

Report to: Audit Governance and Improvement Review Committee

Date: 31st January 2008

Subject: Legal and Property Services Department - Performance Report for the Third Quarter 2007/2008

Report of: DIRECTOR OF LEGAL AND PROPERTY SERVICES

Contact officer: John Mitchell (Telephone: 01942) 827023

Purpose / summary: To inform Members of the performance of the Legal and Property Services Department against its departmental PI's and Key Tasks at the end of the third quarter of 2007/08.

Alternative options considered and reason for selecting the one recommended: Reporting of departmental performance is a requirement of the Council and therefore there are no alternative options.

Recommendation / decision: Members are asked to note the contents of the report.

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

Risks / Implications:

Financial:	Progress on budgets is set out in the report.
Staffing:	None
Policy:	None
Equal Opportunities - Has a Diversity Impact Assessment been conducted?	No
Wards affected:	All

Property Implications– Does the proposal involve a reduction, addition or change to the Council's asset base or its occupation?

No

If yes have the property implications been agreed with the Corporate Property officer?

N/A

Does this proposal have significant implications for the Council and the local population?

A diversity impact assessment is not necessary at this stage, however, equality and

diversity implications have been considered when producing this report.

Does this proposal involve a new policy or procedure or significant changes to an existing policy or procedure?

A diversity impact assessment is not necessary at this stage, however, equality and diversity implications have been considered when producing this report.

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? **No**

Are any of the recommendations within this report contrary to the Policy Framework of the Council? **No**

For Cabinet reports only :

Categorisation of the report:	x		
Discussion leading to a decision		Discussion	
Monitoring		Decision	
Sharing for corporate understanding		Information	x

Tracking/Process:

	Consultation	Ward Members	Partners
Panel	Overview & Scrutiny	Cabinet	Council
31 st January 2008			

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 Departmental Action Plan 2007/2008	July 2007	Y-971	Legal and Property Services Department Website

Proper Officer K.P. Lawson
 Deputy Director of Legal & Property Services
 Date 24/01/08

Legal & Property Services Department

Quarter 3 2007/08 Departmental Plan Performance Report

This report shows our performance against the performance indicators and tasks in our departmental plan. **Quarterly performance is cumulative throughout the year** (unless it has been specifically stated that performance is for one period in time only). So this report shows performance up to the end of quarter 3 (1 October - 31 December). Reporting cumulatively in this way allows us to report year end performance to you at the end of the final quarter.

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.

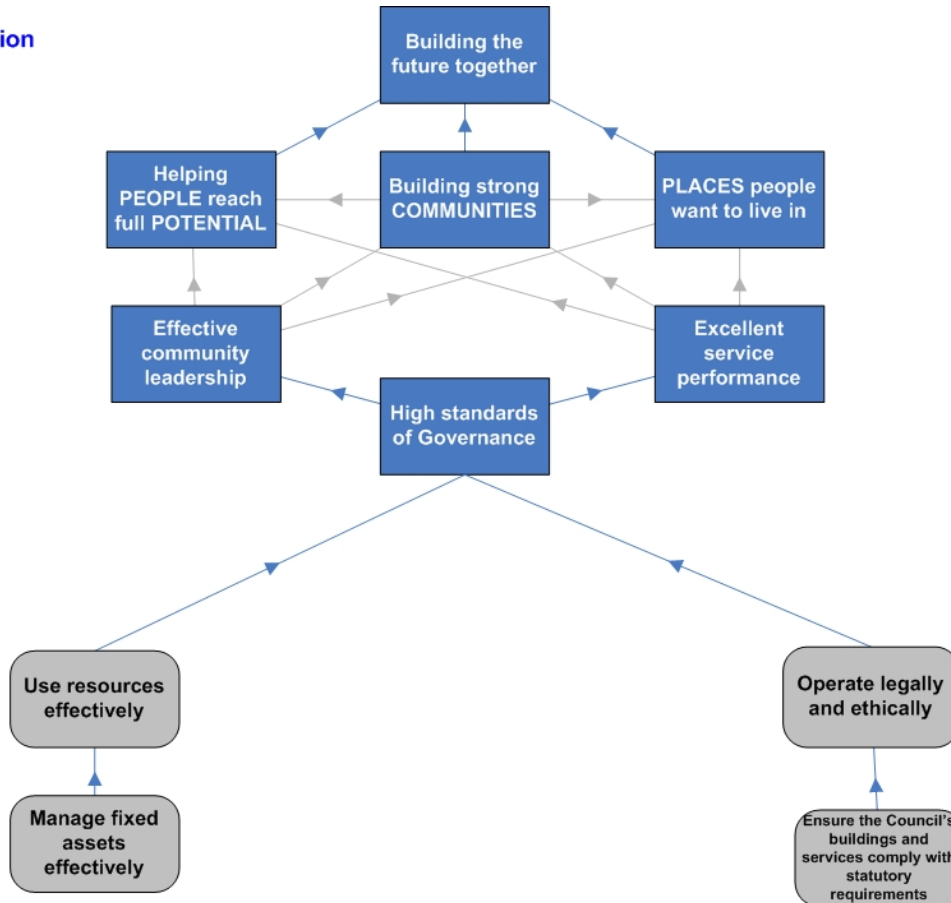
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Our Golden Thread

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

The Council's Vision



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 at quarter 3







Number of PIs	% better than target	% on target	% worse than target	Not applicable
				
37	21.26 (8)	43.24 (16)	13.52(5)	21.62 (8)

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) at quarter 3

Number of tasks	% ahead of schedule	% on schedule	% behind schedule
			
10	0	8	2

Performance overall is better than Quarter 2 with over 80% of the indicators measured this quarter either on or ahead of target. On key tasks, the two that are behind schedule Leigh Guided Busway and Voluntary Registration are entirely as a result of matters outside the Council's control. Significant progress has, however, been made on Voluntary Registration following discussions with the Land Registry and it is hoped to complete the registration of the Council's housing estates by April this year.

Condition surveys (LAPS OM CS 06) are still behind the profiled target however the programme is beginning to catch up and it is not anticipated that there will be a shortfall on the year as a whole. The programme of suitability surveys (LAPS SM CS 02) is under way again and is now back on target. With regard to Legionella audits (LAPS OM CS 02), the total number of properties has been reduced owing to Wigan and Leigh Housing taking on responsibility for the 39 properties they occupy.

In response to numerous requests and a specific asbestos incident, the Statutory Compliance Section have been carrying out asbestos awareness training of NPS staff and Heating Engineers engaged on Council Buildings and also Schools who are seeking guidance on their responsibilities .




Arising from this, an article on asbestos awareness will be included in the "Governor Magazine" to raise the profile of asbestos issues and inform schools of the guidance and advice the Section can provide. This has impacted upon the Section's ability to meet (LAPS OM CS 03), but it is intended to meet the target by year end.

The litigation measures (page 9) continue to cause difficulty in data capture through the legal section's automatic case management system. The measure agreed for this area does not appear appropriate to all the matters in these categories and is to be adjusted to better reflect actual performance. The intention is to measure that matters are dealt with promptly and this problem is being addressed. It is not felt that there is a problem with the actual performance in this area.

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:

	Quarter 2 2007/08	Quarter 3 2007/08				Full year 07/08
Performance Indicators	Wigan Actual	Wigan Actual	Target	Var Target	Comments	Target
This column shows the name of the particular performance indicator	Our performance up to the end of the previous quarter this year (Q2)	Our performance up to the end of this period (Q3)	Our target for the end of this period (Q3)	A symbol showing the variance between our performance and our target this period.	Comments on performance	Our target for the full year.

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

Performance Indicators	Q2 2007/08	Quarter 3 2007/08				Full year 07/08
	Wigan Actual	Wigan Actual	Target	Var	Comments	Target
LAPS CN CS 08 Responsive Title Inv. : % property enquiries responded to within target time	78.83	77.67	75	●	Performance in this area is now consistently on target.	75
LAPS SM CS 01 Responsive Terrier : actioned within target	99.43	95.76	95	●	Slight reduction but still on target.	95
LAPS OM CS 09 Admin of Parking Services : Car park income per space	N/A	N/A	N/A	N/A	Service transferred to Environmental Services Department, who now measure performance.	N/A
LAPS OM CS 09 Admin of Parking Services : % parking notices cancelled based on decision by Parking Services team on representation received	N/A	N/A	N/A	N/A	Service transferred to Environmental Services Department who now measure performance.	N/A
LAPS OM CS 09 Admin of Parking Services : % Notices written off after 6 months having taken all enforcement action without success	N/A	N/A	N/A	N/A	Service transferred to Environmental Services Department who now measure performance.	N/A

Performance Indicators	Q2 2007/08	Quarter 3 2007/08			Full year 07/08	
	Wigan Actual	Wigan Actual	Target	Var	Comments	Target
LAPS OM CS 10 Manage Markets Service : % Indoor Market occupancy	92.37	91.32	96	●	Indoor Market occupancy levels have stabilised during the third quarter. Wigan Indoor Market has had a difficult trading period following the opening of the Grand Arcade. Leigh Indoor Market has performed well at nearly full occupancy.	96
LAPS OM CS 10 Manage Markets Service : Income generated	1,265,655	1,904,489	1,948,400	●	The deficit is due to a reduction in stall rental income against the budget profile totalling £63K. This has been partially offset by an increase in miscellaneous income and reductions in expenditure.	2,664,454
LAPS OM CS 10 Manage Markets Service : % Outdoor market occupancy	50.20	60.08	45	★	Outdoor market occupancy is still above target although Hindley Outdoor Market has had a difficult winter trading period.	45

	Q2 2007/08	Quarter 3 2007/08			Full year 07/08	
Performance Indicators	Wigan Actual	Wigan Actual	Target	Var	Comments	Target
LAPS OM CS 11 Energy Management : Number of instructions	-	-	-		This measure is under review due to problems in obtaining the data	334
LAPS SM CS 06 Management of Let Estate : % Level of voids (commercial)	2	3.16	5	★	Increase from previous quarter but level of voids remains better than target.	5
LAPS SM CS 06 Management of Let Estate : % Level of voids (Retail)	1.3	4.39	6	●	Increase from previous quarter but level of voids remains better than target.	6
LAPS SM CS 05 Disposal of Surplus Property : LAPS *** Income generated	649,434	-	-	-	Measured half yearly. On target for year end.	1,379,000
LAPS OM CS 04 Management of CPMF : % corporate property maintenance fund spent on planned works	61.52	57.79	60	●	The proportion of CPMF spent on planned maintenance has fallen during the winter period due to increased reactive maintenance demands.	60
LAPS OM CS 06 Condition Survey : Number of condition surveys carried out	36	138	198	▲	The majority of the surveys have been programmed for the latter half of the year. It is expected that they will be	265

Performance Indicators	Q2 2007/08	Quarter 3 2007/08			Full year 07/08	
	Wigan Actual	Wigan Actual	Target	Var	Comments	Target
					delivered to programme by the end of the year.	
LAPS SM CS 02 Review Property : Number of suitability & sufficiency surveys carried out	8	11	10	★	Additional resources have enabled the programme to be recommenced. Efforts will be made to achieve the year end target.	40
LAPS OM CS 08 Admin Buildings : % handyman requests actioned within target	93.33	96.5	92	●	Performance continues to be above target.	92
LAPS OM CS 08 Admin Buildings : % satisfaction with handyman service	98.83	98	95	●	Satisfaction continues to be at a high level.	95
LAPS CL CS 02 Litigation Service (Travellers) : % actioned within target	50	-	-	-	Not measured this quarter.	90
LAPS CL CS 03 Litigation Service (Housing Possessions / injunctions) : % actioned within target	33.33	33.33	90	▲	The target appropriate for this work type is to be reviewed.	90
LAPS CL CS 04 Litigation Service (Environmental Health) : % actioned within target	33.33	18.33	70	▲	The target appropriate for this work type is to be reviewed.	70
LAPS CL CS 15 Housing Benefit	0	-	-	-	Not measured this	70

	Q2 2007/08	Quarter 3 2007/08			Full year 07/08	
Performance Indicators	Wigan Actual	Wigan Actual	Target	Var	Comments	Target
Fraud : % actioned within target					quarter.	
LAPS OM CS 02 L8 Compliance : Number of legionella audits carried out	345	309	310	●	This information no longer includes premises that are monitored on behalf of Housing. New target is 310 premises.	310
LAPS OM CS 03 Asbestos in Buildings : Number of asbestos audits carried out	88	129	180	▲	The Statutory Compliance Team are providing advice and training to clients. This has delayed the asbestos audit programme. The situation will improve as smaller buildings are programmed for the end of the year.	240
LAPS OM CS 05 DDA Compliance : Number of additional publicly accessible buildings being DDA compliant	0	0	2	▲	The programme has been issued to NPS for completion by the end of the year.	8
LAPS LC CS 02 Data Protection & FOI : % requests actioned within target	97.50	96	100	●	High volume of requests made it difficult to send them all out in time.	100

Performance Indicators	Q2 2007/08	Quarter 3 2007/08				Full year 07/08
	Wigan Actual	Wigan Actual	Target	Var	Comments	Target
LAPS LC CS 02 Data Protection & FOI : No of Complaints Upheld	0	0	0	●	Continuing to comply with requirements.	0
LAPS LC CS 02 Data Protection & FOI : No of Adverse Data Protection Assessments by Information Commissioner	1	0	0	●	Performance back on target.	0
LAPS CL CS 08 CYPs Care Orders : % cases where application to Court lodged within 7 days of file opening	100	95	90	★	Slight reduction but still better than target.	90
LAPS CN CS 03 Council House Sales : LAPS *** Average time taken	37.67	42.67	45	★	Time taken still below target - could be a reflection of success of voluntary registration.	45
LAPS SM CS 03 RTB Checking Eligibility : % Right to Buy eligibility checks processed within 15 working days by Asset Management Planning Section	98.89	98.04	95	●	Consistently good performance.	95
LAPS CN CS 03 Council House Sales : % draft Right to Buy documents issued by Conveyancing Section within 28 days of instruction	89.67	82.33	80	●	Performance has been reduced in this area to allow concentration on other underperforming areas e.g. Title Investigations. Still well within target	80

Performance Indicators	Q2 2007/08	Quarter 3 2007/08				Full year 07/08
	Wigan Actual	Wigan Actual	Target	Var	Comments	Target
LAPS SM CS 07 RTB Valuations : % Right to Buy valuations completed by Investment Property section within 28 working days of instruction	95.17	92.67	85	★	Consistently good performance reflected in lower number of instructions	85
LAPS SM CS 07 RTB Valuations : % appeals against valuation submitted to District Valuer resulting in valuation change of more than 10%	2	-		-	Measured half yearly. Expected not to exceed target by year end,	3
LAPS SM CS 08 RTB Instruction to Legal : Average Days	5.83	8.67	10	★	Slight increase but still better than target.	10
LAPS CL CS 05 Statutory Orders : % statutory orders actioned within target	56.50	80.50	80	●	Significant improvement this quarter.	80
LAPS CN CS 01 Local Search Service :% full request searches submitted returned within 10 working days	100	100	100	●	Consistently good performance in this vital service to conveyancing market.	100
LAPS CN CS 01 Local Search Service :Income generated	310,205	448,203	450,000	●	Income within tolerance despite difficult market conditions with	600,320

	Q2 2007/08	Quarter 3 2007/08				Full year 07/08
Performance Indicators	Wigan Actual	Wigan Actual	Target	Var	Comments	Target
					introduction of Home Information Packs.	

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 at quarter 3

Tasks	Quarter 3
LC KT 10 - Leigh Sports Village	Sports Hall and Pool opened to the public 2/1/08. Stadium on progress to complete Summer 2008.
LC KT 16 - Wigan Pier Quarter	New Premises for relocation of Middleton & Woods progressing. Completion Due.
VPV2.2.3 Development of Grand Arcade Shopping Centre	Shopping Centre open and trading. Discussions ongoing for Grand Tower site.
LC KT 13 - JSC PFI scheme	Preferred bidder due for selection. Start on site anticipated October 2008.
LC KT 28 - Leigh Guided Busway	GMPTE awaiting funding decision.
LC KT 24 - Pemberton Employment Park	Ongoing discussions with Peel for development of the site.
LC KT 11 - Development & implementation of Accommodation Strategy	Consultant appointed – final report due March 2008.
AM KT 01 - Produce Corporate AMP	Asset Management Plan 2007/08 approved by Cabinet (18/10/07) and adopted as part of the Policy Framework.
AM KT 05 - Voluntary Registration	Behind schedule due to Land Registry delays.
AM KT 14 - Corporate Asset Valuation	2007/08 report to DFIT completed on time.