

Report to the Council

Committee: Cabinet

Date 1 November 2017

Subject: Planning & Governance Portfolio

Portfolio Holder: Councillor J Philip

Recommending:

That the report of the Planning & Governance Portfolio Holder be noted.

1. Development Management

Both DC and BC income continue to reflect relatively strong market conditions.

Work continues to decrease the use of paper and promote the use of electronic working. These are a key factors for future cost rationalisation to reduce both paper usage and business process costs.

Building Control

Building Control 2017/18 budget is £450,000 with year to date income of £305,923 (2016/17 £274,952).

Income is currently £144,077 over budget which is very positive as September 2017 is the halfway point (month 6) of the financial year and the current actual income to date achieves of 68% of the annual budget.

When adding the six months actual income, £274,952, to the remaining budget of £207,940 it is likely that BC income will reach £500,000. However, given the strong start to the year that BC has made it is also possible that BC may exceed £510,000 for the year.

This is encouraging news and is a strong indicator that BC will break even on their ring fenced account for 2017/18.

One of the key elements of Building Control management strategies is to match income to expenditure and expenditure on staffing constitutes the largest single element of BC expense. This means in effect that as BC income increases, careful adjustment in staffing levels may be required to manage and sustain increased income levels.

Development Control

Development Control started slowly this year compared with the previous few years and the first three months recorded below budget levels of income. However, this has started to improve with income for September 2017 at £96,271 as compared to Budget £78,420. Currently DC is at just over 42% of budget at halfway stage of the year.

Actual income to date for 2017/18 is £411,279 (2016/17 £520,329). The budget estimates in recent years have increased from £800,000 April 2016 to £970,000 in April 2017.

Projecting six months actual income plus six months budget shows that DC should turnover may reach £936,309. It is therefore considered likely that DC income should reach £900, 000 for 2017/18.

The Pre-Application Income for DC to September 2017 is £52,986 (September 2016 £66,663). As with last year, it is likely that Pre-Application Income will exceed £100,000 for 2017/18 (actual 2016/17 £121,153).

Overall DC and BC's combined income for 2017/18, including Pre-Application revenue, is likely to reach £1.5 million.

2. Public Relations Team

The Council's corporate PR team recently supported the celebration of two major council projects in Waltham Abbey. The team attended the official opening of John Scott Court and Phase One of the new council house building programme, followed a few days later by the ground breaking ceremony for Waltham Abbey leisure centre. As well as the usual media output produced in co-ordination with Communities and Neighbourhoods, PR produced the following video of the Council House opening which I recommend to fellow members to view and share.

https://youtu.be/F_npRCRxF0k

The team also returned with video from Phase Two of the council house building programme at Burton Road as it gathers material for the Council's next corporate video due in the Spring.

Members can also view our current corporate video 'Future Proof' here.

https://www.youtube.com/watch?v=rfM_sqf8eSU

3. General Data Protection Regulation

The General Data Protection Regulation (GDPR) will come into force on 25 May 2018. The aim of the Regulation, which will replace the existing Data Protection Act 1998, is to strengthen and unify data protection arrangements for individuals within the European Union.

The implementation of the GDPR is likely to have significant budgetary, ICT, personnel, governance and communications implications for the Council. Whilst many of the core principles of the Data Protection Act are retained in the GDPR, the new legislation represents a shift in focus, including a number of enhanced rights for individuals. The GDPR is likely to be more onerous on the Council than the Data Protection Act as a result of the need to demonstrate compliance, conduct privacy impact assessments; maintain records of processing activities, manage technical and organisational measures and maintain control over external processors of personal data. This will require the Council to review its approach to how it manages data protection as a corporate issue.

The GDPR will impose significant changes on the information governance structure of the Council, including how it interacts with people, the way in which it records information relating to customers, the way in which it communicates processing

activities and other areas all relating to the Council's handling of personal information. Many of the concepts and principles of the GDPR are similar to those of the Data Protection Act and data controllers that are complying properly with the current law will have a strong starting point on which to build compliance with the new regime. However, the GDPR places more obligations on organisations to be accountable for their use of personal data.

An officer working group has been established to develop the Council's approach to the implementation of all relevant areas of the GDPR and to prepare an appropriate action plan to ensure full compliance with the Regulation.

4. **Boundary Commission for England Publishes Revised Parliamentary Constituency Proposals**

The Boundary Commission for England (BCE) has now published proposals (17 October 2017) for new Parliamentary constituency boundaries as it opens its third and final consultation.

Following a decision by Parliament to reduce the number of constituencies in the UK to 600 from 650, and to ensure that the number of electors in each constituency is equal, the BCE has been asked to make independent recommendations about where the boundaries of English constituencies should be.

An initial 12-week consultation was held in the autumn last year, giving the public the first chance to view and comment on BCE's plans, followed by a second consultation in the Spring of this year. Over 25,000 public responses were received during these consultations. Based on the public responses, the BCE have decided to revise over half of their initial proposals.

From 17 October until 11 December, people can go to the BCE's website, www.bce2018.org.uk, to view the new plans and submit comments.

For Epping Forest Constituency there is no change in these final proposals and the constituency remains unchanged overall. The map shows the proposals.

Members will have the chance to discuss the matter at the [Governance Select Committee on 5 December 2017](#).



5. Update on the Local Plan

- a. Following the publication by the Government on 14 September 2017 of proposals for assessing local housing need 'planning for the right homes in the right places' a report setting out a revised Local Development Scheme was considered by Cabinet on 12 October 2017. The Government are seeking to introduce a standard method for calculating local housing need based on publicly available data. Using this data and the proposed methodology the housing need figure estimated by DCLG is for 923 homes per annum compared with the Draft Local Plan figure of 514 homes per annum. Over the plan period this would equate to the need to make provision for 20,306 homes.
- b. The consultation document proposes transitional arrangements to set a period of time before which submitted plans would be expected to use the new standard method for calculating local housing need. For authorities like Epping Forest District where there is no plan or the plan adopted, was more than five years ago and has not yet reached publication stage (Regulation 19) the proposed arrangements are that the cut-off date is 31 March 2018.
- c. Accordingly the report to Cabinet proposed a revised Local Development Scheme which sets a timetable to ensure submission prior to 31 March 2018 and to authorise the Portfolio Holder to report on the Pre Submission Plan and supporting papers for publication to a special meeting of full Council. This will be on 14 December 2017.
- d. Work continues to inform and support the Regulation 19 Pre Submission Publication Plan. The key workstreams are:
 - **Site selection** – work has been undertaken on the assessment of approximately 168 sites comprising a mix of new or amended residential/traveller sites and employment sites.
 - **Transport modelling** – work has been undertaken by Jacobs on behalf of Essex County Council / Epping Forest District Council to model the transportation impacts of the growth planned, and consider how improvements to sustainable transportation and key junctions can help to facilitate growth. This information will be used to inform the Infrastructure Delivery Plan.
 - **Open Space, Playing Pitch and Indoor Sports Facilities Studies** – the three interlinked studies are now completed. These will be used to identify requirements for future development which will inform the Infrastructure Delivery Plan;
 - **Infrastructure Delivery Plan** – a Draft Infrastructure Delivery Plan schedule has been prepared and is being finalised to support the Regulation 19 Pre Submission Plan.
 - **Local Plan Viability Study** – work has progressed to update the initial work undertaken in 2015, and to support the Pre Submission Plan.
 - **Employment Studies** - Joint work to update the employment need within the Functional Economic Market Area was finalised to support the East Herts District Local Plan examination and additional work has been completed for the District to inform the work on site selection;

- **Sustainability Appraisal and Habitat Regulations Assessments** are in progress to support the Regulation 19 Publication Plan and will be published alongside the plan; and
 - **Monitoring, housing trajectory and Housing Implementation Strategy** – monitoring systems have been put in place to ensure that the Council is able to monitor progress against the plan and forecasts for delivery. The Council's housing position with regard to the plan trajectory and the five year housing land supply position will be finalised for the publication of the Plan with up to date information on the current position.
- e. In order to focus on the preparation of the Pre Submission Plan the Planning Policy Team has had to put the proposed meetings with landowners / developers on hold. These meetings are now likely to take place early in the New Year to discuss entering into Planning Performance Agreements, and further consider how relevant Strategic Masterplans will progress.
- f. A review of the skills within the Council has been undertaken to identify the resources and skills required to take forward Planning Performance Agreements and Strategic Masterplans so that we can ensure the successful and timely delivery of the Local Plan in accordance with the approach endorsed by Cabinet. It is aimed that a report on this will be made to the Cabinet on 7 December 2017.

6. Harlow and Gilston Garden Town

- g. Interim Governance arrangements were approved by the Cooperation for Sustainable Development Board on 31 July 2017 and are now being implemented. This includes the extension of the existing EFDC Local Plan Developer Forum to encompass all the sites in and around Harlow and to operate as a Garden Town Developer Forum. This will provide a basis for the long term planning and implementation of sites identified for allocation in the Local Plan and provides a basis for the coordination and management of Strategic Masterplans. A Garden Town Officer Steering Group and Member Board have been introduced which meet monthly.
- h. Further funding for the Garden Town of £175,000 for 2017/18 was announced on 3 October 2017. This funding has been ringfenced to support the setting up of a Quality Review Panel and to provide support for transport and other evidence based work to help bring the strategic sites forward for development.
- i. Work has been commissioned to establish a Quality Review Panel and to undertake work on the proposed sustainable transport corridor. Consultants have been appointed to prepare a spatial vision and design charter for the Garden Town and this work is progressing well.
- j. A Garden Town Support Officer has been appointed and will play a key role in coordinating the work associated with the establishment and progression of the Garden Town, and will oversee key projects as required. Recruitment for a Project Director for the Garden Town is underway.