

LEGAL, LICENSING AND DEMOCRATIC SERVICES SERVICE PLAN 2010/13

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PART A: PERFORMANCE IN 2009/10

1. Key achievements in 2009/10

Priority 1 Affordable homes
<ul style="list-style-type: none"> • Contributed to legal arrangements including planning agreements to secure affordable housing across East Devon, the Virtual Affordable Housing officer group and to Asset Management group.
Priority 2 Thriving economy
<ul style="list-style-type: none"> • Support to Development Management and Executive arms of council in progressing Seaton Regeneration and other projects through committee process and towards implementation. • Led Implementation of the European Services Directive to provide for electronic application and issue of certain licences.
Priority 3 Safe, clean and green environment
<ul style="list-style-type: none"> • Introduction of taxi policy; review of Gambling Act policy • Persuaded members and officers to accept more electronic communications, including copies of committee reports, instead of paper: greener, quicker, cheaper. • Street Trading policies continued to be developed successfully with local members and communities • Dog Control Orders made for East Devon to review/replace existing arrangements. • Legal support to several communities with noise complaints, and for introductory and demoted tenancy agreements to offer an incentive for good conduct to new and existing tenants.
Priority 4 Recycling
<ul style="list-style-type: none"> • Concluded contract for recycling and refuse depot.
Priority 5 Children and young people
<ul style="list-style-type: none"> • See Priority 7
Priority 6 Excellent service for our customers
<ul style="list-style-type: none"> • Member Development Strategy: Application submitted for Member Charter status. • Licensing service was the first in England to receive the Customer Excellence Award. • Provided Democratic Services support to a greater number of meetings within current resources • Brought in on-line licence applications; centralised the administrative support for licensing

<ul style="list-style-type: none"> • applications . • Legal and democratic resources for implementation of the developing role of the Standards Committee in response to the (expected) increase in complaints and investigations of breaches of the Code of Conduct. • Provided governance advice to underpin service delivery as necessary: European Procurement, State Aid, partnership and local government frameworks.
Priority 7 An inspirational Council
<ul style="list-style-type: none"> • Democratic engagement work by councillors and officers with schools continues to be a success • Took the lead in Devon in challenging the legality of the Boundary Committee's process for local government reorganisation. [LGR] • All high risk premises under the Licensing Act 2003 were inspected during the year, as part of this Council's approach to risk assessment which has been adopted by other councils.

2. Customer understanding and involvement in service design in 2009/10

Engagement	
Information gathered	Use in planning/designing service delivery
Town and parish councils meetings	Change council processes/approaches where possible/appropriate
Working with young people; for example Local Democracy Week	Feedback our action on their suggestions in a 'you said/we did' format.
Benchmarking	
Information gathered	Use in planning/designing service delivery
Lacors (Local Authority Co-ordinators of Regulatory Services/LGAR(Local Government Analysis and Research) Licensing survey	Provides comparative data on numbers of applications
Information from peer groups	Adapt service improvement ideas
Equality	
Information gathered	Use in planning/designing service delivery
Advice from Law Society	Considered in planning/team meetings
IDEA Communities of Practice	Best practice advice, trouble-shooting
Complaints and Compliments	
Information gathered	Use in planning/designing service delivery
The Member Development Charter application is supported by a file of evidence.	Supports improvement of our practice and processes
'11 Million Takeover' Day included feedback from local schoolchildren on the Council debate session.	Review and action if event is held again next year.
Other	
Information gathered	Use in planning/designing service delivery
Survey sent to all readers of The Knowledge for their views on it contents and reader satisfaction.	Explore suggestions made to improve.

3. Performance review for 2009/10

<p>Please see 'key achievements' section. Overall the team has responded very well to the Council's priorities and objective to improve services within existing budgets. For example, the Licensing Team has taken on the administration of Environmental Health licences without extra staff, the democratic services team is supporting a much increased number of Scrutiny committees and the Local Development Framework process. The legal team has taken on some of the additional investigations required by the new Standards regime in connection with councillor conduct and</p>

coped with the national trend towards more litigation over local government decisions. High standards and aspirations are demonstrated by the Member Development Charter work and the Licensing Service Excellence award. As flagged up in last year's service plan, the legal team did not seek Law Society reaccreditation under its Lexcel Quality Standard because the cost/benefit of changing to the revised scheme could not be resourced without negative impact on other higher council priorities. This can be reviewed at a later date once the outcome of LGR is known. Moving forward, workforce planning issues should be addressed quickly if the service is to be resourced to meet its service plan objectives, including the period when a staff member is scheduled for secondment outside the service to work on the forthcoming general election.

PART B: PERFORMANCE MEASURES

4. Performance measures

Performance Measures for 2010/11 are under review and development through Systems Thinking exercises and, when they are finalised, they will be added to each Service Plan under the two headings below.

Leading Measures

Lagging Measures

PART C: PLANS FOR 2010/13

5. Key issues to be faced in the next 3 years

Key issues	Start Date	End Date	Lead Officer
Continuing to support a range of high profile, high impact and (in some cases) high risk projects	On going	2013	RP
Local government reorganisation [LGR] would require <ul style="list-style-type: none"> • active engagement with the process to influence the structures , for example whether community boards and electoral arrangements for councillors can be made to offer democratic engagement and decision-making at local level to try to protect East Devon residents' interests for the future • legal and administrative support and advice throughout the process, including property, contract , organisational and future corporate governance issues • Consideration of impact on service (and possible backfilling) for any officer involved in the transitional arrangements. 	Ongoing	TBA once decisions are made at central and local government levels.	RP
Possibility of shared services arrangements being made with another local authority (ies)	Ongoing	2013	RP
Leading ,involving and supporting staff while maintaining service through a period of major change and budgetary problems	Jan 2010	2013	RP/managers
With the Chief Executive, Monitoring Officer and s.151	Jan 2010	2013	RP/statutory

officer, promoting effective governance arrangements throughout any period of major change			officers
Securing resources to enable the service to keep up with customer expectations, through investment and effective delivery of ICT, such as mobile working.	Jan 2010	2013	RP
Continuing development of the Scrutiny function, including statutory Scrutiny arrangements of our partners such as the police, health service	Jan 2010	Jan 2011	DV(DM)
Further statutory requirements: <ul style="list-style-type: none"> to promote understanding of and participation in democratic engagement, to secure public involvement in exercise of functions Increased emphasis on democratic engagement, for example Community Call for Action, e-petitions, 			RP
Ethical framework changes, including amendments to the councillor Code of Conduct	May 2010	Dec 2010	RP
At the current time [6 Jan 2010] it is not known what members will decide to do in terms of budget setting for 2010/11. The Service Plan will need to be reviewed in the light of this to match priorities to resources.	Mar 2010	May 2011	RP

6. Contributions to key corporate outcomes planned for 2010/13

Outcomes	Start Date	End Date	Lead Officer
<p>The main outcomes the service will achieve in 2010/13 as part of its contribution to combating Climate Change are:</p> <ul style="list-style-type: none"> Introduction of facility to apply for and pay for a greater range of licensing transactions on line including premises licences for alcohol and entertainment under the Licensing Act 2003 Continuing to increase the range of legal work that can be done on line to include Stamp Duty Land Tax and a greater range of Land Registry transactions Continued inclusion of the 'Green Page' in The Knowledge to promote carbon saving initiatives and raise awareness Further reduction in paper document production through increased use of ICT, including legal documents, committee agendas and officer and member communications being primarily through e-mail. Communications with parish councils being electronically focussed. 	Dec 2009	Continuing	JT
	Ongoing	2013	GS
	Ongoing	2013	DV
	Ongoing	2013	DV
	Ongoing	2013	DV
<p>The main outcomes the service will achieve in 2010/13 as part of its contribution to our Data Quality Policy are:</p> <ul style="list-style-type: none"> Support the implementation of the Data Quality Action Plan across the service. 	April 2009	In line with corporate targets	AS

The main outcomes the service will achieve in 2010/13 as part of its contribution to Asset Management are: Continue to provide legal and democratic services support to management and disposal processes	Ongoing	2013	Property lawyer if post is filled
The main outcomes the service will achieve in 2010/13 as part of its contribution to Risk Management are: Continue to provide legal and ethical guidance support to officers and members.	Ongoing	2013	RP

7. Key service objectives planned for 2010/13

Key projects	In the 2009/12 Service Plan?	Start Date	End Date	Lead Officer
Priority 1 Affordable homes				
Continue to secure affordable housing (and other planning benefit through planning agreements.	N	Jan 2010	2013	AS
Priority 2 Thriving economy				
Support to major regeneration projects and processes including the Local Development Framework, by both in-house or external support as necessary.	Y	Jan 2010	2013	RP
Priority 3 Safe, clean and green environment				
Provide property and advice to projects such as Ottery St Mary footbridge, Axe Estuary Wetlands, Exmouth and Seaton Visitor Centres, redevelopment of Royal Avenue site Exmouth	Y	Jan 2010	2013	DS or successor
Provide effective enforcement mechanisms, through court or otherwise (for example, REACT team), for breaches of planning control, combating anti-social behaviour, and dealing with regulatory breaches, subject to resources being available for any changes in current level of service provision	Y	Jan 2010	2013	GS
Inspection/education programmes for licensing functions	Y	Jan 2010	2013	JT
Priority 4 Recycling				
Support on-going projects such as refuse and recycling contract	Y	Jan 2010	2013	AS
Priority 5 Children and young people				
Continue to provide opportunities for democratic engagement and to enthuse the councillors of the future	Y	Jan 2010	2013	DV
Priority 6 Excellent service for our customers				
Supporting modernisation of procurement processes	Y	Jan 2010	2013	RP [subject to filling of a vacant post]
Council functions continue to be carried out lawfully.	Y	Jan 2010	2013	RP/DL/DP

Support corporate governance, including promoting effective, participative systems of governance, including partnerships	Y	Jan 2010	2013	RP/DL/DP
Continue to provide an effective in-house service in a broad range of contentious and non-contentious legal matters, in providing the administration of the Council's committees and support to councillors, organising a substantial number of regulatory hearings and attending external courts, and in providing a range of licensing services.	Y	Jan 2010	2013	AS/DV/JT
Begin Systems Thinking analysis within all three teams to identify better ways of working, subject to current vacancy levels being addressed.	N	Jan 2010	Dec 2011	AS/DV/JT
Priority 7 An inspirational Council				
Effective and satisfied councillors fitted for the challenges of the future through the Councillor Development and Training Strategy. Aim to achieve Charter.	Y	Jan 2010	2013	DV
Work with Affordable Housing Group to implement innovative and effective approaches to delivering affordable housing	Y	Jan 2010	2013	RP

8. Service transformation in 2010/11

Changes to the service in light of the service transformation exercise	Lead Officer
Reduction in size of agendas by honing reports, providing more supplementary information on-line and continuing to provide ICT surgeries and support to help councillors to be more confident in their use of computers.	DV
Introduction of mobile working facilities for licensing team, subject to corporate budgets being approved.	RP
Reduce size of Knowledge and replace with more links	DV
Increased use of on-line, in-house and free learning opportunities – less reliance on outside providers.	DV

9. Customer understanding and involvement in service design in 2010/13

Engagement			
Action	Start Date	End Date	Lead Officer
Regular meetings with taxi and private hire drivers	April 2010	March 2013	JT
Support services; regular review meetings with customers already take place.	April 2010	March 2013	AS/DV
Benchmarking			
Action	Start Date	End Date	Lead Officer
Licensing and Democratic Services – already underway	Nov 2009	Jan 2010	RP
Legal service – to be programmed if Local Government reorganisation does not take place			
Equality			
Action	Start Date	End Date	Lead Officer
Completion of Equality Impact Assessments	Jan 2010	TBA	GS
Complaints and Compliments			
Action	Start Date	End Date	Lead Officer

Feedback from Local Democracy Week activities are explored after the event each year and the programme modified to meet individual schools' needs.			DV
Other			
Action	Start Date	End Date	Lead Officer
The 6 monthly Member Development Reviews together with input from the Member Champion and Member Development Working Group will be used to feed into the Member Development programme.	Nov 09	August 10	DV

10. Joint working – opportunities to share services and work in partnership in 2010/13

Opportunities to share services in 2010/13	Start Date	End Date	Lead Officer
Possible Local Government Reorganisation in Devon	? Mar 2010	Mar 2011	RP
Partnering opportunities in 2010/13			
Possible sharing with another local authority	TBA	TBA	CE

11. Workforce Planning for 2010/13

Headcount	
What is the current headcount in your service?	18.48 (FTE) plus 1.5 vacant posts
Is the headcount likely to significantly change in the next three years? If yes, how?	No
Which key post holders are likely to retire in the next three years? Is there a succession planning strategy in place for this/these post(s)? If not, how would you fill this/these post(s)?	One senior postholder. Recruitment has been on hold for over a year due to the recruitment freeze; this needs addressed immediately if the service is to function normally. Major projects are at risk.
Recruitment and turnover	
Which posts have you found it difficult to recruit for?	None – vacancies have not been in hard to fill areas
What action are you taking to help fill posts which are difficult to recruit for?	Market supplements
Have you put market supplements in place for these posts?	Yes
What is the current turnover for the service?	Nil
Skills Development	
What skills gaps exist in the service and what skills need further development?	No procurement specialist and the part-time member of staff may choose to retire completely shortly. There is not capacity within the existing team to absorb this work. Need to develop the in-house advocacy function further. Need to recruit to the existing senior lawyer vacancy.
Have you undertaken succession planning within your service?	Yes
Have you and your managers put in place specific training plans for individuals to assist the succession planning process, for instance, special	In part. Review once outcome of possible local government reorganisation /shared services is known.

training for high potential individuals?	
Workforce Development priorities	
<p>What are the main Workforce Development priorities for the service in the next three years? <i>(This might include specific corporate or professional training, training for staff in partnership working, systems reviews, sharing service provision with other councils, individual training plans for succession planning.)</i></p>	<ul style="list-style-type: none"> • Give staff and managers alike access to development and training opportunities to enable them to deliver excellent service and access new roles in any new unitary /shared service • Ensure all staff have the skills to use the IT resources currently available to them

12. Review of Action Plan in response to the Best Councils Survey findings and, if appropriate, Happy, Healthy, Here Audits

Action	Progress
Team building through voluntary social activities	In response some new events have been arranged and enjoyed.
Team priorities will be discussed and recorded at team meetings at least quarterly. Managers and staff alike will be expected to be more open to free up managers to manage and should provide opportunities for staff to tackle new work and reduce the 'boredom factor' identified across the Council by the Survey; managers will seek to agree (and record) at least one new work challenge for each member of staff.	More 'stretching' targets have been identified for individual team members plus team objectives.
All service managers have been nominated to attend the bi-monthly 'News and Views' meetings and will be required to do so or send a replacement if they cannot attend; relevant info from these (and other corporate meetings) will be passed on at the next team meeting, if not before.	Managers' attendance has improved. Feedback and discussion takes place at 121s and team meetings.
Service managers will meet together six-weekly to review current team performance and share good practice.	Actioned and proving useful to all
All managers will make themselves more visible and available – and all staff will be asked to commit to improving overall individual and team performance	This is well underway but we need to think about what more we can do.
More involvement with other council teams – representatives of LLDS to attend at least three other service team meetings in course of 09/10, and 'Back to Floor' days to be encouraged.	Some team members have attended other service team meetings but the need to focus time on immediate work priorities has limited this.

13. Budget underpinning the Service Plan in 2010/13

	2010/11	2011/12	2012/13
Total Budget Requirement Revenue	£ 000's	£ 000's	£ 000's
Gross Expenditure	1,320,260	1,346,670	1,373,600
External Income	(321,550)	(327,980)	(334,540)
Internal Support Service Charges	887,210	904,950	923,050
Internal Income	(1,079,190)	(1,100,770)	(1,122,790)
Capital Charges	8,180	8,340	8,510
Net Budget	814,910	831,210	847,830
Additional spending/Transfer of resources	2010/11	2011/12	2012/13
Assumed no new expenditure and 2% inflation each year			