

Report to the Council

Committee: Cabinet

Date: 25 July 2006

Portfolio Holder: Councillor J Knapman

Item: 5

1. SUPPLEMENTARY ESTIMATES

Recommending:

- (1) That a DDF supplementary estimate of £40,000 be approved to maintain acceptable levels of service within the Benefits Division whilst staff are on maternity leave;
 - (2) That a supplementary capital estimate of £377,500 be approved to fund a compulsory purchase order, if required, in respect of the purchase of 8/8a Sun Street, Waltham Abbey;
 - (3) That a CSB supplementary estimate of £19,000 in the 2006/07 financial year (£38,000 in a full year) be approved to meet the cost of appointing one additional full time equivalent environmental health practitioner from 1 September 2006 onwards;
 - (4) That a supplementary estimate of £42,000 to be funded from the Housing Revenue Account balances be approved in order to clear the backlog of major tree work on housing-owned land; and
 - (5) That an additional supplementary DDF estimate in the sum of £13,500 be approved to enable the replacement of the Civic Offices atrium ventilators.
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Benefits Division – Maintenance of Acceptable Levels of Service

- 1.1 The Benefits Division currently has an establishment of 33 staff. Within that establishment, two Benefit Officers and one Benefit Assistant are due to go on maternity leave shortly. The expected dates of confinement are all within one month of each other and the staff are expected to commence their maternity leave in September/October 2006.
- 1.2 The three officers are experienced and their absence, for a period that could be up to one year, will seriously impact on the performance of the Benefits Division. It is not possible to absorb these absences within the existing resources and, therefore, the performance for BVPI's and Government returns will suffer. There are currently three key BVPI's that are benefit related and the two that relate to the speed of processing for new claims and changes in circumstances will show a poor level of performance. A greater impact, however, will be on the claimants who will receive a lower standard of service and delays in the receipt of their benefit entitlements, unless steps are taken to minimise the impact of the absences.
- 1.3 In the past, the Benefits Division has attempted to cover periods of extended absence through overtime working. This has only been partially successful as

inevitably staff performance reduces during long periods of overtime. Consequently staff morale and BVPI's have suffered.

- 1.4 In order to maintain acceptable levels of service, it is proposed to employ a combination of temporary and agency staff. The estimated additional costs in 2006/7 are £40,000 and a supplementary DDF estimate is sought.

Compulsory Purchase – 8/8a Sun Street, Waltham Abbey

- 1.5 8/8a Sun Street is a visually prominent property at the heart of the town centre of Waltham Abbey and within the designated conservation area. The Council has a statutory duty within conservation areas “to pay special attention to the preservation and enhancement of the character and appearance of the area in the exercise of its planning powers”.
- 1.6 The property consists of a ground floor commercial unit with two-storey residential accommodation above. The commercial part is vacant; the residential part is officially unoccupied although there are signs of illegal occupation on the first floor.
- 1.7 The property has been neglected for more than 10 years, it is in a dilapidated condition and there are multiple Category One hazards throughout. A local authority has a statutory requirement to take appropriate action in respect of all Category One hazards.
- 1.8 The Council has, over many years, encouraged the owner to renovate the property and bring it back into use. In 1993, a renovation grant was offered to make the residential part of the property fit for human habitation (estimated cost at time £50,000) but this was not taken up. Due to changes in the legislation and Council policy, such financial assistance is no longer available. In 1997, planning permission was granted for the erection of a part single and part three-storey extension to the property on condition that any proposal should result in the building being returned to habitable condition. The proposal was never undertaken and the permission has now lapsed.
- 1.9 The Conservation and Environment Section of Planning Services has been actively involved in trying to persuade the owner to restore the building and has offered substantial (up to 50%) financial assistance through HERS. This has not been taken up and is no longer available.
- 1.10 In recent years, officers within Environmental Services and Planning Services have tried to engage with the owner through written correspondence, telephone contact and site meetings to encourage him to bring the property back into use. He has also been made aware of the Council's powers of compulsory purchase should this be deemed appropriate. However, no positive steps have been taken by the owner to date.
- 1.11 It is now considered that all the reasonable steps taken by the Council have failed to get the commitment of the owner to bring the property back into use.
- 1.12 The Cabinet is proposing that, subject to officers being unable to negotiate an agreed purchase of the property by 31 July 2006, steps be taken to acquire the property by means of a Compulsory Purchase Order.
- 1.13 Under the Town and Country Planning Act 1990, as amended, the Council has power to compulsorily acquire any land if it thinks that the acquisition will facilitate the

carrying out of development, redevelopment or improvement on or in relation to the land provided such development, redevelopment or improvement will be likely to contribute to the promotion or improvement of economic, social or environmental wellbeing of the area.

- 1.14 The proposal, which will need the approval of the Secretary of State, is for the Council to purchase the property from the owner at market value and then sell it on either to a Housing Association for repair and then provision of social housing to nominated council tenants; or to a private developer to bring back into use.
- 1.15 The property has recently been valued at £350,000 by an independent valuer. The owner will be eligible for compensation at 7.5% of market value, which equates to £26,250 plus his legal costs estimated at £1,250. The cost of carrying out the order will depend on whether the owner makes any formal objection. The total amount required is considered to be in the order of £377,500. Under current financial rules, provided a property acquired under a Compulsory Purchase Order is resold within three years, 100% of the sale proceeds can be returned to the Council's Capital Programme. However, the Council will be liable for the compensation, legal and administrative costs. Therefore, assuming a disposal is made, the actual cost to the Council would be in the region of £27,500. At this time, approval is sought to a supplementary capital estimate for the full amount of £377, 500.

Housing Act 2004 – Inspection and Mandatory Licensing of Houses in Multiple Occupation (HMO)

- 1.16 The Housing Act 2004 came into force on 6 April 2006. The act introduces significant changes including a mandatory HMO licensing scheme, additional HMO licensing scheme covering other HMO classes, provision for prohibition orders, emergency remedial action and serving of management orders. The Cabinet at their meeting on 10 July 2006 agreed a policy in relation to licensing and to the introduction of an inspection and licensing regime. The introduction of the regime requires the appointment of 1FTE Environmental Health Practitioner from September 2006 onwards. The cost in a full year of this appointment is £38,000 (£19,000 in 2006/7 year).

Housing Tree Maintenance Budget

- 1.17 The budget outturn for major tree maintenance on housing revenue account land for 2005/06 was £93,000. The tree budget for the current year is £98,000. In 2005/06, the amount spent on the general grounds maintenance budget was slightly less than expected due to Leisure Services having difficulties recruiting staff, resulting in a reduction in the amount recharged to the HRA.
- 1.18 In addition to major tree works, some basic tree work and replanting is undertaken on housing estates, funded from a separate grounds maintenance budget within the HRA.
- 1.19 The amount of maintenance work required to trees on housing land throughout the District continues to increase, which has resulted in a backlog of work valued at £42,000.
- 1.20 In 2005/06 the HRA achieved an additional surplus of £357,000 when compared to the revised estimate for that year. This saving has therefore presented an opportunity to clear the backlog of tree work. The Council is asked to approve a

supplementary estimate of £42,000 funded from the HRA balances in order to clear the backlog.

Civic Offices Atrium Ventilators

- 1.21 At the last Council meeting the Council approved a sum of £1,500 to replace the Atrium Ventilation system at the Civic Offices. The sum required to complete this work is actually £15,000 and Cabinet approved this sum when it met on 5 June 2006. A typographical error in the last agenda meant that only £1,500 was approved leaving a balance of £13,500 requiring formal Council approval.

2. DRAFT COUNCIL PLAN 2006-2010

Recommending:

That the draft Council Plan for 2006-2010 be adopted.

- 2.1 The draft Council Plan has been circulated separately to all members.
- 2.2 Over the last three months, the draft Council Plan and its aims and objectives have been subject to consultation with members, staff, residents, partner agencies and other local and representative organisations, so as to ensure that actions and resources are targeted at those areas of greatest importance.
- 2.3 Articles in the "Forester" magazine have also promoted consultation in respect of the new Council Plan, through the local press, and at the former Leader of the Council's weekly media briefings. The draft Plan has been available at the Council's Information Centres and for downloading from the Council's website, where an on-line consultation form has also been available.
- 2.4 The level of response to the consultation exercise has been extremely low and, despite the extension of the consultation period to ensure that consultation on the Council's future priorities was as inclusive and accessible as possible, very few responses have been received.
- 2.5 The Cabinet has considered the draft Council Plan and the recommendations of the Overview and Scrutiny Committee with regard to consultation responses.
- 2.6 The Council is recommended to adopt the Plan.