process for applicants so that they would be aware of the level of fee required before an advert was placed on their behalf; and to counter the random fluctuations depending on the volume of adverts placed in a particular publication on a particular date.
- 3.3 The report also advised that the fee rate should be subject to review to ensure that the statutory publication obligations remain cost-neutral to the Council and so that adjustments could be made either upwards or downwards to address over-recovery or under-recovery as the case may be.
- 3.4 The total annual cost of advertising planning applications in the press remains consistently high at approximately £42,000. Of this, approximately £37,500 should be recoverable from the applicant, approximately £3000 is not re-chargeable to applicants (relating to listed building and similar matters), leaving a shortfall of approximately £20,000 being borne by the Council on the current flat rate levy.
- 3.5 To minimise this level of subsidy and to move to a more cost-neutral basis an increase in the flat rate fee is necessary. To achieve a fully cost-neutral position a doubling of the fee is projected to be necessary. However, a graduated approach is recommended with an initial increase in the flat-rate fee charged to applicants rising from £125 to £160.
- 3.6 Members may wish to note that the introduction of the Town and Country Planning (Development Management Procedures) (Scotland) Regulations 2013 with effect from 30 June, 2013 introduced a more proportionate approach to the circumstances in which applications for planning permission now require to be advertised. These changes avoid unnecessary newspaper advertising where neighbouring land has no premises to which notification can be sent i.e. where neighbouring land is a road or is owned by the planning authority or the applicant; or the proposal is a householder development.
- 3.7 The above regulatory changes mean that householder development (i.e. house extensions and alterations, garden buildings and sheds, and garden walls and fences) are no longer subject to press advertisement to the same degree and would therefore not be affected by any increase in the flat-rate fee. Whilst other forms of non-householder applications would continue to require press advertisement (new house building and industrial and business development, for example) the number of these instances requiring advertisement are likely to be fewer in number; and, whilst affected by the proposed re-charge, in terms of the overall cost of these types of projects, a £35 increase would represent a very small and largely insignificant element of overall project costs.

#### 4. **Conclusion**

- 4.1 It is recommended that the flat rate fee for advertising planning applications be set at £160. This should be subject to annual review to ensure that the statutory publication obligations move towards a cost-neutral position for the Council. This would allow for a downward adjustment to be applied for the following year should any over-recovery emerge, although current estimates suggest that this is unlikely, and to allow for any upward adjustment should there be under-recovery of the Council's outlay on re-chargeable publication costs.

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#### **Implications of the Report**

1. **Financial** – The proposals should be cost neutral.
  2. **HR & Organisational Development** – none.
  3. **Community Planning** –  
**Children and Young People** – none.  
**Community Care, Health & Well-being** – none.  
**Empowering our Communities** – none.  
**Greener** – none.  
**Jobs and the Economy** – none.  
**Safer and Stronger** – none.
  4. **Legal** – none.
  5. **Property/Assets** – none.
  6. **Information Technology** – none.
  7. **Equality & Human Rights** - The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report because the Statutory Instrument making fees rechargeable was subject to Equality Impact Assessment.
  8. **Health & Safety** – none.
  9. **Procurement** – none.
  10. **Risk** – none.
  11. **Privacy Impact** – none.
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## List of Background Papers

- (a) Background Paper 1: Town and Country Planning (Development Management Procedures) (Scotland) Regulations 2013  
Background Paper 2: Town and Country Planning (Charges for Publication of Notices) (Scotland) Regulations 2009

The foregoing background papers will be retained within Development and Housing Services for inspection by the public for the prescribed period of four years from the date of the meeting. The contact officer within the service is David Bryce, Development Standards Manager, 0141 618 7892; david.bryce@renfrewshire.gov.uk

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**Ref:** I:\DIRECTOR\Policy Boards\2015\Planning & Property\25.08.15\Recovery of Fees for the Advertisement of Planning Applications.doc

**Date:** 18/08/2015