

Report to the Council

Subject: Portfolio Holder Report – Governance and Development Management

Date: 21 April 2015

Portfolio Holder: Councillor John Philip

Recommending:

That the report of the Governance and Development Management Portfolio Holder be noted

1. Development Management

Building Control has had a very positive year with a total estimated turnover of £407 000. This is an increase over budget for the year of £21 000 representing a 6% increase over the 2014/15 budget of £386 000.

Building Control has also taken specific steps during the year under review to manage and limit expenditure. Their fee earning income of over £407 000 indicates that a further small increase in income would have seen BC achieving “break even” status for their ‘Ring Fenced Fee Earning Account. In other words an 8% increase over budget would have achieved this.

The outlook for Building Control remains positive, although they will continue to face significant competition due to the competing demands for the market share of Building Control Survey work.

During 2015/16 Building Control will be taking on two trainee Building Control Surveyors. This will add further stability and resilience to the Building Control Team both in terms of short term support and longer term succession planning.

Development Control has experienced a record turnover for 2014/15 of over £811 000. This represents an increase over the original budget of £515 000 of 58%, a considerable £296 000 above the original budget.

DC’s budget was increased to £715 000 in January 2015. However, DC still managed to exceed this revised budget by over £96 000. This is demonstrated by their average monthly fee earning income from December 2014 to March 2015 of £73 000 per month.

In addition DC has also collected £105 000 in Pre-Application fees, which exceeded the budget by £25 000.

The number of planning applications received for 2014-15 has increased from the previous year by approximately 250 to just under 3,000, which has been carefully managed and in a small number of instances, overtime costs have been incurred to manage the current surge in planning applications.

The outlook for DC is positive and efforts will be made to progress the quality of the service through electronic records improvement and planning officer staff development. However, just a note of caution in respect of quality of decision making - appeal performance on planning application decisions in total for 2014-15 has resulted in 36% allowed (24 out of 67) which is similar to last year, but still relatively high compared to previous years.

2. Local Land Charges

This report relates solely to proceedings brought against the Council by a group of Property Search Companies advised by Tinklers Solicitors. Over 150 local authorities faced similar claims as part of the same action. A Settlement Agreement has been entered into between the Claimants and the Council, the terms of which are confidential. The claims are therefore now concluded against this Council and the other authorities involved.

For the sector as a whole, negotiations resulted in the Claimants' claims being reduced by approximately 51%. The Council along with the majority of local authorities involved in the matter received legal advice from Bevan Brittan LLP and Leading Counsel.

A second group of Property Search Companies are also seeking to claim refunds although no proceedings have yet been issued. The claims are subject to negotiation and as such remain confidential and subject to legal privilege.

I will update members with a confidential report once both claims are concluded. At this stage, though, I want to note that the successful conclusion to the first set of claims could not have been achieved without successfully preserving the confidentiality and the significant amount of widespread partnership between this council and the others involved.