

# ***Report to the Council***

**Committee: Cabinet**

**Date: 20 December 2016**

**Subject: Governance and Development Management**

**Portfolio Holder: Councillor R Bassett**

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**Recommending:**

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

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## **1. Development Management**

### **Building Control**

I would like to share with you the success of our Building Controls trainees, Richard Smith and Stephanie Newton, who were both successful in the Essex Building Control Association's recent award for the Outstanding Trainee 2016. Both candidates were nominated by their manager Jeff Dixon who has been delighted with their development and each of them winning this award recognises their continued progress in the Building Control team.

#### Building Control Income

Building Control 2016/17 budget is £425,000 and the year to date income is £342,000.

Building Control continue to work hard to actively market BC as a quality service with an almost fully established team. They are focused on delivering a sustainable competitive Building Control Service and are confident in being able to ensure that its ring fenced income matches expenditure for 2016/17.

Projected income for BC is £467,000 (eight months actual and four months budgeted). This means that BC income is currently £42,000 ahead of its budget as at November 2016.

### **Development Control**

#### Development Control Income

DC Pre-Application Income has in recent years generated an additional income stream. This has resulted in an extra £100,000 per year that is added to DC income. Current indications show that DC Pre-Application is £84,000 from April to November 2016 and this points towards DC achieving a record £120,000 within this financial year.

Development Control 2015/16 budget is £800,000 with year to date actual income of £670,000.

The projected income is £960,000 (eight months actual and four months budgeted). This means that DC income is currently £160,000 ahead of its budget as at November 2016.

## **Income Summary for Building and Development Control**

Building Control (BC) and Development Control (DC) continue to show signs of positive income growth with both DC & BC achieving in excess of 80% of their budgeted income within the 67% time frame the first eight months of the April 2016 to March 2017 financial year.

Overall all income streams for DC and BC are estimated to reach 1.5 million pounds in 2016/17.

### **2. Democratic Services**

The Democratic Services Section recently supported voting in the district's schools, for the election of new members of the Epping Forest Youth Council. Candidates competed for twenty-five places on the Youth Council, which represents the voices and views of young people across the district.

Officers set up and managed polling stations elections in all of the schools holding elections, giving our young people their first taste of the democratic process. Complimentary feedback on the election process, which was conducted to the same standards as parliamentary and local elections, has been received from teachers and pupils at many of the schools'.

#### **Elections**

The Council's Electoral Services has completed the annual Canvass for 2016. There has again been a very good return rate achieved. Compared to 2015:

2015: 55472 properties in the district with a 98.1% response rate

2016: 55805 properties in the district with 97.9% response rate

It is encouraging to note that an increasing number of households are using our automated online/telephone/sms system to update their registrations. Just over 60% (32,726) of occupied households have responded this way. This level of automation allows staff to place greater emphasis on ensuring the accuracy of the register rather than having to scan in posted returns.

The Council's register was published on time on 1 December 2016.

### **3. Legal Services**

#### **Traveller Incursions**

The legal service has been supporting colleagues in the Neighbourhoods directorate to deal with various traveller incursions. Indeed my Cabinet colleague, Councillor W Breare-Hall gave an up to date position statement in response to questions at a previous Council. I can confirm that action is taken as soon as possible and in general travellers have moved on the day of or just before our court action.

One particular group has expressed a desire to remain in the District and moves to various locations across Waltham Abbey and Loughton. This has proved resource intensive, but unfortunately our attempt to seek a specific injunction banning their return to the District was not granted by the District Judge. He felt it was too wide an area for such a restriction. The intention is to consider reapplying for a smaller more defined area. We seek to keep ward members and others informed of these cases and will continue to do so either directly, here at Council or through the Council Bulletin.

## **Illegal Eviction by Landlord – Update**

In a previous report to Council I highlighted the cross- directorate working with Communities in securing a conviction in the magistrates' court for illegal eviction of her tenant against Landlord, Alexandria Kenna of Oakwood Hill, Loughton. She was fined £275 and ordered to pay costs of £447.50 and a Victim Surcharge of £28. The Magistrates also ordered that compensation of £100 be paid to the tenant for her distress.

Ms Kenna appealed to the Crown Court against her sentence. At Chelmsford Crown Court Her Honour Judge Peters with two Magistrates dismissed the appeal stating that Ms. Kenna had been treated very leniently in the Magistrates Court and the way Ms. Kenna sought to explain the matter gave her no credit at all. The Judge stated there was a difference between being cautious about the use of energy and being utterly unreasonable. Ms Kenna fell into the second category. As the deposit paid by the student had still not been repaid, the compensation order payable by Ms. Kenna was increased to £575 and she was ordered to pay the Council's costs of defending the appeal of £740.

I am pleased the Court took the issue as seriously as this Council did and a clear message that we will tackle illegal landlord practices was reinforced.