

# FEES AND CHARGES REPORT

## APPENDIX 5 - LAND CHARGES SERVICES

### 1. Service Description

A Local Land Charge is required whenever a property is sold, purchased, leased or re-mortgaged. The charge reviews whether there are any restrictions or prohibitions on the property and whether it is subject to charge (if that charge has been registered). There are four main search types that show different types of information.

- **Local Land Charge Register Search (LLC1).** Provides information held in the Local Land Charges Register and covers any charges or attendant restrictions relating to the land or property in question. This information can include whether the property is a listed building or whether it is subject to a Tree Protection Order. These searches have now migrated to HM Land Registry.
- **CON29.** Provides answers to the property/land that only the Council hold information regarding. This can include recent statutory noise complaints or any road proposals and traffic schemes that affect the property.
- **Environment Information Regulations (EIR).** Provides environmental information held on Council records, for example information on Building Regulations.
- **Access to Raw Data.** Provides the same information as the EIR but is a charged search and the customer can request the information to be presented in a particular format.

As part of the new Infrastructure Act, the responsibility of administrating LLC1 searches has migrated to HM Land Registry. West Lindsey District Council have retained liability and responsibility for information provided from the register. The migration was implemented during 2023/2024.

### 2. Prior years analysis, current financial year projections

The table below illustrates the volumes of searches over the last three financial years, with a forecast for 2024/2025, and the income received.

	2021/22 Actual (£)	2022/23 Actual (£)	2023/24 Actual (£)	2024/25 Forecast (£)
Searches Received	3,591	2,719	2,115	2,719
Income Received	(137,040)	(104,022)	(82,238)	(104,600)

The following table shows income received over the previous three financial years against budget, with a forecast for 2024/2025.

The migration of the LLC1 searches to HM Land Registry was due to take place before March 2022 and the income budget was reduced to reflect this through the 2022/2023 MTFP. The migration was delayed until April 2023, resulting in overachieved income during 2022/2023.

Income achieved	2021/22 Actual (£)	2022/23 Actual (£)	2023/24 Actual (£)	2024/25 Forecast (£)
Land Charges Income	(137,040)	(104,022)	(82,238)	(106,400)
Budget	(116,800)	(87,200)	(92,800)	(106,400)
Income Achieved (Above)/Below Budget	(20,240)	(16,822)	10,562	-

### 3. Pricing

The service has proposed an increase of inflation at 3.5% across most of the fees and charges within the service area, with the administration fee being increased by 5.5% to achieve cost recovery. The resulting charges are consistent with benchmarking data for neighbouring Authorities.

### 4. Understanding Customers and Markets

Our average market share has previously been 33%. However, this included LLC1 searches that we no longer process. These searches are now dealt with by HM Land Registry. The market share in 2022/2023 which includes a small amount of LLC1 searches was 28%. The market share for 2023/2024 was 21.6%. We hope to achieve 29% share by the end of the year.

The income forecast included the Lincolnshire County Council (LCC) fee of £59.17 (net of VAT). This income offsets the pay overs made to LCC and accounts for 42% of the total income received.

The chart below shows the forecasted income:

Year	Forecast Income £	Budget as per MTFP agreed March 2023	Variance over/ (under)	Market Share
2024/25	112,300	106,400	5,900	29%
2025/26	118,500	112,400	6,100	30%
2026/27	124,600	118,200	6,400	31%
2027/28	130,900	124,400	6,500	32%
2028/29	137,400	130,700	6,700	33%
2029/30	144,100	137,200	6,900	34%

## 5. Proposed Charges

The service has proposed an increase of inflation at 3.5% across most of the fees and charges within the service area, with the administration fee being increased by 5.5% to achieve cost recovery. The resulting charges are consistent with benchmarking data for neighbouring Authorities.

Removal of the charge called "Filing a definitive certificate of the Lands Tribunal" as we don't offer this service.

## 6. Impact on Medium Term Financial Plan (MTFP)

There isn't an impact on the MTFP from the proposed increase in fees as the current income targets reflect expected demand at the new rates.

	2025/26 (£)	2026/27 (£)	2027/28 (£)	2028/29 (£)	2029/30 (£)
Current Budget in MTFP	(112,400)	(118,200)	(124,400)	(130,700)	(137,200)
Proposed Budget - Search Fee Income	(112,400)	(118,200)	(124,400)	(130,700)	(137,200)
Impact on MTFP 2025/26 Pressure/ (Saving)	-	-	-	-	-

## 7. Recommendation

Members are requested to recommend to Council the charges for 2025/2026 as illustrated in the schedule below.

Prosperous Communities Committee

Land Charges

		2024/25		Proposed Increase / (Decrease)		2025/26		VAT Amount	2025/26 Charge Inc. VAT	VAT Rate
		£	% Type	or £	£	£	£	£		
Access to data	Access to information not held on public registers (includes £5 admin fee)	£28.00	3.6%	£1.00	£29.00	£0.00	£29.00		OS	
	Cancellation Fee	£7.50	3.3%	£0.25	£7.75	£0.00	£7.75		OS	
CON 29R	One parcel	£83.17	3.5%	£2.91	£86.08	£17.22	£103.30		S	
	Each additional parcel	£19.33	3.5%	£0.67	£20.00	£4.00	£24.00		S	
	Lincolnshire County Council Fee**	£59.17	0.0%	£0.00	£59.17	£11.83	£71.00		S	
CON 29O										
	submitted with CON29R	£23.33	3.6%	£0.84	£24.17	£4.83	£29.00		S	
	submitted on its own	£23.33	3.6%	£0.84	£24.17	£4.83	£29.00		S	
	Administration Fee	£15.00	5.5%	£0.83	£15.83	£3.17	£19.00		S	
Additional Enquiries *	Per additional enquiry	£38.00	2.6%	£1.00	£39.00	£7.80	£46.80		S/O	
	Office copy of any entry in the register (not including a copy or extract of any plan or document filed pursuant to these rules)								S	

\* The VAT treatment of this supply will follow the treatment of the initial search (e.g. if CON29 it will be taxable, but if LLC1 it will be outside the scope)

\*\* Set by Lincolnshire County Council