

Discretionary Fees- Planning & Public Protection

Comments of Overview & Scrutiny Panel (Performance & Growth)

1.1 The Overview & Scrutiny (Performance & Growth) Panel discussed the report at its meeting on 10th June 2025.

1.2 Councillor Martin requested confirmation as to when this was first discussed. The Panel heard that an exact date could not be provided but matters like this are discussed regularly with the Officers. Councillor Martin continued, referencing the Budget and Policy Framework procedure rules and claimed the procedure had not been followed in this instance, quoting part 2.1, part A of the Constitution. He reiterated that the Panel should have notified as soon as it came up. It was confirmed to the Panel that the notices had been presented correctly and the procedure has been followed. Councillor Martin confirmed that he fully supports the proposal of charging additional fees but would like to make the Recommendation that this not be delegated to Officers but charges to remain a decision of Full Council. The Panel heard that the Officers have adopted a new system 2 months ago which highlighted the upturn in Section 106 agreements which must be signed. This must reach the July Council otherwise they will be doing this at cost to the Council. The Panel were informed this had been brought to them in June to allow them time to scrutinise and be fully informed before Full Council in July. The Panel were also asked to consider agility when debating the proffered Recommendation suggested. The report is based on data and guidance that's been gathered by other Councils. The team are undertaking a viability assessment as part of the development of the Local Plan. If there are viability recommendations that suggest we need to make changes at pace, is the timescale to bring something to Full Council. Delegation needs to be crafted so there are no unintended consequences that could impact other work streams.

Councillor Martin expressed his concerns about setting a dangerous precedent as this would be the only discretionary charge that could be changed outside of a Full Council meeting, if this were approved.

It was confirmed that the Panel could make this Recommendation to Council and that the whole budget process must be separated from variations in-year to the budget which is why the issue is going ahead to Council to be considered. It was confirmed to the Panel that new legislation is coming that will introduce a new process and that Officers would like to be empowered in an appropriate framework to enable making those decisions in the best interests of the Council.

1.3 Councillor Taylor sought clarification as to Options 3:4:2 and 3:4:3 in the report, regarding making recommendations to Council. The Panel heard that, due to the nature of the report, it will go to Full Council in July. It is with the Panel tonight. The

Chair requested further clarification from the Officer on the implications of delaying. The Panel heard that there are a number of 106 agreements which must be signed. These can wait until the decision by Full Council in July but having to sign them now delay further would result in them being monitored for the next 30 years at a cost. They have a Developers Forum and would ask for assistance in this so they can bring the question of fees to the Forum. It was noted to the Panel that costs, such as PPA's are already included in the budget. Moving forward it would be the BNG monitoring fees. They will be able to a budget bid for the new line in August to build that in going forward.

- 1.4 Councillor Jennings asked why the scale of charges couldn't be set at Full Council in July. The Panel heard that the challenge could be that one person spends more and the next will be paying less in comparison. The example made was householders being unduly penalised where the larger developer would be getting a much better deal. They are working with the Finance Team on cost recovery and will be using this and the cost of contractors as a basis of the rates that will be set. They have sought to get feedback from the Developer community but this does not fit in with the July Council meeting.
- 1.5 A solution offered to the Panel would be to limit the delegation for the current financial year only. Councillor Martin agreed to this amendment to his Recommendation. The motion was seconded by Councillor Gardener and the Chair opened the floor for comments on the motion.
- 1.6 Councillor Taylor advised she was happy with the report as it had been presented and believes in putting her trust in the Officers as they are doing this to cover costs, not to make money. It was confirmed to the Panel that they would be working closely with the Section 151 Officer in this.
- 1.7 Councillor McAdam expressed his support for Councillor Martin's amended recommendation and reiterated that whilst the Officers should be making the recommendations, the final decision should lie with the Councillors as they have been elected.
- 1.8 Councillor Pickering expressed concern that this could potentially deter investors from wanting to invest in Huntingdonshire. The Panel heard that this had been taken into consideration as they do not want to deter growth in the region. There is a statutory obligation to monitor BNG and anyone who is undertaking development. They are following guidance from the Planning Advisory service which is what their model is based upon. They intend to be transparent in their costs and will be publishing these on the website. It was confirmed that there will be a possibility of reducing or waiving fees for projects such as community development.

1.9 The Panel hears the new Recommendation and a vote is called. 8 Members are For, 0 Against and 2 Abstainers.

1.10 Following the discussion, the Panel were informed that their comments would be added to the Cabinet report in order for Cabinet to make a decision upon the recommendations within the report, and additionally, the Panel request that the Cabinet consider adding the following recommendation to their report;

- 1) To be delegated to officers identified above for the current financial year only. Discretionary charges to be developed in consultation with relative Executive councillors as set out above but also include and Shadow Executive Councillors for planning and finance.