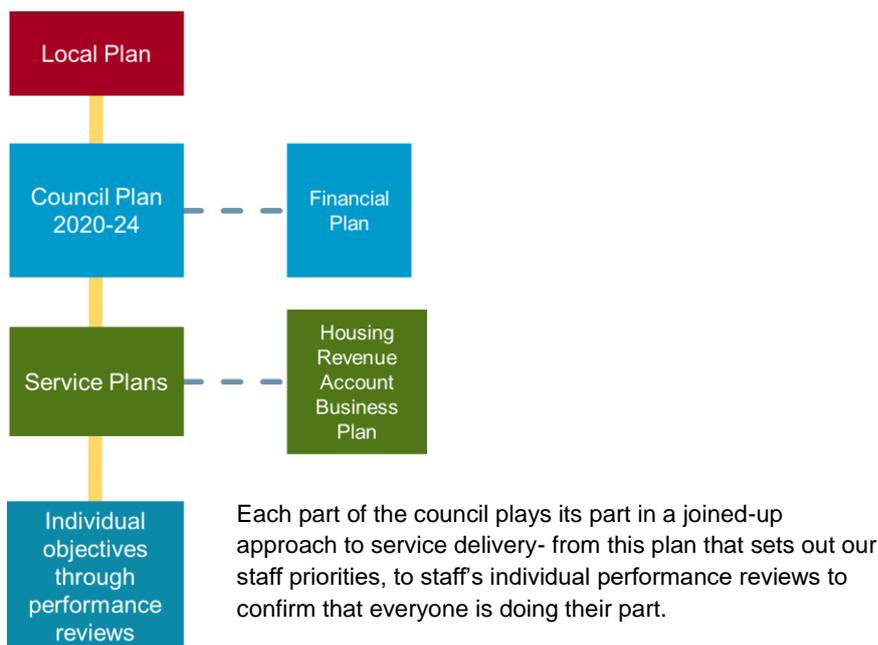


**Service Planning 2021-22**  
**Governance & Licensing Service**  
**Version 2.0**  
**April 2021 – March 2022**



**Strategic Lead: Henry Gordon Lennox**

**Portfolio holders: Jess Bailey (Corporate Services and COVID-19 Response & Recovery), Sarah Jackson (Democracy and Transparency) and Geoff Jung (Coast, Country and Environment)**

**Service Plan Template 2021-22: 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

### Elections

- Carrying out elections
- Electoral registration

### 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.

<b>How we deliver and ensure equal access</b>	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.
<b>How we compare</b>	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). Other bodies, such as Electoral Commission and AEA provide useful comparator information and assistance.
<b>Statutory elements of the service</b>	Legal advice, licensing service, elections and electoral registration, freedom of information / data protection, RIPA, support to committees and members, constitutional and monitoring officer work.
<b>Current net budget (excludes Internal support charges and capital budget)</b>	XXX

<b>Section 2 – Key achievements in 2020-21</b>		
	<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	Successful Annual Canvass with 1242 voters added to the Register despite reduced physical element to the canvass because of COVID-19	Encouraging our communities to be outstanding / continuously improving to be an outstanding Council
2	Successfully implementing virtual meetings and ensuring their continued delivery to fully enable the Council to conduct its governance arrangements through COVID-19.	Continuously improving to be an outstanding Council
3	Successfully delivering the increased number of meetings which have been required since June 2020.	Continuously improving to be an outstanding Council
4	Responding to all FOI requests within statutory deadlines (20 working days) but with an average response time of circa 11.75 working days. No referrals to the ICO in this year at time of writing.	Continuously improving to be an outstanding Council

5	Dealing with a significant increase in complaint levels (Stage 1 and Stage 2) at the end of Summer / beginning of Autumn due to COVID-19 pandemic.	Continuously improving to be an outstanding Council
6	Work to introduce a completely 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
7	Successfully challenging the Planning Inspector's decision to grant planning permission for a hotel at Hill Pond Caravan & Camping and obtaining a quashing order. Decision refused on resubmission.	Encouraging our communities to be outstanding
8	All teams adapting to working remotely during COVID-19 while continuing to deliver excellent services.	Continuously improving to be an outstanding Council
9	Providing specific advice on the COVID regulations which changed with high frequency.	Continuously improving to be an outstanding Council
10	Successful embedding the transfer of responsibility for pavement licences from County at short notice involving significant cross team working.	Encouraging our communities to be outstanding / developing an outstanding local economy
11	Assisting in delivering process for providing sitting out licences.	Encouraging our communities to be outstanding / developing an outstanding local economy
12	Adopting the new Licensing Act Policy to cover 2021-26	Encouraging our communities to be outstanding / developing an outstanding local economy
13	Assisting the Taxi trade through the impact of the pandemic and associated legislation/guidance by prompt delivery of an emergency hackney carriage and private hire licensing policy to alleviate reduction in work and income of licensees.	Encouraging our communities to be outstanding / developing an outstanding local economy
14	Providing high levels of contact and support to existing and to new business ventures throughout 2020 in the hospitality industry and taxi trade in line with our commitment for "assisting clients to run their businesses effectively"	Encouraging our communities to be outstanding / developing an



<b>3) A resilient economy</b>				
Advise on legal strategy / implementation of major projects (including regeneration) and related processes (internal with external resource where required).	Service budget	HGL / AW	Started	Ongoing
Ensure review of street trading regime charging arrangements.	Service budget	HGL / SS	Spring 2021	Autumn 2021
Deliver licences and consents in accordance with the Licensing and Gambling Policies and enforce where necessary.	Service budget	HGL / SS	Started	Ongoing
<b>4) Services that matter to all of us</b>				
Revising the Cemetery Regulations to ensure an updated and fit for purpose regime for burials.	Service budget	HGL / SS	Started	Summer
Deliver taxi licences in accordance with the Taxi Policy and enforce where necessary.	Service budget	HGL / SS	Started	Ongoing
Review of Taxi Policy	Service budget	HGL / SS	Started	March 2022
Deliver licences and consents in accordance with the Licensing and Gambling Policies and enforce where necessary.	Service budget	HGL / SS	Started	Ongoing
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 / AW	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 / AW / 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 / AW / SH	Started	March 2022
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 / AW / SH	Started	Ongoing
Review the number of Licensing pages on the website	Service budget	Licensing Manager	May 2021	December 2022
Review the Member Induction Programme and continue to develop and progress Member development programme	Service budget	SH	Started	Ongoing
Review of approach to Council meetings (virtual / hybrid / normal - including issues such as electronic voting, speaker queuing, webcasting)	Service budget	HGL / SH	Started	December 2021
Develop an intranet hub to provide easy access to training information on legal issues for other services	Service budget	AW	May 2021	March 2022
Develop and deliver training on governance issues for managers and new starters to ensure compliance with the Council's Constitution	Service budget	HGL / AW	May 2021	Summer 2022

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

1. IT Software changes – within Legal and Licensing as they are having a major new system rolled out.
2. Delivering May 2021 elections (PCC, County, Town and Parish by-elections and Neighbourhood Plan Referenda) under enhanced health and safety requirements.
3. Possible changes to the Council's Governance arrangements. As yet, undetermined and therefore unquantified in terms of potential resource implications. The Governance Review Working Party work is currently on hold pending end of the pandemic.
4. An increasing burden on Democratic Services (and Legal) with more meetings required and in the virtual environment (possibly more long term) and therefore an increased clerking / support requirement exacerbated (currently) by the need for cover. Likely requirement for increased support / training as meeting options move forward.

5. 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.
6. 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.
7. Sensitive / contentious / political issues at both District and Town / Parish level can result in significant resource implications for Monitoring Officer.
8. Impact of Brexit – although impact assessed as low at District Council level there remains a degree of uncertainty.
9. Licensing are expecting a rebound following COVID-19 for licensing activities (premises, taxis, street trading) in 2021 and therefore this brings the prospect of resource pressures.

**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.**

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	3/4	SS	Yes
Number of taxi vehicle licence complaint investigations	Quarterly	Scrutiny	¾	SS	Yes

#### Section 4 – Resources and workforce planning

<b>Full time equivalents/Headcount as at 01/04/2020</b>	FTE = 21.45 Headcount = 24
<b>Turnover (April 2019 to March 2020)</b>	Voluntary Turnover = 0% Voluntary & Non Voluntary Turnover = 0%
<b>Absence (April 2019 to March 2020)</b>	Days lost per person: 8 days

#### Section 5 – Training and development

<b>Team based skills/development required – please identify training required that is not currently available</b>	<b>Who for</b>	<b>Expected outcome</b>	<b>When</b>
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	Ongoing
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

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

<b>Section 7 – System thinking</b>		
<b>Which services have been reviewed</b>	Teams apply systems thinking principles on an on-going basis.	
<b>Future systems to be reviewed</b>	<b>Service</b>	<b>Date of review</b>

<b>Section 8 - Equalities and safeguarding</b>		
<b>New / emerging equalities risks</b>	<b>Impact Level [High, Medium, Low]</b>	<b>How managed/controlled</b>
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 invite concerns are raised.	To be assessed	Management cascade and reinforcing messages regarding safeguarding issues.