

## **BUILDING CONTROL - THE BUILDING (LOCAL AUTHORITY CHARGING) REGULATIONS 2010**

<b>Cabinet Member</b>	Councillor Keith Burrows
<b>Cabinet Portfolio</b>	Planning and Transportation
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<b>Papers with report</b>	Appendix A – Replacement Scheme

### **HEADLINE INFORMATION**

<p><b>Purpose of report</b></p>	<p>The Building (Local Authority Charges) Regulations 2010 (“<b>the Regulations</b>”) came into force on the 1<sup>st</sup> April 2010 and provide the legal framework for the setting of a new Charging Scheme. Local Authorities are authorised to fix, by means of a charging scheme, and to recover their costs for carrying out their main Building Control functions. The Regulations apply to the chargeable elements of the Building Control Service and allow for the setting of plan charges, inspection charges, building notice charges, reversion charges, regularisation charges and for a new category of chargeable advice. The Regulations introduce more flexible charging arrangements whereby the charges set should relate to the costs of carrying out the building regulations chargeable service.</p> <p>Agreement is needed for the introduction of a replacement to Hillingdon’s Building Regulations Charging Scheme 2010 (“<b>the Charging Scheme</b>”) from the 1<sup>st</sup> October 2010, based on the Regulations as outlined in this report (“<b>the Replacement Scheme</b>”).</p> <p>The Replacement Scheme must be made before the 1<sup>st</sup> October, 2010.</p>
<p><b>Contribution to our plans and strategies</b></p>	<p>Building Control functions contribute towards the following plans &amp; strategies:</p> <ul style="list-style-type: none"> <li>• A Borough of Learning &amp; Culture;</li> <li>• A Safe Borough;</li> <li>• A Clean and Attractive Borough;</li> <li>• A Borough with Improving Health, Housing and Social Care;</li> <li>• A borough where opportunities are open to all;</li> <li>• Achieving value for money;</li> <li>• Strengthening planning and performance; and</li> <li>• Building a culture of success.</li> </ul>

<b>Financial Cost</b>	These proposed changes will not have an impact on the projected income, which for 2010/11 stands at £678,000. These new regulations require the Authority to produce a Financial Statement of the Building Regulations Chargeable and Non Chargeable Account, which needs to be approved by the S151 Officer. This statement will need to provide evidence that the chargeable service has not delivered a surplus or deficit. On an annual basis, the Authority will have to hold funds in an earmarked reserve. Surpluses can be re-invested in the service and must be reflected in the following years expenditure in the Financial Statement. Where there are insufficient reserves to fund an in year deficit, the Authority will have to use unallocated General Fund reserves to cover the deficit, these funds will then have to be replenished by the Building Regulations Chargeable account in the following year.
<b>Relevant Policy Overview Committee</b>	Residents' and Environmental Services
<b>Ward(s) affected</b>	All

## RECOMMENDATION

### The Cabinet:

1. **Agrees to the Replacement Scheme as outlined at Appendix A;**
2. **Agrees that the Replacement Scheme and any subsequent amendments to the Replacement Scheme be included in the authority's annual schedule of fees and charges.**

## INFORMATION

### Reasons for recommendation

Adoption of the Replacement Scheme will allow the authority to continue charging for the Building Control Applications.

### Alternative options considered / risk management

There are only two options for the authority. To adopt the scheme or not to adopt it.

To not adopt it would remove the Council's right to charge for the function and all costs would need to be supported by the general fund. This is not recommended.

## Comments of Policy Overview Committee(s)

None at this stage

## Supporting Information

### **THE REGULATIONS AND PROPOSED REPLACEMENT SCHEME.**

In 2009, the Government published a consultation paper '*Proposed Changes to the Local Authority Building Control Charging Regime*' which took into account the responses received to the previous consultation paper '*The Future of Building Control*'.

Following responses to the consultations, the Regulations came into force on the 1<sup>st</sup> April 2010. The Council is obliged, under these Regulations, to ensure a Replacement Scheme is ready by the 1<sup>st</sup> October 2010 at the latest.

The Regulations extend the devolution of building regulation charge setting to Local Authorities and introduce more flexibility and discretion to enable Local Authorities to relate their charges to the actual costs of carrying out their main building regulation functions.

A new overriding accounting objective requires Local Authorities to ensure that "taking one financial year with another" their income is, as nearly as possible, equating to the costs incurred by the authority in carrying out their chargeable functions i.e. to breakeven and achieve full cost recovery. A charging scheme is not to be a profit making exercise.

The Regulations also provide that Local Authorities are required to set out the accounting treatment of income, costs and any surplus income or deficit in an annual financial statement to be approved by the Council's Section 151 Officer with the necessary financial authority prior to publication. Local Authorities are required to calculate their charges by relating the average hourly rate of Building Control officers to the time spent carrying out their Building Control services in relation to particular building work or building work of particular descriptions. The Regulations also provide for an increased number of factors, which Local Authorities can take into account in determining the estimated time to be spent on their Building Control services.

The Council will have the power to determine standard building regulation charges or individually assessed building regulation charges. A charge can now be made for the giving of chargeable building regulation advice. Where charges are made and the amount of work undertaken will be less than originally estimated, a refund will have to be made. But, conversely, if more work is undertaken than originally estimated, a supplementary charge may be made.

An individual determination can be made in all cases where there is no standard charge or, where one or more standard charges apply to the work, with the agreement of the applicant.

It is proposed that the Replacement Scheme, in Appendix A, be authorised to come into effect on 1<sup>st</sup> October 2010. The Replacement Scheme will be based on the London District Surveyors Association (LDSA) Model Charging Scheme 2010, which has been adopted as a model scheme in the London Boroughs.

The new Scheme should result in fairer charges, helping to avoid under or over charging and the consequent deficits or surpluses arising there from. The Regulations introduce more transparency into the building regulations charging regime to safeguard income. The main effect will be to allow Local Authorities to more accurately relate their charges to the actual costs in carrying out their main Building Control functions for individual building projects.

## **Financial Implications**

The Building (Local Authority Charges) Regulations 2010 introduce new flexible building regulation charges which seek to address the inflexibility and restrictions identified in the previous charges regulations made in 1998. They enable Local Authorities to more accurately relate the charges to the costs incurred in carrying out their main building regulation functions to building projects, avoiding over and under charging. The overarching principle being that of full cost recovery and users only pay for the service they receive

The Authority will have to produce a Financial Statement of the Building Regulations Chargeable and Non Chargeable Account as approved by the S151 Officer. This statement will need to provide evidence that the chargeable service has not delivered a surplus or deficit. The CLG guidance suggests that a three year period is reasonable to deliver a breakeven position. On an annual basis, the Authority will have to hold funds in an earmarked reserve. Surplus' can be re-invested into the service and must be reflected in the following years expenditure in the Financial Statement. Where there are insufficient reserves to fund an in year deficit, the Authority will have to use unallocated General Fund reserves to cover the deficit. These funds will have to be replenished by the Building Regulations Chargeable account in the following year.

The proposed London Borough of Hillingdon Regulations Charging scheme 2010 as shown in Appendix A complies with the CIPFA guidance. The fees as stated in the scheme will be reviewed on an annual basis to meet the net breakeven position as stated above.

## **EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES**

### **What will be the effect of the recommendations?**

No impact as charging already in place under the Building (Local Authority Charges) Regulations 1998.

### **Consultation Carried Out or Required**

N/A

## **CORPORATE IMPLICATIONS**

### **Corporate Finance**

Corporate Finance has reviewed the report and confirms their agreement to the financial implications as stated.

## Legal

Members should note that the Building (Local Authority Charges) Regulations 2010 came into force on the 1<sup>st</sup> April 2010 and provide the legal framework for the setting of a new Replacement Scheme.

Local Authorities are authorised to fix, by means of a charging scheme, and to recover their costs for carrying out their main Building Control functions. The Regulations apply to the chargeable elements of the Building Control service and allow for the setting of plan charges, inspection charges, building notice charges, reversion charges, regularisation charges and for a new category of chargeable advice. The Building (Local Authority Charges) Regulations 2010 introduce more flexible charging arrangements whereby the charges set should relate to the costs of carrying out the building regulations chargeable service. Local Authorities who carry out building regulation functions have powers to set charges. When determining charges a Local Authority is required to have regard to the proper costs it incurs in providing the Building Control service. Proper costs are defined in the Building (Local Authority Charges) Regulations 2010 as the costs directly and indirectly incurred in providing the service.

The Chartered Institute of Public Finance and Accountancy (CIPFA) has produced an amended guidance document (*Local Authority Building Control Accounting Guidance for England and Wales, 2010 edition*) to support the new Regulations and to isolate chargeable costs from other Building Control activities. The calculation of the proper costs of providing the service has to be made in accordance with CIPFA guidance.

It should be noted that the Building (Local Authority Charges) Regulations 2010 (Reg 12) impose publicity requirements, which have to be complied with before any new charges come into effect. The requirement is that notice of any new charges has to be published not less than 7 days before they come into operation. It is open to the Local Authority to decide the manner in which such notice is published. Details of where the new scheme of charges can be inspected has to be provided in any notice.

## BACKGROUND PAPERS

- The Building Act 1984
- The Building Regulations 2000
- Consultation paper 'Proposed Changes to the Local Authority Building Control Charging Regime'
- Consultation paper 'The Future of Building Control'
- The Building (Local Authority Charges) Regulations 2010 SI 2010 No. 404
- Explanatory memorandum to the Building (Local Authority Charges) Regulations 2010
- Department for Communities & Local Government Circular 01/2010, 25/2/2010
- Communities & Local Government Circular letter SB/006/010/011, 25/2/2010
- CIPFA Local Authority Building Control Accounting Guidance for England & Wales 2010 edition

THE REPLACEMENT SCHEME

PLANNING ENVIRONMENT & COMMUNITY SERVICES

BUILDING CONTROL SERVICE

SCHEME FOR THE RECOVERY OF  
BUILDING REGULATION CHARGES  
AND  
ASSOCIATED MATTERS

The Building (Local Authority Charges) Regulations 2010

**Scheme of Charges No. 1, 2010**  
Coming into effect on 1st October 2010



# **SCHEME FOR THE RECOVERY OF BUILDING REGULATION CHARGES**

## **THE SCHEME**

1. This scheme may be cited as the London Borough of Hillingdon Building Regulations Charges Scheme No. 1, 2010 ("**the Charges Scheme**"), and comes into effect on the 1<sup>st</sup> October 2010.
2. This Charging Scheme is made under the Building (Local Authority Charges) Regulations, 2010 ("**the Charges Regulations**"). The Charging Scheme includes the following clauses and definitions and tables of standard charges which are an integral part of it. It is advisable to read this Charging Scheme in conjunction with the Charges Regulations.
3. The London Borough of Hillingdon is authorised, subject to and in accordance with the Charges Regulations, to fix such charges as it may determine from time to time by means of its Charging Scheme for or in connection with the performance of its functions relating to building regulations (subject to the exception for Building Work solely required for disabled persons); and to recover those charges from Relevant Persons as provided by the Charges Regulations.
4. The London Borough of Hillingdon is authorised, subject to and in accordance with the Charges Regulations, to amend, revoke or replace any scheme, which has been made by them in accordance with clause 2 above.

## **DEFINITIONS**

The following definitions apply to this Charging Scheme and should be read in conjunction with the other clauses and tables which constitute the Charging Scheme:

### **"Building"**

means any permanent or temporary building but not any other kind of structure or erection, and a reference to a building includes a reference to part of a building;

### **"Building Notice"**

means a notice given in accordance with Regulations 12(2)(A)(a) and 13 of the Building Regulations 2000 (as amended);

### **"Building Work"**

means:

- (a) the erection or extension of a Building;
- (b) the provision or extension of a controlled service or fitting in or in connection with a Building;
- (c) the material alteration of a Building, or a controlled service or fitting;
- (d) work required by Building Regulation 6 (requirements relating to material change of use);
- (e) the insertion of insulating material into the cavity wall of a Building;
- (f) work involving the underpinning of a Building;
- (g) work required by Building Regulation 4A (requirements relating to thermal elements);
- (h) work required by Building Regulation 4B (requirements relating to a change of energy status);
- (i) work required by Building Regulation 17D (consequential improvements to energy performance);

### **“Chargeable Function”**

means a function relating to the following –

- (a) the passing or rejection of plans of proposed Building Work which has been deposited with the Council in accordance with section 16 of the Building Act 1984 (as amended).
- (b) the inspection of building work for which plans have been deposited with the Council in accordance with the Building Regulation 2000 (as amended) and with section 16 of the Building Act 1984 (as amended)
- (c) the consideration of a building notice which has been given to the Council in accordance with the Building Regulations 2000 (as amended)
- (d) the consideration of building work reverting to the Council under the Building (Approved Inspectors etc.) Regulations 2000 (as amended)
- (e) the consideration of a regularisation application submitted to the Council under Regulation 21 of the Building Regulations 2000 (as amended);

### **”Cost”**

does not include any professional fees paid to an architect, quantity surveyor or any other person;

### **“Disabled Person”**

means a person who is within any of the descriptions of persons to whom section 29(1) of the National Assistance Act 1948, as extended by virtue of section 8(2) of the Mental Health Act 1959, applied but is regarding the amendments made by paragraph 11 of Schedule 13 to the Children Act 1989. The words in section 8(2) of the Mental Health Act 1959 which extend the meaning of disabled person in section 29(1) of the National Assistance Act 1948, are prospectively repealed by the National Health Service and Community Care Act 1990, section 66(2), Schedule 10, as from a day to be appointed;

### **”Dwelling”**

includes a Dwelling-house and a Flat;

### **”Dwelling-house”**

does not include a Flat or a Building containing a Flat;

### **“Estimate”**

**means** in relation to the Cost of carrying out Building Work, an estimate, accepted by the Council, of such reasonable amount as would be charged for the carrying out of that Building Work by a person in business to carry out such Building Work (excluding the amount of any value added tax chargeable), and references to “Estimated Cost” shall be construed accordingly;

### **“Flat”**

means a separate and self-contained premises, constructed or adapted for use for residential purposes and forming part of a Building from some other part of which it is divided horizontally;

### **“Floor Area of a Building or Extension”**

**means** the total floor area of all the storeys which comprise that Building. It is calculated by reference to the finished internal faces of the walls enclosing the area, or, if at any point there is no enclosing wall, by reference to the outermost edge of the floor; and

### **“Relevant Person”**

means:

- (a) in relation to a plan charge, inspection charge, reversion charge or Building Notice charge, the person who carries out the Building Work or on whose behalf the Building Work is carried out;
- (b) in relation to a regularisation charge, the owner of the building; and
- (c) in relation to chargeable advice, any person requesting advice for which a charge may be made pursuant to the definition of 'Chargeable Advice'.

## **PRINCIPLES OF THIS SCHEME**

The set charges or method of establishing the charge have been established in this scheme for the functions prescribed in the Charges Regulations, referred to as the Chargeable Functions), namely:

- **A plan charge**, payable when plans of the Building Work are deposited with the Local Authority;
- **An inspection charge**, payable on demand after the Local Authority carry out the first inspection in respect of which the charge is payable;
- **A Building Notice charge**, payable when the Building Notice is given to the Local Authority;
- **A reversion charge**, payable for Building Work in relation to a Building: -
  1. Which has been substantially completed before plans are first deposited with the Local Authority in accordance with Regulation 20(2)(a)(i) of the Building (Approved Inspectors etc) Regulations 2000 ("**the Approved Inspectors Regulations**"), or
  2. In respect of which plans for further building work have been deposited with the Local Authority in accordance with the Regulation 20(3) of the Approved Inspectors Regulations, on the first occasion on which those plans are or have been deposited.
- **A regularisation charge**, payable at the time of the application to the Local Authority in accordance with Regulation 21 of the Building Regulations 2000 ("**the Building Regulations**");
- **Chargeable advice**, Local Authorities can make a charge for giving advice in anticipation of the future exercise of their Chargeable Functions (i.e. before an application or notice is received for a particular case), which is payable after the first hour of advice, on demand after the Local Authority has given notice required by Regulation 7(7) of the Charges Regulations (i.e. the charge has been confirmed in writing following an individual determination). This charge can be discounted from a subsequent application or notice received for the work in question ("**Chargeable Advice**");
- The above charges are payable by the Relevant Person;
- Any charge which is payable to the Local Authority may, in a particular case, and with the agreement of the Local Authority, be paid by instalments of such amounts payable on such dates as may be specified by the Local Authority. If the applicant and an Local

Authority are agreeable, an inspection charge can be fully or partly paid up front with the plans charge; and

- The charge for providing a Chargeable Function or Chargeable Advice is based on the principle of achieving full Cost recovery. The charges will be calculated by using the Council officers' average hourly rate stated in the Charging Scheme, multiplied by the time taken to carry out the functions/advice, taking the following factors into account, as applicable, in estimating the time required by officers to carry out the function/advice:
  1. The existing use of a Building, or the proposed use of the Building after completion of the Building Work;
  2. The different kinds of Building Work described in Regulation 3(1)(a) to (i) of the Building Regulations;
  3. The Floor Area of the Building or Extension;
  4. The nature of the design of the Building Work and whether innovative or high risk construction techniques are to be used;
  5. The estimated duration of the Building Work and the anticipated number of inspections to be carried out;
  6. The Estimated Cost of the Building Work;
  7. Whether a person who intends to carry out part of the Building Work is a person mentioned in Regulation 12(5) or 20B(4) of the Building Regulations (i.e. related to competent person/self certification schemes);
  8. Whether in respect of the Building Work a notification will be made in accordance with Regulation 20A(4) of the Building Regulations (i.e. where design details approved by Robust Details Ltd have been used);
  9. Whether an application or Building Notice is in respect of two or more Buildings or Building Works all of which are substantially the same as each other;
  10. Whether an application or Building Notice is in respect of Building Work, which is substantially the same as Building Work in respect of which plans have previously been deposited or Building Works inspected by the same local authority;
  11. Whether Chargeable Advice has been given which is likely to result in less time being taken by a Local Authority to perform that function;
  12. Whether it is necessary to engage and incur the Costs of a consultant to provide specialist advice in relation to a particular aspect of the Building Work.

#### **PRINCIPLES OF THE SCHEME IN RESPECT OF THE ERECTION OF DOMESTIC BUILDINGS, GARAGES, CARPORTS AND EXTENSIONS**

- Where the charge relates to an erection of a Dwelling, the charge includes for the provision of an attached domestic garage or carport providing it is constructed at the same time as the Dwelling.

- Where any Building Work comprises or includes the erection of more than one extension to a Building, the total floor areas of all such extensions shall be aggregated to determine the relevant charge payable, providing that the Building Work for all aggregated extensions is carried out at the same time, with the exception of loft conversions which are charged separately.

### **EXEMPTION FROM CHARGES**

The Local Authority has not fixed by means of its Charging Scheme, nor intends to recover a charge in relation to an existing Dwelling that is, or is to be, occupied by a Disabled Person as a permanent residence; and where the whole of the Building Work in question is solely:-

- (a) for the purpose of providing means of access for the Disabled Person by way of entrance or exit to or from the Dwelling or any part of it; or
- (b) for the purpose of providing accommodation or facilities designed to secure the greater health, safety, welfare or convenience of the Disabled Person.

The Council has not fixed by means of its Charging Scheme, nor intends to recover a charge for the purpose of providing accommodation or facilities designed to secure the greater health, safety, welfare or convenience of a Disabled Person in relation to an existing Dwelling, which is, or is to be, occupied by that Disabled Person as a permanent residence where such work consists of:-

- (a) the adaptation or extension of existing accommodation or an existing facility or the provision of alternative accommodation or an alternative facility where the existing accommodation or facility could not be used by the Disabled Person or could be used by the Disabled Person only with assistance; or
- (b) the provision of the extension of a room which is or will be used solely:-
  - i. for the carrying out for the benefit of the Disabled Person of medical treatment which cannot reasonably be carried out in any other room in the Dwelling; or
  - ii. for the storage of medical equipment for the use of the Disabled Person; or
  - iii. to provide sleeping accommodation for a carer where the disabled person requires 24-hour care.

The Council has not fixed by means of its Charging Scheme, nor intends to recover a charge in relation to an existing Building to which members of the public are admitted (whether on payment or otherwise); and where the whole of the Building Work in question is solely:-

- (a) for the purpose of providing means of access for Disabled Persons by way of entrance or exit to or from the Building or any part of it; or
- (b) for the provision of facilities designed to secure the greater health, safety, welfare or Disabled Persons.

## **INFORMATION REQUIRED TO DETERMINE CHARGES**

If the Local Authority requires additional information to enable it to determine the correct charge the Local Authority can request the information under the provisions of Regulation 9 of the Charges Regulations.

The standard information required for all applications is detailed on the Local Authority's building regulation application forms. This includes the existing and proposed use of the Building and a description of the Building Work.

Additional information may be required in relation to:–

- The floor area of the Building or extension;
- The estimated duration of the Building Work and the anticipated number of inspections to be carried out;
- The use of competent persons or Robust Details Ltd;
- Any accreditations held by the builder or other member of the design team;
- The nature of the design of the Building Work and whether innovative or high-risk construction is to be used; or
- The Estimated Cost of the Building Work. If this is used as one of the factors in establishing a charge the 'Estimate' is required to be such reasonable amount as would be charged by a person in business to carry out such Building Work (excluding the amount of any value added tax chargeable).

## **ESTABLISHING THE CHARGE**

This Local Authority has established standard charges using the principles contained within the Charges Regulations. Standard charges are detailed in the following tables. In the tables, any reference to a number of storeys includes each basement level as one-storey and floor areas are cumulative.

If the Building Work to be undertaken is not listed as a standard charge, it will be individually determined in accordance with the principles and relevant factors contained within the Charges Regulations. If the Local Authority considers it necessary to engage and incur the Costs of a consultant to provide specialist advice or services in relation to a particular aspect of Building Work, those Costs shall also be included in setting the charge.

When the charge is individually determined, the Local Authority shall calculate the charge in the same way a standard charge was set by using the average hourly rate of officers' time, multiplied by the estimated time taken to carry out their building regulation functions in relation to that particular piece of Building Work, and taking into account the applicable factors listed in Regulation 7(5) of the Charges Regulations.

Individually determined charges will be confirmed in writing specifying the amount of the charge and the factors that have been taken into account in determining the charge.

The charges for the following types of Building Work will be individually determined and the Local Authority will state which factors in Regulation 7(5) of the Charges Regulations it has taken into account in establishing a standard or individually determined charge:-

- A reversion charge;
- The Building Work is in relation to more than one Building; or
- Building work consisting of alterations to a Building where the Estimated Cost exceeds £75,000 (domestic) and £150,000 (non-domestic); or
- The work consists of a non-domestic extension or new build and the floor area exceeds 100m<sup>2</sup>; or
- The work consists of a domestic extension with a floor area over 100m<sup>2</sup>; or
- The work consists of a domestic garage, garage conversion, loft conversion, or basement with a floor area over 100m<sup>2</sup>; or
- The work consists of the erection or conversion of 10 or more Dwellings; or
- The work consists of the erection or conversion of 10 or more Flats; or
- The work consists of a warehouse with a floor area over 1000m<sup>2</sup>, or
- Any other controlled work not listed in the charges tables; or
- Where more than one standard charge applies to the Building Work and, with the agreement of the Relevant Person, the Local Authority will establish the charge by individually determining the charge.

## **OTHER MATTERS RELATING TO CALCULATION OF CHARGES**

- In calculating these charges, refunds or supplementary charges, an officer hourly rate of £102 has been used.
- Any charge payable to the Local Authority shall be paid with an amount equal to any value added tax payable in respect of that charge.
- Charges are not payable for the first hour when calculating Chargeable Advice.
- The Local Authority may accept payment of the inspection charge by instalment in respect of all Building Work where that charge exceeds £1, 500. The Local Authority on request will specify the amounts payable and dates on which instalments are to be paid.

## **REDUCTIONS**

Reduced charges may be applied for individually assessed charges when work, or the relevant part of the work, has been, or intends to be carried out by a person mentioned in Regulation 12(5) or 20B(4) of the Building Regulations in respect of that part of the work, (*i.e. Competent person/self-certification schemes or other defined non-notifiable work*).

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Reduced charges may be made in relation to individually assessed charges when a notification is made in accordance with Regulation 20A(4) of the Building Regulations , (*i.e. where, for the purpose of achieving compliance with Requirement E1 of the Principal Regulations, design details approved by Robust Details Limited have been used*).

The Local Authority shall make a reduction in a standard or individually determined charge when Chargeable Advice has been given before receipt of an application or notice for proposed Building Work, which is likely to result in less time being taken by the Local Authority to perform the Chargeable Function for that work.

A reduction may be applied when it is intended to carry out additional Building Work on a Dwelling at the same time that any of the fixed charges are applied. This will be determined by the Building Control Manager with the permission of the Head of the Building Control Service. Alternatively, the charge may be individually determined, with the agreement of the applicant.

Where, in accordance with Regulation 7(5)(i) of the charges regulations, one application or building notice is in respect of two or more Buildings, or building works all of which are substantially the same as each other, a reduction of the standard plan /Building Notice / Inspection charge may be made.

Where in accordance with Regulation 7(5)(j) of the Charges Regulations an application or Building Notice is in respect of Building Work which is substantially the same as Building Work in respect of which plans have previously been deposited or building works inspected by this authority within the preceding 3 years, a reduction for the plan / Building Notice charge may be made.

Reductions up to 25% are determined by the Building Control Manager and agreed by the Head of the Building Control Service. Reductions greater than 25% are determined by the Building Control Manager and agreed by the Director of Finance and the relevant Cabinet Portfolio Holder.

## **REFUNDS AND SUPPLEMENTARY CHARGES**

If the basis on which the charge has been set or determined changes, the Local Authority will refund or request a supplementary charge and provide a written statement setting out the basis of the refund/supplementary charge, and also state how this has been calculated. In the calculation of refunds/supplementary charges no account shall be taken of the first hour of an officer's time.

Where for any reason the Council does not give notice of passing or rejection of plans within the period required by section 16 of the Building Act 1984 (as amended), any plan charge paid will be refunded.

There is no entitlement to a refund of any regularisation charge paid, particularly if the Council cannot determine what work is required to comply with the relevant requirements.

## **NON-PAYMENT OF CHARGES**

Your attention is drawn to Regulation 8(2) of the Charges Regulations, which explains that plans are not treated as being deposited for the purposes of section 16 of the Building Act 1984 or Building Notices given unless the Council has received the correct charge. In other words,

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relevant timescales do not start until the agreed payment has been made. The debt recovery service of this authority will also pursue any non-payment of a charge.

## **COMPLAINTS ABOUT CHARGES**

Complaints about the level of charges should initially be raised with the Building Control Service Manager. The Council has a comprehensive complaint handling process. If your complaint is not satisfactorily responded to by the officer concerned, details of how to resolve your complaint is available on request and can be viewed on the Council's web site - [www.hillingdon.gov.uk](http://www.hillingdon.gov.uk).

## **TRANSITIONAL PROVISIONS**

The London Borough of Hillingdon Building Regulation Scheme of Charges No. 4 2009, will continue to apply to Building Work within the area of the London Borough of Hillingdon in relation to building work for which plans were first deposited, a building notice given, a reversion charge becoming payable, or a regularisation application made, between 1<sup>st</sup> September 2006 and 31<sup>st</sup> March 2009 (inclusive).

The London Borough of Hillingdon Building Regulation Scheme of Charges No.5, 2009, will continue to apply to Building Work within the area of the London Borough of Hillingdon in relation to Building Work for which plans were first deposited, a building notice given, a reversion charge becoming payable, or a regularisation application made, between 1st April 2009 and 30<sup>th</sup> September 2010 (inclusive).

## **STANDARD CHARGES**

Standard charges includes works of drainage in connection with the erection or extension of a Building or Buildings, even where those works are commenced in advance of the plans for the Building(s) being deposited.

These standard charges have been set by the Local Authority on the basis that the Building Work does not consist of, or include, innovative or high risk construction techniques (details available from the authority) and/or the duration of the Building Work from commencement to completion does not exceed 12 months.

The charges have also been set on the basis that the design and Building Work is undertaken by a person or company that is competent to carry out the design and Building Work referred to in the standard charges tables that they are undertaking. If not, the work may incur supplementary charges.

If Chargeable Advice has been given in respect of any of the work detailed in these tables and this is likely to result in less time being taken by the authority then a reduction to the standard charge will be made.

### **Plan and Inspection Charges**

The plan charge and inspection charge are listed in the following tables.

### **Building Notice Charge**

Where Building Work is of a relatively minor nature, the Building Notice charge is the same as the total plan and inspection charge. In relation to more complex work, the time to carry out the

building regulation function may be higher resulting in a higher charge for using the Building Notice procedure.

### **Reversion Charge**

These charges will be individually determined.

### **Regularisation Charge**

The charge is listed in the following tables.

### **FURTHER INFORMATION:**

Further information and advice concerning building regulation charges and the London Borough of Hillingdon Charges Scheme, can be obtained from:

London Borough of Hillingdon

Building Control

Civic Centre

High Street

Uxbridge

Middlesex

UB8 1UW

Tel: 01895 250804/05/06

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Signed \_\_\_\_\_ Dated: \_\_\_\_/\_\_\_\_/\_\_\_\_

**Jean Palmer**

**Corporate Director – Planning, Environment & Community Services**

## SCHEDULE OF FEES

Project Category	£
<b>Domestic Charges</b>	
<b>Domestic Extension</b>	
Extensions less than 40m <sup>2</sup>	505
Extensions between 40 & 60m <sup>2</sup>	505
Extensions more than 60m <sup>2</sup> (up to 100m <sup>2</sup> )	606
<b>Extensions &amp; loft conversions – with the following other works within the existing house - Installation of new WC / shower / bath or basin within existing room</b>	
Extensions less than 40m <sup>2</sup>	505
Extensions between 40 & 60m <sup>2</sup>	505
Extensions more than 60m <sup>2</sup> (up to 100m <sup>2</sup> )	606
<b>Other Domestic Buildings</b>	
<b>Detached Garage/Carport or attached Conservatory</b>	
Floor area less than 40m <sup>2</sup>	404
More than 40m <sup>2</sup>	606
<b>Insulated detached building e.g. store/ gym / playroom</b>	
Floor area less than 40m <sup>2</sup>	404
More than 40m <sup>2</sup> (up to 100m <sup>2</sup> )	606
<b>Other works to single Dwellings</b>	
Installation of new WC / shower / bath or basin within existing room	202
Formation of new WC / shower room / bathroom	202
Removal of chimney breast(s)	202
Formation of a structural opening in a wall e.g. a simple through lounge	202
Formation of a structural opening in a wall with removal of chimney breast(s) e.g. a simple through lounge	303
Formation of a structural opening in a wall requiring new foundations, piers, columns etc.	303
Formation of a structural opening in a wall requiring new foundations, piers, columns etc. with removal of chimney breast(s)	303
Replacement of roof weathering (flat & pitched)	202
Underpinning up to 6m	404
Replacement or installation of 5 or fewer new windows / rooflights	202
(Re-)plastering or (re-)rendering to external wall (at least half of room in extent) (up to 50m <sup>2</sup> )	101
Electrical wiring (up to 4 bed Dwelling - 12 circuits)	303

<b>Conversion work</b>	
Attached / detached garage to habitable use	404
Conservatory to habitable use (e.g. conservatory)	404
Conversion of existing building into 5 or fewer self-contained flats	606
Conversion of one flat / house into two	606
<b>Erection of new houses &amp; flats</b>	
1 new house	505
2 new houses	606
3 new houses	707
4 new houses	808
More than 5 new houses (up to 10)	1,010
Up to 5 Flats	707
More than 5 flats (up to 10)	909
<b>Commercial Charges</b>	
<b>Shops &amp; offices</b>	
<b>Small extensions –only</b> (Internal floor areas)	
Less than 40m <sup>2</sup>	505
Between 40m <sup>2</sup> & 60m <sup>2</sup>	606
More than 60m <sup>2</sup> (up to 100m <sup>2</sup> )	808
	0
<b>Detached shed or covered yard</b>	0
Less than 40m <sup>2</sup>	404
More than 40m <sup>2</sup> (up to 100m <sup>2</sup> )	606
New shop front (up to 10m)	202
Installation of ATM to existing shop front	101
Installation of new roof light / smoke vents to existing roof (up to 5)	202
<b>Fitting out works</b> including WC's, staff kitchen etc	
Up to 500m <sup>2</sup>	303
More than 500m <sup>2</sup>	404
Formation of staff kitchen (up to 10m <sup>2</sup> )	202
Formation of commercial kitchen	303
Formation of structural opening (1 opening)	202
Formation of structural openings (up to 5 openings)	303
Formation of new WC / shower room / bathroom fit out	202
Installation of new WC / shower / bath or basin within existing room fit out	101
New Partitions to form office / room(s) in existing building (up to 10m in length) fit out	202
New Air-conditioning installation	101
New emergency lighting / smoke detection (up to 500m <sup>2</sup> )	101
New suspended ceilings (up to 500m <sup>2</sup> )	101
Replacement fire doors to corridor or stairs (up to 5 doors)	101

<b>General to all commercial</b>	
<b>New mezzanine floor</b>	
Up to 500m <sup>2</sup>	303
More than 500m <sup>2</sup> (up to 1000m)	404
Replacement roof covering (flat or pitched roof) (up to 500m <sup>2</sup> )	202
Underpinning (up to 10m run in wall length)	606
New wall / partition (up to 10m in length)	202
Replacement or installation of 5 or fewer new windows / roof lights	202
<b>Other Commercial</b>	
<b>Factory</b>	
Warehouses (up to 1000m <sup>2</sup> )	404
Schools	2,020
Assembly Buildings	2,020
Commercial	2,020
Public houses	2,020
Hotels	2,020
Hospitals	2,020

***Charges quoted are exclusive of VAT***