



Committee and date

Cabinet

21<sup>st</sup> March 2018

## **SELF BUILD REGISTER (CHARGING AND ELIGIBILITY CRITERIA)**

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### **1. Summary**

The Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) requires each relevant authority to keep a register of individuals and associations of individuals who seek to acquire serviced plots of land in the local authority's area to develop a self or custom house build.

The Self-build and Custom Housebuilding Regulations 2016/950 made under the 2015 Act (as amended), offers guidance on what details the register should seek to gain from applicants in order for the local authority to assess demand and in what locations.

Local authorities are obligated to give suitable development planning permissions to sufficient number of serviced plots of land to meet this demand.

The Self-build and Custom Housebuilding (Time for Compliance and Fees) Regulations 2016/1027 allow for relevant authorities to set fees on a cost recovery basis. Any fees charged must therefore be proportionate, reflect genuine costs incurred and should not act as a deterrent for people to be entered on or remain on the register.

### **2. Recommendations**

Members are asked to:

- Agree the need for the Council to publish a self-build register and meet its duty to grant planning permission for sufficient serviced plots and agree the following charging schedule, as per the requirements of the Self-build and Custom Housebuilding Act 2015 (as Amended)
- Agree an initial £30.00 (+ VAT) registration fee for new applicants to register on the Council's newly updated and developed Self Build register.

- Agree a £30.00 (+ VAT) registration fee for all existing applicants (359) currently on the self build register who are to be transferred to the new register.
- Agree a £15.00 (+ VAT) annual renewal fee for all who wish to remain on the register.

## **REPORT**

### **3. Risk Assessment and Opportunities Appraisal**

All data and works by the Council need to bear in mind Data Protection and the upcoming General Data Protection Regulation (comes into force in mid-2018). Clearly the submission of personal information in relation to finances is a significant consideration and one that needs careful deliberation. Officers have taken the appropriate advice in the design and current development of the register.

Failure to provide the requisite amount of self-build plots as required by the Self-build and Custom Housebuilding Act 2015 (as Amended) and as identified in the Self-build Register. It is unclear what any repercussions of this would be as this has not been set out by Government as yet, however, these could be financial or give rise to outside involvement in the process. As the Council received a contribution from Government for publishing a self-build register it is likely that any further payments could be withheld

### **4. Financial Implications**

The intended fees levied through this charging regime will cover the administrative and developmental costs of this obligation.

### **5. Background**

The Self-build and Custom Housebuilding Act 2015 (as amended) requires each relevant authority to keep a register of individuals and associations of individuals who are seeking to acquire serviced plots of land in the authority's area for their own self-build and custom housebuilding ambition (referred to in guidance as self-build and custom housebuilding registers). The government has published guidance which accompanied the Self-build and Custom Housebuilding (Register) Regulations (now revoked and replaced with the Self-build and Custom Housebuilding Regulations 2016/950 and can be used by relevant authorities to assist them in designing and administering the register that they are each required to keep. Each relevant authority is also required to have regard to each self-build and custom housebuilding register, that relates to their area when carrying out their planning, housing, land disposal and regeneration functions

Shropshire currently has 359 people registered on our self-build register.

Section 2A of the Act imposes a duty on relevant authorities to grant sufficient development permissions in respect of serviced plots of land to meet the demand as evidenced by the number of entries on the register in a given base period.

Relevant authorities must give suitable planning permissions to enough suitable serviced plots of land, to meet that demand for self-build and custom housebuilding in their area. There is no duty on a relevant authority to permission land which specifically meets the requirements expressed by those on the register but it should use preferences expressed by those on the register to guide its decisions when looking at how to meet its duty to grant planning permission. It is therefore important to maintain and update the register continuously to maximise the ability to inform and match available plots of land or developers offering self/custom build opportunities, to those identified and expressing a preference on the register.

Relevant authorities can only set fees on a cost recovery basis. Any fees charged must therefore be proportionate, reflect genuine costs incurred and should not act as a deterrent for people to be entered on or remain on the register.

Relevant authorities can charge a higher entry fee if it sets additional local connection criteria and hence has two parts to the register, the fee charged for entry onto Part 2 of such a register would reflect any additional costs to those incurred on Part 1. It is not the intention of Shropshire's register to have 2 parts as any specific local connection criteria would be development and site specific and determined at that time through appropriate planning obligations.

## **6. Additional Information**

Online payment facility is available and a discussion with the finance team has agreed these payments can be received through Civica Icon (SC payments system) for the customer and for those that do not have access to a PC, alternatively can call whereby payment can be taken by phone.

## **7. Conclusions**

The Council has employed a self build and planning technician to help provide this registration service, manage the register, liaise with applicants, developers, industry professionals and help promote Shropshire wide this key housing delivery method.

<b>List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)</b>
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<a href="http://www.gov.uk/guidance/self-build-and-custom-housebuilding#cost-recovery">www.gov.uk/guidance/self-build-and-custom-housebuilding#cost-recovery</a>
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<b>Cabinet Member (Portfolio Holder)</b>
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Cllr Robert Macey - Portfolio Holder for Planning and Regulatory Services
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<b>Local Member</b>
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All Members

**Appendices**