



AGENDA ITEM:

SUMMARY

Report for:	Finance and Resources Overview & Scrutiny Committee
Date of meeting:	4th June 2014
PART:	1
If Part II, reason:	

Title of report:	Performance Report Quarter 4 – Legal Governance, Democratic Services and People
Contact:	<p>Cllr Neil Harden, Portfolio Holder for Residents and Regulatory Services (in respect of Legal Governance and People) Cllr Andrew Williams, Leader of the Council (in respect of Democratic Services)</p> <p>Author/Responsible Officers:</p> <p>Steven Baker, Assistant Director (Chief Executive’s Unit)</p> <p>Mark Brookes, Group Manager (Legal Governance) Jim Doyle, Group Manager (Democratic Services) Matt Rawdon, Group Manager (People)</p>
Purpose of report:	To provide Members with the performance report for quarter 4 in relation to Legal Governance, Democratic Services and People.
Recommendations	That Members note the report.
Corporate objectives:	Resources and Value For Money; Optimise Resources and Implement Best Practice.
Implications:	<u>Financial</u> None.
‘Value For Money Implications’	<u>Value for Money</u> Monitoring Performance supports the Council in achieving

	Value for Money for its citizens.
Risk Implications	Risk Assessment completed for each service area as part of service planning and reviewed quarterly.
Equalities Implications	Equality Impact Assessment completed for each service area as part of service planning and reviewed quarterly.
Health And Safety Implications	None
Consultees:	Cllr Neil Harden, Portfolio Holder for Residents and Regulatory Services
Background papers:	Annex 1 : Quarter 4 Performance Report Annex 2: Quarter 4 Updated Operational Risk Register

- Members will find attached to this report the Corvu performance data for Legal Governance, Democratic Services and People, together with the Operational Risk Register, in relation to quarter 4 of 2013/14.

PEOPLE GROUP

- This report includes the performance information relating to those services which make up the People Group i.e. Human Resources, Organisation Development & Training, Communications & Consultation and Community Partnerships.

Human Resources (HR)

Corporate projects – HR Support

- HR continues to be heavily involved in many of the Council's critical projects. In particular, support is being provided in relation to the procurement of Housing Maintenance (now referred to as the Total Asset Management contract), Dacorum Anywhere Programme, and Electronic Document Management System (EDRMS)

Mental Health First Aid Programme

- The Council now has a trained community of mental health first aiders (approx. 30). Phase two will see the leadership team trained over the summer on a two days mental health awareness course.

Communications & Consultation

Corporate projects – Communications Support

- The Communications Team are allocating resources in the team to strengthen support to services working on critical Council projects, such as Hemel Evolution, Dacorum - Look no further, and changes to bin collections

Social media

6. This channel continues to successfully grow as a means of engaging some residents and stakeholders. Our messages regularly receive an audience of over 5,000 on twitter and facebook. Incoming questions are being dealt with effectively and there have been numerous examples of satisfied customers thanking 'The Council' for listening and responding. Social media will be strengthened even further in the coming months with Northgate now responding to posts alongside Communications, also supported by a social media training and strategy planning event organised for June.

Website

7. Work to improve the navigation and transactional elements of the website continues. Recruitment is about to take place for the web content communications officer role (vacant from 24 May 2014) – a critical role considering the customer experience, channel shift, and digital inclusion aims.

Community Partnerships

Community Sports Activation Bid

8. Sport England has indicated that the decision on which bids have been successful will be announced after the European Elections. The initial impressions and feedback has been positive and the team are continuing to progress the project on the basis that we have been successful, so that there is no slippage on the original timescales.

Volunteer Management Policy

9. The policy will be presented for adoption at Cabinet in July 2014. The policy objective is to ensure that volunteers at the Council are treated fairly and consistently. This should help with the recruitment and retention of volunteers.

Organisational Development and Training

Corporate Health and Safety Service

10. Following an audit of the current health and safety arrangements for Council staff, it was decided to change the responsibilities of the current Health and Safety officer post, which has led to a redundancy situation. The new Corporate Health and Safety Lead Officer role (currently being recruited) will be relocated from Human Resources to Regulatory Services. The wellness responsibilities of the post will remain in Human Resources. These changes will take effect from 1 June 2014.

National Graduate Development Programme (NGDP)

11. Cabinet has agreed the funding to recruit two further graduates through NGDP. Recruitment will commence in June and the graduates will start in the Autumn.

LEGAL GOVERNANCE

12. Legal Governance continues to be heavily involved in many of the Council's critical projects. In particular, significant legal support is being provided in relation to the Gade Zone Regeneration project, completion of the Total Asset Management contract and supporting the Council House New Build project by acquiring sites and dealing with associated planning agreements.
13. Other work carried out by the Legal Team includes:
 - Completion of three Section 106 Agreements plus the drafting of a Section 106 agreement to facilitate more council houses
 - Strong involvement in assisting Development Management and Planning Management on a wide variety of matters including enforcement action for use of the site at Runways Farm for noisy motor cycle and motor vehicle activities and storage and parking.
 - Successful forfeiture of one shop lease and three maisonettes leases. Three of those premises have been successfully re-let, therefore, are generating an income for the Council.
14. The Legal Team also provides legal advice and assistance to committees. In the fourth quarter the team clerked 4 Development and Control Committees, 1 Licensing and Health & Safety Enforcement Committee, 5 Housing Appeals, 2 Employment Appeals and 3 Cabinet meetings.
15. The team completed 26 Right to Buy sales (20 houses and 6 flats) in the fourth quarter
16. The Legal Team frequently represent the Council in the courts and tribunals, leading on injunctions, prosecutions and defending employment tribunal cases. The following cases may be of particular interest to Members:
 - The team was successful in obtaining two prohibition notices against a food business, stopping the sale of raw and processed placentas on the basis that proper food hygiene standards were not being maintained. It is believed to be the first case of its kind in Europe, specific to placentas, which has received much press interest from both local and national news agencies.
 - The litigation team has finalised instructions to commence proceedings in relation to 'sham' business rate claims and the 'class' action with a number of other authorities will be launched in the next few months.
 - The team is defending a high profile housing case which is being pursued in the Supreme Court.

- The owner of an unlicensed House in Multiple Occupation ('HMO') is currently being prosecuted.
17. The Legal Team introduced a new electronic case management system in November called IKEN which allows the team to store and reference cases electronically without the need to retain hard copy files. This system is now fully operational and has helped facilitate a paperless/light office working environment. It has also allowed the team to work more effectively and securely from home because files can be accessed without having to take home paper copies.

GIS and Freedom of Information

18. The Team are in the midst of procuring a new Geographical Information System which will provide the means for the Council to share data internally and with the public and our partners. In sharing data more widely it will improve the quality of our own data, reduce telephone and written requests for information between departments, partners and the public as well as enhancing our decision making process. It will provide one version of accurate data to many users to ensure that the Council reports are consistently correct.
19. Freedom of Information ('FOI') and Data Protection ('DPA') requests remain steady. In the fourth quarter the Council managed to complete 94.4% of FOI requests within the target time and 100% of DPA requests. Departments which have failed to adhere to the target times have been informed and are showing signs of improvement which will hopefully be reflected in 2014-15.

Licensing

20. Key achievements from the licensing team in the last quarter include:

Hackney Carriage

- Adoption and implementation of the first revisions to maximum taxi fares since 2011. Under the Council's standard licence conditions, all hackney carriages must have a digital taximeter installed, calibrated and configured to a table of fares set periodically by the Council. The new fares were determined by Cabinet, following recommendations from the Licensing Committee after consideration of a proposal from the taxi trade. The results of the first public consultation on Dacorum's taxi fares were also considered. The process culminated in a meter-setting day held at Cupid Green depot at which local taximeter engineers were present to recalibrate as many of the meters in our 240 licensed hackney carriages as possible. A typical 2-mile weekday fare is now capped at £6.30, up from £5.88, placing Dacorum at joint 54th in the national fare league tables maintained by the National Private Hire Association.
- Agreed revisions to the vehicle specifications for consideration for licensing as taxis and private hire vehicles, to take effect from June 2014, following consultation with the licensed trade. In particular, an area of confusion around the requirement for M1 European whole

vehicle type approval has been clarified. For the first time, a policy encouraging the use of newer vehicles has also been adopted, by virtue of a new requirement for any vehicle over the age of 10 years to successfully complete a second MOT and compliance test halfway through the licence period. This will provide added assurance that older vehicles are being properly maintained, as well as providing an incentive for vehicle proprietors to purchase and licence younger vehicles.

Alcohol

- Implementation of the Government's minimum alcohol pricing restrictions, which will prevent the sale of alcohol at a price below the amount of duty payable on that alcohol plus VAT. All necessary preparation work was carried out in advance of the published start date of 6th April 2014. There was a delay to the legislation coming into force and the new alcohol pricing restrictions commenced on 28th May.
 - Presentation of 11 reports at 4 Licensing Committee and Sub-Committee meetings.
 - An officer response to a Home Office consultation on proposals to introduce powers for the localised setting of alcohol/entertainment licence fees has also been submitted within the last quarter.
21. Numerous licensing enforcement operations have taken place within the last quarter, and a number of investigations are currently ongoing into potential offences. The following operations may be of particular interest to Members -
- Multi-agency operation involving Herts Fire & Rescue Service, DBC Anti-Fraud investigators and the UK Border Agency, assessing licence compliance, fire safety, staff immigration status and staff benefits claims at restaurants and takeaways within the Borough.
 - Taxi safety and compliance spot-checks in conjunction with Herts Constabulary, stopping a total of 18 vehicles in Tring and Hemel Hempstead. Improvement notices were issued in respect of 6 vehicles. A further stop/spot-check operation was also held in March in Hemel Hempstead, which was attended by the Police and Crime Commissioner.
 - Plying for hire operations across the Borough, under the authority of a RIPA authorisation for the use of covert (undercover) sources. These operations ensure that only DBC-licensed taxis accept walk-up fares – private hire vehicles and vehicles licensed in other areas commit an offence and invalidate their insurance by accepting fares which are not pre-booked. Particular issues have been reported by the Dacorum trade with regards Aylesbury-licensed vehicles plying for hire around Berkhamsted and Tring, and recent operations have borne these complaints out, with several out-of-Borough drivers currently under investigation for this offence.

- Compliance visits to all licensed betting shops in the Borough, to ensure adherence to the licence conditions and relevant codes of practice.

DEMOCRATIC SERVICES

Member Support Services

22. During Quarter 4, Member Support managed and organised the following:

- Published 31 agendas
- Completed 31 sets of minutes
- Spent 39 hours at evening meetings
- Processed 13 public speakers at Committee
- Processed 9 Portfolio Holder Decisions

Member Development

23. The target set for Member training in 2013/14 was for each Councillor to attend at least three training sessions. Following the fourth quarter, member attendance averaged 3.8 sessions per councillor.

24. The Member Development Steering Group are currently monitoring the transitional development programme which will take Councillors up to the Borough election in May next year. We will then be looking to generate full Personal Development Plans ready for the intake of Councillors elected next year.

25. As an alternative to development plans for Members this year, a questionnaire was devised which asked Members to score themselves for various tasks/skills/abilities. Included in this, was a section for Members to suggest topics they would like to see included in the Members' training programme for 2014/15. The questionnaires will remain confidential and only the Corporate Support Team Leader- Democracy and a Member Support Officer will have access to them.

26. Once the questionnaires are all received, individual training needs will be identified and relevant courses or 1 to 1's will be arranged. The MDSG will, as agreed, consider the suggestions made for the training programme and prioritise the courses to be arranged for 2014/15.

Revised Website

27. The new calendar showing the programme of the Council's meetings was launched on the website with a view to making it easier for the public to access agendas and minutes. Its effectiveness is being monitored. The Public Participation page and Portfolio Holder Decision pages have also been streamlined and the public can now register online to speak at meetings. So far, mixed feedback has been received from officers and members and further improvements and suggestions are being looked into.

Parish/Community Liaison

28. Quarter 4 has seen the following activities in this area:

- Attended 9 Community Associations Meetings
- Organised and attended 1 Town & Parish Clerks Meeting
- Attended 1 Civil Society Partnership Meeting
- Attended meetings with 3 of our Strategic Partners
- Arranged and accompanied a visit to Community Action Dacorum with the Council's Chief Executive
- Organised First Aid Training for members of the community (over 60's)

Elections / Electoral Registration

29. A casual vacancy that had arisen in Berkhamsted Town West Ward was successfully filled after an election held on 3 April 2014.

Annual Canvass

30. The Annual Canvass of properties in the Borough was completed in time to produce the new complete Electoral Register for 2014 in time for the deadline of 17th February. As directed by the Home Office the delayed canvass was carried out during December and January and the final reminder visits have been made to the homes of non-responders. The return rate was 93%.

Individual Elector Registration

31. As stated above, the annual canvass was delayed this year in line with the Home Office timetable for the introduction of Individual Elector Registration (IER) in 2015. The intention is to carry out two canvasses this year with a view to creating as accurate and complete an Electoral Register as possible for the introduction of Individual Elector Registration for the Parliamentary Election in 2015. The project plan for the implementation of IER is being followed to adapt our processes and upgrade our Elections Management System for its introduction.
32. The April and May connectivity tests have been undertaken and completed after a good deal of correspondence and traffic between our IT and those at the Home Office responsible for the implementation of the programme. Once again this quarter, due to a significant amount of effort by our colleagues in ITC, we are within schedule and on target to implement IER.

European Election

33. At the time of writing this report preparations for the European Election on 22 May and the count on 25 May are very advanced and a verbal report will be made at the meeting on how the conduct of this election went.

Operational Risk Register

34. There are no changes to the operational risk register to bring to Members' attention.