

**OXFORD CITY COUNCIL
EXECUTIVE BOARD
4th April 2005**

Report of: Interim Business Manager, Legal & Democratic Services

Title: Land Charges Fees

Ward: all

Report author: Tim Revell
Contact Tel No: 01865 252224
E-mail address: trevell@oxford.gov.uk

Key Decision: No

Lead Member: Councillor Bill Baker

Scrutiny responsibility: Finance and Performance Management

RECOMMENDATION

That the Executive Board agrees to:

Increase the land charges fees with effect from 1st May 2005 in accordance with the schedule in paragraph 6.

Summary

1. This report asks the Executive Board to increase the land charges fees.

Background and context

2. The main function of the Land Charges service is to carry out official and personal searches on behalf of prospective purchasers of housing and land under the Local Land Charges Act 1975. The Council guarantees the information given in official searches. All standard questions are answered except those relating to drainage which must be directed to Thames Water Utilities in Reading. Customers are predominantly solicitors and personal search agents who undertake searches on behalf of prospective purchasers of properties and land within the city.
3. Fees for a basic search (LLC1) of the local land charges register either by postal application or personally are set by regulations while those for full searches (CON29) which provide an additional range of

information about a property are set by the local authority. Fees in Oxford have not been changed since 2001 and consequently do not reflect the increased costs of providing the service since then (salaries, supplies & services etc) and have fallen below those in the other Oxfordshire districts. As part of its move towards meeting its e-government targets searches can be received electronically via the National Land Information Service (NLIS). Ultimately this method will be used for all searches and to encourage increased take up differential pricing has been adopted by many local authorities including Oxford. It is suggested that to encourage this process further the NLIS search fee remain unchanged.

Comparative information

4. The discretionary fees currently charged in Oxfordshire are:

Local Land Charges fees for 2005/06				
<i>local authority</i>	<i>standard search</i> £	<i>NLIS</i> £	<i>optional enquiries</i> £	<i>additional enquiries</i> £
South Oxford	115	113	10	20
Vale of White Horse	112	110	11	20
West Oxfordshire	110	105	11	18
Cherwell	99*	97	10	20
Oxford	96	94	8	15

* Reduction in fee from £102 to £99 wef 1.2.2005 to try to compete with personal searchers

Activity levels

5. The number of searches received each year varies considerably depending on the state of the local housing market. Total searches received in recent years are:

2000/01	4,020	£350,192
2001/02	4,383	£401,406
2002/03	4,355	£353,718
2003/04	4,687	£353,182
2004/Feb05	3,814	£270,980
2004/05 (projected)	4,300	£310,000

Financial implications

6. If the current fees were increased taking account of the rate of inflation, increases in other council charges and the rates set by comparable authorities since the last increase in 2001 they would be:

standard search	£106
NLIS search	£94
optional enquiries	£10
additional enquiries	£20

Based on the current level of searches received this would generate additional revenue of approximately £27,000 in a full year which will help meet the budgeted income target. For 2005/06 it is suggested that these fees be increased with effect from 1st May 2005 to allow time to notify local solicitors and search agents.

Legal implications

7. The service is provided under the Local Land Charges Act 1975 which requires the registering authority to compile the local land charges register for its administrative area and answer search enquiries (LLC1) upon payment of the prescribed fee. A full search (CON29) providing a wider range of information may also be provided for which the registering authority may set a fee.

THIS REPORT HAS BEEN SEEN AND APPROVED BY:

Portfolio Holder: Councillor Bill Baker

Legal and Democratic Services: Tim Revell

Financial Management: Paul Sheppard

Background papers: None