

Examples of Monitoring Fee Schedules [extracts from websites where information is available]

Tunbridge Wells BC:

Agreements with non-financial obligations - £500 fixed fee. These may include planning obligations such as occupancy restrictions, affordable housing, non-fragmentation clause, parking restrictions, landscape management or travel plan.

Agreements with financial contributions 5% of the total cost of the financial contributions payable by the applicant

APPENDIX A

Types of Planning Obligation and their suitability

	Section 106 Agreement	Unilateral Undertaking	Up Front Payment
Has to be completed before 8/13 week deadline.	Yes	Yes	Yes
Secures financial planning obligations	Yes	Yes	Yes
Secures non financial obligations and/or any restrictions that are NOT binding on the Council	Yes	Yes	No
Secures non financial planning obligations (i.e. affordable housing) and/or any restrictions on use that are binding on the Council	Yes	No	No
Defers payment of financial obligations until prior to commencement of development	Yes	Yes	No
Council Solicitors draft the agreement	Yes (preferred)	No	N/A
Legal Costs	Hourly rate currently £195	A minimum charge of £195 then hourly rate	£195 per hour
Monitoring /Administration Fee	Non financial obligations £500 (Financial obligations at 5% of total cost of financial contributions	Non financial obligations £500 Financial obligations at 5% of total cost of financial contributions	£60

Maidstone BC:

1. For residential developments of under 40 units, the monitoring fee for s106 legal agreements with one planning obligation (for example, the provision of affordable housing) is £1000 and then £500 for each additional planning obligation.

2. For residential development of 40 or more units, there will be a fee of £1500 for a s106 agreement incorporating one obligation and £750 for each additional planning obligation.

Payment shall be upon completion of the s106 legal agreement

Sevenoaks DC:

The Council charges a monitoring fee of £300 for each requirement in an agreement to enable it to effectively undertake its monitoring and compliance role.

Plymouth:

Standard rate

Part 1: Number of financial obligations x number of trigger points x £667

Part 2: Number of non-financial obligations x £667

Instalments

First £1,000 to be paid on completion of the agreement. Payment should be made at signing. The remainder is normally due on commencement of works, however further trigger points may be agreed.

South Oxfordshire:

Monitoring of District Financial Contributions and On-Site Infrastructure:

Administration / Monitoring Fee Required	Site Size		
	Under 40 dwellings	40-399 dwellings / non-residential developments	400 dwellings +
Recording (per agreement)	£78	£157	£392
Reporting (per agreement)	£392	£1,177	£3,140
Financial Monitoring (per financial obligation)	£157	£275	£628

Affordable Housing:

Administration/ Monitoring fee	Up to 20 dwellings	21 – 50 dwellings	51 – 100 dwellings	101 and more dwellings
Affordable housing	£61	£90	£147	£2 per unit

Public Open Space and On-site Infrastructure:

Administration / Monitoring Fee Required	Site Size		
	Under 40 dwellings	40-399 dwellings / non-residential developments	400 dwellings +
On-site provision of open space per hectare (incl. play / allotments)	£400	£800	£800 plus £800 per additional visit
On-site provision of MUGA/Sports Pitches/ Allotments	To be determined by the relevant service area in consultation with the Planning Service and Developer on a case by case basis. Fees to include the procurement and cost of an agronomist (in the case of pitches) and procurement and management of a relevant expert in the case of MUGAs to check specifications and construction of facilities being provided by the developer.		
On-site provision (building)	To be determined by the relevant service area in consultation with the Planning Service and Developer on a case by case basis. Fees to include the procurement and cost of a surveyor or relevant experts to check specifications and construction of buildings being provided by the developer.		
Fee for remedial inspections for on-site provisions	£500		
Transfer of on-site infrastructure to the council (per land transfer)	£1,000		