

NOTICE OF CHANGE TO FEE

LONDON BUILDING ACTS 1930-1939

LONDON LOCAL AUTHORITIES ACT 1994

THE LONDON BOROUGH OF LAMBETH

(DANGEROUS & NEGLECTED STRUCTURES (FEES & EXPENSES))

REGULATIONS 2018-04-01

Regulations made by the Council of the London Borough of Lambeth under Section 8 of the London Local Authorities Act 1994 to substitute new scales of fees in respect of dangerous structures for those contained in the first schedule of the London Building Acts (amendment) Act 1939 as amended by the previous London Borough of Lambeth Building (Dangerous and Neglected Structure (Fees and Expenses)) Regulations.

1. These Regulations may be cited as the London Borough of Lambeth (Dangerous and Neglected Structure (Fees and Expenses)) Regulations 2018 and shall come into force on the date hereof.
2. The First Schedule of the London Building Acts (amendment) Act 1939 shall have the effect as if the provisions of these Regulations were substituted for it.
3. The former charging schedule for the London Borough of Lambeth Building Dangerous and Neglected Structure (Fees and Expenses)) Regulations for the area of the London Borough of Lambeth are hereby repealed under Section 8(2) of the London Local Authorities Act 1994

Definitions

1. In these regulations:

- (i) unless otherwise stated:

“Council” means the Council of the London Borough of Lambeth.

“Section” means that section of the London Building Acts (Amendment) Act 1939.

“Owner” means Owner as defined in Section 5 of the London Building Act 1930.

“Dangerous Structure” means Dangerous or Neglected Structure as defined in Part VII of the London Building Acts (amendment) Act 1939.

- (ii) A reference to a Regulation followed by a number is a reference to the Regulations bearing that number in these Regulations.

General

2. Charge schedule:

			Fee
a	Fee for surveying & certifying structure report + servicing a notice if required & for immediate action	Where survey was commenced between 9am - 5 pm Monday to Friday	£210
		Where survey was commenced at any other time or on a public holiday	£351
b	Further Fee payable for obtaining a summons or Court order & other services by an officer of the council		£341 (or £94/hour whichever is the greater)
c	In addition to any fees payable under (a) & (b) above, the fee payable for supervision and or checking and certifying of accounts and other services by officers of the council in connection with the council undertaking work to remove an immediate danger under Section 61(4) and or to shore up, secure, or hoard in a structure in accordance with Section 62(2) shall be	Where survey was commenced between 9am - 5 pm Monday to Friday	5% of the work but subject to a minimum fee of £197
		Where survey was commenced at any other time or on a public holiday	5% of the work but subject to a minimum fee of £225
d	In addition to any fees payable under (a) to (c) above, the fee payable where the Council undertakes work to take down, repair or otherwise secure a dangerous structure under Section 64(2) following the failure of the owner or occupier to comply with a Court order under Section 64(1) for obtaining tenders (if necessary) supervision and/or checking and certifying accounts and other services by the Council shall be:		10% of cost of work subject to a minimum charge of £210 per site inspection and £94/hr
e	Any additional site visits which are commenced after 9 am and before 5 pm Monday to Friday - a charge per visit		£210
f	Any additional site visits which are commenced at any other time or on a public holiday - a charge per visit of		£351
g	For any additional time spent in dealing with a dangerous structure - charge per hour		£94.00/hr

Apportionment

- Where any expenses are recoverable by the Council in respect of a dangerous structure in different ownerships the Council may determine the amounts payable by each owner.

This does not prejudice the right of the owner of any building or structure to apply to the Court to determine the apportionment in accordance with Section 7(1) of the London County Council (General Power) Act 1955.

Abatement

4. The Council may remit or abate the amount of any fee in respect of a dangerous structure payable to them under these regulations as they think fit.

Other Costs

5. All other costs incurred by the Council in dealing with a dangerous structure, including the cost of collecting any outstanding fees under regulation 2, will be charged to the owner.

Dated this 20TH February 2018

NOTES:

1. The fees authorised by these Regulations (including any other expenses incurred by the Council in dealing with a dangerous structure) are payable by the owner of the dangerous structure under Section 66.
2. The fees payable under Regulation 2 do not include any financial on-costs or legal costs. Nor do they include any costs incurred by the Council under any other legislation such as, for example, the Highways Act.
3. **The revision to these Regulations come into effect on 1st April 2018**