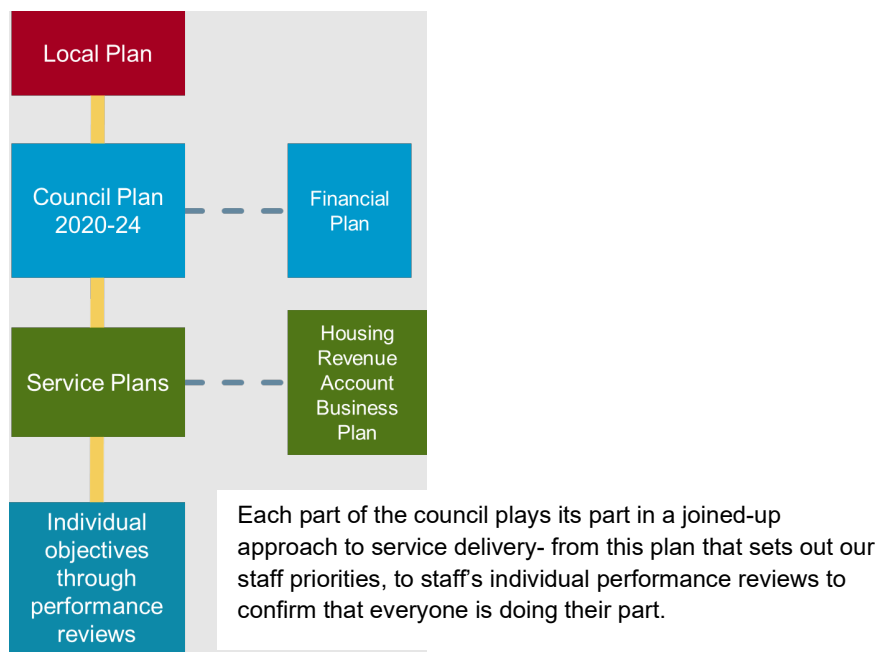


# Legal and Governance Service Plan 2024-25

Version 0.2

April 2024 – March 2025



**Director: Melanie Wellman**

**Portfolio holders: Cllr Sarah Jackson, Cllr John Loudoun and Cllr Geoff Jung**

## **Service Plan Template 2024-25: Contents Page**

- Section 1      Brief description of (Business as usual) service and purpose(s) including staff structure
- Section 2      Looking forward: what additional key workstreams we will do in 2024-25
- Section 3      What we will measure in 2024-25: Performance targets

### **Notes for Director and Assistant Director/Service Leads:**

Shaded areas are for guidance.

### **When you have completed your Service Plan:**

- ✓ Save to Service Planning 2024-25 Teams folder. 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

#### Licensing team

- Processing applications including hackney carriage and private hire licences, premises and personal licences under the Licensing Act 2003, temporary event notices, Gambling Act 2005 applications
- Producing reports and presenting applications to the Licensing Committees/Sub-Committees
- Assisting customers to run their businesses effectively
- Contributing to the welfare of residents and visitors
- Promoting a vibrant and sustainable future

#### Democratic Services team

- Helping Members make informed decisions
- Supporting and promoting the democratic process through the organising of meetings, issuing of agendas, preparation of minutes
- Helping Members to develop their skills and knowledge to better serve the community
- Maintenance and updating of notice of key decisions
- Publishing of reports, agendas and decisions in accordance with legal requirements

#### Legal team

- Advising the Council and its committees, members and officers on local authority powers and duties and available options
- Carrying out legal work on behalf of the authority including areas such as property, litigation, planning and contracts.
- Providing legal advice and assistance to facilitate key Council projects
- Support propriety and development of the Council's decision-making, scrutiny and administrative processes, and assisting the Monitoring Officer in discharging their functions

#### Elections

- Conducting the annual canvass
- Updating and maintaining the Electoral Register
- Organising and conducting elections including General, Police and Crime Commissioner, County, District and Parish Elections and Parish Polls

#### **Data Protection, Freedom of Information and Complaints**

- Overseeing data protection within the Council, investigating data breaches and advising/training officers and members in relation to data protection
- Responsible for processing of Stage 1 complaints and handling all Stage 2 complaints and dealing with the Local Government and Housing Ombudsman in respect of complaints which are referred once our internal process has been exhausted.
- Dealing with all Freedom of Information (“FOI”) requests, environmental information (EIR) and subject access requests under Data Protection Act and the Information Commissioner’s Office where a matter is referred.
- Producing regular reports to SLT and Members reporting on our performance in relation to FOI/EIR/Data Protection and complaints including and lessons learnt

#### **Monitoring Officer**

- Responsible for matters relating to the conduct of members including dealing with member Code of Conduct complaints relating to District, Town and Parish members,
- Advising on legality of decision-making and the operation of the Council’s constitution

#### **RIPA**

- Providing advice and guidance on the legislative requirements of the Regulations of Investigatory Powers Act 2000 in relation to directed surveillance, use of covert human intelligence sources and obtaining and disclosing of communications data

#### **Interim Returning Officer**

- Ensuring that elections are administered effectively

<b>Staff Structure</b>	<a href="#">Link to structure chart on the intranet</a>
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**Section 2 – Looking forward: what we will do in 2024-25 (service objectives)**

<b>2.1 Service level priorities we will deliver in 2024/25 which support the Council Plan Priorities; Better homes &amp; communities, A greener East Devon, A resilient economy and Services that matter</b>	<b>Financial/ corporate resource</b>	<b>Lead Officers</b>	<b>Due Date</b>
Review of the Council’s Constitution with input from Member Constitution Working Group	Legal/Democratic	Monitoring Officer/Head of Legal/Democratic Services Manager	Stage 1: May 2024 Stage 2: November 2024
Introduction of Protocol with Devon and Cornwall Police in relation to the handling of member code of conduct complaints relating to disclosure/declaring of Disclosable Pecuniary Interests	Legal	Monitoring Officer	September 2024
Continue to secure affordable housing (and other planning benefit) through planning and property transactions.	Legal	Head of Legal	March 2025
Provide legal advice to Council/Cabinet/Committees and Sub-Committees	Legal	Head of Legal	March 2025
Continue to support the Development Management function in enforcement action against unauthorised and harmful development.	Legal	Head of Legal	March 2025

To protect the legal interests of the Council by defending or making claims by or against individuals or businesses including responding to applications for judicial review	Legal	Head of Legal	March 2025
Provide advice and support on legal strategy / implementation of major projects (including regeneration) and related processes (internal with external resource where required).	Legal	Head of Legal	March 2025
Introduction of new Cemetery Regulations policy	Licensing/Bereavement Services	Licensing Manager	March 2024
Ensure continuity in high level of Bereavement Services administration following retirement of Cemeteries Registrar .	Licensing/Bereavement Services	Licensing Manager	July 2024
Concluding the GPS mapping of all our 3 managed cemeteries	Licensing/Bereavement Services	Licensing Manager	January 2025
Completion of a revised Taxi & Private Hire Vehicle Policy, being due full review after 5 years to include revised application procedures	Licensing	Licensing Manager	July 2024
Review and implementation of the Statement of Gambling Policy.	Licensing	Licensing Manager	January 2025
Review taxi and private hire fees and charges to implementation.	Licensing	Licensing Manager	December 2024
Implementation of a permanent Pavement Licence regime requiring new policy and fee setting through central government legislation.	Licensing	Licensing Manager	December 2024

Introduction and implementation of relevant fees for film classification.	Licensing	Licensing Manager	July 2024
Introduction and implementation of street trading consent fees.	Licensing	Licensing Manager	July 2024
Provide Democratic Services support to all Council committees, Forums, Working Groups and Panels	Democratic	Democratic Services Manager	March 2025
Review and update Council, Cabinet and Committee report templates	Democratic and Legal	Democratic Services Manager	April 2024
Provide training to officers on decision-making and the legal requirements in relation to key decisions	Democratic and Legal	Democratic Services Manager	April 2024
Hold an Annual Council meeting to make appointments to Committees, Outside Bodies, Forums, Working Groups and Panels	30 May 2023	Democratic Services Manager	Annual
To prepare a timetable of meetings for all council committee meetings for 2024/2025 and publish on the Council's website	30 May 2023	Democratic Services Manager	Annual
To issue and publish a Notice of Key Decisions to be taken by Cabinet and officers in accordance with the Council's Constitution	31 March 2025	Democratic Services Manager	Monthly
To conduct a Member Satisfaction survey and produce an action plan on the quality of service provided by Democratic Services for 2023/2024	30 September 2024	Democratic Services Manager	Annual

Setting up and management of Election Project Team	To be determined	Interim Returning Officer and Electoral Services Manager	May 2024
Conducting a safe and legal Police and Crime Commissioner election in May	Electoral Services and a range of other Council service areas	Electoral Services Manager	May 2024
Conducting a safe and legal General Election	Electoral Services and a range of other Council service areas	Electoral Services Manager	To be determined
Provide a successful annual canvass	Electoral Services	Electoral Services Manager	December 2024
Review and update Data Protection policies and guidance	Information Governance	Data Protection Officer	July 2024
Review Corporate Complaints procedure to ensure compliance with Ombudsmen code of practice	Information Governance	Information Governance Manager	May 2024
Set up Information Governance Board (subject to member approval)	Information Governance	Monitoring Officer/ Data Protection Officer	April 2024
Set up Information Governance Working Group	Information Governance	Data Protection Officer	April 2024
Produce Annual Report to the Audit and Governance Committee in relation to Information Governance	Information Governance/Strata	Data Protection Officer	September 2024
Produce regular report to Members in relation to complaints	Information Governance	Data Protection Officer	April 2024
<b>Service actions relating to climate change</b>	<b>Financial/ corporate resource</b>	<b>Lead Officers</b>	<b>Due Date</b>



Continue to provide legal advice on the Council’s projects relating to climate change	Legal	Head of Legal	March 2025
Reduce travel to work through improved systems/processes	Governance and Licensing	All service managers	March 2025

<b>Key Projects</b> Service development / project supporting strategic objectives including the council plan.	<b>Conduct election</b>	
<b>Expected outcome</b>	Safe and legal Police and Crime Commissioner Election	
<b>Link to Council Plan priorities</b>	Quality Services	
<b>Resources required including additional budget, staffing or Digital / Data Transformation</b>	Largely within existing resources. Additional support may be required – currently being investigated.	
<b>Milestones</b>	<b>Due date</b>	<b>Lead officer</b>
1. Creation of Election Project Team	January 2024	Interim Returning Officer/Electoral Services Manager
2. Remaining milestones to be completed by Electoral Services Manager upon return from leave		
<b>Key Projects</b> Service development / project supporting strategic objectives including the council plan.	<b>Review Licensing Fees</b>	
	To review existing fees and the implementation of new fees in a legal and transparent manner. To balance the need for funding whilst taking a proportionate approach.	
<b>Expected outcome</b>	Ensure Licensing Fees are set at the right levels	

<b>Link to Council Plan priorities</b>	<b>Resilient Economy</b>	
<b>Resources required including additional budget, staffing or Digital / Data Transformation</b>	Additional LO to pick up day to day licensing work, to free up LO specialists to assist with the review of licensing fees.	
<b>Milestones</b>	<b>Due date</b>	<b>Lead officer</b>
Review taxi and private hire fees and charges to implementation.	December 2024	Licensing Manager
2. Implementation of a permanent Pavement Licence regime requiring new policy and fee setting through central government legislation.	December 2024	Licensing Manager
3. Introduction and implementation of relevant fees for film classification.	July 2024	Licensing Manager
4. Introduction and implementation of street trading consent fees.	July 2024	Licensing Manager

<b>Key Projects</b>	<b>Recruit new Cemeteries Registrar</b>	
<b>Service development / project supporting strategic objectives including the council plan.</b>	To ensure transfer of skills from existing member of staff to new recruit, together with upskilling of other members of the Licensing team in relation to Cemeteries administration.	
<b>Expected outcome</b>	To ensure continuity of high-class service and service resilience	
<b>Link to Council Plan priorities</b>	<b>Quality Services</b>	
<b>Resources required including additional budget, staffing or Digital / Data Transformation</b>	<b>Small additional cost which can be covered from Licensing Fees budget</b>	
<b>Milestones</b>	<b>Due date</b>	<b>Lead officer</b>
1. Advertise vacancy	January 2024	Licensing Manager
2. Successful candidate to commence role	February 2024	Licensing Manager

3. Retirement of existing Cemeteries Registrar	July 2024	Licensing Manager
4. Attendance on Cemeteries Registrar training by key members of the team	February 2024	Licensing Manager

<b>Key Projects</b> Service development / project supporting strategic objectives including the council plan.	<b>Conduct Member Skills Audit</b>	
<b>Expected outcome</b>	Identify members training and development needs for 2024/2025 and to develop a plan for delivery	
<b>Link to Council Plan priorities</b>	<b>Quality Services</b>	
<b>Resources required including additional budget, staffing or Digital / Data Transformation</b>	<b>Training budget identified to ensure development and training needs are delivered during 2024/2025 and beyond</b>	
<b>Milestones</b>	<b>Due date</b>	<b>Lead officer</b>
1. Member skills audit to be reviewed by Member Development Working Group	March 2024	Democratic Services Manager
2. Issue Member Skills Audit	March 2024	Democratic Services Manager
3. Review responses to Member Skills Audit and develop an action plan	May 2024	Democratic Services Manager
<b>Key Projects</b> Service development / project supporting strategic objectives including the council plan.	<b>Ensure sufficient oversight of Information Governance</b>	

	Through creation of Information Governance Board and Working Group and production of Annual Report to the Audit and Governance Committee	
<b>Expected outcome</b>	Robust oversight of Information Governance within the Council	
<b>Link to Council Plan priorities</b>	<b>Quality Services</b>	
<b>Resources required including additional budget, staffing or Digital / Data Transformation</b>	<b>Input from Strata</b>	
<b>Milestones</b>	<b>Due date</b>	<b>Lead officer</b>
1. Report to Audit and Governance proposing creation of Board and proposed Terms of Reference	February 2024	Monitoring Officer
2. Setting up of Information Governance Board	April 2024	Monitoring Officer/Information Governance and Complaints Manager
3. Setting up of Information Governance Working Group	April 2024	Information Governance and Complaints Manager
4. Production of Annual Report to the Audit and Governance Committee	January 2025	Information Governance and Complaints Manager

### Section 3 – What we will measure in 2024-25: Performance targets

<b>3.1 Service performance indicators</b> <b>Also include any performance indicators that support the council plan</b>	<b>Target</b>	<b>How often – monthly, quarterly, bi-annually, annually</b>	<b>Responsible Officer for production of management information</b>
To respond to information requests (FOI/EIR) within statutory timescales	90%	20 working days	Information Governance and Complaints Manager
To respond to Stage 1 complaints within timescales recommended by the Ombudsman	80%	10 working days	Information Governance and Complaints Manager
To respond to Stage 2 complaints within timescales recommended by the Ombudsman	80%	10 working days	Information Governance and Complaints Manager
To publish agendas in accordance with statutory requirements	100%	5 clear days before a meeting	Democratic Services Manager
To publish decisions in accordance with statutory requirements	100%	48 hours (Cabinet and Planning decisions only)	Democratic Services Manager
To determine Premises Licence Application (New & Variation)	100%	28 Days	Licensing Manager
To determine Temporary Event Notice	100%	3 working days	Licensing Manager