

CABINET MEMBER FOR REGENERATION AND ENVIRONMENT

**Venue: Town Hall,
Moorgate Street,
Rotherham. S60 2TH**

Date: Monday, 20th September, 2010

Time: 10.30 a.m.

A G E N D A

1. To determine if the following matters are likely to be considered under the categories suggested, in accordance with Part 1 of Schedule 12A (as amended March 2006) to the Local Government Act 1972.
2. To determine any item which the Chairman is of the opinion should be considered later in the agenda as a matter of urgency.
3. Minutes of previous meetings held as follows:-
 - (i) Cabinet Member for Economic Development, Planning and Transportation – 19th July, 2010
 - (ii) Cabinet Member for Regeneration and Environment – 9th August, 2010

For signature by the Cabinet Member
(see minutes present to Council 15th September, 2010 – white book)

Presentation:-

4. Riverside House Layouts.
Paul Smith, Worksmart Manager.

Reports for consideration:-

5. Walesmoor Avenue, Kiveton Park - Proposed Traffic Calming Scheme. (report attached) (Pages 1 - 5)
Imran Mohammed, to report.
 - to consider proposals for a traffic calming scheme on Walesmoor Avenue.
6. Rotherham Growth and Prosperity - European Regional Development Fund bid. (report attached) (Pages 6 - 8)
Simeon Leach, Economic Strategy Manager, to report.
 - to inform Cabinet Member of the submission of an ERDF bid.

7. Salt Bin Policy. (report attached) (Pages 9 - 12)
Neil Ayrtton, Streetpride UKPMS Engineer, to report.
 - to summarise how Streetpride salt bins are provided and maintained and sets out proposals to change the way they are managed and consider the proposed salt bin policy.

8. Building Control Fee Charges. (report attached) (Pages 13 - 29)
Keith Hirst, Building Control Manager, to report.
 - to consider the Rotherham Metropolitan Borough Council Building Regulations Charging Scheme 2010 (including the proposed fees), to come into effect from 1st October 2010.

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| ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS |
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|-----------|------------------------|--|
| 1. | Meeting: | Regeneration and Development |
| 2. | Date: | 20 September 2010 |
| 3. | Title: | Walesmoor Avenue, Kiveton Park- ; Ward 18 Proposed Traffic Calming Scheme |
| 4. | Programme Area: | Environment and Development Services |

5. Summary

Proposals for a traffic calming scheme on Walesmoor Avenue, Littlemoor Avenue, Sycamore Avenue, Kiveton Park, and the results of the associated consultation exercise.

6. Recommendations

- i) **The results of the consultation exercise for the proposed scheme be noted.**
- ii) **Authority be given for the detailed design to be carried out and for the scheme to be implemented.**

7. Proposals and Details

It is proposed to install 12 round topped road humps, 75mm high by 3.7metres long in the location shown on the plan in Appendix 1.

The proposed traffic calming scheme has been initiated as a result of the new housing development currently taking place to the south-east of Walesmoor Avenue. The layout of the roads within the new housing development have been designed to encourage motorists to travel at low speeds.

Walesmoor Avenue, along which vehicles will have to travel between the new estate and Wales Road, is different in character, due to the era in which it was constructed and as a consequence vehicle speeds are likely to be higher. Therefore to ensure consistently lower vehicle speeds in the area it is proposed to introduce traffic calming on Walesmoor Avenue and adjacent roads.

178 consultation letters, (attached in Appendix 2) were hand delivered to the residents on Walesmoor Avenue, Sycamore Avenue, Rothermoor Avenue, Littlemoor Avenue, Highmoor Avenue, Church Close.

87 residents sent back the consultation letters with their comments.

79 residents were in favour of the scheme.

8 residents were not in favour of the scheme. Their comments are listed below;

Seven out of eight residents complained about the road condition suggesting that the roads need repairing before the road humps can be installed. In this instance the funding for this scheme is being provided as part of the section 278 works associated with the strata homes development and is specific to traffic calming works as opposed to highway maintenance. However some localised repairs works will be undertaken as part of this scheme in order to construct the road humps to a satisfactory standard. With other repair works been undertaken as part of the borough wide maintenance programme.

One out of eight residents suggested that the road humps will cause accidents on the estate as there are a lot of children that ride bikes, allowing them to pass down the side of the road humps.

There is no evidence of this on other traffic calming schemes and we do not foresee that this will be an issue for this traffic calming scheme.

8. Finance

£30,000 has been made available by the developer of the adjacent housing estate, as part of the planning approval of the development, to introduce traffic calming on Walesmoor Avenue and surrounding roads. This will cover the construction of the scheme and associated design fees.

9. Risks and Uncertainties

The costs of introducing the traffic calming is subject to the need to divert statutory Undertakers' apparatus.

10. Policy and Performance Agenda Implications

The scheme is in line with objectives set out in the South Yorkshire Local Transport Plan, and the associated Road Safety and Casualty Reduction Strategy, for improving road safety and managing traffic. In addition, the proposal is in line with the Councils' main themes of Alive, Safe and Achieving; and also accords with the Equalities Policy.

11. Background Papers and Consultation

Consultation with ward members, Parish council, emergency services and general public has been undertaken. No objections have been received.

Contact Name : *Imran Mohammed, Assistant Engineer, Ext. 22953,*
Imran.Mohammed@rotherham.gov.uk

Environment & Development Services

Bailey House | Rawmarsh Road | Rotherham | S60 1TD

Tel: 01709 822380 Fax: 01709 822370

E:mail: andrew.lee@rotherham.gov.uk

My Reference
129/U118

Your Reference

Please ask for:
Andrew Lee

Add1

date

Add2

Add3

Add4

Postcode

Dear

Walesmoor Avenue, Wales / Kiveton Park – Proposed traffic calming scheme (consultation letter)

With reference to the above, please find attached details of a proposed traffic calming scheme for Walesmoor Avenue, Littlemoor Avenue and Sycamore Avenue, Wales, which is being proposed as part of the housing development currently taking place to the south-east of Walesmoor Avenue.

Subject to the results of the consultation, it is proposed to install twelve round-topped road humps, 75mm high by 3.7metres long in the locations shown on the attached plan, with funding for the scheme being made available by the developer.

Although the layout of the roads within the new housing development have been designed to encourage motorists to travel at low speeds, Walesmoor Avenue is different in character, due to the era in which it was constructed, as a consequence vehicle speeds are likely to be higher. Therefore, to ensure consistently lower vehicle speeds in the area, it is proposed to introduce traffic calming measures along Walesmoor Avenue and adjoining roads.

Although no timescale has been set for introducing this scheme, I would be grateful to receive any comments you may have on the proposal at your earliest convenience, together with an indication as to whether you are in agreement with the scheme, or not. Should I not hear from you by 10 July 2009, I will assume you do not have any objections.

I trust this is acceptable, however, if you wish to discuss this scheme further please do not hesitate to contact me.

Yours

Andrew Lee

Planning and Regeneration Service

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

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|-----------|------------------------|--|
| 1. | Meeting: | Cabinet Member for Regeneration and Environment |
| 2. | Date: | 20th September 2010 |
| 3. | Title: | Rotherham Growth & Prosperity – ERDF bid |
| 4. | Programme Area: | Environment and Development Services |

5. Summary

This paper informs the Cabinet Member of an ERDF bid, to be submitted by the RiDO Business Development Team, which will seek funding support to deliver the Soft Landing Zone activity in the Council's Business Incubation Centres

6. Recommendations

- To note the report.
 - To endorse the submission of the Outline Business Plan (OBP) and the development of a Full Business Plan (FBP) for the project.
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7. Proposals and Details

RiDO has recently been successful in securing Soft Landing Zone status for its network of Business Incubation Centres, from the National Business Incubation Association (NBIA). This award, of which Rotherham is one of only two in the UK, means that it has been identified as having specialized programs and/or facilities for helping companies break into new markets.

This 3-year ERDF project builds on the NIBA Award and two decades of successful delivery of incubation programmes and inward investment. RiDO sees its next phase of development as capturing international business, and growth of existing businesses in to global markets. The first aspect of this being encouraging additional successful knowledge based business to set up in Rotherham by attracting foreign business. The second aspect being working with home grown talent to develop ideas that have true potential to create export focused businesses through accelerated development and support.

To work with the two Sheffield universities - utilising web based forums, where access to potential ideas for graduates and existing South Yorkshire Businesses would be available, encouraging spin out businesses.

Rotherham MBC requires ERDF funding to fill the funding gap, which is being sought under Priority 2 under which the project fits well. This project will attract and grow high technology businesses in to Rotherham delivering 15 foreign businesses locating in Rotherham, and 30 Business to have developed a business plan to expand into foreign markets.

8. Finance

The project currently has a proposed total cost of £1,384,615. ERDF will provide £900,000 of this, with the remainder coming from RMBC through the time of existing staff and the use of facilities within the Business Incubation Centres. This means that ERDF is being claimed at the maximum intervention rate of 65%

9. Risks and Uncertainties

A number of potential risks in delivery of the project have been identified during its development. More details on these risks can be found in the OBP along with mitigating actions for each of them.

Securing of the money is not certain until final approval of the Full Business Plan (FBP) has been secured and a contract signed. However, eligible spend can be defrayed from the date the OBP was approved (1st September 2010), although this is at risk until the contract is signed.

10. Policy and Performance Agenda Implications

The project will contribute towards the achievement of the following strategic priorities under the Achieving Theme of the Community Strategy:-

- Promote innovation, enterprising behaviour, competitiveness and sustainability.

- Promote business start ups, growth and inward investment

11. Background Papers and Consultation

A copy of the Outline business plan for the project is attached as an appendix to this paper.

RMBC Finance have been consulted on this report

Contact Name:

Simeon Leach

Economic Strategy Manager

Tel: 01709 82 3828

E-mail: simeon.leach@rotherham.gov.uk

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

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| 1. | Meeting: | CABINET MEMBER FOR REGENERATION AND ENVIRONMENT |
| 2. | Date: | 6 SEPTEMBER 2010 |
| 3. | Title: | SALT BIN POLICY |
| 4. | Directorate: | ENVIRONMENT AND DEVELOPMENT SERVICES |

5. Summary

The report summarises how Streetpride salt bins are provided and maintained and sets out proposals to change the way they are managed. The proposed salt bin policy is attached in Appendix A.

6. Recommendations

That the proposed policy for the management of salt bins is agreed.

7. Proposals and Details

Streetpride currently provides salt bins at known and anticipated trouble spots off the precautionary salting network and at very steep locations on the salting routes. A risk assessment is undertaken at sites where a salt bin has been requested although the current policy does not define specific criteria for this assessment.

A review of Winter Service has been undertaken following the experiences of the severe weather between December 2009 and March 2010. The provision and management of salt bins formed part of this review.

The new policy defines six specific criteria that will need to be assessed for each salt bin application. For a bin to be provided the proposed site must meet one or more of these. The new criteria are:

- Gradients steeper than 1 in 10
- Approaches to junctions that are on an incline
- Sharp bends
- Sites that are sheltered from sunlight for prolonged periods
- Heavily pedestrianised areas and footways such as town centres and busy shopping areas
- Locations that are commonly used by vulnerable users

Each bin will remain on site throughout the year and not be collected and returned to the depot at the end of the winter season as in previous years.

The savings produced by not taking in bins are proposed to be used to fund the provision of additional bins meeting the criteria up to a maximum of twenty five new bins per annum (currently 314). Salt bins will not be provided for use on unadopted highways, private properties, residential parking areas and garage sites and should a bin become misused or vandalised then it will be removed.

Any sites meeting the criteria but not able to be funded will be reconsidered for future years.

8. Finance

Winter Service is financed from the Streetpride Revenue budget.

9. Risks and Uncertainties

During the severe weather of the 2009/ 2010 winter season we received an unprecedented number of salt bin requests over this period. It is extremely difficult to predict how many salt bin requests we will receive each year and therefore how many extra bins we will need to provide in the future.

10. Policy and Performance Agenda Implications

Rotherham Safe – Winter services are designed to meet the legal duty to ensure, so far as is reasonably practicable, that the safe passage along a highway is not endangered by snow or ice.

11. Background Papers and Consultation

Copy of proposed salt bin policy is attached to the report.

12. Contact Name: Neil Ayrton, Streetpride UKPMS Engineer, ext 22826, neil.ayrton@rotherham.gov.uk

APPENDIX A

Salt Bin Policy

Salt bins are provided and filled before the start of the winter season and they are to remain on site throughout the year. They are provided and maintained for "self-help" so that highway users can treat adopted roads and footways themselves. The siting of a salt bin is dependant upon there being a suitable location available which does not obstruct pedestrians.

Sites for salt bin provision will meet one or more of the following:

- Gradients steeper than 1 in 10
- Approaches to junctions that are on an incline
- Sharp bends
- Sites that are sheltered from sunlight for prolonged periods
- Heavily pedestrianised areas and footways such as town centres and busy shopping areas
- Locations that are commonly used by vulnerable users

Where salt bins are not provided

Salt bins are not provided for use on unadopted highways, private properties and any residential parking areas or garage sites.

Removal of salt bins

Should a site prove problematic because of regular misuse of the salt for private driveways etc or the salt bin becomes vandalized then RMBC reserve the right to remove the salt bin.

Parish Council Salt Bins

Parish Councils that have been granted permission by RMBC may provide and maintain their own salt bins at locations in accordance with the terms and conditions of the agreement. These salt bins are of a colour that distinguishes them from RMBC's salt bins and they display a telephone number for contacting the Parish Council.

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| ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS |
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|-----------|---------------------|--|
| 1. | Meeting: | Cabinet Member for Regeneration and Environment |
| 2. | Date: | 20 September 2010 |
| 3. | Title: | Building Control Fee Charges |
| 4. | Directorate: | EDS |

5. Summary

The Building (Local Authority Charges) Regulations 2010 came into force on the 1st April 2010 and provide the legal framework for the setting of a new Building Regulations Charging Scheme. The Council is required to issue a new scheme of charges to comply with the new legislation between the 1st April 2010 and the 1st October 2010. This paper proposes to introduce the new Building Control charging scheme.

6. Recommendation

It is recommended that the Cabinet Member:-

Agrees the Rotherham Metropolitan Borough Council Building Regulations Charging Scheme 2010 (including the proposed fees), to come into effect from 1st October 2010.

7. Proposals and Details

The Charges Regulations 2010 build upon the principle of devolving charge setting to local authorities in order to introduce flexibility and discretion by accurately relating their charges to the actual costs of carrying out Building Regulations plan checking and inspection work for individual building projects.

The stated intention of the new legislation is to introduce greater flexibility and transparency to avoid over or under charging and remove the possibility of significant surpluses or deficits arising. This is intended to further improve the competitive environment within which local authorities and Approved Inspectors compete and the standards within which they operate.

Trading account arrangements are in place in accordance with a new 2010 Chartered Institute of Public Finance and Accountancy (CIPFA) guidelines for Building Control accounting. Under the Guidance Building Control must not cross-subsidise Building Control activities for which there is no fee-earning ability.

Local authorities are authorised to fix, by means of a charging scheme, and to recover their costs for carrying out their main building regulations 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 new regulations introduce more flexible charging arrangements whereby the charges set should relate to the costs of carrying out the building regulations chargeable service.

Agreement is needed for the introduction of a replacement Rotherham Metropolitan Borough Council Building Regulations Charging Scheme 2010 from the 1st October 2010 based on the new charges regulations as outlined in this report. The new charging scheme must be made before the 1st October 2010 at the latest. Appendix A shows the proposed Scheme for agreement.

Attached is the proposed Building Control Charges scheme from 1st October 2010.

8. Finance

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. A revised CIPFA guidance document (Local Authority Building Control Accounting Guidance for England and Wales, 2010 edition) gives guidance on how this is to be done.

The broad charging principles outlined in the new charges regulations give freedom to local authorities to decide whether to set fixed charges or adopt individually assessed charges, either way to ensure accurate recovery of costs. In the 'Charges Scheme' it is suggested that fixed charges operate up to a value of works equal to £100 000 and that an individual quotations be provided for work in excess of that amount.

Previous legislation required that Building Control fees be set in order that the Building Control Service recovered its costs of the fee-earning element of the service over a

three-year rolling period. The new legislation also requires cost recovery, albeit on a more accurate individual fee basis so there should be no overall impact on the budget. The proposed fees are set out in the 'Charges Scheme' and have been calculated in accordance with the new CIPFA guidance on a cost recovery basis.

9. Risks and Uncertainties

The Council is only authorised to meet the cost of providing the Building Regulation service by its charges. Should the Council's auditors consider that the charges are in excess of that requirement, they could suggest that illegal taxation was taking place and require that money put against central re-charges be instead ring-fenced for the use of the service. If a significant surplus developed it could be necessary to increase investment in the service, increase staffing level or reduce charges. The Director of Finance is required to sign-off the Building Regulations Trading Account in line with the CIPFA guidance.

The Building Regulation service is in competition with private sector Approved Inspectors. High charges need to be justified and may encourage the greater use of competitors with a consequential fall in work and revenue. Low Charges need to be justified and could result in negligence claims if based on inadequate service. Currently Approved Inspectors tend to look for the more profitable commercial and large new housing construction work.

Should Building Regulations Income drop significantly the staffing could be further reduced and consequently the contribution Building Control makes to overheads would also be significantly reduced and so affect the ability to finance the non-chargeable activities identified in CIPFA Local Authority Building Control Accounting.

The new requirement for each job to reflect the actual costs of doing the Building Regulation inspections will lead to the charge for some domestic jobs to rise. There is a risk that either more use may be made of Approved Inspector competitors or that the work will be done illegally without notification and payment of charges. This is likely to be picked up when difficulty is encountered in attempting to sell property without valid completion certificates. In such cases Regularisation applications can be applied for at a higher charge.

10. Policy and Performance Agenda Implications

None

11. Background Papers and Consultation

CIPFA Local Authority Building Control Accounting

Contact Name :

Keith Hirst Building Control Manager
Tel: 23829
E-mail: keith.hirst@rotherham.gov.uk

**ROTHERHAM METROPOLITAN BOROUGH
COUNCIL**

**BUILDING CONTROL CHARGES SCHEME
2010/2011**

EFFECTIVE DATE: 1 OCTOBER 2010

The Building Act 1984
Building and Buildings
The Building (Local Authority Charges) Regulations 2010
Rotherham Metropolitan Borough Council Building Control
Charges Scheme

To be read in conjunction with the Building [Local Authority Charges] Regulations 2010, the 2010 edition of the CIPFA guidance for Local Authority Building Control Accounting, and the guidance in the Department for Communities and Local Government (CLG) Circular 01/2010 and CLG Circular letter to building control bodies dated 25 February 2010

1 Introduction

This scheme of charges may be cited as the revised Rotherham Metropolitan Borough Council Building Control Charges Scheme and shall come into force on the 1 October 2010. This scheme may, subject to Regulation 12 of the Building (Local Authority Charges) Regulations 2010, be amended, revoked or replaced at any time.

2 Interpretation

- '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.

'dwelling' includes a dwelling-house and a flat.

'dwelling-house' does not include a flat or a building containing a flat.

'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' is 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.

'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'

3 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 Building (Local Authority Charges) Regulations 2010 (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 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 authority.

- A **reversion charge**, payable for building work in relation to a building:-
 - Which has been substantially completed before plans are first deposited with the Authority in accordance with Regulation 20(2)(a)(i) of the Approved Inspectors Regulations, or
 - In respect of which plans for further building work have been deposited with the 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 authority in accordance with Regulation 21 of the Building Regulations.
- **Chargeable advice**, a charge can be made for giving advice in anticipation of the future exercise of their chargeable functions (ie before an application or notice is received for a particular case), which is payable after the first hour of advice, on demand after the authority has given notice required by Regulation 7(7) of the Building (Local Authority) Charges Regulations 2010 (ie 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.
- The above charges are payable by the relevant person (see page 3 for definition).
- Any charge which is payable to the authority may, in a particular case, and with the agreement of the authority, be paid by instalments of such amounts payable on such dates as may be specified by the authority. If the applicant and an authority are agreeable, an inspection charge can be fully or partly paid up front with the plans charge.
- 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.

4 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 a detached or 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.

5 Exemption from charges

The Authority has not fixed by means of its 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 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 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 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.

Note: '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 disregarding 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

6 Information required to determine charges

If the authority requires additional information to enable it to determine the correct charge the authority can request the information under the provisions of regulation 9 of The Building (Local Authority Charges) Regulation 2010. The standard information required for all applications is detailed on the 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.
- 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).

7 Establishing the Charge

The authority has established standard charges using the principles contained within The Building (Local Authority Charges) Regulation 2010. Standard charges are detailed in the following tables. In the tables below any reference to number of storeys includes each basement level as one-storey and floor areas are cumulative.

If the building work that you are undertaking is not listed as a standard charge it will be individually determined in accordance with the principles and relevant factors contained within The Building (Local Authority Charges) Regulation 2010. If the 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 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 building regulation charges for the following types of building work will be individually determined and the 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
- Building work consisting of alterations, extensions or new build for any use of building where the estimated cost exceeds £100,000
- The work consists of a domestic garage with a floor area over 50m²
- The work consists of the erection or conversion of 2 or more dwellings
- The work consists of the erection or conversion of dwellings where the floor area of each dwelling exceeds 300m²
- Where more than one standard charge applies to the building work and, with the agreement of the relevant person, the authority will establish the charge by individually determining the charge.

8 Other matters relating to calculation of charges

In calculating these charges, refunds or supplementary charges, an officer hourly rate of £48 has been used.

Any charge payable to the 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 an advice charge. The authority accepts payment by instalment in respect of all building work. The authority on request will specify the amounts payable and dates on which instalments are to be paid.

9 Reductions

Reduced charges are shown in the tables of standard charges and reduced charges will also be made in relation to 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 Principal Regulations in respect of that part of the work, (i.e. competent person/self-certification schemes or other defined non-notifiable work).

Any reduced charges that will be made in relation to individually assessed charges when a notification is made in accordance with regulation 20A(4) of the Principal 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) are shown in the tables of standard charges and will also be considered in calculating individually determined charges.

The 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.

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 30 % reduction in the standard plan charge will 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 the same local authority, a 30% reduction in the plan charge will be made.

10 Refunds and supplementary charges

If the basis on which the charge has been set or determined changes, the LA 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.

11 Non-Payment of a Charge

Your attention is drawn to Regulation 8(2) of the Building (Local Authority Charges) Regulations 2010, which explains that plans are not treated as being deposited for the purposes of Section 16 of the Building Act or building notices given unless the Council has received the correct charge. In other words, relevant timescales do not

start until the agreed payment has been made. The debt recovery team of the authority will also pursue any non-payment of a charge

12 Complaints about Charges

If you have a complaint about the level of charges you should initially raise your concern with the relevant officer. 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.rotherham.gov.uk).

13 Transitional Provisions

The Council's scheme for the recovery of charges dated 1st April 2010 continues to apply in relation to building work for which plans were first deposited, a building notice given, a reversion charge becoming payable, or a regularisation application is made, between 1st April 2010 and 1st October 2010 (inclusive).

14 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 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.

15 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 is higher and the resultant additional costs of using the Building Notice procedure results in the higher charge as detailed in the following tables.

Reversion Charge

These charges will be individually determined

Regularisation Charge

The charge is listed in the following table

Standard Charge for New Dwellings – no more than 3 storeys

Table A

| Number of dwellings | Full Plans Application | | Building Notice Application | Regularisation Application |
|---------------------|---|-------------|-----------------------------|----------------------------|
| | Plan Fee | Inspect Fee | | |
| 1 | £185 | £465 | £650 | £663.83 |
| 2+ | Please contact Building Control on 01709 823846 or 01709 823829 for a fee quote | | | |

ALL STANDARD CHARGES SHOWN INCLUDE 17.5% VAT

Note: for 2+ dwellings, dwellings over three storeys or if the floor area of a dwelling exceeds 300m², the charge will be established on an individual basis determined by the amount of plan checking and inspection time involved.

Standard Charges for Domestic Work

Table B

| Garages and Carports | | | | | |
|----------------------|---|------------------------|-------------|-----------------------------|----------------------------|
| Category | Description | Full Plans Application | | Building Notice Application | Regularisation Application |
| | | Plan Fee | Inspect Fee | | |
| 1 | Erection or extension of a detached/attached domestic garage or car port up to 50m ² | £250 | N/A | | |
| Domestic Extensions | | | | | |
| 2 | Any extension with a total floor area not exceeding 10m ² | £120 | £200 | | |
| 3 | Any extension with a total floor area which exceeds 10m ² but does not exceed 40m ² | £150 | £290 | | |
| 4 | Any extension with a total floor area exceeding 40m ² but not exceeding 60m ² | £150 | £425 | | |
| 5 | Any extension with a total floor area exceeding 60m ² but not exceeding 100m ² | £150 | £500 | | |
| Loft Conversions | | | | | |
| 6 | The provision of one or more rooms in a roof space | £150 | £290 | | |
| Other | | | | | |
| 7 | Conversion of a garage to a habitable room | £250 | N/A | | |
| 8 | The replacement of windows, roof lights, roof windows and external doors. 1 – 5 properties | £80 | N/A | | |
| 9 | The replacement of windows, roof lights, roof windows and external doors. More than 5 properties | £120 | N/A | | |
| 10 | Controlled domestic electrical installation | £180 | N/A | | |
| 11 | Re-roof of a domestic dwelling | £180 | N/A | | |

ALL STANDARD CHARGES SHOWN INCLUDE 17.5% VAT

Standard Charges for Non Domestic Work

Table C

| Category | | Charge | Full Plans Application | | Building Notice Application | Regularisation Application |
|----------|---|---|---|-------------|-----------------------------|----------------------------|
| | | | Plan Fee | Inspect Fee | | |
| 1 | (i) Non Domestic building work (ii) Domestic work not included in Table A or Table B | Charge based on estimated cost of work | | | | |
| | | £1 - £2000 | £200 | N/A | | |
| | | £2001 - £5000 | £250 | N/A | | |
| | | £5001 - £10 000 | £100 | £200 | | |
| | | £10 001 - £25 000 | £150 | £350 | | |
| | | £25 001 - £50 000 | £200 | £350 | | |
| | | £50 001 – £100 000 | £250 | £550 | | |
| | | For projects where the estimated cost exceeds £100 000 | Please contact Building Control on 01709 823846 or 01709 823829 for a fee quote | | | |
| 2 | Window replacement non domestic | Please contact Building Control on 01709 823846 or 01709 823829 for a fee quote | | | | |

ALL STANDARD CHARGES SHOWN INCLUDE 17.5% VAT