

28 June 2018 at 7.00 pm

Conference Room, Argyle Road, Sevenoaks

Tabled: 28.06.2018



Legal & Democratic Services Advisory Committee

Supplementary Agenda

	Pages	Contact
6. Update from Portfolio Holder	(Pages 1 - 6)	

If you wish to obtain further factual information on any of the agenda items listed above, please contact the named officer prior to the day of the meeting.

Should you need this agenda or any of the reports in a different format, or have any other queries concerning this agenda or the meeting please contact Democratic Services on 01732 227000 or democratic.services@sevenoaks.gov.uk.

This page is intentionally left blank

LEGAL AND DEMOCRATIC SERVICES – 28TH JUNE 2018

Cllr Anna Firth, Cabinet member for Legal & Democratic Services

Affordable Housing Company

Following a further meeting on the 5th April 2018 with officers, the Leader, the Cabinet member for Finance and the Cabinet member for Housing & Health, a decision was taken that an affordable housing company appears to be a viable proposition for the Council. Consequently, Quercus Housing Limited (QH) was incorporated on the 13th April 2018.

At the same meeting, in order to contain costs and given the relevant experience of the Quercus 7 Board, it was decided to keep the Board of Directors the same and the two non-executive directors have agreed to sit also on the Board of QH. The first Executive Board meeting is scheduled for July and to-date all the costs of set up have been met from existing budgets. The next thing is the creation of a business plan. Four possible projects have already been identified for QH to consider. The governance arrangements, as can be seen from the committee papers, are broadly the same as for Quercus 7, save that the company will report to Cabinet sitting as a guarantor board not a trading board.

Licensing

The licensing partnership continues to perform well and an exploratory meeting is taking place next week regarding the possibility of the London Borough of Bromley joining the Licensing Partnership. Watch this space!

Member Training

Eight of the twelve requested member training sessions have now been delivered leaving only four sessions left in September, October and November. I hope very much that members have found the sessions useful as they have required a lot of extra time and work on behalf of officers and democratic services. **The next training session is on 20th September 2018 on the Council's IT services.** Please try and support these sessions as they were asked for by Members and are being provided by Officers out of their own time.

Equalities

17th May 2018 saw the launch of the third **Every Step Counts, well-being walk in Swanley Park** supported by the Chairman, Swanley Town Council and former BBC newsreader, Peter Sissons. These free, weekly walks are aimed at those for whom our normal health walks are inaccessible either through age, terrain, lack of fitness or illness. The next two walks will start in Brasted and Chevening on Monday, 9th July and Thursday, 19th July respectively and walk leaders will be trained next month for walks in Riverhead and Sevenoaks. The aim is to have a gentle, well-being walk available every day of the week in this District by the end of the year as per the additional Equalities actions we decided upon this time last year.

Brexit

Agenda Item 6

We remain no clearer on the terms of eventual trade that are so necessary for our local businesses to plan ahead. In March I wrote to the Secretary of State for Communities and Local Government regarding the impact of exiting the EU on Sevenoaks District and our proposed solutions. We have also submitted written evidence to the Housing, Communities and Local Government Select Committee inquiry into the effect of Brexit on local government. The Secretary of State's reply whilst polite is not terribly helpful.

Legal / GDPR

The General Data Protection Regulation came into force on the 25th May 2018 with no ill effects. Data audits were completed on time and privacy notices, contracts, data sharing agreements and relevant policies are now on the Council's website. Our new Trainee Solicitor, Farah Mahomed, is doing well supporting the legal team but, unfortunately, Kate Jardine, our planning solicitor, who only joined the Council as a full-time employee a few months ago, is leaving to join a private firm nearer to her home. The legal team continue to be very busy supporting many aspects of the Council's work and a table of legal work and successes is appended to this report.

Quercus 7

Work is continuing on a number of sites which matches the investment criteria and a number of offers have already being made. Hopefully an offer will be accepted soon enabling Quercus 7 to generating investment come for the Council.

Democratic services / Chairman

The democratic services team continue to support the many Council committees as well as the Chairman's diary. George Lewis has returned to democratic services to provide maternity cover.

Elections

The elections team are working very hard on the annual electoral registration process.

Evidence suggests that people who vote as young adults are likely to vote for the rest of their lives which is why we are rolling out a series of 'Democracy Roadshows' as part of National Democracy week starting on Monday, 2nd July at Orchard Academy, Swanley, then Trinity School on Friday, 6th July and, finally, Knole Academy on 16th July. The Cabinet office are paying particular interest to what we are doing and are even sending 2 officials along to watch/take part so we strongly suspect we are leading the way! At our invitation, Sir Michael Fallon MP is coming to all three Schools along with the Chairman, the Elections team and a team of local councillors to help deliver a programme of activities to encourage more people, especially first time voters to take part in our democracy. The elections team will be out visiting local care homes so that older residents also have the opportunity to register to vote.

LEGAL SUCCESSES

DATE	LEGAL ACTION	RESULTS	FINANCIAL IMPLICATIONS	FOLLOW-UP
21 December 2017	Stacklands Retreat development (School Lane, West Kingsdown) - 17/00410 - S106 Agreement completed	Secure the Affordable Housing Contribution	£90,000 incoming AHC	
9 January 2018	Tea House in the Japanese Garden, Bitchet Green - new listing by English Heritage (property situated in the grounds of Lantern Cottage, The Coppice, Lower Bitchet). Notification to Owners of Listing of Building to Grade II status, in accordance with the LA duty under section 2(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990	Notification sent to Owners	None	None
1 February 2018	High Court Injunction - Church Road, off Ship Lane, Swanley	Obtained Interim Injunction preventing the bringing onto the land of caravans etc or hardcore (above what is permitted by a LDC for 1 caravan)	Costs of instructing counsel	
7 Feb 2018	Stangrove Lodge, Edenbridge - 17/01690- S106 Agreement completed	Secure highways contribution of £4000.	None for SDC	
21 Feb 2018	Foxbury Farm, Stone Street, Seal - 17/02596 - S106 Agreement	Provision of 6 local connection AH properties	None	

LEGAL SUCCESSES

DATE	LEGAL ACTION	RESULTS	FINANCIAL IMPLICATIONS	FOLLOW-UP
	completed			
9 April 2018	Defend claim by Mrs Claire Taylor of 48 Main Road, Sundridge for costs of £600 incurred as a result of challenging a retrospective application for neighbour's permission to amend a development	Successfully defended application in County Court - claim struck out for no reasonable prospect of success	No costs awarded	None
27 Apr 2018	Castle Farm, Shoreham - Flytipping Prosecution	Pleaded guilty. Fine and costs totalling £1,080. An accomplice had previously been given an FPN	Costs of £200 to be recovered.	
11 May 2018	The Convent of Mercy, Swanley - application for Closure Order under the Anti-social Behaviour, Crime & Policing Act 2014	Obtained Closure Order for three months.	Appointment of counsel to conduct appeal hearing in Crown Court (yet to be listed)	Appeal received 29 May by Mr Mustafa
17 May 2018	Eden Hall, Stick Hill, Edenbridge - s106 Deed of Variation to 'carry over' the obligations into a s73 (minor material amendment) permission	Completion	£500 income	none
21 May 2018	Defend appeal in Magistrates' Court by Mrs Barbara Smith against a decision to issue a s215 Notice at 82 Granville Road, Sevenoaks	Successfully defended appeal - s215 Notice upheld with minor amendments.	Costs of £1900 awarded in favour of the Council	Costs to be retrieved

Agenda Item 6

Page 4

LEGAL SUCCESSES

DATE	LEGAL ACTION	RESULTS	FINANCIAL IMPLICATIONS	FOLLOW-UP
25 May 2018	Publication of Buckhurst 2 Tender Documents		None at this point	PQQ returns 22 June 2018 Full tender returns 20 August

This page is intentionally left blank