

**Financial Monitoring Report
Cabinet – 15 July 2014
Review of Charges**

Commons Registration Charges

1. Commons Act 2006, Schedule 2 paragraphs 6 to 9 “corrective applications”. With effect from 1 October 2014, central government intends to partially bring into force the provisions in the Commons Act 2006. This enables people to make applications to amend the maps and registers of Common Land and Town and Village Greens. Authorities will be able to set a fee to process specific categories of applications, namely those to deregister land currently registered as common land or town and village green and which was never intended to be registered as such. Other applications connected with deregistering land incorrectly registered by the local authority will be non-chargeable. Application fees where applicable must be published in advance or a fee cannot be charged.
2. This is a new area of work; regulations are pending and it is not possible to calculate the costs to OCC with any degree of accuracy at this stage. However, DEFRA has suggested that authorities use the fees in operation within pioneer authorities as a yardstick, for which the cap is currently £1,000. It is therefore proposed to charge an interim fee of **£1,000** per application for Commons Act 2006, Schedule 2 paragraphs 6 to 9 applications, from 1 October 2014 subject to the necessary fee setting powers coming into force. This fee will then be reviewed when the cost recovery information can be determined.

Commons Searches – Amendment of Fee

3. The Law Society has advised it is proposing to change its standard property conveyance form with effect from October 2014. The changes include the ability to make additional enquiries on the register of deposits made by landowners under section 15A of the Commons Act 2006 to protect against claims for village greens on the land. This falls within the existing optional enquiry relating to information on common land, towns and village greens answered by OCC as Commons Registration Authority for the respective District Councils. This is estimated to increase officer-time spent on this area of work by 50%. It is therefore proposed to increase the existing fee of £19.50 per search by 50% to **£29.25** to come into effect on introduction of the revised Con29 form, subject to review thereafter when actual cost recovery information can be determined.