



Keeping Kennet Special

Service Delivery Plan

2006 to 2009

Legal & Democratic Services

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1 Corporate Vision and Priorities

1.1 20 Year Vision

The council will maintain sustainable communities; provide a clean, healthy and safe environment; and good access to Council services. The Council will encourage the participation of residents in decisions about their communities.

1.2 Key Priorities

The Council's 4 key priorities:

- Community Leadership
- Developing Strong, Safe & Healthy Communities
- Stewardship of the Environment
- Improving Council services

2 Service Purpose

Service Area	Purpose
Legal	<ul style="list-style-type: none"> • To provide and maintain efficient and effective Legal services to support the Council to deliver Best Value to its tax payers and service users with limited resources. • To support all the Council's services in delivering/enabling/achieving the Council's aims and objectives as identified in the Council's Corporate Strategy. • To provide legal advice and assistance to Council Members and senior Management as appropriate • To advise, assist and prepare legal documents and agreements • To conduct litigation on behalf of the Council
Democratic	<ul style="list-style-type: none"> • To assist and support Members and the Council and its committees in the decision-making processes • To implement Member Development and Training Strategy • To ensure all electoral registration information is collected and stored accurately and in a timely fashion and to run the necessary elections • Update the Council's constitution • Produce the Members' bulletin
Performance and Information Unit	<ul style="list-style-type: none"> • To deliver and issue a local land charge certificate in respect of land or property within the District of Kennet within the statutory framework. • To provide management and other performance and budgetary management and monitoring service for Legal and Democratic Services. • To assist and provide administrative assistance wherever possible to the Data Protection and Freedom of Information Officer in her statutory duties within the Council. • To assist and provide administrative cover for the Legal and Democratic Sections

3 Service Functions

Service Function	Support to key priorities				Statutory/ Discretionary
	CL	SS HC	SE	IS	
Legal	1	1	1	1	Discretionary
Democratic – particularly licensing	2	2	2	2	Both Statutory and Discretionary
Performance Management	2	2	2	2	Statutory

Key: 0=low, 1=medium, 2=high

4 Organisational Context

The Legal and Democratic Service consists of 3 sections, Legal, Democratic and Performance and Information :

GROUP	Resources
SERVICES	Legal and Democratic Services
SECTIONS	Legal Services Democratic Services Performance and Information Unit
FUNCTIONS	Refer to 2 above

5 Statement on Consultation & Communications

The plan requires further development after communication with members of the service (through operational and TeamSworck meetings). However on going communications are listed below:

5.1 PR Targets

Section	2006/2007	2007/2008	2008/09
Democratic Services	<ul style="list-style-type: none"> • General Election • Any by-elections • County Electoral Division 	Any By-elections	Any by-elections
Legal services	<ul style="list-style-type: none"> • Prosecutions of interest • Freedom of Information • Local Determination summaries 		
Local Land Charges	NLIS		

5.2 Service Information availability & Updates

Item	2006/07	2007/08	2008/09
E mail alerts	On going	Will continue	Will continue
Members' Bulletin	On going	Will continue	Will continue
Guidance leaflets	On going	Will continue	Will continue
Inter active e-gov TV and CDs	On going	Will continue	Will continue
Road Shows - licensing	On going		
Presentations & Seminars	On going		

5.3 Customer consultations

The service consultation diary requires further development, although informal consultations are being carried out regularly with customers, most of which are the internal service users of the department, so far the program is set as follows:

Service area (or cc theme)	Contact	Customer group	Purpose of consultation	Method for consultation	Year/month	Geographic area	Compliant with Statement of Community Involvement	Planned promotion
Local land charges	Julie Marsh	Local Solicitors	To inform them of NLIS and MVM computerisation	Presentation	2006 when live	Invitation to all solicitors within district	yes	2005 when system goes live
Legal (licensing)		Licensees	Information about new regime	Press releases	On going	Within District	yes	Ongoing and will continue
Democratic Services	Maria Memoli	District, Parish & Town Council Members	Code of conduct issues	Seminars/ Presentations/ Leaflets	2006	Within District	yes	Latter part of 2005 and in 2006
Customer Service Charter	M Memoli	Internal	To establish service standards and satisfaction levels	Questionnaire	2006	Internal	n/a	Internal q/naire

6 Benchmarking Statement

Service Area	Year	Actions in the past year and this year
Democratic Services	2003/04 + 2005/6	Visits to other authority to compare scrutiny arrangements. Planned visit to another local authority.

Legal Services	2003/04 + ongoing	Informal comparisons with other Legal depts. in LAs in Wiltshire
Legal Services	2002/03 + ongoing	Comparisons with other Legal Depts. in LAs within Wilts. and Dorset

7 Key Risk Management Issues

The three key risks facing the service, with the mitigation actions/plans, are:

RISK	ACTION/PLAN	Deadline
Performance and Information <ul style="list-style-type: none"> Local Land Charges – Manual Records (destruction or incorrect information) Staff shortages means not hitting statutory and non statutory targets Not supporting statutory functions of the Council for Data Protection and Freedom of Information. Lack of cover for Legal and Democratic Services 	Corporate computer system (MVM) is in the process of being implemented. LLC last service to go 'live'. Planning files have to be revisited to ensure no incorrect entries in this field.	2005/06
	To Increase establishment post in this area with income generated in this unit to ensure adequate corporate capacity	2005/06
	Ditto	2005/06
	Ditto	2005/06
Democratic Services Electoral Registration <ul style="list-style-type: none"> Litigation & Insurance Claims (Data Protection/Human Rights) Lack of resources to cover member meetings, particularly new Committee and sub committee meetings Licensing & Local Investigations hearings	Evolving Policy Documents and Guidance	2005/06
	A restructure has taken place and a new recruit taken on board.	2005/06
	As above - workload not measured yet ,therefore to be monitored to ensure adequate corporate capacity or outsource	2005/06

8 Service Costs

	2004/05 Actual	2005/06 Budget	Reasons for variation

Service Function: Policy			
Direct Costs	588,706.00	651,677.00	
Indirect Costs	374,631.00	385,310.00	
Gross Costs	963,337.00	1,036,987.00	
Income	-269,390.00	- 253,030.00	
Recharges	-631,576.00	- 723,710.00	
Total Net Costs	62,371.00	60,247.00	

9 Efficiency Savings

Year	Category	Detail	Anticipated full year savings	Method of calculation	Account code/cost centre
It is difficult to quantify efficiency savings given we have been unable to recruit a Head of Legal and Planning Lawyer.					

10 Contracts

The Service does not procure its own services through contracts but does give advice and assistance to other departments

Contract	Date	Description
None.		

11 Asset Reviews

The service has the following assets, which have been reviewed as follows:

11.1 Property

Asset	Still suits the needs?	Comments
Nil		

11.2 IT Communications Hardware

Asset	Replacement due (year)	Still suits the needs?	Comments
All IT equipment etc. still required	2005/06	Yes	Some PCs already replaced others still to be carried out.

11.3 IT Software

Asset	Still suits	Comments
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	the needs?	
Elections and Electoral Registration and Committee systems	Yes	Relatively new
All maintenance		Should be included in Service Plan

12 Service Area Structure

	Still suits the needs?	Comments
Team size	No	The service is short staffed and new functions will be difficult to cover
Team composure	Yes	Restructured in 2003/04 to share resources on a more equitable basis and Democratic Services restructured 2005 and new post to be filled 2005/06.
Team skills	No	Training will be required in the fairly new functions of the Council as a result of new legislation ie. Licensing/O&S/Standards Committees/FOI and for the training of Democratic Services and Legal Services in their support.
Links to other teams/ service areas/ services/ groups		We will attempt to support all departments within the Council wherever possible

13 Key New Tasks and Service Developments for 2006 to 2009

Key Task 2006-2007	Corporate Strategy Reference	Comments	Revenue Costs/ savings
ASBO's and High hedges	Strong, Safe & Healthy Communities	Relatively new legislation – needs to be developed by Legal Services	?
Human Rights Act	Improving Services	Ensure compliance by formulating and implementing policy subject to resources availability	Cost absorbed
Housing Advice – now in-house	Improving Services	As now in-house legal resource required	Unknown – if no capacity may have to outsource
Lexcel	Improving Services	Maintenance to be included Inspection Upgrade	£5,000 Already in the base budget
Relatively new Committee functions - Licensing - Overview and Scrutiny Standards	Improving Services + Strong, Safe and Healthy communities	New functions of the Council which need to be developed by Legal Services in their role of providing advice, assistance and manpower. Local Determination Hearings legislation is now in force and will impart on resource.	Full Costs unknown as new functions for the Council
Customer First	Improving Services	Second an officer to work on the implementation of the customer first project	Solicitor to the Council plus legal staff on contractual and other operational issues

Website enhancement	Improving Services	Required for Freedom of Information and generally for records management	
Elections KDC and Parish WCC	Community Leadership	(May 2005) May 2007 May 2009	
Implementation of Corporate Computer system for Local Land Charges	Improving Services	2005/06 once system goes live	
Dependent on new legislation			
Key Task 2007-2008	Corporate Strategy Reference	Comments	Revenue Costs/ savings
To undertake on behalf of the Tidworth Community Planning Partnership and Tidworth Parish Council the CPO of the Pennings Road site	Strong, safe & healthy communities	Legal Services will obtain the necessary CPO	?
Dependent upon new legislation			
Key Task 2008-2009	Corporate Strategy Reference	Comments	Revenue Costs/ savings

14 Possible Capital Schemes/Purchases for next 5 years

Year	Scheme/ Purchase	Benefit(s)	State of bid	Costs
05-06	Lexcel accreditation	Recognised accreditation of Law Society for systems and procedures	£5,000 to be carried over to next year 05.06 plus a further £5,000 which will include annual maintenance of £5,000 per annum	
06-07	Case Management	As part of Lexcel		£30,000
06-07	None			

State of bid: 1=concept, 2=bid made, 3=in 1st stage plan, 4=in 2nd stage plan

15 Key Training Requirements for Tasks

In order to provide the Service Functions and Key New Tasks the following areas of training, or skill lack, have to be addressed:

Function/New Task	Skill Area Required	Person/Post	Priority 1-3
Legal	Ongoing Professional Development especially for new legislation and functions of the Council (eg. Overview and Scrutiny, Licensing, new trading powers for the Council and Standards – Local Determination)	Solicitor to the Council	1
		Legal Team Leader	1
		Lawyer	1
		Lawyer	1
		Trainee Solicitor	1
Democratic	Licensing Committee	Democratic Services Officers and Elections Officer x 5	1
Performance and Information	Computer Training Data Protection Freedom of Information	Performance and Information Officers x 3	1
		Performance and Information Team Leader	1
		Performance and Information Team Leader	1

Priority 1 = service critical, 2=service desirable, 3=personal development

16 Additional IT Developments for Tasks

In order to provide the Service Functions and Key New Tasks the service has identified following software and/or hardware resources:

Function/New Task	IT Resource Required	Priority 1-3
Legal	Time recording and case management (provision made last financial year) and maintenance and in capital bid	1
Performance and Information	Corporate computer system and maintenance for Local Land Charges. MVM system	1

Priority: 1=service critical, 2=service development, 3=service desirable

17 Performance Management

Performance Indicators		Actual 2003/04	Actual 2004/05	To Sept 2005	Target 2005/06	Target 2006/07	Target 2007/08	Top Quartile 2003/04	Bottom Quartile 2003/04
F001	Percentage of agendas published by local deadline (5 days)	93%	100%	100%	100%	100%	100%		
F002	Percentage of minutes of meetings available within 10 working days and dispatched within the time	100%	100%	100%	100%	100%	100%		

Performance Indicators		Actual 2003/04	Actual 2004/05	To Sept 2005	Target 2005/06	Target 2006/07	Target 2007/08	Top Quartile 2003/04	Bottom Quartile 2003/04
	agreed								
F003	Percentage turnout for local elections	No election	No election	n/a	n/a	39%	100%		
F004	Acknowledge applications of rolling registration within 5 working days	100%	100%	100%	100%	100%	100%		
F005	Errors in Electoral Registration due to error by KDC	0	0	0	0	0	0		
F006	The number of complaints to an Ombudsman classified as Maladministration	0	0	0	0	0	0		
F010	Number of complaints notified to us by the standards board	8	13	5	3	3	6		
F012	To prepare for consideration by clients draft planning obligation/agreements within 10 working days	new	new	100%	100%	100%	100%		
BV179	The percentage of searches carried out in 10 working days	100%	100%	100%	100%	100%	100%		94%

18 Statement on Community Safety - Section 17 Reduction of Crime & Disorder

The service will undertake/review a section 17 audit of services which identify the contribution to reduction of crime and disorder and develop the action plan accordingly.

Action	Comment	Deadline
Service S17 audit	<ul style="list-style-type: none"> Undertake/review S17 audit for the Service and give legal advice and assistance to other departments if and when appropriate 	<ul style="list-style-type: none"> End May 2006 As & when appropriate

19 Equalities Action Plan

The service area has contributed (and will continue to contribute) to the Service, Group and Council Equalities Strategies through the following activities.

Serial	Action	Owner	When	Resources	Measures of completion	Target	Status @ report
1	Provide a Service Champion to contribute fully to the corporate Officer Working Party	LADMT	ongoing	N/A	N/A	N/A	ongoing
2	LAD Services will ensure that any aspect of discrimination within the Department will be challenged and eradicated.	LADMT	ongoing	N/A	No Complaints	No Complaints	ongoing
3	The Service will keep valid records of identified disadvantaged and ethnic groups and will use this information. It will also incorporate equality targets as part of its Performance Indicators.	LADMT	ongoing	N/A	N/A	N/A	ongoing
4	The Service will ensure that all staff receive training and challenge any areas of perceived institutional racism.	LADMT	ongoing	N/A	All staff trained – no complaints	100% trained – no complaints	ongoing
5	LAD Service will produce an annual report to the Resources Executive Committee on Equality issues	LADMT	ongoing	N/A	N/A	N/A	ongoing

20. Sustainability Action Plan

The service area has contributed (and will continue to contribute) to the Council's sustainability agenda through the following activities.

Serial	Action	Owner	When	Resources	Measures of completion	Target	Status @ report
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Serial	Action	Owner	When	Resources	Measures of completion	Target	Status @ report
1	Continue to place (and update) more documents on the web, incl. application forms, information and informative leaflets etc (hence less hard copies).	L & DS	ongoing	None	Availability on the website	ongoing	ongoing
2	The public agendas, reports and minutes of the Council and committee meetings etc are made available on the Council's web site, including general information about them, as soon as possible after printing off the required hard copies. The Democratic Services Team regularly reviews that all new documents have been entered on and are still available at a later date.	L & DS	ongoing	Via IEG	Less hard copies	ongoing	ongoing
3	The Team has an ongoing active policy of re-using and recycling papers/materials/equipment etc. and purchasing goods using recycled materials wherever possible.	L & DS	Ongoing	None	More recycling and less waste	Ongoing	ongoing

21. Service Action Plans

Serial	Action	Owner	When	Resources	Measures of completion	Target	Status @ report
1	ASBOs & High Hedges	MM	tba	Not known – but officer time	Successful ASBO & High Hedges prosecution	None at the moment	Still in infancy

Serial	Action	Owner	When	Resources	Measures of completion	Target	Status @ report
2	Freedom of Information and Records Management	MM	Ongoing	Officer time + computerised system for handling & tracking requests	Operative requests from Jan. 2005 (statutory requirement) following training for staff and ensure digitally captured	FOI request handling – electronically by June 2006 Staff training ongoing	ongoing
3	Housing Advice	MM	Ongoing	Officer time – but may have to outsource if insufficient corporate capacity	Depends on when Housing Services pass matters onto Legal	Not known	ongoing
4	Licensing committee and sub-committees	MM	Dec 2004	Officer time – may have to outsource if insufficient corporate capacity	Dates already set from Jan 2005	Jan 2005	ongoing
5	Local Determinations by Standards Committee	MM	ASAP	Officer time – may have to outsource if insufficient corporate capacity	ASAP	ASAP	ongoing
6	Elections	JG/MM/ JM	May 07 May 09	Officer time	Result of Election	May 2006	ongoing
7	Website enhancement	L & D S	Ongoing	Officer time	Information on the Web	Ongoing	Ongoing
8	Local Land charges MVM system	JM	2006 when live	Officer time	When “live”	2006	ongoing
9	Corporate Records Management system	FM/mm	?	Officer time – may have to outsource if insufficient corporate capacity	?	?	Still in its infancy but now is part of Customer First/the e-gov target
10	Formation of new companies under LGA 2000	MM	?	Officer time – may have to outsource if insufficient corporate capacity	?	?	