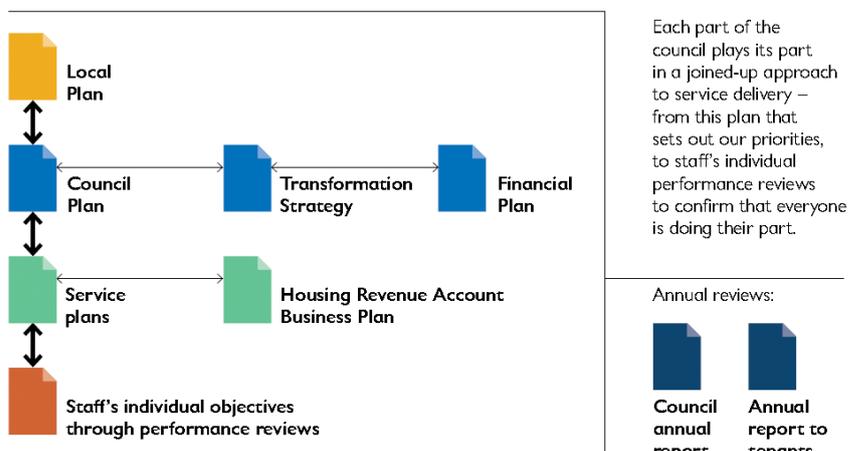


Service Planning 2020-21

Governance & Licensing Service

Version 2.0

April 2020 – March 2021



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Portfolio holders: Jess Bailey (Corporate Services) and Geoff Jung (Environment)

Service Plan Template 2020-21: Contents Page

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Notes for Strategic Leads and Service Leads:

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

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

Licensing team

- Assist our clients to run their businesses effectively
- Contribute to the welfare of residents and visitors
- Promote a vibrant and sustainable future

Democratic Services team

- Help Members make informed decisions
- Support and promote the democratic process
- Help Members to develop their skills and knowledge to better serve the community

Legal team

- Advise the Council and its committees, members and officers on local authority powers and duties, available options and to carry out its legal work, and to facilitate projects
- Support propriety and development of the Council's decision-making, scrutiny and administrative processes, and assist the Monitoring Officer in discharging his functions

Freedom of Information and Complaints

- Responsible for processing of Stage 1 complaints and handling all Stage 2 complaints and dealing with the Local Government Ombudsman in respect of complaints which are referred after our process has been exhausted.
- Dealing with all Freedom of Information ("FOI") requests and subject access requests under Data Protection Act and the Information Commissioner's Office where the matter is referred.

Monitoring Officer, Data Protection and RIPA

- Strategic Lead (Governance and Licensing) position is also the Council's Monitoring Officer, Data Protection Officer and RIPA Senior Responsible Officer. Principal Solicitor is the Deputy Monitoring Officer and RIPA Co-ordinating Officer.

How we deliver and ensure equal access

The service is predominantly delivered in-house (although external assistance, predominantly legal advice, is obtained where required). Committee

	administration is carried out to maximise accessibility to all in accordance with legal requirements. In addition we advise the council on legal requirements under Equality Act and other relevant legislation and assess equalities implications of our direct service delivery.
How we compare	We will continue to compare our services with other Devon authorities through service peer groups, government licensing statistics and Local Government Regulation (Local Authority Coordinators of regulatory services) /LGAR (Local Government Analysis and Research) and comparing data year on year (complaint outcomes / FOI requests).
Statutory elements of the service	Legal advice, licensing service, freedom of information / data protection, RIPA, support to committees and members, constitutional and monitoring officer work.
Current net budget (excludes Internal support charges and capital budget)	XXX

Section 2 – Key achievements in 2019-20		
	<i>Briefly describe key achievements and what outcomes were created. This will inform Annual Report at year end.</i>	<i>Strategic link to Council Plan priorities</i>
1	Taxi Licensing (Climate Emergency) - Significant contributions include licensing the first zero-emission electric taxi in the district in support of greener climate priorities. Work continues to revise the current taxi policy to adopt greener options for licensed taxis in future years.	Delivering and promoting our outstanding environment
2	Taxi Licensing (Driver & Public Safety) – Licensing introduced an awareness campaign entitled No Excuse for Abuse working in partnership with the taxi trade, members and key partners which other authorities in Devon are emulating in 2020.	Encouraging our communities to be outstanding
3	New ICT projects include introduction of a burial database with digital recording of all burial records and continuing with digital mapping of the council's three cemeteries to support our customers, being the first district council in Devon to achieve this. Ongoing work includes the introduction of a new licensing database which will provide a system that is already used by other services as part of the IT convergence project.	Continuously improving to be an outstanding Council
4	Assisting in the successful delivery of numerous outdoor events districtwide including Sidmouth Folk Week, licensing Honiton Gate to Plate and Ottery St Mary Tar Barrels in addition to numerous smaller local events.	Developing an outstanding local economy / encouraging our communities to be outstanding
5	Implementing the Street Trading post has formalised trading arrangements across the district by supporting high profile events and contributing to the safer delivery and regime for trading	Developing an outstanding local economy / encouraging our communities to be outstanding

6	Delivering completion of the sale of the Knowle	Continuously improving to be an outstanding Council
7	Completed the purchases of Sailor's Rest (for the HRA) and Ocean Blue building in Exmouth (as part of the Commercial Property Investment Fund) both of which were sensitive and complex projects.	Encouraging our communities to be outstanding
8	Completion of the lease to Grenadier at Exmouth Queen's Drive, facilitating the new road and the commencement of construction of the Watersports Centre.	Encouraging our communities to be outstanding / developing an outstanding local economy
9	Assisted in the drafting and progress of the Affordable Housing SPD and delivery of affordable housing through negotiating S.106 planning agreements.	Encouraging our communities to be outstanding
10	Working with other teams to develop a good process on the new litigation area of disrepair claims and the streamlining of the RTB process.	Continuously improving to be an outstanding Council
11	Successfully bringing enforcement action (resulting in a formal caution) for unauthorised works to a Tree Preservation Order.	Encouraging our communities to be outstanding
12	Helping defend two judicial review / statutory challenge proceedings and bringing a statutory challenge in relation to development control activities.	Encouraging our communities to be outstanding
13	Responding to all FOI requests within statutory deadlines (20 working days) but with an average response time of circa 7-8 days working days. No referrals to the ICO in this year at time of writing.	Continuously improving to be an outstanding Council
14	Ensuring that all Stage 1 and Stage 2 complaints were responded to within stated timeframes.	Continuously improving to be an outstanding Council
15	Encouraging and promoting local democracy initiatives by working with secondary schools in the District to deliver 'Political Speed Dating' events. Regarded as a very positive success by the Cllrs involved and the schools, and received positive media coverage locally.	Encouraging our communities to be outstanding / continuously improving to be an outstanding Council
16	Planning and delivering a Welcome and Induction for the newly elected Council ranging from all the necessary 'house-keeping' matters to learning events. Developing and delivering a Member development programme (covering all of the mandatory, regulatory and future committee responsibilities and training on skills development such as Charing meetings and effective decision-making, Code of Conduct etc).	Continuously improving to be an outstanding Council
17	Implementation of a new software system (Modern.gov) whilst continuing the Business as Usual, which required on the job training, and utilising an additional range of functionalities to increase the efficiency and effectiveness of the democratic process eg automatic updating the website on changes to meeting dates & times to increase member accessibility via their iPads and devices.	Continuously improving to be an outstanding Council

Section 3 – Looking forward : what we will do in 2020-21 (service objectives)				
Key Service Objectives (please include consultation or procurement activity required) <i>Please highlight any projects so that they may be recorded and monitored in SPAR. See project guidance document for the definition of a project.</i>	Financial/ corporate resource	Lead Officers	Start date	End date
1) Outstanding place and environment				
Continued support to the Joint Habitats Committee (with Exeter and Teignbridge)	Service budget	HGL	Started	Ongoing
2) Outstanding homes and communities				
Continue to secure affordable housing (and other planning benefit) through planning and property transactions.	Service budget	HGL / AW	Started	Ongoing
Support the Strategic Planning Committee in ensuring appropriate strategic policy direction and delivery of CIL regime.	Service budget	HGL / AW	Started	Ongoing
Continue to support the Development Management function in securing the right development in the right place, and taking effective enforcement action against unauthorised and harmful development.	Service budget	HGL / AW	Started	Ongoing
Revising the Cemetery Regulations to ensure an updated and fit for purpose regime for burials.	Service budget	HGL / SS	Started	Autumn
Deliver taxi licences in accordance with the Taxi Policy and enforce where necessary.	Service budget	HGL / Licensing	Started	Ongoing
3) Outstanding economic growth, productivity and prosperity				
Advise on legal strategy / implementation of major projects (including regeneration) and related processes (internal with external resource where required).	Service budget	HGL / Legal Team	Started	Ongoing
Ensure review of street trading regime charging arrangements.	Service budget	HGL / SS	Spring 2020	Autumn 2020

Deliver licences and consents in accordance with the Licensing and Gambling Policies and enforce where necessary.	Service budget	HGL / Licensing	Started	Ongoing
4) Outstanding council and council services				
Reduce FOI requests (non-land charges related) by carrying through the Council's stated transparency aims.	Service budget	HGL	Started	Ongoing
Ensure all FOI requests / complaints are responded to within stipulated timescales but with aim of responding significantly quicker on average.	Service budget	HGL	Started	Ongoing
Continue to provide governance and legal advice (especially in relation to new corporate projects and existing major projects) to ensure effective corporate decision making	Service budget	HGL / Legal Team	Started	Ongoing
Provision of strategic legal advice on policy implementation at senior officer / Cabinet briefing level including inputting into and commenting on reports as appropriate.	Service budget	HGL / Legal Team / SH	Started	Ongoing
Ensure implementation of any decision by Council to change its Governance arrangements following the outcomes of the Governance Review Working Party	Service budget	HGL / Democratic Services / Legal	April - May 2020	Ongoing
Provision of strategic legal advice on policy implementation at senior officer / Cabinet briefing level including inputting into and commenting on reports as appropriate.	Service budget	HGL / Legal Team / SH	Started	Ongoing
To continue to promote local democracy through engagement with local councils and schools.	Service budget	SH / Democratic Services	Started	Ongoing
Review the number of Licensing pages on the website	Service budget	Licensing Manager	May 2020	December 2020
Review the Member Induction Programme and continue to develop and progress Member development programme	Service budget	SH / Democratic Services	Started	Ongoing

Continued support to Estates function / AMF in preparation of a Commercial Investment strategy to assist increasing income together with improving / maximising income from existing assets.	Service budget	HGL / AW	Started	Ongoing
Enable enhanced meeting management through fully utilising the Bosch equipment in the Chamber by implementing electronic voting and speaker queuing	Service budget	HGL / SH / Democratic Services	Started	Ongoing
Assess options for live-streaming and / or webcasting of meetings and virtual member attendance at meetings	Service budget	HGL / SH	May 2020	December 2020

**Section 3 a – Looking forward: any Service challenges or pressures for the next three years?
(Revenue/Capital)**

1. IT Software changes – within Legal as it having a major new system rolled out.
2. Possible changes to the Council’s Governance arrangements. As yet, undetermined and therefore unquantified in terms of potential resource implications. There is any event an increasing burden on Democratic Services with more meetings (e.g. predominantly internal – TAFs & Working Parties - combined working with partner authorities and meetings to consider financial matters going forward) and therefore an increased clerking requirement. Fully utilising Modern.Gov and SpaceManager (virtual speaker queuing and electronic voting) may prove contentious for some Councillors.
3. Need for efficiency savings could result in consideration of staffing levels which may negatively impact on delivery / team morale. Succession planning and keeping ‘good’ employees across the Service is key (although turnover rates are low – recruiting is difficult in Legal in particular so keeping staff is paramount) and so minimising voluntary leavers is critical.
4. Continued use of FOI requests to obtain information – notwithstanding continued delivery of the transparency agenda. However it will also remain the case that on large sensitive projects requests will remain a common theme.
5. Sensitive / contentious / political issues at both District and Town / Parish level can result in significant resource implications for Monitoring Officer.
6. Impact of Brexit – although impact assessed as low at District Council level there remains a degree of uncertainty.
7. General pressure of the Council’s financial position with regard to the projected shortfall in 2021/22.

Section 3 b– Looking forward: options for doing things differently – this section is vital due to the funding gap we face over the next few years.

Please outline any opportunities to do things differently using the following key strategic themes:

Commercialisation

Fit for purpose

Careful choices

1. Assessment of whether the legal service can be commercialised in terms of selling the legal services to other local authorities

2. Sharing of services with other local authorities

Section 3 c – Looking forward: Changes to measures and performance indicators - 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 1,2,3 or 4)	Responsible Officer for production of management information	Retain this measure (yes/no) or new
Number of Stage 1 complaints (year to date)	Quarterly	Scrutiny	4	HGL	Yes
Percentage of Stage 1 complaints responded to within stated timeframes	Quarterly	Scrutiny	4	HGL	Yes
Number of Stage 2 complaints (year to date)	Quarterly	Scrutiny	4	HGL	Yes
Percentage of Stage 2 complaints responded to within stated timeframes	Quarterly	Scrutiny	4	HGL	Yes
Number of Freedom of Information Requests (year to date)	Quarterly	Scrutiny	4	HGL	Yes
Percentage of FOI responded to within the statutory timelimits	Quarterly	Scrutiny	4	HGL	Yes

Percentage of 'higher risk' licensed premises inspected annually	Quarterly	Scrutiny	1	SS	Yes
Number of taxi vehicle licence complaint investigations	Quarterly	Scrutiny	1	SS	Yes

Section 4 – Resources and workforce planning

Full time equivalents/Headcount as at 01/04/2019	FTE = 21.5 Headcount = 24
Turnover (April 2018 to March 2019)	Voluntary Turnover = 9% Voluntary & Non Voluntary Turnover = 9%
Absence (April 2018 to March 2019)	Days lost per person: 10.42 days

Section 5 – Training and development

Team based skills/development required – please identify training required that is not currently available	Who for	Expected outcome	When
1. Management Development	Staff in relevant posts or with potential for progression	Succession planning and / or more effective teams	Ongoing
2. Corporate training (inc RIPA and Data Protection and Health and Safety)	As and when required by Council policy	In line with each course's stated objectives	Ongoing
3. New IT system training	Licensing and Legal and support officers	Ability to maximise use of resource	Spring / Summer 2019

4. Continuing Professional Development	Lawyers	As required by the Law Society / SRA and Bar Council	Ongoing
5. Licensing updates	Licensing Officers and support officers	Team kept up to date with relevant changes and guidance	Ongoing
6. Information / Complaints and Code of Conduct updates	Monitoring Officer and Information and Complaint officers	Keeping up to date with legislative changes and good practice	Ongoing
7. Individual training requirements as set out in Performance Excellence Reviews		Improved skills or knowledge as appropriate to the course / training	Ongoing
8. Data Protection	Data Protection Officer and Information and Complaints Officers	Ensure up to date on requirements / legal interpretation.	Ongoing

Section 6 – Risks

New/emerging risks description – See attached Risk Register for current service risks	Impact [minor, significant serious, major]	Likely- hood [remote, unlikely, likely, very likely]	How managed/controlled What action will you take to reduce/minimise risk
No new or emerging risks			

Section 7 – System thinking

Which services have been reviewed	Teams apply systems thinking principles on an on-going basis.	
Future systems to be reviewed	Service	Date of review

Section 8 - Equalities and safeguarding		
New / emerging equalities risks	Impact Level [High, Medium, Low]	How managed/controlled
1. Policy revisions and decision making will consider equalities impacts	To be assessed	Reports and policies require relevant considerations to be included
2. Teams will be made aware of the need to be alive to safeguarding issues and what to do in the event concerns are raised.	To be assessed	Management cascade and reinforcing messages regarding safeguarding issues.

Section 9 – Climate change
There will be a corporate action plan around climate change but please note here any particular climate change initiatives which will be implemented within your service.
1. Teams will be empowered to take positive steps towards helping address climate change through work carried out and on an individual basis. No specific actions identified within the Service.