

Report to: Audit Governance and Improvement Review Committee

Date: 6th December 2007

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

Report of: Director of Legal and Property Services

Contact officer: John Mitchell (Telephone No. 01942 827023 Int. x2023)

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 second 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: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	
Monitoring	
Sharing for corporate understanding	

Discussion	
Decision	
Information	x

Tracking/Process:

	Consultation	Ward Members	Partners
Panel	Overview & Scrutiny	Cabinet	Council
Audit Committee 06/12/07			

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 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 21st November 2007

Legal & Property Services Department

Quarter 2 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 2 (1 April - 30 September). 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.

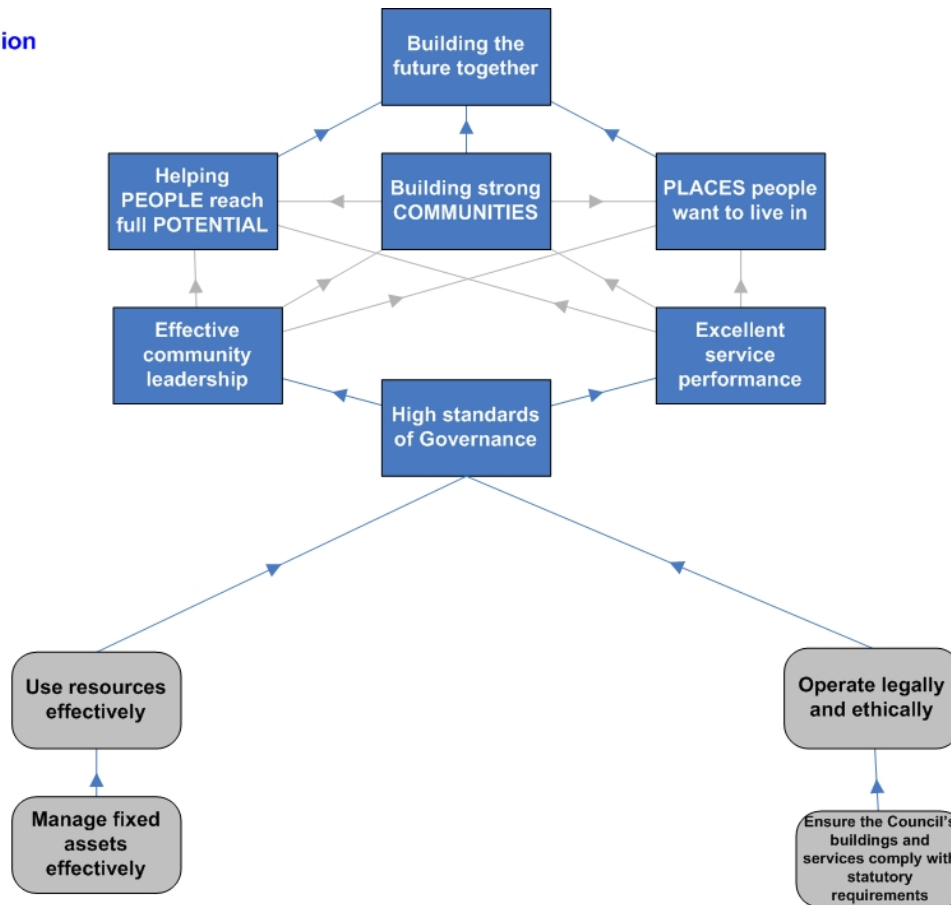
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Our Golden Thread

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 2

Number of PIs	% better than target	% on target	% worse than target
	★	●	▲
35	34% (12)	31% (11)	34% (12)

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 2

Number of tasks	% ahead of schedule	% on schedule	% behind schedule
	★	●	▲
10	0	80% (8)	20% (2)

Performance overall is down slightly on Quarter 1 with two thirds of indicators 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.

There are a number of factors which have contributed to those measures which have fallen short of their target. Income on both car parks (page 6) and markets (page 7) continues to suffer as a result of the opening of the Grand Arcade and measures are being taken with the Markets Service to reduce expenditure to offset the income shortfall. With effect from the end of this quarter, the management of the Council's Parking Services was transferred to the Environmental Services Department and therefore performance in this area will be reported to Members by that department in future.

Condition surveys (page 8) have fallen behind the profiled target however it is not anticipated that there will be a shortfall on the year as a whole. The programme of suitability surveys (page 8) is under way again and should be back on target by the end of the next quarter. With regard to asbestos audits (page 9), the total number of properties has been reduced owing to Wigan and Leigh Housing taking on responsibility for the 39 properties they occupy.




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 should be eliminated by the end of quarter 3. It is not felt that there is a problem with the actual performance in this area.

On Data Protection (page 10) and Statutory Orders (page 12), a low number of non compliances can cause a significant variance in performance owing to low volumes of matters.

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 1 2007/08	Quarter 2 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 (Q1)	Our performance up to the end of this period (Q2)	Our target for the end of this period (Q2)	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 2

	Q1 2007/08	Quarter 2 2007/08				Full year 07/08
Performance Indicators	Wigan Actual	Wigan Actual	Target	Var	Comments	Target
LAPS CN CS 08 Responsive Title Inv. : % property enquiries responded to within target time	74.33	78.83	75	★	Measures to address under performance in this area are beginning to take effect.	75
LAPS SM CS 01 Responsive Terrier : actioned within target	99	99.43	95	●	Better than target.	95
LAPS OM CS 09 Admin of Parking Services : Car park income per space	189.19	1330.37	1468.77	▲	Owing to a footfall reduction in Wigan Town Centre coupled with the Grand Arcade car parks offering lower parking charges.	5646.60
LAPS OM CS 09 Admin of Parking Services : % parking notices cancelled based on decision by Parking Services team on representation received	15.9	14.95	14	●	Measure on target.	14
LAPS OM CS 09 Admin of Parking Services : % Notices written off after 6 months having taken all enforcement action without success	2.7	2.55	4	★	Enforcement action is resulting in fewer write offs.	4

Performance Indicators	Q1 2007/08	Quarter 2 2007/08			Full year 07/08	
	Wigan Actual	Wigan Actual	Target	Var	Comments	Target
LAPS OM CS 10 Manage Markets Service : % Indoor Market occupancy	91.8	92.37	96	●	Wigan Market vacancies remaining unlet. Leigh Market 99% full.	96
LAPS OM CS 10 Manage Markets Service : Income generated	1,243,410	4,328,570	4,638,819	▲	Measures are being taken to reduce expenditure on waste and security contacts.	17,295,450
LAPS OM CS 10 Manage Markets Service : % Outdoor market occupancy	45.4	50.20	45	★	Outdoor stalls doing well.	45
LAPS OM CS 11 Energy Management : Number of instructions	54	-	-		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	2	5	★	Level remains the same – better than target.	5
LAPS SM CS 06 Management of Let Estate : % Level of voids (Retail)	0.86	1.3	6	★	Minor increase in retail vacancies. Anderton Way re included in portfolio	6
LAPS SM CS 05 Disposal of Surplus Property : LAPS *** Income generated	1180619	1,756,909	375,000	★	Better than profile largely due to land value increases.	2,500,000

	Q1 2007/08	Quarter 2 2007/08			Full year 07/08	
Performance Indicators	Wigan Actual	Wigan Actual	Target	Var	Comments	Target
LAPS OM CS 04 Management of CPMF : % corporate property maintenance fund spent on planned works	62.59	61.52	60	●	Data extracted from Budget monitoring statement 28/09/07 Agresso General Ledger Report. £1,623,453 les Funds 1,6 & 7 = £981,278 = 60.44%.	60
LAPS OM CS 06 Condition Survey : Number of condition surveys carried out	2	38	198	▲	Discussions being held with NPS to bring the programme back on target by the end of the year.	661
LAPS SM CS 02 Review Property : Number of suitability & sufficiency surveys carried out	0	8	10	▲	Initial assessment of the Investment Centre, Platt Bridge Community First (Library) and the Landfill/Recycling portfolio have been carried out for inclusion in Appendix 2 of the AMP.	10
APS OM CS 08 Admin Buildings : % handyman requests actioned within target	91.67	93.33	92	●	Results as expected. No problems.	92
LAPS OM CS 08 Admin Buildings : % satisfaction with handyman service	98.33	98.83	95	★	Satisfaction levels are as expected.	95

Performance Indicators	Q1 2007/08	Quarter 2 2007/08			Full year 07/08	
	Wigan Actual	Wigan Actual	Target	Var	Comments	Target
LAPS CL CS 02 Litigation Service (Travellers) : % actioned within target	-	-	90		Very few travellers going to Court owing to change in procedures.	90
LAPS CL CS 03 Litigation Service (Housing Possessions / injunctions) : % actioned within target	66.67	40	90	▲	The target appropriate for this work type is to be reviewed.	90
LAPS CL CS 04 Litigation Service (Environmental Health) : % actioned within target	66.67	33.33	70	▲	The target appropriate for this work type is to be reviewed.	70
LAPS CL CS 15 Housing Benefit Fraud : % actioned within target	-	0	70	▲	The target appropriate for this work type is to be reviewed.	70
LAPS OM CS 02 L8 Compliance : Number of legionella audits carried out	1056	2070	2069	●	This information no longer includes premises that are monitored on behalf of Housing. New target is 310 premises. We have monitored 309 premises this month. One premise has been closed due to vandal damage.	3929
LAPS OM CS 03 Asbestos in Buildings : Number of asbestos audits carried out	52	88	120	▲	Additional surveys carried out this month. Remedial works as a	240

	Q1 2007/08	Quarter 2 2007/08			Full year 07/08	
Performance Indicators	Wigan Actual	Wigan Actual	Target	Var	Comments	Target
					consequence of the surveys arranged. Programme will return to target levels later on in the year	
LAPS OM CS 05 DDA Compliance : Number of additional publicly accessible buildings being DDA compliant	0	0	16	▲	Spending plan to be finished prior to commissioning works with NPS - works to commence later in the year to bring this measure on target.	32
LAPS LC CS 02 Data Protection & FOI : % requests actioned within target	100	97.5	100	●	Two requests missed deadline owing to late information from service department.	100
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	0	1	0	▲	We had suspicions that request was not valid and took longer than allowed to do deal with it as a result - Commissioner upheld all decisions we made about what to do, but was obliged to find us at fault for breaching the	0

Performance Indicators	Q1 2007/08	Quarter 2 2007/08			Full year 07/08	
	Wigan Actual	Wigan Actual	Target	Var	Comments	Target
					deadline.	
LAPS CL CS 08 CYPS Care Orders : % cases where application to Court lodged within 7 days of file opening	100	100	90	★	Better than target.	90
LAPS CN CS 03 Council House Sales : LAPS *** Average time taken	39.67	37.67	45	★	Time taken reducing - 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	97.77	98.89	95	●	Better than target.	95
LAPS CN CS 03 Council House Sales : % draft Right to Buy documents issued by Conveyancing Section within 28 days of instruction	93.33	89.67	80	★	Target exceeded but number of instructions has been below target over the last quarter.	80
LAPS SM CS 07 RTB Valuations : % Right to Buy valuations completed by Investment Property section within 28 working days of	97	95.17	85	★	% actioned is above target which is better performance and reflects the lower than	85

	Q1 2007/08	Quarter 2 2007/08			Full year 07/08	
Performance Indicators	Wigan Actual	Wigan Actual	Target	Var	Comments	Target
instruction					anticipated number of valuations.	
LAPS SM CS 07 RTB Valuations : % appeals against valuation submitted to District Valuer resulting in valuation change of more than 10%	-	2	3	★	6 valuations outside tolerances out of 297 valuations provided in same 6 month period equates to 2% of valuations undertaken	3
LAPS SM CS 08 RTB Instruction to Legal : Average Days	5.67	5.83	10	★	Better than target performance over the quarter reflects reduction in numbers of applications.	10
LAPS CL CS 05 Statutory Orders : % statutory orders actioned within target	46.33	56.50	80	▲	The files that failed to meet the targets were a combination of awaiting complete instructions, pressure of work and late entry of data onto the system.	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

	Q1 2007/08	Quarter 2 2007/08				Full year 07/08
Performance Indicators	Wigan Actual	Wigan Actual	Target	Var	Comments	Target
LAPS CN CS 01 Local Search Service :Income generated	300,744	1,086,795	1,050,000	●	Income ahead of target despite difficult market conditions with introduction of Home Information Packs.	3,900,000

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 2

Tasks	Quarter 2
LC KT 10 - Leigh Sports Village	Leigh East Pavilion now completed and operational. Sports Hall due for handover 5 th December.
LC KT 16 - Wigan Pier Quarter	Residential Development completed. Design work commencing on Arts/Heritage Elements.
VPV2.2.3 Development of Grand Arcade Shopping Centre	Centre now open
LC KT 13 - JSC PFI scheme	Two PFI providers selected to go forward to final round of bidding.
LC KT 28 - Leigh Guided Busway	GMPTE awaiting funding decision.
LC KT 24 - Pemberton Employment Park	Ongoing discussions with Peel Holdings to achieve redevelopment of the site.
LC KT 11 - Development & implementation of Accommodation Strategy	Consultant appointed and monitored by the Corporate Office Accommodation Strategy Steering Group. Programmed to produce strategy by 31 st March 2008
AM KT 01 - Produce Corporate AMP	Reported to Cabinet (18.10.07)
AM KT 05 - Voluntary Registration	Behind schedule due to Land Registry delays
AM KT 14 - Corporate Asset Valuation	Reported to DFIT on time