

Record of Officer Decision

Introduction of an Affordable Housing Enabling Fee

Decision Taker and Date Decision Taken:

Director of Finance on 21 April 2026

Summary of Matter or Issue Requiring Decision:

In recognition of the significant staff time and expertise required, Torbay Council – in common with other Local Authorities (LAs) – will be introducing an ‘Enabling Activity Fee’ to contribute towards the cost of employing this specialist resource. This will have a positive impact by increasing Affordable Housing provision within Torbay, whilst making this a smoother process for Registered Providers (RPs).

This fee is capped at £300 per Affordable Unit delivered, payable by RPs at completion of development. This will be subject to annual review but has been benchmarked on the similar fees charged by other LAs. This will be charged on all schemes delivered through s106 planning obligations, as well as any homes provided as ‘own build’ and ‘additionality’ over and above a normal s106 requirement by any RP. RPs have been briefed that this charge will likely come into force in 26/27 and it is being built into viability appraisal now, accordingly.

Decision Taken:

That Torbay Council implement the Affordable Housing Enabling Fee from the 1 April 2026. Registered Providers will be informed of the implementation.

Summary of Reason(s) for Decision Taken:

This proposed enabling fee is utilised by many other LAs across the country. It is an accepted cost to RPs when agreeing to deliver and manage Affordable Homes on new build developments. The fee makes a small contribution to the Council’s cost of resourcing dedicated officer time associated with site identification, scheme development, planning/legal negotiations, and funding compliance.

Summary of Alternatives or Options considered and rejected and Background Papers:

Rejecting the proposal would result in the Council continuing to cover the staffing costs in full, from the revenue budget. However, RPs across the country include this fee as part of their scheme appraisals. This is an accepted cost to recognise the amount of staff time that Councils spend on the enabling process. RPs recognise that this enables the delivery of Affordable Housing of the right type and tenure, in the right places to meet the needs of the local community. Paying this fee enables Affordable Housing delivery as Local Authority staff understand this area of expertise and local issues. RPs recognise quicker delivery than if they had to do this themselves.

Torbay could reject this proposal and continue to meet the staffing costs in full.

Details of any conflict of interest and dispensation granted to the Officer taking the decision or by any Member of the Council in delegating responsibility for any specific

express delegation:

None

Implementation:

1 April 2026

A copy of this decision and any supporting documentation considered by the Officer taking this decision may also be available for inspection by the public at the Council's offices or posted upon payment of any copying and postage charges. Any member of the public wishing to take up either of these options is asked to please ring (01803) 207087 or email governance.support@torbay.gov.uk

Signed: _____ Date: 23 April 2026
(Director of Finance)