

Notice of KEY Executive Decision (Special Urgency)

Subject Heading:	Amendments to the facilitation of Personal Searches of the Local Land Charges Register in light of Covid-19
Cabinet Member:	Councillor Joshua Chapman, Lead Member for Housing and Planning
SLT Lead:	Barry Francis, Director of Neighbourhoods
Report Author and contact details:	Hayley Ayris, Local Land Charges Manager hayley.ayris@havering.gov.uk 01708 432425
Policy context:	Local Land Charges Act 175 Local Land Charges Rules 1977
Financial summary:	There are no direct financial implication as a result of this decision
Reason decision is Key	Indicate grounds for decision being Key: (c) Significant effect on two or more Wards
Date notice given of intended decision:	This is a decision pursuant to para 11 of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, made under “special urgency” with the consent of

Key Executive Decision

	the Chair of the Overview and Scrutiny Board.
Relevant OSC:	Towns and Communities O&S
Is it an urgent decision?	Yes
Is this decision exempt from being called-in?	Yes, due to Special Urgency

The subject matter of this report deals with the following Council Objectives

Communities making Havering	<input type="checkbox"/>
Places making Havering	<input checked="" type="checkbox"/>
Opportunities making Havering	<input type="checkbox"/>
Connections making Havering	<input type="checkbox"/>

Key Executive Decision

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

This decision will authorise the Assistant Director of Planning to make the necessary changes described to enable the Local Land Charges team to effectively and equitably manage the increased number of Personal Search booking requests being received in light of the ongoing the closure of the Public Advice and Service Centre (PASC) due to Covid-19.

The recommended changes include amending the online booking system which Personal Search Agents access, to release appointments slots a week in advance only and to allow only one appointment slot to be taken by each individual Personal Search company per day of the designated appointment slots available.

In addition, extracts of the Highways Register (which were previously inspected in person in at the PASC) do not fall within the Local Land Charges Act 1975 and Local Land Charges Rules 1977 and therefore will cease to be emailed with the documentation relating to the Personal Search of the Local Land Charges Register.

These changes will become fully effective as is practically possible and will cease upon the reopening of a Public Building from which the Personal Search function can safely operate.

AUTHORITY UNDER WHICH DECISION IS MADE

The following elements of the Council's Constitution apply.

Council's Constitution July 2019 Part 3 – Responsibility for Functions, Powers of Second Tier Managers 3.4 (a)

STATEMENT OF THE REASONS FOR THE DECISION

A service change decision was made on 31st March 2020 in light of Covid-19, to email the personal searches of the Local Land Charges Register, as the statutory requirement of viewing the register in person in a Public Building was no longer possible due the closure of the PASC. This decision was taken via an Executive Decision under special urgency and the arrangements were extended via a Cabinet decision on 24th June 2020.

Since the initial decision was taken in March, the volume of Personal Searches has significantly increased to where the wait time for a “virtual” appointment is approximately 6 weeks, this is mainly due to several larger Personal Search Companies dominating the booking system and block booking appointment slots.

Key Executive Decision

Therefore by releasing the appointment slots just a week in advance and allowing one company one address slot per day from the designated appointment slots available, this will result in equity and fairness to all Personal Search Companies wishing to book an appointment.

The Highways Register does not fall within the scope of a Personal Search of the Local Land Charges Register so needs to cease being part of the results being sent out. Alternative ways of accessing this information will be signposted to the Personal Search Companies.

OTHER OPTIONS CONSIDERED AND REJECTED

The option of not making any of the recommended changes was considered and rejected as it is not possible to continue allowing the booking system to carry on as it is as it is deflecting resources from the Local Land Charges Team who carry out fee paying LLC1 and CON29 applications which are monitored by MHCLG (Ministry of Housing, Communities and Local Government)

PRE-DECISION CONSULTATION

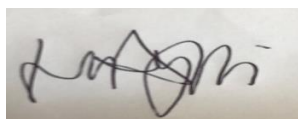
Councillor Joshua Chapman was briefed, via telephone on 5th August 2020 and he was content with the changes recommended.

NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: Hayley Ayris

Designation: Local Land Charges Manager

Signature:



Date: 12-08-2020

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

The statutory duty for a local authority to provide the Local Land Charges (known as the LLC1) service comes from the Local Land Charges Act of 1975. The Local Land Charges Rules of 1977 give effect to this Act. The executive decision would enable Personal Searches to continue but with an amended booking system in place.

FINANCIAL IMPLICATIONS AND RISKS

There are no financial implications arising from this decision. A Personal Search of the Register is undertaken without charge, as per statutory provisions.

HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)

Given the Coronavirus outbreak, the paramount consideration of the Council is the health and wellbeing of Members and officers. Given the ongoing closure of the PASC, it is necessary to provide an alternative Personal Search service.

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have 'due regard' to:

- (i) The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) The need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) Foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex/gender, and sexual orientation.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the

Key Executive Decision

Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

An EqHIA (Equality and Health Impact Assessment) is usually carried out when a current or planned service/policy/activity is likely to affect staff, service users, or other residents. It is acknowledged that in emergency or urgent situations it will not always be possible to carry out an EqHIA in advance of a relevant activity, however, managers will undertake the required EqHIAs at the earliest opportunity. Where managers are already clear that protected groups/users will be impacted negatively by the intended activity, then this will be noted in the next paragraph and/or put into EqHIAs. Where the negative impact of the intended activity can be mitigated, this too should be set out in this report and/or the EqHIA.

The recommended changes would apply to all Personal Search Agents and Companies, including those with protected characteristics. The changes described are considered to be a proportionate response to the current Covid-19 situation, reflect the ongoing closure of the PASC and will enable equitable access to appointment slots by only releasing them a week in advance and allowing a single booking per company, per day.

HEALTH AND WELLBEING IMPLICATIONS AND RISKS

The changes described are considered to be a proportionate response to the current Covid-19 situation and designed to ensure that that members of staff and service users are kept safe in the course of their work.

The COVID 19 pandemic is a global and national emergency with serious impact on lives and socio economic activities. National guidance recommends social distancing measures and working from home where possible. Given the threat to lives posed by the ongoing pandemic, the overriding consideration is to follow national guidance to protect lives. This decision is consistent with that guidance.

BACKGROUND PAPERS

None

Key Executive Decision

Part C – Record of decision

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision

Proposal agreed

Delete as applicable

Proposal NOT agreed because

Details of decision maker

Signed

Name:

Cabinet Portfolio held:

CMT Member title:

Head of Service title

Other manager title:

Date:

Lodging this notice

The signed decision notice must be delivered to the proper officer, Debra Marlow, Principal Committee Officer in Democratic Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on _____

Signed _____