



## 2011 CHAPTER 21

### *Complaints procedure*

#### **Fees**

4.—(1) The Department shall by regulations prescribe the maximum fee which may be determined by a council under section 3(1)(b).

(2) A fee received by a council under section 3(1)(b)—

- (a) must be refunded by it where subsection (3) applies; and
- (b) may be refunded by it in such other circumstances and to such extent as it may determine.

(3) This subsection applies where—

- (a) a fee is paid to the council under section 3(1)(b) in connection with the making of a complaint to which this Act applies;
- (b) a remedial notice is issued by, or on behalf of, the council in respect of the complaint; and
- (c) the remedial notice takes effect.

(4) Regulations may make provision, in relation to a case where subsection (3) applies, for the payment to the council by any person who is an occupier or owner of the neighbouring land of a fee of such amount (if any) as the council may determine.

(5) Regulations under subsection (4) may in particular—

- (a) provide for the fee not to exceed such amount as may be prescribed by the regulations;
- (b) provide that, where two or more persons are liable to pay the fee, those persons are jointly and severally liable;

- (c) provide for the fee to be refunded in such circumstances or to such extent as may be prescribed by, or determined in accordance with, the regulations.