



AGENDA ITEM: 8a

SUMMARY

Report for:	Finance and Resources Overview & Scrutiny Committee
Date of meeting:	7 th June 2016
PART:	1
If Part II, reason:	

Title of report:	Quarter 4 Performance Report – Legal Governance and Democratic Services
Contact:	<p>Cllr Neil Harden, Portfolio Holder for Residents and Corporate Services</p> <p>Author/Responsible Officers:</p> <p>Mark Brookes (Solicitor to the Council)</p> <p>Jim Doyle, Group Manager (Democratic Services)</p>
Purpose of report:	To provide Members with the performance report for quarter four in relation to Legal Governance and Democratic Services.
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	Equality Impact Assessment completed for each service area

Implications	as part of service planning and reviewed quarterly.
Health And Safety Implications	None
Consultees:	Cllr Neil Harden, Portfolio Holder for Residents and Corporate Services
Background papers:	Annex 1: Quarter 2 Performance Report Annex 2: Quarter 2 Operational Risk Register

1. Members will find attached to this report the Corvu performance data for Legal Governance and Democratic Services, together with the Operational Risk Register, in relation to quarter 4 of 2015/16.
2. Following the retirement of the Assistant Director (Chief Executive's Unit) and Monitoring Officer in April of this year the Head of Paid Service, acting under delegated powers, approved a small number changes to the existing Leadership Team.
3. The changes approved to the Leadership structure are as follows:
 - Delete the role of Assistant Director (Chief Executive's Unit) from the structure.
 - Create a new role Solicitor to the Council and Monitoring Officer. This role will replace the existing Group Manager (Legal Governance) role which will be deleted from the structure. The new role will report directly to the Chief Executive and have line management responsibility for the Group Manager (Democratic Services).
 - The fixed term post of the Assistant Director (Performance and Projects) will be confirmed as a substantive post in the structure and renamed Assistant Director (Performance, People and Innovation).
 - The Group Manager (People) will report to the Assistant Director (Performance, People & Innovation) and also have line management responsibility for the Performance and Innovation team and Corporate Administration.
 - The Group Manager (Commissioning, Procurement and Compliance) will report to the Assistant Director (Finance and Resources)
4. Accordingly, and as this is the first meeting of the Finance and Resources Overview and Scrutiny Committee since the restructure, Members will note that this report relates to Legal Governance and Democratic Services only.
5. Members will also note that the only Operation Risk which falls within this area is CE_R01 Failure to deliver successful elections.

LEGAL GOVERNANCE

6. 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. The team have been working with the property and planning teams to negotiate and finalise terms with the Council's development partner (Gade Zone Developments Limited) to bring the delivery of residential development surrounding the Forum forward as early as possible.

The Legal Team

7. The Legal Team frequently represent the Council in the courts and tribunals, leading on injunctions, prosecutions and defending employment tribunal cases. In the last quarter the Legal Team :-
 - Obtained two anti-social behaviour injunctions
 - Commenced action against one defendant for breaching an anti-social behaviour injunction who was sentenced to 28 days imprisonment suspended until 13 October 2016.
 - Successfully prosecuted for fly tipping (Northchurch Ward). Defendant was ordered to pay £115 fine and £42 victim surcharge
 - The team also successfully completed a Standards Investigation for Berkhamsted Town Council
- The team has also experienced and successfully dealt with a particularly high volume of case work in the last 12 months. Of note were the completion of 111 Right to Buy transfers in the last 12 months and 105 substantive new instructions (leases, land sales and other drafting) in the last 6 months alone, and maintained performance targets at 100%.

The Licensing Team

8. The Licensing team has recently compiled statistics for the Home Office and Gambling Commission as to the number of premises within the borough which are licensed for alcohol sales, entertainment, late night refreshment or gambling activities. The statistics may be of interest to Members as it gives an idea of the volume of applications which the team deal within this area and key points from these statistics are included below, relating to the position on 31 March 2016.

Licensing Act 2003		
	Premises Licences (businesses and non-commercial bodies)	Club Premises Certificates (members' clubs only)
Total number in force	448	42
~ authorising sale/supply of alcohol	371 (on-sales or both on/off-sales: 259 off-sales only: 112)	42
~ 24-hour alcohol	15	0
~ authorising late night refreshment (total)	195	n/a
~ authorising late night refreshment (only)	33	n/a
~ authorising one or more forms of regulated entertainment	238	27
~ plays	72	3
~ films	86	7
~ indoor sports	76	12
~ boxing or wrestling	4	0
~ live music	192	23
~ recorded music (DJ, etc)	227	22
~ performance of dance	116	6
Personal Licences: total number in force (allows holder to authorise sales of alcohol at licensed premises)		Temporary event notices: number given between 1 April 2015 and 31 March 2016 (infrequent, small-scale events)
1458		412

Gambling Act 2005	
	Gambling Premises Licences
Total number in force	18
~ Adult gaming centre	2
~ Betting shop	16
~ Betting track (sports ground, racecourse)	0
~ Bingo hall	0
~ Family entertainment centre	0
~ Casino	0
<i>N.B. Dacorum is not authorised by the Secretary of State to issue casino licences.</i>	

DEMOCRATIC SERVICES

Elections

9. Much of Democratic Services efforts throughout the early part of 2016 involved the preparations for the Police & Crime Commissioner election to be held in May and the forthcoming Referendum on UK membership of the EU in June 2016. To this end the Electoral Registration Section and Member Support Services were engaged in:

- Compiling and producing the electoral register
- Organising Staffing for the Polling Stations
- Booking the Polling Stations
- Production, Issue and opening of 15,000 Postal votes.
- Procuring and amassing the necessary equipment and paperwork
- Booking the Count venue and
- procuring and preparing the Count equipment and materials

Due to the close proximity of the two polls each of these tasks is increased by a factor of two.

10. At the time of writing it is fair to say that the Police & Crime Commissioner election produced an outcome that was arrived at fairly and smoothly with a result acceptable to those involved. The lessons learned will be incorporated into the ongoing preparations for the EU Referendum.

Member Support Services

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

- Published 33 agendas
- Completed 29 sets of minutes
- Spent 46.5 hours at evening meetings
- Processed 54 public speakers at Committee
- Published 7 Portfolio Holder Decisions
- Published 8 Officer Decision
- Attended 8 community association meetings
- Attended 6 Voluntary Sector meetings
- Attended 17 Community Engagement Tours with Mayor
- Attended 2 Ad hoc meetings and Social Media Training

12. February also saw the joint budget OSC meetings take place, along with Cabinet and Full Council, resulting in the budget being approved. Again, lots of coordinating many people at the same time and all meetings ran smoothly.

13. Work and training is still ongoing in order to further develop the use of Issue Manager. We have been testing its use for Officer Decisions and Portfolio Holder Decisions. This will enable Officers to gain experience of using Issue Manager processes before agendas are collated through its use. The launch of the new Officer Decision process has been delayed due to a technical issue with the website. Work to rectify this will be carried out in due course. Member use of the iPads is increasing and the number of queries/issues received by the team has decreased.

14. Parish & Community Liaison

S Collins arranged and attended 16 very successful visits with the Mayor to:- Hemel Police Station, Chipperfield Parish Council, Markyate Parish Council, Dacorum Community Trust, Community Action Dacorum, Signpost, Centre in the Park, CAB, Age UK, Herts Ambulance Service, Mediation Hertfordshire, Druglink, DENS and the Volunteer Centre. She also accompanied the Mayor to Highfield Community Centre – reopening of their Internet Café. This involved lots of organisation and coordination of many people and the Mayor has been very appreciative of all her efforts.

Member Development

15. Four member training sessions were held in Quarter 4 bringing to an end the training for 2015/16 and the target of 4 training sessions a year per member was achieved.
16. Nineteen members took up the opportunity to develop Personal Development Plans in conjunction with the appointed outside trainer. The feedback on this process has been mixed and the Member Development Steering Group has been examining the results and the future direction of the scheme.

OPERATIONAL RISK REGISTER

17. The updated Operational Risk Register is annexed to the report. The only changes which have been made relate to the restructure as noted above. There have been no changes to the residual risk score since quarter 3.