

# ECONOMIC DEVELOPMENT DIVISION

## SERVICE PLAN 2004/07

### 1. SERVICE DESCRIPTION AND PURPOSE

1.1 The Division is responsible for:-

#### **Economic Development and Tourism**

- Encouraging the formation and growth of new and existing businesses and ventures, principally through support for Business Link;
- Provision of accommodation on flexible terms designed to assist small businesses (the Council has 68 properties in its investment portfolio, a mixture of industrial units, shops, restaurants and offices);
- Provision of good quality literature, and, where appropriate, advertising, to promote the area's potential for inward investment and tourism (this is now predominantly undertaken in partnership with other bodies). For 2002/03 just over 2030 requests for information were received by the unit and 7760 households were contacted by Direct Mail campaigns; just under 150,000 leaflets were distributed;
- Promoting the availability of sites and premises;
- Working with East Midlands Development Agency (EMDA) and other fora to attract inward investment (the Council received approximately 200 enquiries in 2002/03)
- Undertaking initiatives to assist the regeneration of the area e.g the Environmental Improvement Scheme;
- Developing partnerships and working with a wide range of organisations to promote regeneration of the area;
- Maximising the resources available for regeneration initiatives, including preparing funding bids and working with the Derby & Derbyshire Economic Partnership;
- Actioning initiatives developed within the Council's Tourism Strategy;
- Playing an active role in the Derbyshire Tourism Forum and its sub-groups such as the Marketing Group which has replaced the Derbyshire Tourism Officers Group, the National Forest Tourism Working Group, and the newly established National Forest & Beyond partnership with East Staffordshire Borough Council, North West Leicestershire District Council and the National Forest Company;
- Implementation and development of a Destination Management System to promote/enable booking of tourism electronically (including via EnglandNet)

#### **Asset and Estate Management**

- Strategic management of the Council's assets, through preparation of an annual Asset Management Plan and implementation of actions arising from the Best Value review to improve Corporate Asset Management;
- Co-ordinating and implementing effective management of the Council's land and non-operational property (this generates income of approximately £450,000 p.a);
- Establishing procedures and systems for all estate management tasks and reviewing these on a regular basis;
- Developing comprehensive records for all land and property which the Council owns or in which it holds an interest;
- Ensuring that, wherever possible, all Council owned land and property is let or sold at open market value and on the most appropriate terms;
- Identifying and efficiently disposing of any surplus assets;
- Assisting other Council Property Managers with the management of the operational portfolio;
- Providing a professional, helpful and efficient service for members, officers, service users and the general public.

## Footpath Management

- Providing the Public Footpath service on an agency basis for the County Council, which part funds the service. Some 350 miles of public rights of way are involved in an inspection and maintenance programme. In 2002/03, 266 incidences of obstruction were received and acted upon.

1.2 The service is provided to a wide range of internal and external **customers**.

- Internal customers include Members and most other divisions
- External customers include Tenants, the general public, businesses, community/voluntary organisations, visitors, investors, other partner organisations, interest groups

1.3 The work of the Division contributes to a number of the Council's key aims:

- **Key aim 1** - To strengthen and develop the local economy through support for business development and inward investment - through many of our Economic Development activities
- **Key aim 2** - To safeguard and enhance the natural and built environment - through Environmental Improvement Initiatives
- **Key aim 4** - To promote the health and welfare of all sections of the community, including access to leisure and cultural activities - through various Economic Development activities, particularly those related to Tourism and Footpath Management
- **Key aim 5** - To secure continuous improvements in the quality and efficiency of services provided by the Council - through implementation of actions emanating from the Best Value Review of Asset Management
- **Key aim 6** - To manage resources efficiently and effectively - through effective Asset and Estate Management
- **Key aim 7** - To listen to and represent the people of South Derbyshire in county, regional and national arenas - through our involvement in a number of partnerships
- **Key aim 8** - To support the development of The National Forest and its enjoyment by residents and visitors - primarily through our Tourism activities and Footpath management

## 2. OPPORTUNITIES AND CHALLENGES

2.1 Most issues which are seen as a challenge can also be viewed as an opportunity. Therefore a single list is provided rather than two separate ones:

- Developing and maintaining co-ordinated service delivery with other partners e.g.
  - Derbyshire County Council in respect of inward investment, tourism, funding opportunities etc
  - Southern Derbyshire Chamber, on a range of business support issues
  - Jobcentre Plus, on employment issues
  - EMDA, in promoting economic development opportunities and developing tourism structures and initiatives
  - Other local authorities, and the National Forest Company, in partnership working for tourism promotion and as a lobbying body for funding through the Derby and Derbyshire Economic Partnership.
  - Groundwork Erewash Valley, on an Environmental Improvement Scheme
- Implementing the Government's 'modernising' agenda
  - Working with the newly formed Derby & Derbyshire Economic Partnership
  - Contributing to the South Derbyshire Local Strategic Partnership and the development of the Community Strategy
  - Outworking the new power to promote the economic well-being of the area

- Development and implementation of the Strategic Asset Management agenda
  - *Preparation of an annual AMP*
  - *Developing the corporate role of the Asset Management & Monitoring Group*
  - *Monitoring performance of the Council's assets*
  - *Ongoing consultation with all asset users*
  - *Implementing the Best Value Improvement Plan*
  - *Developing a better corporate approach to dealing with issues*
  - *Clarifying management responsibilities*
- The regional context for tourism is changing rapidly. Destination East Midlands 2003-2010 was published October 2003 proposing a small regional executive - East Midlands Tourism - and sub-regional Destination Management Organisations/Partnerships. The challenge for Derbyshire & the Peak District is to evolve a delivery structure; and for the National Forest & Beyond partnership to develop relationship/s with the DMOs in the 3 counties. As proposed (by emda) DMOs could require substantial additional funding from local authorities and/or secondment of tourism staff. The main issues are therefore:
  - maintaining the existing excellent partnership working arrangements
  - funding levels required and ensuring new structures are sustainable
  - developing of sub-regional structures to serve Derbyshire/Peak District and the National Forest destination/brands
  - staffing implications
- Continuing to assist in the regeneration of the district through a range of economic development initiatives such as the Environmental Improvement Scheme, and by securing new investment in the District
- Providing a more efficient footpath management service through IT improvements.
- Supporting the National Forest - through tourism, Footpath development and wider partnership initiatives
- Maintaining a base of statistical information on Economic Development and Tourism to provide valuable information for funding bids etc.
- Balancing increasing work pressures with limited staff resources e.g
  - *The addition of strategic asset management work has meant that less time can be devoted to economic development, particularly by the Economic Development Manager. It has also placed further pressure on the Estates Officer who must combine day to day property management duties with consideration of disposals, performance monitoring, consultation etc to assist in developing the AMP and Best Value in Asset Management.*
  - *As the importance of Tourism to the local economy achieves greater recognition, the range of opportunities to assist with its' development is increasing, and therefore the pressure on both staff time and budgets.*

2.2 Future budget pressures over the next 3 years - additional resources will or may be required for the following issues:

- The staffing pressures highlighted above in 2.1
- Developments in the promotion of tourism opportunities, particularly related to footpaths
- Further support for the Derby & Sandiacre Canal Trust
- Improvements to the heating & ventilation systems within the Civic Offices
- Costs associated with making more efficient use of space within the Civic Offices

- Improvement works to ensure that the Council's buildings with public access comply with the Disability Discrimination Act.
- Further reducing the maintenance backlog on the Council's public buildings
- Sustaining and developing the county-wide Destination Management System, requiring the authority to continue funding once Foot & Mouth funding is exhausted (i.e. 2003/4 onwards).
- Identifying and resourcing (with partners) the level of funding required by the proposed Destination Management Organisation/s.
- Continuing to develop the National Forest & Beyond tourism campaign, extending both geographic coverage and market segments / niches targeted.

### 3. KEY TASKS

Ref. No.	Actions	Timescale
ED1	<b>Crime and disorder - Section 17:</b> <ul style="list-style-type: none"> <li>• Audit existing services and policies</li> <li>• Implement action plan</li> </ul>	September 2004 September 2004 (onwards)
ED2	<b>Equal Opportunities and Diversity</b> <ul style="list-style-type: none"> <li>• Annual Audit of services and policies in the light of the Race Equality Scheme</li> <li>• Implement the Race Equality Scheme Action plan</li> </ul>	September 2004/05/06 September 2004 (onwards)
ED5	<b>Strategic asset management</b> <ul style="list-style-type: none"> <li>• Implement actions arising from the Asset Management Best Value Review Improvement Plan</li> <li>• Produce an annual AMP</li> <li>• Further develop the corporate role of the Asset Management &amp; Monitoring Group</li> <li>• Monitor Property Performance Indicators and local indicators. Benchmark with other authorities</li> <li>• Complete Civic Offices/Depot space review</li> </ul>	Complete Dec 2005 Each July April 2004  Quarterly assessment April 04
ED6	<b>Estate management</b> <ul style="list-style-type: none"> <li>• Ensure that all the Council's operational properties are held on appropriate terms - update as required</li> </ul>	Dec 04
ED7	<b>Economic Development</b> <ul style="list-style-type: none"> <li>• Run the Environmental Improvement scheme in partnership with Groundwork Erewash Valley</li> <li>• Work with the DDEP and other funding bodies to secure additional support for regeneration initiatives in South Derbyshire</li> </ul>	Complete March 2005 Ongoing
ED8	<b>Tourism</b> <ul style="list-style-type: none"> <li>• Develop wider range of tourism literature (e.g. Food &amp; Drink; Group Travel; additional Walks leaflets; combined Events guide; niche material i.e. Historic Gardens and/or Historic Churches Trails; Educational Group visits)</li> <li>• Develop proposals with appropriate partners to implement the future structure to deliver tourism</li> <li>• Review South Derbyshire Tourism Strategy once new delivery structure agreed</li> </ul>	Start April 04  By April 05  July 05

	<ul style="list-style-type: none"> <li>Develop local partnership to consider proposals for developing tourism in and around Melbourne [these may be undertaken by the authority, or in partnerships]</li> </ul>	April 05
ED9	<b>Footpath management</b> <ul style="list-style-type: none"> <li>Utilise Countryside Access Management System - a Footpath Management IT system, in liaison with County Council</li> <li>Utilise digitalised Definitive Map, in liaison with County Council</li> <li>Develop additional walks with added tourism / economic benefits</li> </ul>	April 04  April 04  Dec 04

#### 4. MANAGING RISKS

Risk	Extent of risk	Likelihood of occurrence (High/Medium/Low)	Proposed Action to minimise the risk
Economic downturn leading to reduced level of take-up of Council commercial properties	Potential reduction of £x0,000 of income	Low	Dispose of assets where possible
Economic downturn leading to substantial loss of jobs / business failures	Additional staff resources and budget required	Low	Seek to promote a diverse business base, and ensure that good business support is available
Council sued due to properties not meeting DDA legislation	Unknown - no test cases to date	High	Undertake priority improvements and put in place a plan to undertake the others
Formation of Destination Management Organisation/s	Additional budget likely to be required and full or part time staff secondment possible	High	Ensure full participation in negotiations and decision-taking process

#### 5. EMPLOYEE STRUCTURE AND WORK ORGANISATION

**Employee structure** - see the contacts section at the end of the document

##### Development Needs

Service Plan Reference	Key Development Needs
ED1 & 2	All staff will require training in Section 17 and Equal Opportunities
Estate Management	Staff (particularly new) need training in MapInfo and Property IT systems

## 6. PERFORMANCE INDICATORS AND TARGETS

Best Value Indicator	Estimate 2003/04	Target 2004/05	Target 2005/06	Target 2006/07
156 - % of buildings open to the public in which all public areas are suitable and accessible to disabled people	60%	100%	100%	100%
180a (i) - Energy consumption/sq m of local authority operational property, compared with comparable buildings in the UK as a whole - Electricity	67%	67%	67%	67%
180a (ii) - Energy consumption/sq m of local authority operational property, compared with comparable buildings in the UK as a whole - Fossil fuels	30%	30%	30%	30%
<b>National Property Performance Indicators</b>				
% gross internal floor-space in condition categories A - D (A is good, D is bad)				
A	9%	9%	9%	9%
B	91%	91%	91%	91%
C	0%	0%	0%	0%
D	0%	0%	0%	0%
Backlog of maintenance by cost expressed as a % in priority levels 1 - 3 and by value (1 is a high priority, 3 is low)	See note 1			
1	£0	£0	£0	£0
2	£0	£0	£0	£0
3	£100,235 (100%)	£80,000	£60,000	£40,000
<b>Overall average internal rate of return (IRR) for each of the following portfolios (a) Industrial, (b) Retail and (c) Agricultural investment</b>	(a) 7.4% (b) 11.1% (c) n/a	(a) 8% (b) 12% © n/a	(a) 8% (b) 12% © n/a	(a) 8% (b) 12% © n/a
<b>Total annual management costs per sq. m (GIA) for the property portfolio (only covers strategic management costs)</b>	£2.50	£2.75	£2.75	£3.00
Revenue running cost per sq. m. for Civic Offices & (Depot)				
Repairs & maintenance costs per sq.m GIA	£5.22 (£2.69)	£5.22 (£2.69)	£5.22 (£2.69)	£5.22 (£2.69)
Energy costs per sq.m GIA	£4.80 (£2.98)	£4.80 (£2.98)	£4.80 (£2.98)	£4.80 (£2.98)
Water costs per sq.m GIA	£0.65 (£1.87)	£0.65 (£1.87)	£0.65 (£1.87)	£0.65 (£1.87)
CO2 emissions in tonnes per sq m	£0.073(0.049)	£0.073(0.049)	£0.073(0.049)	£0.073(0.049)
% of projects where outturn falls within +/- 5% of the estimated outturn, expressed as a % of the total number of projects completed in the financial year	100%	100%	100%	100%
% of projects falling within +5% of the estimated timescale, expressed as a % of the total number of projects completed in that financial year	100%	100%	100%	100%
<b>Local property indicators</b>				
Number of lettable commercial units provided by the Council	69	69	69	69
Number of units occupied as % of total	95%	95%	95%	95%
Income received for commercial units as a % of under or over performance to target level income level for the year	0%	0%	0%	0%
No of Facilities whose management has been devolved to the community on long term leases	6	7	8	9
No of partners located in Council buildings	6	6	6	6
No of formal consultation exercises with stakeholders per annum	2	2	2	2
No of actual changes costed and considered as % of changes requested through consultation exercises	100%	100%	100%	100%
% of tourism enquiries dealt with within 4 working days	95%	95%	95%	95%
Number of media items	50	50	50	50

**Note 1:** Dependant on obtaining additional resources to deal with the backlog

## 7. USEFUL CONTACTS

David Soanes (Economic Development Manager), manages the division and is also the Council's Corporate Property Officer, dealing with strategic asset management

Tel: 595714 e-mail: [david.soanes@south-derbys.gov.uk](mailto:david.soanes@south-derbys.gov.uk)

Kevin Mason (Economic Development Officer), deals mainly with Tourism matters

Tel: 595739 e-mail: [kevin.mason@south-derbys.gov.uk](mailto:kevin.mason@south-derbys.gov.uk)

Colin Hayes (temporary Estates Officer), deals with day to day Estate Management

Tel: 595777 e-mail: [colin.hayes@south-derbys.gov.uk](mailto:colin.hayes@south-derbys.gov.uk)

Heather Bell (Economic Development Assistant), deals with Economic Development initiatives as well as assisting with tourism and Estate Management

Tel: 595754 e-mail: [heather.bell@south-derbys.gov.uk](mailto:heather.bell@south-derbys.gov.uk)

Geoff Fewkes (Footpaths Officer), deals with Footpath Management

Tel: 595725 e-mail: [geoff.fewkes@south-derbys.gov.uk](mailto:geoff.fewkes@south-derbys.gov.uk)

# LEGAL & DEMOCRATIC SERVICES SERVICE DIVISION

## SERVICE PLAN 2004/07

### 1.0 SERVICE DESCRIPTION AND PURPOSE

1.1 The Division provides a range of administrative and support functions to Members and direct services across the Council. The Division is headed up by the Legal and Democratic Services Officer who is also the Council's Monitoring Officer, appointed under the Local Government & Housing Act 1989

#### □ Functions of the Monitoring Officer

- **Maintaining the Constitution** – The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is widely available for consultation by Members, staff and the public.
- **Ensuring lawfulness and fairness of decision making** – After consulting with the Head of Paid Service and Chief Finance Officer, the Monitoring Officer will report to Full Council if she considers that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission will or has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.
- **Supporting the Standards Committee** – The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Standards Committee.
- **Receiving reports** – The Monitoring Officer will receive and act on reports made by Ethical Standards Officers and decisions of the case tribunals.
- **Conducting Investigations** – The Monitoring Officer will conduct investigations into matters referred by Ethical Standards Officers and make reports or recommendations in respect of them to the Standards Committee.
- **Proper officer for access to information** – The Monitoring Officer will ensure that decisions, together with the reasons for those decisions and relevant officer reports and background papers are made publicly available as soon as possible.
- **Providing advice** – The Monitoring Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety and probity to all Members.

#### □ Democratic Services

This unit is responsible for the management and administration of the Council's modernised committee process. The structure consists of:-

- three policy committees (Finance & Management Committee, Housing & Community Services Committee and Environmental & Development Services Committee)
- two regulatory committees (Development Control Committee and Licensing & Appeals Committee)
- three scrutiny committees (Corporate Scrutiny, Community Scrutiny and Overview)
- a Standards Committee to oversee the conduct of District and Parish Councillors
- six Area Meetings, designed to improve community involvement in decision-making and provide a continuous liaison with members of the public, Parish Councils/Meetings, the voluntary and business sectors and other public utilities and bodies



An external audit has been undertaken on the implementation of the new political management arrangements, culminating in the formation of an action plan relating to the Council's constitution. The issues contained in this plan are being progressed.

The unit is also responsible for the following functions:-

- the preparation, dissemination and despatch of reports, agendas, Minutes and action sheets for the Council and its various committees, sub-committees, Working Panels and Area Meetings
- the arrangement of all Committee Meetings, including the preparation of the annual cycle of Meetings
- duties involving associated law and administrative procedures arising from decisions of the Council, including the making and service of various Orders, Notices and Regulations
- the providing of advice to ensure compliance with the Council's Constitution and the law and procedure of meetings
- assisting the Monitoring Officer on the ethical framework introduced by the Local Government Act 2000 by the giving of advice to Members and Parish Councils on the Members' Code of Conduct, including declarations of interest and the registering of gifts and hospitality.
- the Council's representation on outside bodies
- maintaining the Register of Tenders received
- administering the computer based Minute Retrieval system available throughout the authority
- putting agendas and Minutes on the Council's website for access by the general public.

The unit provides support for the Chief Executive and Members of the Council, in particular the Chair and Vice-Chair of the Council in the civic role of the organisation. This is achieved by the co-ordination of various civic functions and events and by ensuring that the Chair and Vice-Chair are fully briefed and conveyed to civic functions.

□ **Elections and Electoral Registration Service**

Maintains and updates the register of electors annually and on a rolling basis and administers Parish, District, County, Parliamentary and European elections and referenda. In particular, the section is responsible for the following functions:-

- carrying out a canvass of the District and compiling, publishing and maintaining a Register of Parliamentary and Local Government Electors on 1st December each year for use at all elections
- processing and determining applications through monthly rolling registration to enable the Register to be updated on a continual basis
- registering special category electors e.g. Overseas, European and Service Electors and renewing such registrations annually
- processing and determining applications for absent voters and maintaining a list for use at all elections – this area has seen an enormous increase since the introduction of postal votes on demand

□ **Land Charges**

The Land Charges section maintains all parts of the Local Land Charges Register in accordance with the requirements of various statutes and deals with a wide variety of ancillary activities, which are set out below:-

- Ensures that all Land Charges entries are checked and inputted onto the Register including using specialised software;

- Checks the accuracy of all Local Search Enquiries and ensures the appropriate fee is received;
  - Liaises with the various Service Units of the Council, the County Council, Highways Agency and the Environment Agency in response to Local Search Enquiries;
  - Ensures that the Service Units and Agency responses are received in a timely manner and that the information supplied is sufficient to enable the completion and return of the Local Search Form within the period prescribed in the statutory guidelines (currently 10 working days);
  - Deals with Personal Search enquiries made by Solicitors, members of the public, agents and companies;
  - Compiles statistical data on a monthly and annual basis relating to the numbers of Searches received and processed within the statutory guidelines;
- **Legal Services**
- Work is undertaken in relation to the broad range of Council functions and activities. Although each Officer has an area of specialism, the demands placed upon the Section mean that Officers are required to demonstrate a broad base of knowledge and a considerable degree of flexibility in their work. Officers often deal with time consuming and complex matters for which there is no set of established precedents and practices. All Officers carry a large caseload, in addition to providing a responsive and accessible advice service to Members and colleagues.

#### CATEGORIES OF SERVICE

##### A. Contentious Work

- Civil Litigation, namely debt recovery, actions for possession of property, actions protecting or promoting the Council's rights.
- Criminal Litigation, namely prosecutions for breaches of legislation where the Council is the enforcing authority and defending the Council should it be prosecuted.
- Enforcement, namely Planning, Environmental Health, Building Control, Housing.
- Tribunals & Inquiries, namely Planning Appeals, Public Inquiries, Industrial Tribunals, Appeals in the Magistrates' Court.

##### B. Non-Contentious Work

- Conveyancing, namely buying and selling land, Leases, Right to Buy sales, Licences.
- Contracts, namely Constructing and Works, Supply of Goods and Services.
- Miscellaneous, namely Service Level Agreements, Planning Agreements, Development Agreements, Adoption Agreements e.g. Highways & Public Open Spaces.

##### C. Legal Advice

- Probity – Members and Officers interests and how they should be dealt with.
- Compliance – ensuring compliance with statutes, regulations, Council Procedure Rules, policy, etc.
- Powers and Duties
  - ensuring awareness of powers and duties and the distinction between them
  - ensuring the Council achieves its corporate aims and objectives whilst acting lawfully within its statutory powers
- Procedure and Decisions – ensuring proper procedure is followed and decisions arrived at on proper grounds; particularly important where the Council is acting in a quasi-judicial capacity.

□ **Public Relations**

- To oversee the public relations and media functions of the authority.
- To advise and assist Members and Officers of the Council on all aspects of public and media relations.
- To answer enquiries from the media on behalf of the Council by providing a speedy and reliable service for journalists.
- To help research articles for journalists on the work of the Council.
- To provide a service to data sources who wish to publicise the Council.
- To publicise the work of the Council's Committees, Members and Officers.
- To encourage media coverage of the Chair and Vice-Chair of the Council's public engagements.
- To be involved in the production of internal communications.
- To provide professional advice and support on media training.
- To research, write and distribute news releases and feature articles on Council activities and achievements.
- To organise photocalls for events involving the Council.
- Providing a press cuttings service.
- To assist in developing a high standard of plain English in written communications from the Council.
- To provide advice on design, presentation and distribution of Council publications.
- To provide support and advice on advertising, including copy writing and media purchasing.

1.2 The Division provides a wide range of services to internal and external customers including Members, officers, the electorate, central government, all levels of local government, national newspapers and publications, national and local broadcasts media and the local press and others including the general public, specifically people buying houses, those involved in legal disputes with the Council, suppliers and contractors.

1.3 All services are provided in accordance with the guiding principles and key aims of the Chief Executive's department. These include:-

- providing a reliable and responsive level of administrative and professional advice and support to all internal and external customers
- ensuring the Council is accountable to the people of South Derbyshire for its decisions through effective arrangements for corporate governance, based on open and transparent decision making.

1.4 The specific purposes and objectives vary depending upon the function:-

□ **Democratic Services**

To manage and administer the Council's committee process efficiently and effectively in accordance with the Constitution.

To support and advise Members in the exercise of their committee and constituency functions.

To maximise the involvement of the Chair and Vice-Chair of the Council in the local community and to support them in the performance of their civic functions during their year of office.

To continue to improve public access to Committee agendas and Minutes through the ongoing development of the Council's website.

- **Elections and Electoral Registration Service**  
To maintain an accurate rolling Register of Electors, involving an annual canvass of the District.  
To organise the election processes in an efficient and effective manner.
- **Land Charges**  
To deliver an efficient and effective range of Land Charges services to the Council, the County Council, Highways Agency and the Environment Agency in response to Local Search Enquiries.  
To maintain an up-to-date knowledge of developments in the realm of Land Charges and to disseminate this knowledge to the relevant bodies, where appropriate.
- **Legal Services**  
To deliver an efficient and effective range of legal services to all service departments and Members of the Council for the benefit of the community.  
To work co-operatively and creatively with all service Department towards the common aim of delivering the Council's Policy Framework.  
To maintain an up to date knowledge of legal developments and to disseminate this knowledge to service departments, arranging training sessions where appropriate.
- **Public Relations**  
To inform the public of the work of the Council, its Members and Officers through proactive media coverage and to prevent erroneous reports appearing in the media.  
To try to ensure that the way the Council operates is presented in a fair way in the media.  
To raise the profile of the Council through the media and through Council publications, conferences and events.

## 2.0 OPPORTUNITIES AND CHALLENGES

2.1 The Government has introduced a range of new legislation and guidance that has and will have a significant impact on the Division. This includes the Local Government Act 2000 (Part II – Modernisation and Part III – Conduct) and the Licensing Act 2003.

2.2 The **Corporate Related Challenges** that impact on the Division are as follows:-

- **Corporate governance**  
The fundamental principles of good corporate governance are openness, integrity and accountability. The challenge will be to ensure that these principles are reflected in the Council's relationship with the local community, in service delivery arrangements, in structures and processes, and in the conduct of councillors and employees. The Division will have a key role in supporting and monitoring this approach.

□ **Political Management Arrangements**

In May 2002, the new political management structure was confirmed and an Action Plan agreed to strengthen these arrangements and finalise the Constitution. The Division has a key role in progressing this issue.

Following the election of a new Council in May 2003, all Members received effective induction and awareness training in how the organisation operates and the responsibilities that are placed on them as councillors. Further training needs for Members are now in the process of being progressed.

□ **Comprehensive Performance Assessment**

Preparing for the Council's Comprehensive Performance Assessment, currently scheduled for January 2004 by contributing to the development of an Action Plan to guide the preparations. Assisting in the implementation of the finalised CPA Improvement Programme, in particular the Auditors' Scored Judgement and the Corporate Self Assessment.

□ **South Derbyshire Local Strategic Partnership**

Servicing meetings of the Board and the Partnership Forum relating to this newly-established body.

□ **Transfer of Liquor Licensing Function**

Servicing a substantial number of meetings of a Licensing Committee, required to be established to consider the liquor licensing function which is due to be transferred to the responsibility of local authorities early during 2004/05 under transitional arrangements. Additional staff resources will be required to enable this to be undertaken and to provide the necessary legal advice and guidance to Officers and Members.

□ **Equality of Opportunity and Valuing Diversity**

To ensure that equality and diversity considerations are integrated in all aspects of service planning and delivery.

□ **Better Services to Citizens**

Public expectations about the quality of services provided by their Council have increased. To meet these expectations, it will be necessary to set clear service standards; to consult with, and focus more, on the needs of the customer; and to develop a strategic approach to the procurement of goods and services.

□ **Responding to New Legislation**

The Division has a significant role in assessing the impact of new legislation and developing an appropriate response.

□ **New Ethical Framework**

Following the publication of the Section 66 Regulations relating to the determination by Local Authorities of cases of alleged misconduct referred by the Standards Board for England, further Regulations are to be issued in the future empowering Local Authorities to undertake investigations as well as making determinations. A joint procedure is currently being prepared for adoption by the Derbyshire authorities.

□ **Public Speaking at Development Control Committee**

This matter was raised as part of the development control best value review and will involve significant issues relating to the conduct of meetings and resourcing the arrangements for informing the public of specific opportunities to become involved in the process.

□ **Other ways of Delivering Services**

Challenging the way that we deliver services including looking at closer working and partnerships with other councils and the private sector to share knowledge and expertise.

2.3 The **Service Related Challenges** are as follows:-

□ In the main, the service related challenges will encompass the various corporate and departmental key tasks contained in the Plan.

□ **Land Charges**

The Land Charges section is heavily involved in the development of 'E-government'. The National Land Information Service (NLIS) initiative involves the transfer of all land and property information and registrations onto a national database to provide, electronically, a one-stop shop for conveyancing searches.

□ **Legal Services**

To undertake a review of the 'Right to Buy' procedure – part of which is currently undertaken by external solicitors – and consider the benefits of a re-organisation of the Legal Services Section with a view to returning this function in-house, provided there are adequate staffing resources.

□ **Elections and Electoral Administration**

To manage the rolling register of electors.

To review the election process in readiness for the European Parliamentary Elections in June 2004, the County Council Elections in 2005 and the Parliamentary Election in due course. There is also the possibility of a referendum at some stage.

□ **Public Relations**

To continue to raise the profile of the Council through increased public relations resources.

**Opportunities**

2.4 Most of the challenges identified in the previous sections will provide independent opportunities to deliver and develop more focused and cost-effective services. However, the key opportunity is that greater flexibility will enable the organisation to consider a wider range of options for service delivery.

**Future Budget Pressures over the next 3 years**

2.5 There will be potential budget implications in connection with the forthcoming transfer of the liquor licensing function and the introduction of further Regulations to empower Local Authorities to undertake investigations into allegations of misconduct by Members referred by the Standards Board for England.

3.0 KEY TASKS 2004/07

Corporate Key Tasks

Ref. No.	Action	Timescale
A1	<b>Put in place arrangements for good corporate governance</b>	
	<input type="checkbox"/> Reassess the organisation against the CIPFA/SOLACE corporate governance framework and ensure that outstanding issues are addressed	Ongoing
	<input type="checkbox"/> Continue to develop the role of Members as leaders of their communities	Ongoing
	<input type="checkbox"/> Establish and develop the role of the Monitoring Officer within the organisation and the local community	Ongoing
A2	<b>Monitor and revise (if necessary) the new political management arrangements</b>	
	<input type="checkbox"/> Implement the Action Plan agreed by Council following the review of the new political management arrangements conducted by the District Auditor and the Overview Committee	Ongoing
A5	<b>Develop a more outward looking focus</b>	
	<input type="checkbox"/> Identify local, regional and national networks to which departmental services can relate	Ongoing
C4	<b>Establish training and development plans for employees and Members</b>	
	<input type="checkbox"/> Use PDR process to support employee development	12/03
	<input type="checkbox"/> Continue to develop and implement a training and development programme for Members with the Personnel and Development Division	11/03
C11	<b>Develop an awareness amongst Members and employees of how the organisation operates</b>	
	<input type="checkbox"/> Ensure that effective induction arrangements are in place for new Members	ongoing
	<input type="checkbox"/> Publicise and promote the services provided by the Division to Members and employees	ongoing
F2	<b>Monitor and review complaints to the Council both generally and also in relation to 'service delivery failure'</b>	
	<input type="checkbox"/> Contribute to the proposed review of the Council's Complaints Procedure	ongoing
	<input type="checkbox"/> Monitor and produce regular reports on complaints made to the Ombudsman	ongoing

**Legal & Democratic Services Division**

<b>Ref. No.</b>	<b>Action</b>	<b>Timescale</b>
<b>G2</b>	<b>Reduce levels of sickness absence</b> <input type="checkbox"/> Implement corporate policy and procedures for monitoring and managing sickness absence	ongoing
<b>H1</b>	<b>Develop and implement Codes of Conduct for Members and employees and review the protocol covering Member/employee relations</b> <input type="checkbox"/> Monitor the operation of the Code of Conduct for Members and report regularly to the Standards Committee <input type="checkbox"/> Ensure that Members continue to be aware of their responsibilities under the Code of Conduct	ongoing ongoing
	<b>Crime and Disorder</b> <input type="checkbox"/> Audit existing services and policies <input type="checkbox"/> Implement Action Plan	09/04 onwards 09/04 onwards
	<b>Equal Opportunities and Diversity</b> <input type="checkbox"/> Annual Audit of services and policies in the light of the Race Equality Scheme <input type="checkbox"/> Implement the Race Equality Scheme Action Plan	09/04-05-06 09/04 onwards

**DEPARTMENTAL TASKS**

<b>Ref. No.</b>	<b>Action</b>	<b>Timescale</b>
<b>CE1</b>	<b>Democratic Services</b> <input type="checkbox"/> Review the level of administrative support provided to Members <input type="checkbox"/> Encourage more members of the community to attend Council and Committee meetings	06/04 ongoing
<b>CE2</b>	<b>Land Charges</b> <input type="checkbox"/> Achieve National Land Information Service (NLIS) Stage 3 requirements <input type="checkbox"/> Upgrade systems to achieve e-compliance and links with National Land and Property Gazetteer (NLPG)	03/04 03/04
<b>CE3</b>	<b>Elections and Electoral Registration</b> <input type="checkbox"/> Prepare for and manage arrangements for the 2004 Elections <input type="checkbox"/> Develop proposals to improve electoral turnout	03/04 03/04
<b>CE4</b>	<b>Legal Services</b> <input type="checkbox"/> To monitor new legislation and assess the implications for Council services <input type="checkbox"/> Review the Right to Buy procedure, whereby part of the work is dealt with by external solicitors, with a view to returning the function in-house, provided there are adequate staff resources	Ongoing 12/03



**BEST VALUE REVIEWS AND COMPREHENSIVE PERFORMANCE ASSESSMENT**

The table below details how and when the services provided by this Division will be reviewed as part of the Best Value Process.

**Reviews to be commenced**

<b>Review Title</b>	<b>Start Date (yr)</b>	<b>Services Covered</b>
Democratic Renewal	Review programme in suspension	Democratic services, including the Council's civic role and elections
Legal Services	Review programme in suspension	Legal Services
<b>CPA Thematic Reviews/Diagnostics</b>		
Auditor Scored Judgements	May 2003	
Corporate Self Assessment	May 2003	

**4.0 MANAGING RISKS**

<b>Risk</b>	<b>Extent of risk</b>	<b>Likelihood of occurrence (high/medium/low)</b>	<b>Proposed Action to minimise the risk</b>
Covering duties in the absence of a professional member of staff, due to the current level of limited resources	Inability to fulfil duties	High	Review staffing structure of Legal and Democratic Services
Errors relating to legal agreements and legal advice	Judicial Review Proceedings	Low	Recruitment and retention of qualified experienced staff and ongoing training
Land Charges – incorrect information on a Search	Possibility of Insurance Premiums increasing	Low	Recruitment and retention of qualified experienced staff and ongoing training
Misinformation reaching the Press and information being published incorrectly	Bad publicity for the Authority	Medium	Ensure all media contact is via the Press Office and is factually correct
Election petition	Election required to be held again	Low	Ensure Election is organised in accordance with prescribed regulations

**5.0 EMPLOYEE STRUCTURE AND WORK ORGANISATION**

- 5.1 The Legal & Democratic Services Division is part of the Chief Executive's department.
- 5.2 The Division is managed by the Legal & Democratic Services Manager and is divided into 5 main sections as follows:-
  - Elections and Electoral Registration Service
  - Land Charges
  - Legal Services
  - Democratic Services (including civic functions)
  - Public Relations
- 5.3 An organisation chart is attached at Annexe A.
- 5.4 Such is the nature of the services provided that all teams within the division rely on working with staff across the Council.

**Employee Development Needs**

<b>Service Plan Reference</b>	<b>Key Development Needs</b>
Corporate Key Tasks	Time to undertake research, legislation updates, attendance at network and support meetings and conferences. Improving skills on existing use of IT Raise awareness of divisional issues Continuing professional development training

**6.0 PERFORMANCE INDICATORS AND TARGETS**

**Best Value Performance Indicators 2004/07**

- 6.1 The table below shows the Best Value Indicators that relate to the service provided within this division.

<b>Best Value Indicator</b>	<b>Estimate 2003/04</b>	<b>Target 2004/05</b>	<b>Target 2005/06</b>	<b>Target 2006/07</b>
The %age of standard searches carried out in 10 working days	93	97	100	100

**Local Performance Indicators 2004/07**

6.2 The table below shows the local indicators that the Division has developed to measure its performance.

No.	Local Indicator	Estimate 2003/04	Target 2004/05	Target 2005/06	Target 2006/07
<b>Democratic Services</b>					
L.1	% of agendas despatched 5 clear days before meeting	100	100	100	100
L.2	% of decisions that are recorded accurately in Minutes	100	100	100	100
L.3	To provide public notice of all Council Meetings and make available agendas for the public	100	100	100	100
L.4	% of decision/action sheets issued within deadlines	100	100	100	100
L.5	To make Tree Preservation Orders within 5 working days of receipt	95	95	95	95
L.6	% of events where the Chair arrives punctually	100	100	100	100
L.7	% of civic invitations responded to within 5 working days	95	95	95	95
<b>Elections and Electoral Registration</b>					
L.8	% of households returning the Electoral Registration Form	100	100	100	100
L.9	Compliance with prescribed election timetables	100	100	100	100
L.10	User satisfaction – lack of election petitions/complaints	Nil	Nil	Nil	Nil
<b>Legal Services</b>					
L.11	% of draft contracts sent out within 15 working days of receipt of proper detailed instructions	90	90	90	90
L.12	% of draft shop leases sent out to prospective tenants or their solicitors within 15 working days of receipt of proper detailed instructions	90	90	90	90
L.13	Within 25 working days of receipt of an initial instructing memorandum requesting the initiation of prosecution proceedings, to confirm to the instructing officer that their instructions are adequate or to advise what further information or action is required	90	90	90	90
L.14	% of written communications responded to within 10 working days	97	97	97	97
<b>Public Relations</b>					
L.15	To issue 4 press releases per week	100	100	100	100

**7.0 USEFUL CONTACTS**

Name	Job Title	Telephone Number	E-mail address
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Neil Betteridge	Principal Democratic Services Officer	(01283) 595895	neil.betteridge@south-derbys.gov.uk
Joyce Lambert	Land Charges Officer	(01283) 595835	joyce.lambert@south-derbys.gov.uk
Carole Warburton	Public Relations Officer	(01283) 595741	carole.warburton@south-derbys.gov.uk
Rebecca Carlton	PA to the Chief Executive and Leader	(01283) 595702	rebecca.carlton@south-derbys.gov.uk

# LEGAL & DEMOCRATIC SERVICES DIVISION

