



## AGENDA ITEM:

### SUMMARY

Report for:	Finance and Resources Overview & Scrutiny Committee
Date of meeting:	7 <sup>th</sup> November 2017
PART:	1
If Part II, reason:	

Title of report:	<b>Quarter 2 Performance Report – Legal Governance and Democratic Services</b>
Contact:	Cllr Neil Harden, Portfolio Holder for Residents and Corporate Services  Author/Responsible Officers: Mark Brookes (Solicitor to the Council) Jim Doyle, Group Manager (Democratic Services)
Purpose of report:	To provide Members with the performance report for quarter four in relation to Legal Governance and Democratic Services.
Recommendations	That Members note the report.
Corporate objectives:	Resources and Value For Money; Optimise Resources and Implement Best Practice.
Implications:	<u>Financial</u>  None.
'Value For Money Implications'	<u>Value for Money</u>  Monitoring Performance supports the Council in achieving Value for Money for its citizens.
Risk Implications	Risk Assessment completed for each service area as part of service planning and reviewed quarterly.
Equalities	Equality Impact Assessment completed for each service area

Implications	as part of service planning and reviewed quarterly.
Health And Safety Implications	None
Consultees:	Cllr Neil Harden, Portfolio Holder for Residents and Corporate Services
Background papers:	Annex 1: Quarter 2 Performance Report Annex 2: Quarter 2 Operational Risk Register

1. Members will find attached to this report the Corvu performance data for Legal Governance and Democratic Services, together with the Operational Risk Register, in relation to quarter 2 of 2017/18.
2. Members will also note that the only Operational Risk which falls within this area is CE\_R01 Failure to deliver successful elections.

## **LEGAL GOVERNANCE**

### **The Legal Team**

3. The Legal team frequently represent the Council in the courts and tribunals, leading on injunctions, prosecutions and defending employment tribunal cases and judicial review proceedings. In the last quarter the Legal team presented the following cases in court:-
  - DBC v Kieron Podd – breach of an injunction. 14 day imprisonment suspended on terms that the defendant complies with the injunction order until the end of its term.
  - DBC v Sheridan Richardson – seeking a closure order on a Council owned residential property against the tenant's son. Determined by the Court on 9/10/2017. Closure order granted against all persons aside from the tenant, DBC and Herts CC officers/agents and anyone authorised in writing by DBC
  - DBC v Talet Malik – breach of a planning enforcement notice. Heard by the Court on 25/9/2017. Fine of £2,000 per breach (£4,000 total), £200 surcharge, £3,240 costs.
  - DBC v Nicholas Couldridge – prosecution for knowingly subletting 54 The Bourne, a property owned by Hightown & Praetorian Housing Association. The profit made by the defendant was estimated at £9,250. Heard on 18/10/17. Defendant was fined £1,600. Costs of £405, victim surcharge of £160, with an unlawful profit order of £5,000 (the maximum that could be recovered despite the actual estimated profit. All to be paid within 28 days.
  - DBC v Kathleen Neal – Breach of a Community Protection Notice.

- DBC v Victoria Hughes – prosecution for animal welfare offences. The Defendant was found guilty of two charges regarding not microchipping her dog, and the seizure of her stray dog. Fined £100 for first charge, £50 for the second. £30 vic surcharge, £405 costs.
  - DBC v John Dick – demotion application, to turn his secure tenancy into a non-secure one because of an incident in which he threatened a council employee. He was convicted of that offence in the Magistrates court. Did not proceed because we agreed to the defendant giving undertakings to the court to behave. They remain in place for 12 months.
  - DBC v Dawn Donaldson – closure order – 67 Homefield Road. Anti-Social Behaviour.
  - DBC v Tony Maguma – Injunction preventing rough sleeping in Watergardens car park
4. The team have been active completing a number of planning and conveyancing transactions bringing significant income into the Council. The following land transactions were particularly noteworthy in the last quarter:
- Sale of land at Jarman Park, Hemel Hempstead to Kier Property. Kier acquired the land to develop a retail warehouse scheme.
  - 8 S.106 planning agreements including two significant sites at Martindale School (DBC Housing development) and Prologis site (Maylands Avenue).
  - The team also dealt with over 80 new property and planning instructions which were a mixture of leases, licences, easements and enforcement work.
5. The team have been leading on a consultation for a Public Spaces Protection Order aimed at preventing various forms of anti-social behaviour in the town centre. The consultation closed in October and over 800 responses were received. The responses are now being analysed and a report will be taken to Cabinet in January to decide if members wish to proceed with the order.
6. Staffing update: The Legal Governance Team Leader (Barbara Lisgarten will be leaving the team in December to take up a new position at Ipswich Borough Council. Recruitment has begun to fill the role.

### **The Licensing Team**

7. The last quarter was very much business as usual with no significant service developments to report.
8. Staffing update: The Licensing Team Leader (Ross Hill) will also be leaving the service to start a new position with the Information Technology team on 1<sup>st</sup> January and therefore recruitment has begun to fill the vacant position.

## **DEMOCRATIC SERVICES**

### **Elections/Electoral Registration**

9. Most of Quarter 2 has been spent preparing for and organising the Annual Canvas of Electors, prior to the collation of the Electoral Register to be published on 1 December this year. The annual canvass began in August, which saw 63,896 Household Enquiry Forms (HEF) being sent to all properties across Dacorum. Reminder forms have since been sent to around 26,000 properties. During October, door to door enquiries will be carried out by canvassers to contact all those households who have not yet responded to the initial HEF.
10. The figures for the monthly alterations, and HEF's processed are as follows:

**Register alterations:**

July	730
August	773
Sept	721

**HEF's processed (as at 23/10/17):**

17,000 manually processed HEF's (around 11,000 have been 'no changes')  
29,732 Imported IVR records (people who have responded via internet (17,766), text (4,041) or telephone (7,925))  
2,000 Invitations To Register sent out

**Member Support Services**

11. During Quarter 2, in addition to helping to organise the two elections, Member Support managed the business as usual and carried out the following:
- Published 20 agendas
  - Completed 20 sets of minutes
  - Spent 34 hours at evening meetings
  - Processed 42 public speakers at Committee
  - Published 5 Portfolio Holder Decisions
  - Published 6 Officer Decisions
  - Spent 2 hours 50 minutes at daytime meetings

**Town & Parish Liaison**

12. During the quarter the following were supported
- 6 x Community Association Meetings
  - 1 x Community Association AGM
  - 1 x Mayor's Tour Meeting
  - 2x High Sheriff Tour Meetings
  - 2x Lord-Lieutenant Tour Meetings
  - 4x Queens Award for Voluntary Service
  - 3x Mayors Civic Reception Meetings
  - Organised the High Sheriff and the Lord-Lieutenant Tours
  - Organised and run the Community Centre Managers Meeting
  - Organised and run the Town & Parish Clerks Meeting
  - Arranged and attended visits with the Mayor to Berkhamsted Town Council, Tring Town Council and Great Gaddesden Parish council

## **Civic Events Support**

13. As usual, the Mayor had a very full programme of meetings including attending 16 events in July, 6 events in Aug and 12 events in Sept. Total for this period 34.

The Deputy Mayor attended 13 events over this period.

The major event of the period was the Regional Launch of the Tour of Britain at Dacorum Cycle Hub and then the Tour of Britain Stage 7 start from Bank Court.

The Mayor and Mayoress attended the retirement of Lady Verulum as the Lord Lieutenant of Hertfordshire and the following month hosted a visit and tour for the new Lord Lieutenant MR Robert Voss CBE.