



AGENDA ITEM: 8

SUMMARY

Report for:	Finance and Resources Overview & Scrutiny Committee
Date of meeting:	6th September 2016
PART:	1
If Part II, reason:	

Title of report:	Quarter 1 Performance Report – Legal Governance and Democratic Services
Contact:	<p>Cllr Neil Harden, Portfolio Holder for Residents and Corporate Services</p> <p>Author/Responsible Officers:</p> <p>Mark Brookes (Solicitor to the Council)</p> <p>Jim Doyle, Group Manager (Democratic Services)</p>
Purpose of report:	To provide Members with the performance report for quarter one 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'	<p><u>Value for Money</u></p> <p>Monitoring Performance supports the Council in achieving Value for Money for its citizens.</p>
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

- 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 1 of 2016/17.

LEGAL GOVERNANCE

Legal Services

- The Legal Team frequently represent the Council in the courts and tribunals, leading on injunctions, prosecutions and defending employment tribunal cases. In the last quarter the Legal Team were successful in the following court cases :-
 - DBC v Darrington: successful in our claim for possession of a commercial property following a discovery that the tenant had been sub-letting the basement and that the basement was in a condition not fit for habitation. Forthwith possession order, judgment for arrears, and costs (per claim).
 - DBC –v –Stutter: successful in our claim for possession of this residential property anti-social occupant – numerous (and complex) legal points were raised in defence, including alleged undue pressure by DBC staff to secure a Notice to Quit, which resulted in a very lengthy judgment (165 paragraphs) in which DBC staff and processes specifically vindicated, Judge critical of Defendant’s representatives’ conduct.
 - DBC –v Davies: Successful in obtaining (and executing) a warrant for possession of commercial property where the tenant was in significant arrears. Vacant possession recovered – property now re-let.
 - Cocks Head Wood, Shendish: Successfully prosecuted for breach of planning enforcement notice, defendants pleaded guilty and the case was adjourned for sentencing.
 - DBC –v- Buzzle: outright possession order and money judgement for rent arrears.
- The team also completed the purchase of Bunkers Park, Hemel Hempstead which will allow for the development of that site and sold the first of the

garage sites (the first of a large planned programme of disposals). The team further completed a major S.106 planning agreement for the Symbio House development on Whiteleaf Road, Hemel Hempstead which allowed the planning permission for residential development to be granted.

The Licensing Team

3. The taxi and private hire MOT and testing station contract was successfully retendered and awarded for up to a four-year period from July. At the same time as the new contract took effect, a major procedural change to taxi vehicle licence applications was implemented, under which applicants are now required to arrange vehicle test appointments themselves prior to making their licence application to the Council and this has significantly increased efficiency and customer satisfaction.

DEMOCRATIC SERVICES

Elections

4. Following hard on the heels of the Police & Crime Commissioner election in May the elections team had to organise and arrange the Referendum on UK membership of the EU in June 2016. This involved the Electoral Registration Section and Member Support Services in a second round of:
 - Compiling and producing the electoral register
 - Organising Staffing for the Polling Stations
 - Booking the Polling Stations
 - Production, Issue and opening of 15,000 Postal votes.
 - Procuring and amassing the necessary equipment and paperwork
 - Booking the Count venue and
 - procuring and preparing the Count equipment and materials

Due to the close proximity of the two polls much of this work was carried out prior to both polls but the short gap between the two elections led to a hectic few weeks preparing for the Referendum.

5. The actual day of the referendum itself ran smoothly and the count, while lengthy, reached an outcome that was arrived at fairly and smoothly with an accurate result.

Member Support Services

6. During Quarter 1, Member Support managed and organised the following:
 - Published 22 agendas
 - Completed 23 sets of minutes
 - Spent 35.20 hours at evening meetings
 - Processed 68 public speakers at Committee
 - Published 8 Portfolio Holder Decisions
 - Published 11 Officer Decisions
 - Attended 6 community association meetings

- Attended 3 Voluntary Sector meetings
 - Attended 5 Mayoral visits
 - Attended 2 High Sherriff tour organisation meetings
7. Work and training is still ongoing in order to further develop the use of Modern.Gov, Issue Manager. The testing of its use for Officer Decisions and Portfolio Holder Decisions was postponed during the election period but work has resumed on this and a new timetable for its roll out is being agreed.

Member Development

8. No member Development sessions took place over the election period and the start of the holiday period but the programme agreed by the Member Development Steering Group will recommence in the autumn.

OPERATIONAL RISK REGISTER

9. The updated Operational Risk Register is annexed to the report. There have been no changes to the residual risk score since quarter 4.