

# ***Report to the Council***

**Committee:** Cabinet **Date:** 28 September 2010  
**Subject:** Legal and Estates Portfolio  
**Portfolio Holder:** Councillor Lesley Wagland **Item:** 6(f)

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## **Recommending:**

**That the report of the Legal and Estates Portfolio Holder be noted**

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## **Estates and Valuation**

1. The evaluation of the Langston Road retail park proposal is progressing with work underway to bring together the elements required for a planning application. Liaison between our highways consultant and Essex Highway authority is continuing and a model of traffic flows is being prepared.
2. At the project team meeting held on 7 September it was revealed that a number of national multiple retailers have expressed serious interest. Commitments from a number of these retailers would be secured to anchor the scheme before any full scale marketing exercise was undertaken. This in turn would not take place until after planning approval was obtained.
3. The interested retailers consider that the scheme would be well located in an area that is currently underserved and with very good road and rail access. Despite other large scale schemes proposed such as Stratford City they felt that this was a different type of retailing being a covered shopping centre and would access a different type of catchment.

## **Legal**

4. Members will have noted from the Bulletin and local newspaper articles that the Council has had recent success in the Courts. It is not the detail of the cases I wish to highlight in this report that is comprehensively covered in the officer reports in the Council Bulletin.
5. It is the breadth of cases we are tackling that I would bring to Members' attention. Since the last Council meeting the legal team have successfully prosecuted in matters of fraud, unauthorised removal of a hedgerow and commercial fly tipping cases, as well as securing an Order requiring unauthorised occupants to vacate Council owned land at North Weald.
6. The cases require good quality evidence and co-operative working between service areas the examples given above involve Finance, Planning and Environment and Street Scene staff.

## **Local Land Charges**

7. At Cabinet on 13 September I reported on the current changes to fees which have been introduced by the revocation of the statutory fee for personal searches. This came into effect on 17 August 2010. In short, the Environmental Information Regulations 2005 have been found to apply to the information sought by a personal searcher and as such that information cannot be charged for.
8. This is clearly a mistake of the Government's making. I say this because after the EIR came into force the Government actually increased the personal search fee (from £11 to £22). The way in which the service is delivered will be reviewed in the light of this change in the law and further reports will be brought to Cabinet as the position becomes clearer so that Members are properly informed and a consistent approach is taken throughout local government.