

Report to The Finance and Performance Management Overview and Scrutiny Panel



Date of meeting: 14 November 2006

Portfolio: Finance and Performance Management & Corporate Support Services

Subject: Local Land Charges - Update

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Committee Secretary: Adrian Hendry (Ext 4246)

Recommendation;

To note the updated report.

Background

1. At its meeting of 1 June 2006, the Panel received a report on income generated from Local Land Charge searches and personal searches, current performance in respect of standard searches and actions taken to address the situation. The Panel required a further report on the status of the Local Land Charges budget and the income generated from standard searches and personal searches highlighting:
 - (a) progress achieved in improving current performance in relation to the turnaround for standard searches;
 - (b) options for improving the search enquiry services provided by Essex County Council and the Head of Environmental Services; and
 - (c) the implications for the Local Land Charges budget/workload of any reductions in the current search fees.
2. Dealing first with the Local Land Charges budget the table below illustrates income generated from searches (including standard searches) over the last 5 years.

	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07 Estimate
Total Expenditure	262,962	273,348	338,437	548,471	385,387	406,900
Total Income	477,614	469,811	506,373	443,507	378,165	384,380
Net Surplus (Deficit)	214,652	196,463	167,963	(14,964)	(7,222)	(22,000)

The anticipated improvement in income is as a result of slightly higher numbers of searches than the previous year.

- 2.1 As referred to in the previous report the number of personal searches received over the period has increased. This trend is illustrated in the table below.

	2001/02	2002/03	2003/04	2004/05	2005/06
Personal Searches over the last five years	396	731	871	871	1173
Official Searches over the last five years	4442	4309	4022	3388	3396

- 2.2 The table below shows the increase in personal searches carried out during the current financial year compared to the same period last year.

	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	TOTAL
Personal Searches carried out 2005/06	76	79	85	133	94	92	111	112	79	103	93	116	1173
Personal Searches carried out 2006/07	113	153	155	136	145	151	161						1009 (so far)

Current Performance

3. The best value performance indicator previously applicable to this service was discontinued in March 2006.
4. It had measured the percentage of standard searches returned within 10 working days. This Council had set a target of 86%. The performance of the last 5 years is set out below.

	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07
% of standard searches returned within 10 working days over the last five years	78.0%	29.2%	95.3%	60.6%	52.5%	44.1% (so far)

5. Although the overall percentage for the year continues to fall short of the target set, since the last Panel meeting in June performance has considerably improved as shown below.

	June 06	July 06	Aug 06	Sept 06	Oct 06
% of standard searches returned within 10 working days	19.5%	23.8%	48.6%	94.75	98.7%

6. The reasons for this increased level of performance are attributable both to the Local Land Charges staff and the contributing services.

7. Within the small Local Land Charges team limited overtime has been worked. This has had an impact in dealing with the backlog but is not sustainable over a long period.

Turning to the other Services

8. (i) Environmental Services

The response from the Environmental Service staff has been much improved. This is particularly appreciated, as there is still pressure on the same staff to deal with the refuse recycling telephone enquiries.

However the Senior Local Land Charges Officer has liaised closely with her colleagues in Environmental Services and they have improved their response rate to 4 days.

- (ii) Essex County Council

Following the last meeting of this Panel the Head of Legal, Admin and Estates and Senior Local Land Charges Officer met with Davina Millership - Acting Area Highways Manager and Tracey Griffiths - Technical Officer

The current performance of the County Council in reply to Highways enquiries has improved to 6 days.

The outcome of the meeting referred to above can be summarised as follows:

- (a) Additional resource of one FTE has been allocated to support the Technical Officer who previously had sole responsibility for the Highways replies.
- (b) An e-mail link, which allows searches to be sent and returned electronically, is expected to be operational by the end of the year. This method involves an email being generated by the current Local Land Charges computer system with the details of the Search address. The Highways staff will then enter their replies to each Search onto the on-line Achieve form software, which will be password, protected.

As the County Council are currently returning searches by recorded delivery post, the electronic link should save at least a further 2 days.

- (iii) The County Council are not prepared to enter into a service level agreement at present. The Head of Legal, Admin and Estates did offer at the meeting to draft such an agreement to reflect the 5-day guaranteed turnaround time referred to by Councillor Bass at his meeting with the Joint Chief Executive (Community) and others. This was not acceptable to County Officers.

9. In summary, standard searches are currently being returned within 6 working days.
10. However, it must be remembered that the return of the search is dependent upon each and every aspect of the replies being timely. A delay in any one area has an immediate detrimental impact on the overall performance. Thus although the performance has improved considerably since June, the loss of an experienced

member of staff in the Building Control Section has led to delays in this area and concern that while new officers are being appointed/trained, that delays may occur.

11. The Local Land Charges team is spending greater time already checking replies in this area in an attempt to mitigate the impact on turnaround times but clearly this has an effect on the Section's workload.
12. Throughout there is a need to increase our speed of reply without impinging upon the quality of the search that is sent out.

Budget/Workload Implications if Search Fee is Reduced

13. The only council in Essex currently adopting the approach referred to above is Castle Point. The rationale is that to win back the market share from the personal search companies (who charge clients approximately £100 per search) Local Authorities could reduce their fees and increase business.
14. However to have a chance of being effective the Council would not only have to compete on price but also on turnaround time.
15. Currently even with the improved performance from service areas the search is taking 6 days. Although this is a considerable improvement it is not necessarily sustainable and would not work effectively to win back market share.
16. Thus the impact of reducing the fees at present would in all probability simply mean a reduction in income.
17. In any event on 25 October the Department of Constitutional Affairs published a Consultation Paper relating to the setting of fees for Local Land Charges services in England. From 1 April 2007 all registering authorities (which includes district councils) will set their own fees for Local Land Charge services (excluding personal search fees).
18. The closing date for this consultation is 4 December 2006. In the light of this national consultation it is not proposed to alter the Council's charging structure. The consultation document has been placed in the Members' Room should any member wish to read it in detail.