

## Service Delivery Plan 2021-22

**Business Unit: Legal Services**

**BUL: Carolyn Forster**

**Head of Service: Tom Clark**

### **Business Unit Purpose and Core Business Functions**

This Service Delivery Plan has been prepared having regard to Covid-19 restrictions in place at the start of the planning period. To provide legal services including advice to officers and members of the Council in the provision of all Council services. To support the Statutory Monitoring Officer to ensure;

- lawfulness of decision making;
- promotion of high standards of conduct;
- maintenance of an up to date constitution to meet the operational needs of the Council.

To retain the service's Law Society Legal Practice Quality Mark -Lexcel accreditation

#### **Core Business Functions**

##### **Corporate Projects**

Provide legal assistance in relation to the Council's Priority Projects such as Temporary Accommodation, Enabling Full Fibre Infrastructure and the Local Plan Review.

##### **Corporate Governance**

To provide constitutional advice and ensure legality and probity in the Council's administration

Management of complaints against Members and support Standards Committee

To undertake the Monitoring Officer role

Monitoring of the Constitution

##### **Information Law**

Monitoring the use of RIPA

To provide advice and support in relation to Data Protection, Freedom of Information and Environmental Information Regulations including implementation of the General Data Protection Regulations

##### **Contracts and Procurement**

To provide advice and conduct legal work in relation to the procurement of goods, works and services on behalf of the Council including the evaluation of tenders

Drafting/ negotiation of Contracts on behalf of the Council

#### **Estates**

To undertake estates legal work including commercial property disposals, acquisitions, assignments, wayleaves, licences, easements, landlord and tenant work, advising on village green matters, reports on title, advice on land held in trust/ charitable trust, advising on assets of community value and support in the delivery of community projects

#### **Development Management and Planning Policy**

To provide support to Development Management Business Unit including drafting Obligations pursuant to Section 106 of the Town and Country Planning Act 1990 as amended

To provide advice in relation to Lawful Development Certificate Applications

To support and advise Planning Policy and Economy to include the implementation of the District Plan 2014-2031 and the Supplementary Planning Documents adopted in 2018

To advise and undertake planning enforcement action

Advising on compulsory purchase powers

#### **Litigation**

To conduct civil and criminal legal proceedings including representation at Court, Tribunals and hearings to include debt recovery, planning enforcement and licensing prosecutions

To support Revenues and Benefits enforcement

To defend challenges to the Council by way of judicial review or other statutory challenges

To conduct litigation in appeals against homelessness decisions

#### **Housing**

To secure Nomination Agreements with Registered Providers of Affordable Housing

To secure policy compliant levels of affordable housing on new development sites

To support the enforcement of housing standards in the private sector

#### **Building Control and Environmental Health**

To advise and undertake legal work relating to Food Safety Standards, Housing Standards, Licensing, Building Control and Statutory nuisance

#### **Licensing**

Attending licensing hearings

Advising upon Council licensing policies

#### **Miscellaneous**

To advise the Council generally on all aspects of its business and functions

To keep abreast and advise on the implications of relevant new and forthcoming legislation

To conduct legal work relating to Off-Street Parking including the making of car parking orders

To provide legal representation to Committees, Cabinet, Council and such other meetings as required  
 To undertake legal work relating to Charitable Trusts To carry out a review of Byelaws  
 To provide support in relation to the Election process  
 To secure Grant Agreements in relation to housing and community related projects  
 To undertake legal work relating to Waste services

Link to Corporate/ Recovery Plan	Service Actions/Deliverables	Lead Officer	Milestone	Milestone date	Support required from other Business Units	Additional Capital/ Revenue cost and/or saving
SRC 7i	Support Housing Services in the delivery of the ongoing phased Temporary Accommodation Project (to include 10 further acquisitions)	TR	Purchase first 5 properties (Subject to funding) Purchase final 5 properties (Subject to funding)	July 2021 Dec 2021	Housing Services Corporate Estates Contracts and Commercial Services	
GR	Support the commissioned review of internal governance.	TC/ All	Governance changes implemented	July 2021	All	
	Support the electoral review of Mid Sussex initiated by the Local Government Boundary Commission.	TC/CF			Democratic Services	
SEG 4	Support the delivery of the expanded Fibre Project			2020-21	Corporate Estates Head of Digital Contracts and Commercial Services	
SEG 8	Support the Local Plan review to adoption.		Stage 1 Review completed	Q4	Planning and Economy	

SRC1[iii] SRC4[ii]	Support the Parks Investment Project	FC	Master Plan delivery action plan (Year 1 and 2 parks) Year two play area refurbishments complete	June 2021  August 2021	Contracts and Commercial Service	
SEG 6	Support the Orchards Shopping Centre scheme	TR		2020-21	Corporate Estates	
	Support the Planning Service in relation to SAMM and SANG bespoke mitigation required in the form of planning obligations required pursuant to the Ashdown Forest Special Protection Area	JB/ZM		2020-21	Planning and Economy	

## Service Volumes

Activity / Process	Projected annual volume for 2020/21	Estimated annual volume for 2021/22	Notes / explanation for estimated change	Impact
Approximate no. of live legal cases on the Legal Case Management System (Iken) at any given time.	500	500	It is anticipated that existing work volumes will remain constant.	

## Key Risks to Service Plan delivery

1 = not likely/low Impact    5 = will definitely happen/major service changing impact

Number	Description of Risk	With no Mitigation		Mitigation	With Mitigation	
		Likelihood (1-5)	Impact (1-5)		Likelihood (1-5)	Impact (1-5)
1	Recruitment and retention of suitably qualified legal officers 2 Access to legal officers with the requisite legal knowledge and experience given breadth of expertise required	2	2	Bespoke specialist legal advice could be obtained externally where in-house knowledge.	1	1
2	Access to legal officers with the requisite legal knowledge and experience given breadth of expertise required	2	2	Short term locum specialists/ existing staff developing existing skills set.	1	1

### Equality Impact Assessments Required or Reviews due

None identified. To be kept under review.