

Report on	Proposal for changes to Property Certificate charges
Date of Meeting	12 th June 2023
Reporting Officer	Karen Doyle
Contact Officer	Jean Connolly

Is this report restricted for confidential business? If 'Yes', confirm below the exempt information category relied upon	Yes	
	No	x

1.0	Purpose of Report
1.1	To seek approval for the implementation of agreed revised charges for Regional Property Certificates (RPC) processed by the Planning Department.
2.0	Background
2.1	When Planning functions were devolved to local authorities in April 2015, the RPC process was administered by Fermanagh & Omagh Council, on behalf of all 11 councils.
2.2	Mid Ulster Council implemented their own new planning computer system, independent of the other councils and the Department in 2022 and the RPC function then passed to Council's Planning Department to provide this service for the Mid Ulster area.
2.3	At the meeting on 12 th June 2023 it was agreed that Mid Ulster Council would increase the fee for Regional Property Certificates from £70 to £84 , to bring it into line with the increased fee implemented in the other Councils'. It was reslved that his was to be introduced when the new on-line facility for Mid Ulster was available for solicitors. It was thought that this facility would be available in a couple of months.
2.4	As an incentive to use the on-line form, it was also agreed that an administrative fee of £10 was to be introduced for applications not using the on-line system. This would be in line with procedures currently being used by Building Control for processing the Local Property Certificate.

3.0	Main Report
3.1	The implementation date for the on-line system for applying for the Regional Property Certificate has been delayed several times due to issues raised during testing. There is currently no scheduled release date for this functionality. This means that the revised charging regime has also not been implemented.
3.2	This has resulted in reduced revenue for the Council and also causes disparity with the other Councils whose Regional Property Certificates are processed by Fermanagh & Omagh Council on their behalf,
3.3	There is also confusion for solicitors and an increase in work for Business Support staff as many solicitors sent in the higher (incorrect) fee resulting in refunds having to be processed.
3.4	It is therefore proposed that Mid Ulster increase their fees now to reflect those charged by Fermanagh & Omagh. The administrative charge cannot be implemented as we are currently not providing an alternative method of submitting the application.
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: This will affect the income generated by the Council.
	Human: N/A
	Risk Management:
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: N/A
	Rural Needs Implications: N/A
5.0	Recommendation(s)
5.1	It is recommended that approval be given for the immediate implementation of the increased fee of £84 as soon as consultation has taken place with The Law Society.

5.2	The administrative charge should be applied once the new on-line facility becomes available.
6.0	Documents Attached & References
6.1	Report from June 2023 Planning Committee.

Report on	Proposal for changes to Property Certificate charges
Date of Meeting	12 th June 2023
Reporting Officer	Dr Chris Boomer
Contact Officer	Jean Connolly

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	x

1.0	Purpose of Report
1.1	To seek approval for revisions to the charges for Regional Property Certificates (RPC) processed by the Planning Department.
2.0	Background
2.1	When Planning functions were devolved to local authorities in April 2015, the RPC process was administered by Fermanagh & Omagh Council, on behalf of all 11 councils.
2.2	When Mid Ulster Council implemented their own new planning computer system, independent of the other councils and the Department in 2022, the RPC function passed to Council's Planning Department to provide this service for the Mid Ulster area.
2.3	From June 2022 the Planning Department began issuing RPCs on the same basis as those issued by Fermanagh & Omagh, including the £70 fee (inclusive of VAT) charged for the service. However, Fermanagh & Omagh have now increased their charges for the Property certificate to £80.50. MUDC has to therefore to consider if we should do the same.
2.4	The Council's Building Control (BC) Department are responsible for the issue of Local Property Certificates (LPC). Up until now, the fee for the LPC matched that of the RPC at £70 incl VAT for a standard certificate. However, BC also charge an additional £10 administration fee if the application is submitted manually i.e. not through their on-line system Tascomi system. The fee for the LPC is due to be increased to £90 in July 2023 and will therefore no longer be in line with the fee for a RPC. The additional £10 admin fee will remain after the increase.

2.5	A recent audit of the Property Certificate function in MUDC recommended that the administration charged by Building Control for processing Property Certificates not received on-line should be extended to the Planning Department when the on-line facility becomes available.
2.6	Work is ongoing to introduce an improved on-line system for the processing of the RPC and it is expected that this will be achieved by August 2023 although the final date has yet to be announced.
3.0	Main Report
3.1	A revised fee for the RPC administered by Fermanagh & Omagh Council for all council areas except Mid Ulster has already been increased to £80.50 (incl VAT), with £7 per additional property included in the search. The revised fee for a standard LPC is £90, with an additional £10 fee if the application is submitted other than on-line through the Council's Tascomi system.
3.2	It is clear then that there is a requirement for MUDC to amend the fee for the RPC processed by the Planning Department and there are various options to be considered.
	<u>OPTION 1</u>
3.3	<p>The basic fee could be increased to £80.50 in line with the that implemented by Fermanagh & Omagh Council who are administering RPC's for all the other Councils'</p> <p>This would keep MUDC in line with the charge for the RPC in all the other Council areas</p>
3.4	<p><u>OPTION 2</u></p> <p>The fee could be increased to £80.50 in line with the that implemented by Fermanagh & Omagh Council who are administering RPC's for all the other Councils'. However, a £10 administration fee could be introduced for those applications not received on-line when this facility becomes available.</p> <p>This would keep the parity with the other Council areas but would also meet the audit requirement that Council policy on claims not made on line have an additional administrative charge</p>
3.5	<p><u>OPTION 3</u></p> <p>The fee could be increased to £90 in line with what is charged by Building Control for processing the LPC, with the £10 additional fee for those applications not received on-line when this facility becomes available.</p> <p>Whilst this would provide uniformity within MUDC, we could be criticized for charging more for the same service than that received for other council areas.</p>

3.6	The aim would be to align the fee increase with the improvements to the computer system.
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: This will affect the income generated for the Council
	Human: N/A
	Risk Management:
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: N/A
	Rural Needs Implications: N/A
5.0	Recommendation(s)
5.1	It is recommended that Option 2 be considered the preferred option and that the increases be introduced alongside the improved system implementation.
6.0	Documents Attached & References
6.1	Appendix 1 - Notice of increase in RPC fees