

Scrutiny Committee - Tuesday, 8th November 2016

Legal & Democratic Services - Key challenges & successes

Legal, electoral & democratic services

Challenges

- Increase individual elector registration (IER) via digital channels and introduce more streamlined processes. Although Government provided some initial transitional funding to support the increased burden this has decreased to £20,000 for 16/17 with no indication of any funding for next year. Despite over a third of responses arriving online the costs of IER are not decreasing and now comprise the third of our annual budget.
- Similarly, as the population of the District continues to increase so, too, does the cost of elections. Consequently, a review is being carried out to try and identify more automated working practices.
- Maintaining Lexcel accreditation of the SDC legal team.
- Ensure legal decisions so as to protect the Green Belt while maintaining housing supply in the face of increased risk of judicial review and planning appeal.
- Implement as available all government initiatives aimed at online self-service, such as electronic payment of HMCTS fees, remote hearings.
- Embrace and adopt the Single Justice Procedure when launched so as to allow residents to plead guilty to less serious offences by post.
- Implement appropriate in-house legal software solutions to facilitate management, monitoring and efficient working practices.
- Adopt full electronic EU procurement by October 2018.
- Provide any necessary advice to the Council relating to Quercus 7.
- Provide support for the increased number of lease renewals and general landlord and tenant issues arising from the capitalisation of the Council's liquid assets and purchase of commercial buildings.

Successes

Electoral Services

- Successfully administered 6 elections: Police and Crime Commissioner Election, EU Referendum, Sundridge and Ide Hill by-election & Swanley town/District & County be-elections.
- Transition to IER and ensuring a robust electoral registration process and on track to publish new on-line register on 1st December 2016.

Legal

- Recruitment of new Head of Legal and Democratic Services. Re-organisation of Legal & Democratic services team. Welcoming back Charlotte Sinclair from maternity leave. David Lagzdins now fully qualified and will join legal.
- Ongoing support across the Council including a successful prosecution in relation to taxi licensing (Jabbar/Sevenoaks Taxis Ltd) - please see attached table of notable legal successes since July 2016.
- Completion of shareholders agreement for the Councils trading company - Quercus 7.

Democratic Services

- Ongoing support for the Chairman and civic events including Hever Castle, Lavender Farm.
- Continuing to provide support to all committee meetings whilst being one member of staff down due to maternity leave.

- Completion of new members useful numbers card.

Licensing

Challenges

- Embedding London Borough of Bexley into the Licensing Partnership (LP). Bexley joined the Licensing Partnership on 31st October although SDC have been managing the Bexley licensing team since 1st September. This has been an immense project with political, governance and operational challenges which has been undertaken at the same time as fulfilling the day to day running of the team e.g issuing in excess of 3,800 licences, permits and notices and undertaking in excess of 6,000 administrative tasks annually.
- Continuing discussions and negotiations with the London Borough of Bromley who are also keen to join the Licensing Partnership.
- Fulfilling our statutory licensing duty and maintaining record service performance across four authorities as opposed to three and building further resilience into the licensing team.
- Full roll out of on-line forms project (Victoria forms) for all licensing applications.
- In order to achieve greater efficiencies, the taxi application process is changing. A new on-line knowledge test is expected to be available in early 2017 and applicants will be expected to pass the knowledge test before submitting an application. This will save valuable officer time processing applications which ultimately are not successful.

Successes

- SDC is the first District authority in the Country to take on the work of a London Borough. As a result, SDC will make an annual operational saving of £15,000 to the ongoing cost of the Licensing Partnership but that isn't the only cost incurred by SDC. There are two separate budgets, the cost of running the SDC Licensing Team (Taxis and the other licensing functions) and the Licensing Partnership costs. With the savings to the Licensing Partnership we are likely to 'break even' in next year's budget which will be the first time we have managed this as an authority since the Licensing Act 2003 was introduced meaning that the service becomes cost neutral to our residents.
- All performance indicators met for the first 6 months of this year, with all applications issued within 5 working days.
- Introduction of 28 on-line forms which allows our residents to submit applications 24 hours a day/7 days a week.
- Development of a licensing renewal/reminder notification via email/text messaging which combines changing behaviour with improved efficiencies.
- Licensing committee continues to make good decisions with sub-committee decisions regularly upheld on appeal e.g Jabbar v Sevenoaks District Council, 25 August 2016.

In relation to Mr Jabbar-

- Guilty on two counts
- Sentence- Band C Fine £180 per count totalling £360, £20 victim surcharge and £1200 costs awarded. Total £1580.00 (Fine and costs were capped as Mr Jabbar claims he is on benefits and earning £97.00 a week)
- £20 per month requested by Mr Jabbar, £40 per month ruled. First payment within 14 days. Mr Jabbar to apply to Court if he can not pay.

Sevenoaks Taxis Ltd

- Guilty on all three counts

- £500 fine per count totalling £1500 and £1500 costs
- £50 surcharge to company
- £3050 Total to be paid within 28 days by Sevenoaks Taxis. The company to apply to Court if they can not pay.

Total £ 4630. Collection order granted for both.

SDC Trading company - Quercus 7 Ltd

Challenges

SDC's trading company, Quercus 7 Ltd, is now ready to be used as a vehicle to assist this Council to attain its principle financial objective of becoming and remaining self-sufficient. The challenge for the L&DS portfolio will be to ensure a robust system of corporate governance that balances the interests of the many stakeholders in the company: the shareholder (all SDC members and ultimately all residents), management, customers, suppliers, financiers and the community. This will be achieved through regular scrutiny via the Trading Board (effectively Cabinet) but also through a formal and rigorous annual Board evaluation of its own performance in accordance with the UK Corporate Governance Code.

Successes

Two non-executive directors specialising in finance and property have now been recruited completing the Executive Board. The full board comprises Andrew Andreou, BSC, ACA (finance), John Tibbitts, Fellow (FCIOB), Quantity Surveyor (property), Adrian Rowbotham, Richard Wilson and Lesley Bowles. The two NEDs bring considerable commercial and private sector finance and property experience and will start from 1st November 2016 with the first Board meeting being in early November.

Equalities, Shared Service programme & corporate health & safety

Equalities

Challenges

Ensuring sufficient resource and capacity exists in the organisation to deliver on the commitments and actions set out with in the Council's newly adopted Equalities Policy.

Ensuring compliance with Mandatory Gender Pay Gap Reporting for Public Sector Employers once legislation is enacted

Successes

Delivering a new Equalities Policy and action plan for the Council to deliver against over the next four years.

Developing plans to meet the Equalities Policy objective to regarding apprenticeships - working in partnership with Communities & Business on innovative approaches to the Government's proposed apprenticeship duty and levy

Progressing studies to ensure the Council has robust data to deliver the facilities and services that meet the needs of local people (in planning, housing and the communities & business teams)

Shared Service programme

Challenges

Seeking willing partners to take forward shared service working in areas that provide sufficient benefit to the Council for the investment required

Successes

Expansion of the Licensing Partnership to include the London Borough of Bexley, with interest for further future expansion from the London Borough of Bromley

Corporate Health and Safety

HSE carrying out a routine visit to the depot on 24th November to check on H&S practises for refuse and recycling collection services

Successes

Health and Safety policy reviews; risk assessment reviews and relevant training all ongoing

Governance

The Governance committee held a workshop on Monday, 10th October to continue considering whether an approach should be made to the Local Government Boundary Commission for England (LGBCE) to initiate an electoral review of this Council with the objective of a significant reduction in the number of councillors by the 2019 elections. At the time of writing this work is still on-going.

Anna Firth

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