

Regulatory Services Service Plan 2010/2011

SECTION

1

Description of Service

This service is concerned with:

The Regulatory Services encompasses the services of Development Control, Building Control, Conservation, Environmental Health, Licensing and Emergency Planning/Civil Contingencies functions since April 2006. A brief explanation of these functions is as follows:

- Development Control: processing of planning applications (including the securing of improved outcomes and developer contributions to infrastructure), planning enforcement (including s106), high hedges legislation, giving of advice to prospective developers about the need for permission, the factors affecting whether permission will be granted and planning law and procedures.
- Building Control: checking plans for compliance with the Building Regulations, inspection of works on site, advice and assistance to developers. Dangerous Structures. Street naming and numbering. SAP Certificates for Energy Rating.
- Conservation: grant assistance, specialist advice regarding works to historic buildings, specialist advice for input into Development Control service, conservation policy development, Council funded projects.
- Environmental Health: inspection of commercial premises for food and health & safety related issues; investigation of nuisance matters; dog warden and animal licensing services; rented housing complaints and provision of renovation and disabled facilities grants to the private sector. Enforcement of licensing complaints.
- Licensing: provision of the Licensing Act 2003; miscellaneous licensing (caravan sites, scrap metal dealers, animal welfare etc); hackney carriage and private hire.
- Emergency Planning/Civil Contingencies: ensuring that the Council is in a state of preparedness to respond to the extraordinary events that may affect either the community and its own functions.
- Land Charges: The maintenance of the Local Land Charges Register and the provision of a local search and enquiry service to the public.

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Recent Achievements

During 2009/2010 the service achieved the following:

DEVELOPMENT CONTROL

- Reduced costs of service by approx 20% despite increase in workload
- Developed further new ways of working – increased flexibility
- Continual update/improvement to website facilitating channel shift

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- secured affordable housing schemes - 100% in Melton (Burmese Cat) and 40% contributions elsewhere
- performance levels recovered to -and beyond - pre fire levels, within top 20% nationally.
- enforcement: cases now being resolved in higher number than new complaints arrive (first time for many years)
- wind farm: vigorously promoted community's interests through appeal processes
- secured reliable permission for new offices
- Improved links/training with external bodies
- Increased skills and broadened knowledge of existing staff
- Developed a cross-disciplinary 'team' approach to proactive enforcement

CONSERVATION

- Historic Building Grants fully committed
- Extended the number of Conservation Appraisals carried out (
- Year 3 of the PSiCA partnership with the County Council and English Heritage to fund targeted repair works to listed buildings in the Town Centre.

BUILDING CONTROL

- Maintained performance levels
- Continued technical knowledge
- 100% of Building Control Officers now fully qualified
- 83% of sites visited/contacted within 90 days of last visit. - this means that 83% of sites are checked for compliance whether or not there has been a specific requirement (i.e a 'key stage' to check). This is a form of pro active monitoring and enforcement
- Securing 60 house development contract which would have otherwise gone to NHBC - this is about quality of service and competitiveness. A substantial house builder has chosen to use MBC rather than NHBC, even though they are a member of the latter.
- Successfully completing a new school and two large school extensions (John Ferneley, Longfield and Bottesford)- this is significant because a) it was a major project and b) used many new and innovative building techniques and 'green' technologies, demonstrating that our BC team is adaptable and able to cope with new challenges.

ENVIRONMENTAL HEALTH

Enforcement

Housing

- We have assisted 109 homeowners to install central heating and 655 homeowners to insulate their homes. We were awarded £300,000 from central government and have managed to 'lever in ' an additional £227,000 from landlords. We have also undertaken a district wide house condition survey

Food

- Magistrates court served a condemnation order following seizure and condemnation notices on a public house found with a large amount of mouldy food on the premises
- 2 Simple cautions on a butchers shop, following food past Use-by date and lack of traceability
- £10k fine and costs for hotel where member of staff fell into an inspection chamber under health and safety legislation
- Focused food hygiene training in Chinese for Chinese restaurants/takeaways
- Successful food hygiene inspection program
- Continue to work with Leicestershire Environmental Health Best practice groups in all areas to provide consistency through the authorities

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Health & Safety

- Continue to respond to all accidents and investigate as necessary

Pollution

- Environmental Health has met the authorities statutory duties in respect of Pollution Prevention Control Permits.
- Although no formal out of hours service is provided for the response to noise complaints, flexible working continues to allow for the necessary out of hours response for those complaints of an on-going nature.

TAXIS

- Successful defence in Magistrates Court against an Appeal against a Committee decision to refuse a applicant a Hackney Carriage and Private Hire Driver's Licence

LICENSING.

- Training Session arranged for Licensing Committee re Licensing hearings
- Updated all Premises Licences under Licensing Act 2003 after a change in legislation from Policing and Crime Act 2009 regarding Mandatory Conditions to control binge drinking and irresponsible drinks promotions.
- Consulted with Police re news ways of working to promote these objectives.
- Councillors have become Interested Parties under Licensing Act 2003 and can now make representations to or ask for a review of any Licensed Premises

EMERGENCY PLANNING & CIVIL CONTINGENCIES

- Played a full and proper role in the LRF and developed comprehensive plans for the response to numerous emergency scenarios.
- Swine Flu: played a key supporting role providing staff and premises for the distribution of anti-viral drugs. Also on steering group to avert greater disruption

LAND CHARGES

- Reshaped service now operates with small operating profit, rather than substantial loss. Has allowed fees to remain without increases for 3 years.

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3

The Next Steps

During 2008/09 the following short-term actions are to be completed:

Action	Link to Strategic Priorities/ LAA outcomes	Outcome targets
ALL SERVICES		
'A Good Standard of Service For Melton' Build on the efficiencies secure in Land Charges and Development Control in 2009/10 and roll out to other areas		Efficiency savings without significant service reductions.

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<p>EETG: Service redesign: enforcement of regulatory services:</p> <ul style="list-style-type: none"> • complete service redesign and implement new structure and processes 	5,26,30	<ul style="list-style-type: none"> • Single visit regulation • Maximising information gathering • Efficient gathering mechanisms • Effective use of professional time • Broaden experience opportunities for technical team; develop staff development and succession opportunities.
<p>EETG: Paperlight ways of working</p> <ul style="list-style-type: none"> • Roll out paperlight ways of working 	3,4	<ul style="list-style-type: none"> • Effective and efficient storage of records • Effective retrieval of records • Reduced storage capacity demand • Reduced stationary expenditure • Eliminate duplication of records • Faster transmission of correspondence (internal and external) • Avoid loss and delay to correspondence • Facilitate use of records for greater on line services
<p>Corporate Risk 26: Business Continuity arrangements:</p> <ul style="list-style-type: none"> • Raise awareness of Business continuity throughout organisation. • Update BCP to include current working arrangements and learning from the experience of the fire <p>Partnership approach with Rutland, Harborough and O&W Councils for delivery of emergency planning and highlighting good practice for Business continuity</p>		<p>To ensure the Council has arrangements in place to enable its continued operation in the event of a threat to its business</p>

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<p>Corporate Risk 46: Risk of Costs at Appeal</p> <ul style="list-style-type: none"> • Implement the adopted mitigation measures (Dev Cttee, Nov 2007) comprising: <ul style="list-style-type: none"> • Training for decision makers regards general requirements of decision making • Checks and balances on individual delegated decisions built into staff hierarchy • Advice on each individual application (Committee) regarding the merits of reasons for refusal • Involvement of principal Members (with officers) at appeal hearings Detailed feedback of decisions at formal Committee level and informally to identify learning points 		<p>To prevent the financial and reputational consequences of attracting costs at appeal</p>
DEVELOPMENT CONTROL		
<p>Maintain levels of performance of Development Control in terms of determination of applications and meeting prescribed targets</p>		
<p>Continue to improve internal links/training – CSC, BC, EH, Policy etc</p>		<p>improved knowledge; better service; facilitate channel shift</p>
<p>Continual update/improvement of website content</p>		<p>greater access to information - facilitate channel shift</p>
<p>CAPS Training – DC/Enforcement/TPO's/LB</p>		<p>utilise more fully - improved knowledge; better service</p>
<p>Letters/consultees comments on applications posted on website –</p>		<p>greater access to information - facilitate channel shift</p>
<p>Enforcement On-line</p>		<p>greater access to information - facilitate channel shift</p>
BUILDING CONTROL		
<p>'A Good Standard of Service For Melton' Participate in steps towards shared service</p>		<p>Efficiency savings without significant service reductions.</p>
<p>'A Good Standard of Service For Melton' Continue to develop efficiencies</p>		

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Embed Energy Efficiency Assessments		New income stream and more integrated service
LAND CHARGES 'A Good Standard of Service For Melton' Participate in steps towards shared service		Resilience of service; single point of access
Maintain level of service with current reduced level of resources		Efficiency savings without significant service reductions.
EMERGENCY PLANNING 'A Good Standard of Service For Melton' Participate in steps towards shared service		
Full participation in LRF initiatives		
CONSERVATION		
Produce further Conservation Area Appraisals		
Review Buildings at Risk Register		
Listed Buildings on Line		

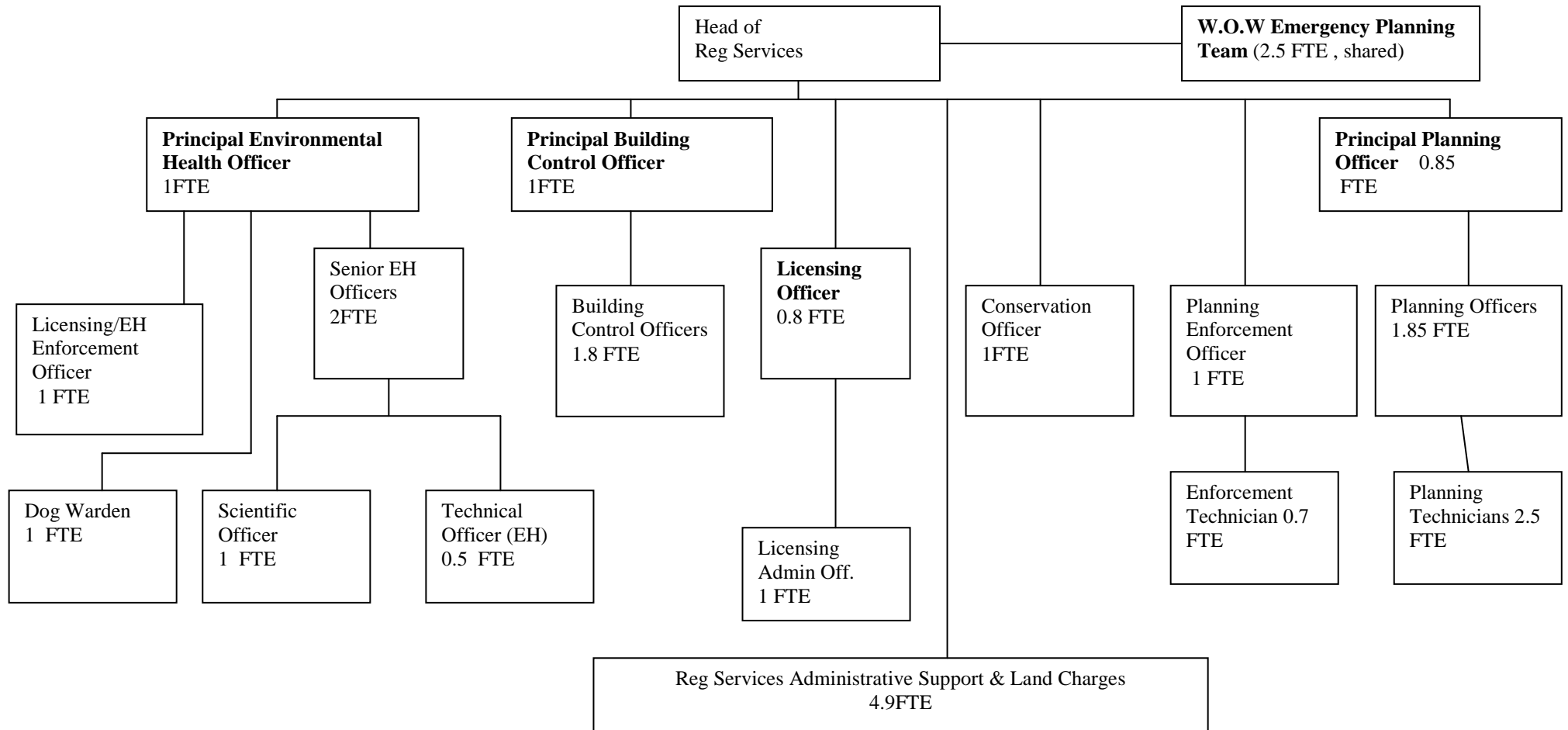
The service contributes to the Council's efficiency savings targets through its co-ordinating role in identifying and costing savings at a corporate level.

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Resource Utilisation

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Finance

Regulatory Services is supported by 9 budgets, the details of which are as follows:

DEVELOPMENT CONTROL	340		
Employees		221,450	
Premises		9,440	
Transport		13,460	
Supplies		47,290	
Support Services		257,490	
Total Expenditure			549,130
Income			321,250
Recharges			32,480
Net Expenditure c			195,400
ENVIRONMENTAL HEALTH	005		
Employees		208,010	
Premises		6,820	
Transport		14,710	
Supplies		39,090	
Support Services		87,910	
Total Expenditure			356,540
Income			12,220
Recharges to Services			49,740
Net Expenditure			294,580
CONTROL OF DOGS	020		
Employees		24,290	
Premises		1,140	
Transport		1,940	

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Supplies	11,550	
Support Services	17,750	
Capital Charges	1,090	
Total Expenditure		57,760
Income		0
Recharges to Services		8,630
Net Expenditure		49,130

CONSERVATION	350	
Employees	39,390	
Premises	1,140	
Transport	2,460	
Supplies	1,000	
Third Party Payments	0	
Support Services	35,390	
Capital Charges	5,000	
Total Expenditure		84,380
Recharges		25,060
Net Expenditure		59,320

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BUILDING CONTROL	355	
Employees	111,480	
Premises	3,410	
Transport	14,280	
Supplies	15,690	
Support Services	147,990	
Total Expenditure		292,850
Income		216,370
Recharges		20,840
Net Expenditure		55,640

LICENSING	588	
Employees	52,890	
Premises	2,890	
Transport	2,040	
Supplies	15,020	
Support Services	143,250	
Total Expenditure		216,090
Income		71,180
Recharges to Services		4,300
Net Expenditure		140,610

EMERGENCY PLANNING	605	
Employees	3,000	
Premises	630	
Supplies	25,470	
Support Costs	58,030	

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Total Expenditure		87,130
Net Expenditure		87,130
LAND CHARGES	580	
Employees		120
Premises		0
Transport		450
Supplies		16,760
Support Service Charge		62,330
Total Expenditure		79,660
Income		91,500
Recharges to services		0
Net Expenditure		-11,840
REGULATORY SERVICES	872	
Employees		162,770
Premises		6,820
Transport		2,810
Supplies		27,580
Support Service Charge		67,340
Total Expenditure		267,320
Recharges to Services		267,320
Net Expenditure		0

Buildings Plant & Equipment

The Service is flexible and mobile but has a base at Melton Mowbray Building Society

Computer Software

The Service manages the following systems:

CAPS Planning, Environmental Health and Building Control modules
Licensing LALPAC system

SECTION

5 Risk

Risks have always been dealt with and risk management is not a new responsibility but simply the formalisation of what is good working practices. A number of key risks for the Policy and Performance Service have been identified that could affect the Council's ability to achieve its objectives, perform its duties or meet the expectations of its stakeholders.

The table below sets out the key risks and the actions being taken to manage them.

A				
B		2	46	
C		1,		
D		9,11, 13		
E		10,12		
F		3,26, 14		
		IV	III	II
		Impact		
				I

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Risk No.	Description	Original Risk Rating	Reviewed Risk rating – July 09	Reviewed risk rating March 2010	Target Risk rating	Action Taken
1	Growth and fluctuations in 'core businesses' prevent key staff from dedicating resource to improvement initiatives	D1	C2	C3	D1	Experience shows adequate progress on improvement initiatives. and permanent measures. Reopen 'frozen' posts in DC and BC if workload recovers
2	Capacity of other services to support IT improvements and prioritisation with other projects	C3	B3	B3	D3	Service Development Projects have limited impact on other teams; Planning Delivery Grant reserve available to support. Limited focus on IT projects
3	Loss of key staff	E2	F3	F3	F2	Reduced by down turn in economy; recent staff development measures have incentivised staff retention : No new actions
26	Corporate Risk 26: Effective business contingency planning which meets regulatory requirements.	C2	F3	F3	F2	BCP requires updating – measures arranged.
46	Corporate Risk 46: Costs at appeal arising from unreasonable behaviour at planning appeals, i.e inability to defend reasons for refusal due to absence of supporting evidence.	B2	D2	B2	D2	Scope for costs widened due to extension to written reps appeals . 3 recent examples reinforce the concern – all related to decisions departing from officer recommendation. Measures to address to be reinstated.
9	Workload fluctuations not accommodated by resource levels		D3	D3	D3	Closely monitor workload trends and respond swiftly to fluctuations
10	Reduction in resources with RS teams		B3	E3	E3	Successful outcome is most areas from establishment of budget. Good Standard of Service and EETG approach do not propose immediate

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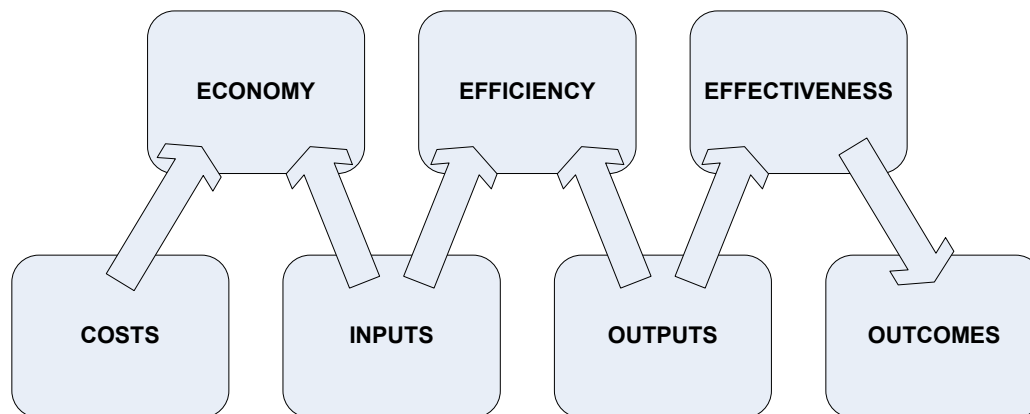
						threats to resource levels.
11	Disruption to admin support due to reorganisation and additional duties		E3	D3	D2	New staffing and service area has disrupted service delivery is Land Charges with impact elsewhere, but impacts limited and managed (resources, training and IT) to prevent escalation.
12	Increased competency require to maintain Env Health effectiveness		E3	E3	E3	Maintain training opportunities through appraisals and 1-2-1 discussions
14	Outcomes of projects diminish the scope to meet other service objectives		C3	F3	D3	Projects do not conflict with service delivery objectives.

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Performance Management

To measure the progress that is being made in providing better quality services and real value for money a number of performance indicators have been established and targets set for the service:



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NATIONAL PERFORMANCE INDICATORS								
	Frequency	Type	Average for all District Councils 2009/10	Performance 2008/9	Performance 2009/10	Target 2010/11	Target 2011/12	Target 2012/13
NI 157 (Former BVPI 109 a) : % 'major' applications determined in 13 weeks	Monthly	Output		66.66%	64.30%	60%	60%	60%
NI 157 (Former BVPI 109 b) : % 'minor' applications determined in 13 weeks	Monthly	Output		67.39%	83.50%	65%	65%	65%
NI 157 (Former BVPI 109 c) : % 'other' applications determined in 13 weeks	Monthly	Output		81.28%	90.23%	80%	80%	80%
NI 182 Satisfaction of businesses with local authority regulation services	Monthly	Satisfaction	N/A	82%		80%	83%	85%
NI 184 Food establishments in the area which are broadly compliant with food hygiene law	Annually	Outcome		83%		80%	83%	85%
Ni 194 Level of air quality - reduction in NO and primary PM emissions through local authority's estate and operations	Annual (Jan – Dec)	Outcome	N/A	N/A		N/A		
NI197 Improved local biodiversity – active management of local sites	Annual	Outcome	N/A	99.7%		N/A	99.7%	99.7%

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LOCAL PERFORMANCE INDICATORS								
FORMER BVPI 204: % appeals against refusal of permission sustained	Monthly	Outcome	Average for all District Councils 2009/10	Performance 2008/9	Performance 2009/10	Target 2010/11	Target 2011/12	Target 2012/13
DEVELOPMENT CONTROL								
FORMER BVPI 205: score against 'quality of service' checklist	Annually	Outcome		83.33%	94.44%	94%	94%	94%
Applications determined in 8 weeks	Monthly	Output		74.99%	86.65%	80%	80%	80%
Planning Enforcement : % cases resolved per month against annual total.	Monthly	Outcome		N/A	8.6%	8.3%	8.3%	8.3%
Planning Enforcement : cases reaching 'course of action' decision within 8 weeks	Monthly	Output		N/A	71.5%	70%	75%	80%
Planning Enforcement: % appeals against enforcement notices dismissed	Annually	Outcome		60%	none	100%	100%	100%
Implementation of service plan	Quarterly	Outcome		90%				
BUILDING CONTROL								
Building Control : no of 'plan checks' completed in 8 weeks	Quarterly	Output		100%	100%	100%	100%	100%
% Street naming and numbering procedures completed within eight weeks of notification and commencement	Quarterly	Output		N/A	90%	92%	93%	94%
% sites checked at least every 90 days	Annually	Output		N/A	83.4%	88%	94%	94%
% Full Plans Applications not commenced within 3 years of submission to given section 32 notice	Quarterly	Output		N/A	100%	100%	100%	100%
% Applications to validated within two days of receipt.	Monthly	Output		N/A	100%	100%	100%	100%

LICENSING								
Licensing : % applications determined in accordance with statutory timetables		Output	N/A	100%				
Licensing : Enforcement of Licences/conditions.		Outcome						
ENVIRONMENTAL HEALTH								
Environmental Health : Quality of Service (former BCVPI 166)	Annually	Outcome		95.4%	95.4%			
Environmental Health : Pollution complaints - % cases resolved	Quarterly	Outcome		N/A				
Environmental Health : Contaminated Land (former BVPI 217)	Annually	Output	N/A	100%				
Environmental Health : Contaminated Land (former BVPI 216b)	Annually	Output	N/A	8%				
CONSERVATION								
Preserving Conservation Areas: Conservation Area Appraisals (former BVPI 219a)	Quarterly	Outcome		50%	68.2%	100%	100%	100%
Preserving Conservation Areas: Conservation Area management schemes (former BVPI 219b)	Quarterly	Outcome		50%	68.2	100%	100%	100%