

Report to: Audit Governance and Improvement Review Committee

Date: 7 June 2007

Subject: Legal and Property Services Department - Performance report for the Full Year 2005/06 and Action Plan for 2007/08

Report of: DIRECTOR OF LEGAL AND PROPERTY SERVICES

Contact officer: John Mitchell (Telephone: 01942 827459 Int x2459)

Purpose/summary:

- a) To inform Members of the performance of the Legal and Property Services Department against the measures contained in its Service Plan for the year 2006/07 and;
- b) To inform Members of the Legal and Property Services Department's Action Plan for 2007/08.

Alternative options considered and reason for selecting the one recommended: Not to inform Members of the department's performance or prepare a Service Plan which would be contrary to the Council's policies on performance reporting and Service Planning.

Recommendation/decision: That the contents of report be noted.

Key decision: This report does not involve a key decision.

Implications:

Financial: The Legal and Property Services Action Plan for 2007/08 will utilise the resources allocated in the Council's Budget Framework

Staffing: There are no direct impacts on staffing in the Department

Policy: The Action Plan explains how the department will contribute to the delivery of the Council's policies

Equal Opportunities – has a Diversity Impact Assessment been conducted? The Action Plan identifies the Equality and Diversity actions taken and to be taken.

Wards affected: All

Special Interest Members - Which have been consulted None

Has the Director of Legal and Property Services confirmed that the recommendations within this report are lawful and comply with the Council's Constitution?

Yes

Has the Director of Finance and IT confirmed that any expenditure referred to within this report is consistent with the Council's budget?

Yes

Are any of the recommendations within this report contrary to the Policy Framework of the Council?

No

* delete which applicable

For Cabinet reports only:

Categorisation of the report:	X
Discussion leading to a decision	
Monitoring	
Sharing for corporate understanding	

Discussion	
Decision	
Information	

Tracking/Process:

	Consultation	Ward Members	Partners
Panel	Overview & Scrutiny	Cabinet	Council
Audit Committee 7/6/07			

List of Background Papers in accordance with Section 100D of the Local Government Act 1972:

Document	Date	File Reference	Place of Inspection
Legal and Property Services Department Action Plan	2007/08	Y-971	Legal and Property Services Dept, Town Hall Wigan.

Proper Officer S D Lowe

Date 31 May 2007

1. Background:

Each year the Legal and Property Services Department prepares a Service Plan setting out its objectives for the year ahead. The Plan shows how the Department's activities contribute directly and indirectly to the Council's Vision and High Level objectives. The Appendix to this report sets out the Department's Performance against its Service Plan for 2006/07. This year the Service Planning process for the whole Council has been reviewed to bring all elements in line and as a result the Department has been asked to prepare an Action Plan setting out the Key Measures and Service Improvement Tasks. The Plan has been prepared in accordance with the corporate guidance and as such contains the high level objectives which will help deliver the Council's Vision. The detailed objectives and measures for the day to day work of the Department are contained in separate Unit Plans which are used as management tools by the Section Heads and the Departmental Management Team. Members have received an e-mail with a direct link to the Departmental Action Plan, and a hard copy has been placed in the Members' Room.

2. Performance Measurement:

The Department continues to integrate Performance Plus into the Department as a management tool for monitoring performance at every level from individual activity to the Council Vision. Again the measures have been reviewed this year to ensure that they give the most accurate and meaningful data on the Department's Performance. The measures contained in the Action Plan show the high level measures and the performance data is aggregated from all the relevant detailed measures in the Unit Plans. In turn, through the Department's Employee Development Review process, these measures are built into the objectives of every member of staff.

3. Customer Focus:

Following consultation with the Department's customers two specific areas have been identified where the service to them could be improved. The first is around keeping the customer informed. The Department intends to use the Council's Sharepoint web based system to provide each of its customers with individually tailored reports setting out exactly where the work being undertaken for them is up to. In addition, when the customer's demands for work has at times exceeded the capacity of the Department to deliver it, the Department has tended to take decisions on which work to prioritise without sufficient involvement of the customer. In future the customer will be fully involved in such decisions.

4. Support Services Review

As one of the Departments providing, in the main, support services to other Council Departments and associated organisations the Legal and Property Services Department is fully involved in the Support Services review. The performance management and planning culture of the Department has enabled it to meet the challenges thrown up by the review with the confidence that our efficiency and customer focus can improve further.

5. Alternative options considered and reason for the recommended option:

The alternative options to the above would be for the Department to operate without an Action Plan and without the performance measurement structure. This would not only be contrary to the Council's policy on this issue but would also be a retrograde step which would detract from the Department's ability to focus its resources in the areas the Council considers important.

6. Conclusions:

Service Planning and Performance Management is now an embedded part of the Legal and Property Services Department's management process. It has been successfully integrated with the risk management, equality and diversity and business continuity planning processes. The next step for the Department is to strengthen the link between the planning process including performance reporting and the regular process of agreeing annual service levels with customers to ensure that the Department's activities are customer focused as well as contributing to the Vision.

S D Lowe
Director of Legal and Property Services

Appendix

Legal and Property Services Department

Year End 2006/07 Departmental Plan Performance Report

This report shows our performance against the performance indicators and tasks in our departmental plan.

We have identified our departmental objectives and how they contribute to the council's vision through our planning process. The performance indicators that we have identified allow us to measure our level of success in achieving these objectives.

The key tasks in this report are the important actions that will help us to achieve our departmental and corporate objectives or are the actions we need to take to help us manage the risks which may affect or enhance our success.

Within this report we have separated the equality and diversity related tasks. Whilst our planning process ensures that equality and diversity is 'mainstreamed' we want to raise the profile of equality and diversity across all of our services. So progress against these tasks is reported in a separate table in the report.

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Our Golden Thread

Our plan shows how we contribute to the council's vision. This is illustrated in the causal map below.

The Council's Vision



The Council's High Level Objectives



Summary of Performance with Commentary

Table 1 is a summary of our performance against our departmental PIs. It shows the proportion of our PIs that were better than target, on target or worse than target.

Table 1: Summary of Performance for 2006/07







Number of PIs	% better than target	% on target	% worse than target
			
43	16	18	9

Table 2 gives a summary of our progress against our key tasks. These include the actions we need to take to help us manage the risks which may affect our success. They also include the equality and diversity related tasks.

Table 2: Summary of progress against tasks (including equality and diversity related tasks) for 2006/07

Number of tasks	% ahead of schedule	% on schedule	% behind schedule
			
13	4	8	1

The activities of the Department can be divided into four broad themes, which support the Council's high level vision and objectives. Details of the activities themselves and how these contribute to the Council's vision are set out in Key performance measures section of this plan.

The themes are as follows:-

MONITORING – This is a key ingredient of HIGH STANDARDS OF GOVERNANCE which in turn supports all elements of the Council's Vision

The Director of Legal and Property Services is the Council's Monitoring Officer and she and her staff advise the Council on the law and on the standards expected of Councillors and Officers in carrying out their public duties. The Director is also responsible for administering the Council's constitution which contains all the rules and regulations under which the Council operates. The Department continued to provide a central contact point for Ombudsman complaints and as such is responsible for reporting on the number of finding of maladministration against the Council. Once again we are pleased to report that there have been no such findings.

REGULATION - This is a key ingredient of HIGH STANDARDS OF GOVERNANCE and EXCELLENT SERVICE PERFORMANCE which flow through all elements of the Council's Vision

Again during the last year we have concentrated on ensuring that our support for other departments in their enforcement work is efficient and effective and this has formed a major part of our work on Performance Plus as detailed later.

The monitoring regime which has now been introduced to ensure the accuracy of the statutory registers continues to ensure the safety of the Council's buildings.

SERVICE SUPPORT – This is a key ingredient of HIGH STANDARDS OF GOVERNANCE, EXCELLENT SERVICE PERFORMANCE, BUILDING STRONG COMMUNITIES AND EFFECTIVE COMMUNITY LEADERSHIP which flow through all elements of the Council's Vision

As its name suggest the Legal and Property Services Department provides a full legal and property management service to the Council.

This may be considered the “bread and butter” work of the Department. The work of some sections in particular such as Common Law and Business Support help others within the Department or elsewhere in the Council to deliver their services rather than having a direct link to the Council's Vision, but it is still vital to the delivery of that Vision. Again, efforts have been focused on ensuring that these support services are effective and efficient through performance measurement. The Asset Management Section has been restructured to enable it to meet more effectively the challenges presented by the Council's ageing building stock and to maximise the income from its land and property holdings.

The Corporate Section has led on teams delivering projects which are beginning to change the face of the borough with both Leigh Sports Village and the redevelopment of Trencherfield Mill having started on site, whilst the Grand Arcade shopping development has changed the shopping offer and the skyline of Wigan town centre. Approval has now been given to the Private Finance Initiative scheme for a Joint Service Centre in Wigan and negotiations with potential developers are under way. This project will transform the way in which the Council serves its customers and will be a major piece of work for this section in the years to come.

The Asset Management Planning Team has met the challenge of producing the Corporate Asset Management Plan and the Corporate Property Strategy contributing to a Use of Resources score of 4 in the Comprehensive Performance Assessment.

Common Law continues to provide support on major environmental issues at Broomfield Tip, Sandyforth Farm and Ince Central Estate. They have also been closely involved in dealing with the equal pay claims which have affected many local authorities in the country.

The Operational Property Team has completed risk assessments relating to the presence of Asbestos and Legionella in Council buildings. A programme of monitoring and, where required, remedial works has now been put in place.

The Conveyancing and Investment Property Team once again exceeded the target set for receipts from land disposals

SERVICE PROVISION – This supports the Council's vision for A PLACE WHERE PEOPLE WANT TO LIVE.

The Department provides a number of services direct to the community, perhaps the most obvious being the provision of markets and parking services throughout the Borough. Also the Local Land Charges service provides an information service to house purchasers.

Income from Local Searches held up during 2006/07 despite pressure from private search agencies resulting in fewer full searches. It is not clear what the impact of Home Information Packs will be on this service and the delay in their introduction makes the position even more uncertain.




Similarly the impact of the opening of the Grand Arcade car parks on the Council's car parking income remains to be seen.

The plan for the improvement of the Borough's markets which was drawn up last year is being implemented as available funds are identified.

Key Performance Indicators

This section of the report sets out the key performance measures we use to monitor and manage our performance. These have been developed through our planning process. It shows how we have performed this period against our target, shows past performance this year if applicable and shows our target for the next period.

The table of performance uses the following symbols to help interpret performance:

-  Our performance is better than target range
-  Our performance is within target range
-  Our performance is worse than target range

The following table shows you how to interpret the performance tables:

Performance Indicators	05/06	2006/07			07/08	08/09	09/10	
	Wigan Actual	Wigan Actual	Target	Var Target	Comments	Target	Target	Target
This column shows the name of the particular performance indicator	Our performance last year	Our performance in 06/07	Our target for 06/07	Our var target for 06/07	Our comments for 06/07	Our target for next year.	Our target in 2 yrs.	Our target in 3 yrs

Table 3 shows how we have performed for all the PIs in our Departmental Plan.

Table 3: Performance against our key PIs at quarter 3

	2005/06	2006/07			07/08	08/09	09/10	
	Wigan Actual	Wigan Actual	Target	Var Target	Comments	Target	Target	Target
LAPS AM CS 03 Responsive Terrier : LAPS % Terrier enquiries actioned within target (95% within 15 days without referral)	99.9%	99.76%	95%	★	Given the reduced number of requests, it is to be expected that response times would be above target.	95%	95%	95%
LAPS AM CS 03 Responsive Terrier: LAPS % Terrier enquiries referred to Conveyancing for title investigation within 15 days.	94.22%	97.83%	95%	●	Given the reduced number of requests, it is to be expected that response times would be above target.	95%	95%	95%

	2005/06	2006/07			07/08	08/09	09/10	
	Wigan Actual	Wigan Actual	Target	Var Target	Comments	Target	Target	Target
LAPS AM CS 07 Review Property : LAPS *** Building surveyed	152	0	40	▲	Asset management planning is currently in abeyance because of no staff and the demands of the Joint Service Centre scheme.	40	40	40
LAPS AM CS 14 SCD Checking Eligibility : LAPS (checking eligibility) % actioned within target (15 days)	99.44%	98.44%	95%	●	Sale of Council House Dwellings need to be completed on time and we continue to exceed target	95%	95%	95%

	2005/06	2006/07				07/08	08/09	09/10
	Wigan Actual	Wigan Actual	Target	Var Target	Comments	Target	Target	Target
LAPS CL CS 06 Litigation Service : LAPS Litigation - % actioned within target (Measure to be refined for 2007/08)	-	60.22%	70%	▲	This figure appears to be questionable possibly owing to poor data collection processes. These processes have now been improved.	80%	80%	80%
LAPS CL CS 08 Statutory Orders : LAPS % Statutory orders actioned within target	-	75.89%	70%	★	Target has been made more challenging to drive improvement.	70%	70%	70%
LAPS CN CS 01 Local Search Service : LAPS % Full request searches returned within 10 days	100%	100%	100%	●	Consistently good performance	100%	100%	100%

	2005/06	2006/07				07/08	08/09	09/10
	Wigan Actual	Wigan Actual	Target	Var Target	Comments	Target	Target	Target
LAPS CN CS 01 Local Search Service : LAPS *** Income generated	-	£580,000	£582,835	●	Income held up well despite pressure from Personal Search Agencies	£600,320	£618,330	£636,880
LAPS CN CS 02 Maintain Land Charges Reg : LAPS (Land Charges) % entries placed on Register within 2 days	96.17%	92.14%	95%	●	Slight fall off but still within target range	95%	95%	95%
LAPS CN CS 03 Council House Sales : LAPS (Council House sales) % drafts issued within 28 days	83.25%	95.92%	80%	★	Excellent performance	80%	80%	80%

	2005/06	2006/07				07/08	08/09	09/10
	Wigan Actual	Wigan Actual	Target	Var Target	Comments	Target	Target	Target
LAPS CN CS 07(b) Land Disposals : LAPS (Land Disposals) % drafts issued within 28 days	55.75%	47.50%	60%	▲	This is an area which has been affected by staff shortages. New staff are to be recruited which should lead to improvement.	60%	60%	60%
LAPS CN CS 08 Responsive Title Inv. : LAPS % Title investigations completed within 28 days	66.67%	68.25%	75%	▲	This is an area which has been affected by staff shortages. New staff are to be recruited which should lead to improvement	75%	75%	75%

	2005/06	2006/07				07/08	08/09	09/10
	Wigan Actual	Wigan Actual	Target	Var Target	Comments	Target	Target	Target
LAPS CN CS 09 Landlord & Tenant : LAPS(Landlord & Tenant) % drafts issued within 28 days	88.83%	84.33%	85%	●	Excellent performance in an area which generates income for the Council.	85%	85%	85%
LAPS IP CS 01 Admin Buildings Budget : LAPS % Handyman questionnaires returned	64%	65%	50%	★	Excellent response rate from customers the majority of which are obtained electronically	50%	50%	50%
LAPS IP CS 01 Admin buildings Budget : % Handyman questionnaires rating good / excellent	99.33%	99.33%	95%	★	The service is continuing to achieve an exceptionally high customer satisfaction rating	95%	95%	95%

	2005/06	2006/07				07/08	08/09	09/10
	Wigan Actual	Wigan Actual	Target	Var Target	Comments	Target	Target	Target
LAPS IP CS 01 Admin Buildings Budget : LAPS % Handyman jobs completed within 5 working days	91.67%	95.50%	92%	★	The responsiveness of the service has improved from an already high level and has exceeded target	92%	92%	92%
LAPS IP CS 01 Admin Buildings Budget : LAPS Average cost of each Handyman request	£54.77	£23.97	£100	★	The target for future years has been adjusted to reflect the current performance plus an increase for the cost of materials	£35	£35	£35

	2005/06	2006/07				07/08	08/09	09/10
	Wigan Actual	Wigan Actual	Target	Var Target	Comments	Target	Target	Target
LAPS IP CS 03 Admin of Parking Services : LAPS % Notices cancelled based on decision by parking team on representation received	20.25%	14%	23%	★	It is expected that the actual number of cancelled notices will be close to the target by the end of first quarter 07/08. The performance was affected due to the reallocation of resources to deal with other work pressures.	23%	23%	23%
LAPS IP CS 03 Admin of Parking Services : LAPS % Notices written off after 6 months after all enforcement action taken	1.94%	3.27%	6%	★	Overall performance this year is very good; however there appears to be an upward trend in the amount of notices having to be written off.	6%	6%	6%




	2005/06	2006/07			07/08	08/09	09/10	
	Wigan Actual	Wigan Actual	Target	Var Target	Comments	Target	Target	Target
LAPS IP CS 03 Admin of Parking Services : LAPS Income per space from car parks where charges are in operation	£767	£744	£822	▲	The income per space is down, in the main, because of a reduction in footfall to Wigan town centre due to the construction phase of the Grand Arcade Shopping Centre. This is affecting on and off street parking income and decriminalised parking enforcement income. Target for future years has increased due to a reduction in the number of available parking spaces following the closure of Parson Walk Saturday only pay and display car park.	£888	£888	£888

	2005/06	2006/07			07/08	08/09	09/10	
	Wigan Actual	Wigan Actual	Target	Var Target	Comments	Target	Target	Target
LAPS IP CS 03 Admin of Parking Services : LAPS No. of notices over 6 months old	-	1317	1400	★	Performance is in line with target	1400	1400	1400
LAPS IP CS 04 Disposal of Surplus Prop : LAPS Actual income land sales as % estimated income	128%	106%	100%	★	Exceeding target results in more income	100%	100%	100%
LAPS IP CS 05 Management of Let Estate : LAPS *** % Level of voids (commercial)	4.23%	2.0%	5%	★	This is a significant reduction in the level of voids with benefit of increased rental income	5%	5%	5%

	2005/06	2006/07				07/08	08/09	09/10
	Wigan Actual	Wigan Actual	Target	Var Target	Comments	Target	Target	Target
LAPS IP CS 05 Management of Let Estate : LAPS *** % Level of voids (Retail)	5.6%	2.6%	6%	★	This is a significant reduction in the level of voids with benefit of increased rental income	6%	6%	6%
LAPS IP CS 05 Management of Let Estate : LAPS Income generated	-	£1,359,570	£1,291,059	★	Target exceeded resulting in addition revenue to Council reflecting decrease in level of voids	£1,300,000	£1,300,000	£1,300,000
LAPS IP CS 06 Manage Markets Service : LAPS % Indoor Market Occupancy (% total stalls let)	95.7%	93.88%	96%	●	Voids increased slightly at Wigan Market following the Christmas trading period. Reletting in process	96%	96%	96%

	2005/06	2006/07				07/08	08/09	09/10
	Wigan Actual	Wigan Actual	Target	Var Target	Comments	Target	Target	Target
LAPS IP CS 06 Manage Markets Service : LAPS % Outdoor market occupancy (% total stalls let)	43.72%	44.56%	45%	●	Performance is satisfactory, however these markets are affected by weather conditions	45%	45%	45%
LAPS IP CS 06 Manage Markets Service : LAPS Income generated (indoor markets)	-	£2,651,276	£2,661,570	●	Market income has achieved target despite difficult trading conditions following the Christmas trading period	£2,664,554	£2,664,554	£2,664,554
LAPS IP CS 08 Valuations :LAPS % RTB Valuations actioned within 28 days	85%	95%	85%	★	Improved performance reflects lower number of valuation cases (numbers not in Council control)	85%	85%	85%

	2005/06	2006/07			07/08	08/09	09/10	
	Wigan Actual	Wigan Actual	Target	Var Target	Comments	Target	Target	Target
LAPS IP CS 09 SCD Instruction to Legal : LAPS Average Days (Terms agreed to issued)	7.66	5.82	10	★	Improved performance reflects lower numbers of instructions received (No control over numbers)	15	15	15
LAPS LC CS 01 Monitoring Officer : LAPS *** No of Challenges by Regulator	0	0	0	●	No findings of Maladministration by Ombudsman	0	0	0
LAPS LC CS 02 Data Protection & FOI : LAPS *** % actioned within target	95.5%	97.75%	100%	●	Continued good performance in Freedom of Information and Data Protection areas	100%	100%	100%
LAPS LC CS 02 Data Protection & FOI : LAPS *** No of Adverse Assessments	0	1	0	▲	Process adhered to but outside timeframes. Processes currently under review	0	0	0

	2005/06	2006/07				07/08	08/09	09/10
	Wigan Actual	Wigan Actual	Target	Var Target	Comments	Target	Target	Target
LAPS LC CS 02 Data Protection & FOI : LAPS *** No of Complaints Upheld	0	0	0		Continued good performance in Freedom of Information and Data Protection areas	0	0	0
LAPS LC CS 03 Compliance Constitution : LAPS *** % actioned within target	100%	100%	100%		Measure is always complied with as matter of course. Does not really reflect performance.	Measure to be deleted	Measure to be deleted	Measure to be deleted
LAPS LC CS 03 Compliance Constitution : LAPS *** % challenges to councils action	2.5%	0%	0%		Council continues to act with propriety.	0%	0%	0%

	2005/06	2006/07			07/08	08/09	09/10	
	Wigan Actual	Wigan Actual	Target	Var Target	Comments	Target	Target	Target
LAPS OP CS 02 Electrical Test & Inspect : LAPS *** Number of instructions	42	40	39		63 premises inspected from April 06 to March 07. 40 completed from this years programme and 23 from the 2005/06 backlog. Target to be revised for next year.	62	62	62
LAPS OP CS 02 Electrical Test & Inspect : LAPS *** Number of instructions - backlog	-	23	30		63 premises inspected from April 06 to March 07. 40 completed from this years programme and 23 from the 2005/06 backlog. Target to be revised for next year.	Measure e deleted	Measure deleted	Measure deleted

	2005/06	2006/07			07/08	08/09	09/10	
	Wigan Actual	Wigan Actual	Target	Var Target	Comments	Target	Target	Target
LAPS OP CS 03 L8 Compliance : LAPS L8 Compliance Budget spent	-	£283,683	£210,000	▲	Overspend has resulted from the increased cost of remedial works in the early part of the year this trend has been reversed during the latter half of the year	£210,000	£210,000	£210,000
LAPS OP CS 03 L8 Compliance : LAPS *** Number of instructions	388	338	356	▲	Annual average was affected by access problems during the summer months, the current performance is on target	356	356	356
LAPS OP CS 09 Condition Survey : LAPS *** budget spent	-	£153,433	£203,373	▲	All Condition Surveys have been completed, discussions are in hand with NPS to determine the resources required to delivery future years programmes.	£203,373	£203,373	£203,373

Progress against departmental tasks

Table 4 summarises our progress against the key tasks in our departmental plan. We identified these tasks through our planning process as being important actions to help us achieve our departmental and corporate objectives or to help us manage the risks which may affect our success.

Table 4: Progress against our key tasks for 2006/07

Tasks	Due	Comments
AM KT 04 - Set Fund 9 Spending Plan 06/07	March 2007	Completed
AM KT 05 - Voluntary Registration	March 2007	Delays at Land Registry. New target Sept 2007
AM KT 14 - Corporate Asset Valuation	March 2007	Completed
BS KT 07 - To have a documented approach to time recording across the Department	December 2006	Timemaster to be retained upgraded for Asset management
BS KT 14 - Develop quality management systems across the whole Department	September 2006	Final ISO Assessments June 2007
LC KT 10 - Leigh Sports Village	April 2008	Completion still April 2008 on programme
LC KT 11 - Development & implementation of Accommodation Strategy	December 2007	Tied into JSC and Support Services Review
LC KT 13 - JSC PFI scheme	October 2006	Outline Business Case approved. Negotiations with contractors under way. Scheme completion October 2010
LC KT 16 - Wigan Pier Quarter	December 2008	Construction well advanced.
LC KT 24 - Pemberton Employment Park	March 2008	Completion dependent on third parties
LC KT 28 - Leigh Guided Busway	December 2009	Negotiations with GMPTE continuing.
VPV2.2.3 Development of Grand Arcade Shopping Centre	April 2007	Completed on time.
VPV5.3 Update Corporate Property Strategy	December 2007	Tied into JSC and Support Services Review

