

Legal Services- Service Delivery Plan 2018-19

Overview of Service

Overview

The Legal Services team comprises: 1 Legal Services Manager, 1 Chartered Legal Executive, 1 Planning Lawyer (pt), 1 Local Land Charges & Senior Legal Support Officer (pt) and 1 Information and Legal Support Officer (Secondment) (ft).

Costs of running the Service

The estimated net cost of running the Legal Services department in 2018/19 is £176,523. This includes income received for local land charge searches carried out and income from legal services for fees charged externally, for example, s106 Agreements.

Many of the services provided within the service are statutory (e.g. Local Land Charges, FOIA, EIR & DPA). The main purpose of Legal Services is to provide a responsive, timely, cost effective and professional legal service, providing quality legal advice to the Council on a variety of subject areas:

Corporate /Corporate Governance

- Constitutional review, political changes, efficiency, effectiveness & economy, policy reviews/ audit.

Corporate Plan 2017/19

- Proactively assist and enable other client departments to deliver the Corporate Plan 2017/19 by the provision of timely, cost effective, good quality legal advice and assistance.

Planning & Development

- Planning, committees, Community Infrastructure Levy (CIL) development & Appeals.
- Negotiation, drafting and completion of planning obligations under s106 Town & Country Planning Act 1990 (as amended) and any related Nomination Agreements.
- Planning Appeals: conducting or supporting external barrister and Planning Officers.

Property

- Acquisition of land and public open spaces.
- Database support.
- Enforcement of s106 process.
- Sale of Assets at market value.
- Commercial and residential related conveyancing: leases, easements or licences, release of covenants, redemption of charges and mortgages.

Criminal & Civil Litigation

- Bringing or defending proceedings for the Council covering the range of Council functions, for e.g. food safety, taxi licensing or planning.

- Car parking enforcement, logging DVLA Searches, letters before action, Appeals, Prosecutions - Summonses, Witness statements and attendance at court.
- Recovery.

Contracts

- Preparation and completion of contract documentation in compliance with the Council’s Contract Procedure Rules.
- Review of Council’s Contract Procedure Rules.
- Provision of procurement advice in liaison with Finance and LGSS (under Service Level Agreement).

Freedom of Information, Environmental Information Regulations, Data protection:

- Management and recording of Freedom of Information requests to ensure complies with the Freedom of Information Act.
- Management and recording of Data Protection requests and reporting to ensure the Council complies with the Data Protection Act/General Data Protection Regulations.
- Oversee requests.
- Co-ordinate responses.
- Monitor compliance.
- Maintenance of central registers.

Quasi-judicial committee support

- Reviewing reports, attending and advising at Council & Committee for Licensing Planning & Asset Development.

Local Land Charges Searches:

The Infrastructure Act 2015 became law in February 2015 and confirmed that the Land Registry will take over responsibility as the sole registering authority for Local Land Charges (LLC).

The Act will enable it to hold and maintain a composite register for England and Wales and be the sole provider of LLC1 official search results. **The Land Registry is only taking the register, which leaves Local Authorities with the much more complicated CON29 Questions.** It will be a major project to transfer this function and will have quite a big impact on all Council departments as they will either need to send their information to the Land Registry for registration (planning applications, CIL info, etc.) or the Land Registry will expect access to our IT systems to retrieve the information. *From October 2017 HMLR will start with local authority phased migration and the live service roll-out.*

Monitoring Officer: The Legal Services Manager also acts as the Council’s Monitoring Officer, which is a statutory role under the Local Government and Housing Act 1989 and in such a role will provide advice and training to Members, Parish Councils, advice to Corporate Governance and Finance Committee, on the Code of Conduct, Ethical Governance, investigations into complaints against Members and any subsequent determinations.

Forward Planning for Councillors

(Are there any dates which you think Service Delivery Champions might need to be aware of e.g. committee dates, events linked to outputs etc)

Proposed date of decision	Item	Service Area	Service Delivery Champion	Committee
Roll-out across authorities October 2017	Transfer of Local Land Charges service to Land Registry	Local Land Charges	Mark Hugo	N/A

How does the Service link in with the Corporate Plan?

Legal Services provide ongoing legal support, advice and assistance to all services across the Authority and the Local Authority Trading Companies. The team have been involved with key projects in the Corporate Plan and this will continue into 2018/19 with more projects coming up.

It helps to ensure that the Council continues to be customer driven with a pro-business approach and meeting its legal requirements.

By also providing legal support to the Local Authority Trading Companies and offering a high quality and cost effective land charges service to the general public, the team contribute to the Council being commercially focussed.



Commitments towards our Vision

Legal Services- Service Delivery Plan 18/19



Performance Measure	Link to Corporate Plan Priority	Target and reporting timescale (i.e. 6 monthly or annually)	Baseline from previous year/output from previous year	Owner and co-owners
Ensure that the Council offers best value for money	Delivering a financially sound and well managed Council	Maximise the recovery of legal costs and fees; Court costs and fees, contribution to legal costs and disbursements. 97%- Number of legal costs recovered in £	Costs recovered £14,655.50 to 13/03/2018	Maggie Camp- Legal Services Manager Paula Holmes- Local Land Charges & Senior Legal Support Officer Victoria Higham - Information and Legal Support Officer (Secondment) Tracey Nunn - Chartered Legal Executive Tim Driver – Planning Lawyer (pt)
		To ensure the recovery of outstanding debts owed to the Council 100% Instructions for recovery: costs recovered in £	Up to 01/04/2017- 13/03/2018 71 instructions 53 debts settled Equating to 74.6%	Maggie Camp- Legal Services Manager Paula Holmes- Local Land Charges & Senior Legal Support Officer Victoria Higham - Information and Legal Support Officer (Secondment) Tracey Nunn – Chartered Legal Executive
Proactively assist all services across the Authority with issues related to legal requirements. 90% within 10 working days 100% within 15 working days 0-5 days = % 6-15=% 16-20=% 20+=%		92% within working 20 days 86% within 10 working days	Maggie Camp- Legal Services Manager Tracey Nunn – Chartered Legal Executive Tim Driver – Planning Lawyer (pt)	
Ensure continuous service delivery for the Local Land Charge Service <ul style="list-style-type: none"> 100% of Local Land Charge searches within 10 working days; 95% within 5 working days 		100% of searches within 10 working days. 98.6% of searches responded to within 5 working days. Average turnaround time 4 working days to respond to 13/03/2018	Maggie Camp- Legal Services Manager Paula Holmes- Local Land Charges & Senior Legal Support Officer Victoria Higham - Information and Legal Support Officer (Secondment)	
To provide a comprehensive and qualitative legal service		Provide legal support for committees when necessary. 100% attendance at committees where necessary	100% supported	Maggie Camp- Legal Services Manager Tracey Nunn – Chartered Legal Executive Tim Driver – Planning Lawyer (pt)

Performance Measure	Link to Corporate Plan Priority	Target and reporting timescale (i.e. 6 monthly or annually)	Baseline from previous year/output from previous year	Owner and co-owners
		<p>Ensure car parking appeals and enforcements comply with the following timescales;</p> <p>80% of appeals responded to within 10 working days 100% within 20 working days</p> <p>First letters to be sent within 29 working days</p>	<p>97% of appeals responded to within 10 working days.</p> <p>100% of first letters sent in 29 working days to 135/03/2018</p>	<p>Maggie Camp- Legal Services Manager Paula Holmes – Local Land Charges & Senior Legal Support Officer</p>
To provide a comprehensive and qualitative legal service	Delivering a financially sound and well managed Council	<p>Ensure that the timescales set out in the Transparency Code are complied with and manage information data on the Council's website: Open data, Disclosure log and Officer Decisions</p> <p>100% annually or quarterly for datasets and as soon as completed disclosure log and officer decisions.</p>	<p>100% annually or quarterly for datasets and as soon as completed for disclosure log and officer.</p>	<p>Maggie Camp- Legal Services Manager Paula Holmes – Local Land Charges & Senior Legal Support Officer Victoria Higham – Information and Legal Support Officer (Secondment)</p>
		<p>Deliver an effective, accurate and transparent FOI/EIR service.</p> <p>100% of responses within 10 working days (unless the FOI request involves further in-depth research but the service will ensure that the customer is kept informed)</p>	<p>95% responses in 20 working days</p> <p>67% responses in 10 working days</p> <p>Requests: 495 to 13/03/2018 Days to respond: 0-5: -53% 6-10:-14% 11-15:-14% 16-20:-14% 20+: -5%</p>	<p>Maggie Camp- Legal Services Manager Victoria Higham - Information and Legal Support Officer (Secondment) Paula Holmes – Local Land Charges & Senior Legal Support Officer</p>
		<p>To support the continued professional development of the team to ensure that they are meeting with personal and professional career development opportunities</p> <p>100 compliance and with an average of 16 hours professional development per member of the team</p>	<p>The service continues to meet with the professional and statutory requirements for CPD.</p>	<p>Maggie Camp- Legal Services Manager Tracey Nunn – Chartered Legal Executive Tim Driver – Planning Lawyer (pt) Paula Holmes- Local Land Charges & Senior Legal Support Officer Victoria Higham - Information and Legal Support Officer (Secondment)</p>
Ensure that staff have all the necessary skills to maximise their input service delivery		<p>To update Service Delivery Champions with the progress of the service, how the service is being operated and the direction it is going in</p>	<p>Meetings every quarter (or as requested by councillors)</p>	<p>Maggie Camp- Legal Services Manager Tracey Nunn – Chartered Legal Executive Tim Driver – Planning Lawyer (pt) Paula Holmes- Local Land Charges & Senior Legal Support Officer Victoria Higham - Information and Legal Support Officer (Secondment)</p>

Performance Measure	Link to Corporate Plan Priority	Target and reporting timescale (i.e. 6 monthly or annually)	Baseline from previous year/output from previous year	Owner and co-owners
		100% of appraisals completed by June 2017	100% of appraisals completed.	Maggie Camp- Legal Services Manager Paula Holmes – Local Land Charges & Senior Legal Support Officer
Ensure that the Council's corporate risks are managed effectively and mitigations are put in place to reduce impact.	Delivering a financially sound and well managed Council	To regularly review corporate risks associated with the Council's legal requirements. The current risks to the Authority are as follows: Implementation of General Data Protection Regulations		Maggie Camp- Legal Services Manager Paula Holmes – Local Land Charges & Senior Legal Support Officer Victoria Higham – Information and Legal Support Officer (Secondment)