



Service Planning 2012/15

Legal, Licensing and Democratic Services

V1.2 / 6/10/11

April 2012 – March 2013

Head of Service/Corporate Manager: Rachel Pocock

Portfolio holder: Ian Thomas

Service Plan Template 2012-2015: Contents Page

Section 1	Brief description of service and purpose(s)
Section 2	Key achievements in 2011/12
Section 3	Looking forward: what we will do in 2012/13
Section 3a	Looking forward: any Service challenges or pressures for next 3 years
Section 3b	Looking forward: options for doing things differently
Section 3c	Looking forward: what we will measure, how often and for whom
Section 4	Resources and workforce planning
Section 5	Training and development
Section 6	Service risks: current and new/emerging
Section 7	Partnerships
Section 8	Contracts

Notes for Service Heads and Corporate Managers:

*Certain parts of this form will be pre-populated. This will include your current risks, turnover, full time equivalent/headcount, absence rates and current net budget for your service.

Shaded areas are for guidance.

When you have completed your Service Plan:

- ✓ Save to O:\Service Plans. Final versions will be placed on the intranet/internet
- ✓ Communicate it to your staff
- ✓ Keep it under review – make it a live document which adds value!
- ✓ Use it to formulate individual objectives

Section 1 – Brief description of service and purpose(s)	
What we do and who we deliver to	<p>Licensing</p> <ul style="list-style-type: none"> o Assist our clients to run their businesses effectively o Contribute to the welfare of residents and visitors o Promote a vibrant and sustainable future <p>Democratic Services</p> <ul style="list-style-type: none"> o Help Members make informed decisions o Support and promote the democratic process o Help Members to develop their skills and knowledge to better serve the community <p>Legal</p> <ul style="list-style-type: none"> o To advise the Council and its committees, members and officers on local authority powers and duties, available options and to carry out its legal work, supplemented by external resources/specialists when required o To support propriety and development of the Council's decision-making, scrutiny and administrative processes, and assist the Monitoring Officer in discharging her functions <p>Key customers: Planning, estates, housing services, strategic management team. members, licensing and taxi trades</p>
How we deliver and ensure equal access	We advise the council on legal requirements. Law Society and in house corporate equality group provide guidance. Use of IdeA resources.
How we compare	Benchmarking with South Somerset produced generally favourable cost comparisons. We will continue to compare our services with other Devon authorities through service peer groups. Government licensing statistics and LACORS [Local Authority Co-ordinators of regulatory Services/LGAR (Local Government Analysis and Research)].
Statutory elements of the service	Legal advice, licensing service, support to committees and members, constitutional and monitoring officer work.
Current net budget (excludes Internal support charges and capital budget)	£1,118,730

Section 2 – Key achievements in 2011/12		
	<i>Briefly describe key achievements and what outcomes were created. This will inform Corporate Plan summary at year end.</i>	<i>Strategic link to Corporate Plan priorities</i>
1	Successful Member Welcome and Refresher programme following 2011 elections to support	Outstanding Council

	new and existing councillors to do excellent work	
2	Introduction of new style committee agendas with 'book marking' to aid speedy navigation and electronic annotation; significant reduction in committee paper use; revamped Knowledge weekly on line update	Outstanding Council
3	Retention of licensing team Service Excellence award	Outstanding Council
4	Successful transition period for legal service following retirement of two lawyers and recruitment of one new team member	Outstanding Council
5	Local Government Information Unit awarded Partnership Achievement of the Year to Portfolio Holder Strategic Development and Partnerships, following a nomination submission by Head of Legal, Licesning and Democratic Services	Outstanding Council
6	Very positive report from Office of Surveillance Commissioner's appointee following inspection for compliance with Regulation of Investigatory Powers Act. Indicates clear organisational understanding and good procedures are in place.	Outstanding Council
7	Successful legal representation of council at planning inquiry dealing with five year land supply issue.	Living in an outstanding place
8	Constitution and procedures redrafted and implemented through Council including compliance with legal requirements on leader and cabinet executive model	Outstanding Council
9	Advice on and implementation of simplified, focussed Overview and Scrutiny committee arrangements	Outstanding Council
10	Sex licensing procedures advised upon and implemented	Living/working in an outstanding place
11	Licensing team area of website developed to receive second highest level use of web forms in the council; also electronic application packs to offer assistance in completion of forms.	Outstanding Council
12	Trialling video conferencing to enable remote minute taking; saving time and carbon footprint.	Outstanding Council

Section 3 – Looking forward : what we will do in 2012/13				
Key Service Objectives (please include consultation or procurement activity required)	Financial/ corporate resource	Lead Officer	Start date	End date
a) Living in an outstanding place				
Continue to secure affordable housing (and other planning benefit through planning agreements).		AS	Jan 2012	2014

Develop new Licensing Act statutory processes which give the Council greater power to control adverse impacts of licensed activities on local communities in Police Reform and Social responsibility Bill		RP/JT	Jan 2012	2014
Provide effective enforcement mechanisms, through court or otherwise (for example, REACT team), as permitted by available resources		GS	Jan 2012	2014
Work with Affordable Housing Group to implement innovative and effective approaches to delivering affordable housing in light of Localism Act proposed changes.		RP	Jan 2012	2014
b) Working in an outstanding place				
Support to major projects and processes including the Local Plan (in-house with external resources as necessary).		RP	Jan 2012	2014
Implement case management for the legal service in line with previous service plan		RP/GS	Jan 2012	June 2012
c) Enjoying an outstanding place				
Provide and/or procure advice on council property projects, including possible office move		BH	Jan 2012	2014
Working with Licensing authority to implement amendments to Licensing Act effectively		JT/GS	Jan 2012	2014
d) Outstanding Council				
Effective and satisfied councillors fitted for the challenges of the future through the successful recent Member Welcome programme and building on Member Development Charter status through tailoring development for councillors individually		DV	Jan 2012	2014
Developing and implementing new governance requirements including new Code of Conduct and providing strategic legal advice on Localism Act implications		RP	Jan 2012	2014
Continue to provide opportunities for democratic engagement and to enthuse the councillors and voters of the future		DV	Jan 2012	2014
Supporting modernisation of procurement		RP/BH	Jan	2014

processes			2012	
-----------	--	--	------	--

Section 3 a – Looking forward: any Service challenges or pressures for the next three years? (Revenue/Capital)
1. Localism Act: a) Developing effective governance arrangements during and after Localism Act changes, including the new councillor Code of Conduct requirements b) Advising/supporting the Council on new powers for communities/social housing c) Helping focus limited service resources on the projects or proposals most likely to deliver value for money community benefit
2. Need effective succession planning in place within teams due to older worker age profile
3. Making good decisions in using new licensing powers
4. All teams are relatively small and any redirection of priorities or changes in workload or staff will need careful prior consideration and management/councillor support to avoid staff being overloaded. Particular pressure point in legal team as 50% of posts will be vacant by February; prioritising of work, temporary staff and/or outsourcing will be used as required.
5. ICT service is needed to deliver a number of issues/projects on time

Section 3 b– Looking forward: options for doing things differently
1. Shared services – to be considered in line with council strategy
2. Mobile working for licensing team for better use of time and I.T [already fed in to corporate proposal]
3. Office move, if it happens, should enable some service redesign such as mobile working and adequate meeting rooms near reception to offer privacy to members of the public
4. Investigate/formally pilot use of tablet pcs at Cabinet meetings given their greater similarity [than pcs or laptops] to reading conventional written documents, being on a horizontal plane and possibly easier to use

Section 3 c – Looking forward: what we will measure, how often and for whom					
Measure/indicator	How often – monthly, quarterly, bi-annually, annually	For whom? Cabinet, Overview and Scrutiny	Link to Corporate Priorities (listed on page 3 a,b,c or d)	Responsible Officer	Retain this measure (yes/no or new)
1. Number of random general licence	Quarterly	Overview & Scrutiny	a	John Tippin	Yes

checks					
2. Number of random vehicle licence checks	Quarterly	Overview & Scrutiny	a	John Tippin	Yes
3. Proportion of Councillors trained in regulatory functions	Quarterly	Overview & Scrutiny	a,c	Diana Vernon	Yes
4. By 1 April 2012 achieve 15% (75% by 2015) reduction on committee/councillor print/post budgets	Quarterly	Overview & Scrutiny	d	Diana Vernon	Yes
5. Percentage of councillors accessing electronic information	Quarterly	Overview & Scrutiny	d	Diana Vernon	Yes

Section 4 – Resources and workforce planning

Full time equivalents/Headcount*	FTE = 17.83 (as of 30/09/11) Headcount = 21 (as of 30/09/11)
Turnover*	Voluntary Turnover = 0% Voluntary & Non Voluntary Turnover = 4.76%
Absence*	Days lost per person: 1.17 days (Jan 11 to Sept 11)
Which posts have you found it difficult to recruit for/retain in last 12 months?	Solicitor
Number of staff rated below Meets in Performance Excellence Review?	None
Number of 'high potential staff'	5 – individual development arrangements

Section 5 – Training and development

Skills/development required	Who for	Expected outcome	When
I.T. support to make use of available software and new software, including updates	Some staff	Better use of time	Quarter ½ 2012
Progressing Plain English	Report	Clearer, more focussed,	2012

across Council	writers/staff communicating with public	shorter committee reports.	
Training on changes in Standards/Code of Conduct	Members/relevant officers	Understanding of changes	Following approval of new Code by Council. Early 2012.
Training on licensing changes	Licensing and Enforcement members/relevant officers	Understanding of changes to help good decision making	Early 2012
Training to implement case management	Lawyers and support staff	Effective use of system	1 st quarter 2012
Training for new legal, licensing and democratic services staff	Assistant licensing officer, licensing administrative assistant, democratic services officer, solicitor, senior solicitor	Effective induction and internal mentoring	Quarter 1/2 2012

Section 6– Review Service risks (current and emerging 2012-15)			
Current risk description*	Impact [minor, significant, serious, major]	Likelihood [remote unlikely, likely, very likely]	How managed/controlled <i>What action are you taking to reduce/minimise risk</i>
1. Council officers and/or members fail to take legal advice - Financial, reputational and legal losses may result from illegal and/or unlawful actions.	Significant	Unlikely	<ul style="list-style-type: none"> All reports to committee require legal implications
2. Failure to best protect the council's legal interests in litigation and/or non contentious work - Failure	Serious	Likely	<ul style="list-style-type: none"> In house legal skills kept up to date Sufficient legal staff (in house and/or consultants) available to

to advise on appropriate tactics and/or possible outcomes.			meet needs and with appropriate skills
3. Failure to comply with constitutional and legal requirements - Failure to implement adequate processes and/or obtain sufficient resources to ensure legislative compliance.	Serious	Unlikely	<ul style="list-style-type: none"> Monitoring Officer carries out statutory duties Service planning Budgets Keeping constitution updated
4. Risk: Failure to engage staff in organisational change - Uncertainty of structure and/or plans for change not managed well within authority.	Significant	Unlikely	<ul style="list-style-type: none"> Regular communication with staff: whole service; teams; managers; 121s for all staff Support for staff with change
5. Missed court or tribunal deadlines resulting in court directions, deadlines or dates are overlooked.	Serious	Unlikely	<ul style="list-style-type: none"> Monitoring of court communication and instructions from clients
6. Failure to plan and organise meetings in line with statutory requirements - A risk of missing statutory deadlines through a lack of organisation or effective communication with/by other services.	Significant	Unlikely	<ul style="list-style-type: none"> Committee timetable available to all officers and members Computer Programme to log and remind staff of key dates
7. Licensing breaches (for example disturbance to neighbours caused by drinking after hours in public houses, or unlicensed taxis) may cause nuisance and/or health and safety hazards.	Significant	Unlikely	<ul style="list-style-type: none"> Inspection of licensed premises and vehicles Licensing Team work with relevant trade bodies and hold liaison meetings Staff training and development
8. Failure to develop, support and train elected and co-opted councillors - Members fail to carry out their representative, executive or regulatory functions effectively with	Serious	Unlikely	<ul style="list-style-type: none"> Comprehensive Member Welcome (Induction) programme following elections Councillors cannot serve on regulatory committees without the relevant training

the potential for legal challenge, financial and reputational loss.			<ul style="list-style-type: none"> Identifying training and development opportunities for all councillors Members' page on website
9. Failure to promote democratic engagement - Not working with towns and parish councils, young people and others to develop participation in and influence upon the development of the Council's democratic and decision-making processes.	Significant	Unlikely	<ul style="list-style-type: none"> Annual Towns and Parish Council meetings or equivalent such as 'State of the District' days Bringing opportunities to participate in democratic processes to young people [such as 'Takeover' day and Local Democracy Week The Knowledge electronic newsletter
10. The risk of councillor Code of Conduct breaches and complaints to the Monitoring Officer will rise if she and her staff are not sufficiently proactive and/or adequately resourced in line with statutory requirements and duties. Localism Act changes will need effective implementation.	Significant	Likely	<ul style="list-style-type: none"> The Council has a statutory duty to ensure the Monitoring Officer is given the necessary resources to carry out her duties Monitoring Officer and staff to offer appropriate training to members New procedures under Localism act to be recommended to Council
11. Failure to carry out succession planning	Serious	Unlikely	<ul style="list-style-type: none"> Putting appropriate development opportunities in place
New/emerging risk description	Impact [minor, significant serious, major]	Likeli-hood [remote, unlikely, likely, very likely]	How managed/controlled What action will you take to reduce/minimise risk
1. Major legal changes in Localism Act not implemented lawfully	serious	unlikely	Close liaison with elected members to ensure any resource or organisational issues are addressed at an early stage
2. Inadequate resources in legal service	significant	likely	Use of temporary staff and/or outsourcing as appropriate

Section 7 – Partnerships	
What is in place?	Review date
Informal skill based groups across Devon (democratic services, lawyers, legal, licensing)	2014

Section 8 – Contracts	
What is in place?	Review date
No significant contracts	N/A

DRAFT