

Report of the Director of Environment & Neighbourhoods

Report to the Outer North East Area Committee

Date: Monday 3rd October 2011

Subject: Delegation of Environmental Services – Service Level Agreement

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No ALL
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is the decision eligible for Call-In?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Summary of main issues

- a) Following recommendations made at the Area Committee meeting of 19th September 2011, revisions have been made to a draft Service Level Agreement (SLA) for the delivery of environmental services in Outer North East.
- b) These revisions make clear in the SLA the delegated responsibility for decisions and management of the ENE locality budget sits with the Locality Manager, who is accountable to the Area Committees in how that budget is used to achieve the outcomes and priorities agree in their respective SLAs.
- c) The report confirms approval of the SLAs for both Inner East and Inner North East Area Committees was clearly made on the basis that the locality budget is not delegated to Area Committee level and decisions on how it is used are made as set out in (b) above.
- d) This report provides a revised SLA and seeks approval of the document which will steer the work of the East North East Environmental Locality Team for the remainder of the 2011/12 municipal year.

Recommendations

The Area Committee is asked to approve the attached SLA for the delivery, influence and accountability of delegated environmental services during the 2011/12 municipal year.

Purpose of this report

- 1 The purpose of this report is to present to the Area Committee, for approval, a revised version of the Service Level Agreement (SLA) through which the work of the Environmental Locality team will be steered over the next eight months to the end of the current municipal year.

Background information

- 2 The Area Committee received a paper at its meeting of 19th September 2011 which set out the background and proposal for the approval of the first Service Level Agreement for environmental services in Outer North East.
- 3 This followed extensive consultation and workshops with Members.
- 4 The proposed SLA was supported by a number of appendices detailing the new locality team structure with names of the senior officers, initial locality budget (revenue and capital), new cleaning blocks/schedules and location of litter bins.
- 5 The Locality Manager also responded at the meeting to a number of question that had been raised by Members, particularly around the allocation of budgets to localities and the rationale involved. This included the reporting of a small error in the original locality budget provided to Members and an acknowledgment that until the cost of the services use of shared facilities across all the localities was calculated, the premises cost shown in the ENE locality budget should be removed.
- 6 Many positive comments were made at the meeting; including expressions of trust in the new team to make improvements in how the service is delivered and reports of good experiences already in responding promptly to issues raised by Members and Parish Councils. The SLA itself was welcomed as a positive step and recognised as a potentially useful means to help Members have a greater say over how the environmental services are delivered in Outer NE and to make officers more accountable.
- 7 However, some concerns were also raised about making the schedules attached to the SLA more accessible for members and residents alike, together with greater clarity required around the responsibility for Dog Control Orders, in particular dangerous dogs. For this reason, the SLA makes clear that it does not include an agreement in relation to dangerous dogs. This issue will be brought back to the Area Committee through it environmental sub group for further consideration.
- 8 The main concerns that the Area Committee had were that the SLA did not make clear who the responsibility for decisions on how the locality budget is spent is with, and, to what (geographical) level the budget is delegated down to. Reassurances were also asked for around the flexibility of resource/staffing and willingness to consider alternative approaches, which the Locality Manager provided.
- 9 The Area Committee therefore decided to defer approval of the SLA and asked for a special meeting to be urgently arranged to reconsider the SLA, providing the concerns set out in (8) above are addressed.

Main issues

- 10 The revised SLA is appended to this report. This includes two changes from the draft presented to the previous meeting.
- (a) The section previously headed “Accountability” is renamed “Resource and Accountability”, and the following two paragraphs are inserted:
- 10.1 The Locality Team budget is not delegated to area committee level, it is a locality wide resource that is the responsibility of the Locality Manager to use as efficiently and as effectively as possible to meet the commitments made in the SLAs and achieve the best possible outcome of clean streets and neighbourhoods across ENE.
- 10.2 The SLA provides an accountable, negotiable mechanism for Area Committees to influence how that resource is best deployed and to judge how effective it is.
- (b) A new paragraph is inserted in the “Reporting and Performance Monitoring” section to reflect the commitment through the SLA to attend Ward Member meetings, to provide relevant information/updates and engage with ward members on service development.
- 11 The Area Committee requested assurances that the other two SLAs in the ENE locality (with the Inner East and Inner North East Area Committees) had been approved in the clear understanding that the locality budget is not delegated to Area Committee level and is the responsibility of the Locality Manager to manage and make decisions on in order to best meet the agreed SLA outcomes/priorities.
- 12 The published minutes of the Inner East Area Committee meeting of 8th September include the following paragraph within minute 25:
- In response to a question about available resources, the Locality Manager drew attention to the locality budget as summarised in appendix B. It was explained that this is a budget delegated to the Locality Manager to spend and be accountable for across the ENE locality through the Area Committees and their SLAs. The budget is to be spent on delivering services that best meet the agreed outcomes and priorities set out in the approved SLAs across the locality. It was clarified that the budget is not split down to Area Committee level nor delegated to the Area Committee to manage. The Locality Manager reported that he would provide financial updates to the Environmental Sub Groups.*
- 13 With regards to Inner North East , although not similarly recorded in the minutes, the discussions at member workshops, ward members meetings and Area Committee all made clear that the budget is not delegated to Area Committees and will be managed at a locality level by the Locality Manager. The budget was clearly appended to the approved SLA as locality budget.
- 14 Both the Inner East and Inner North East Chairs confirm their understanding is the same as the position being set out in section 10 above.

CORPORATE CONSIDERATIONS

Council policies and city priorities

- 15 The proposed delegation of environmental services to Area Committees, via an approved Service Level Agreement, will significantly contribute towards the Stronger Leeds section of the new Safer & Stronger Communities Plan 2011-15. By delivering services at an Area Committee level, the priority to '*ensure that local neighbourhoods are clean*' will be much more achievable.
- 16 In order to formalise delegation of the listed environmental services, the Area Committee Function Schedule within the Council's Constitution has been amended, approved at Executive Board in March 2011 and ratified at the Annual Council meeting held on 26th May 2011.
- 17 Amendments have also been made to the Area Committee Procedure Rules to make allowance for the decision making powers being devolved to Committees, which will run concurrent to the same authority given to the Director of Environment & Neighbourhoods.

Resources and value for money

- 18 There has been no changes to the proportion of resources to be spent in each locality. The only difference is for the first time budgets and therefore spending are split into localities and separated out from refuse/waste management costs. The resource allocated to the ENE Locality Team for 2011/12 is therefore the same as would have been spent in the area for those services under the previous Streetscene structure.
- 19 A budget is managed across the ENE locality by the Locality Manager. This is not delegated to Area Committee level. This is the initial budget that has been allocated to resource the ENE Locality Team in order for it to deliver the three SLAs in its area. This includes the correction of the error reported at the September meeting and the removal of £75k of premises costs as explained earlier in this report.
- 20 It is hoped that further amounts will be devolved to a locality level once further financial work is completed on spend that has been historically only accounted for as one central "pot"/amount.
- 21 The Service Level Agreements include a revised mechanical street cleansing service, which will deliver increased efficiencies in terms of achieving a greater quality of street cleansing and therefore providing better value for money.

Legal implications, access to information and call in

- 22 Following revision to the Council's Constitution the Area Committee has the legal powers to approve the attached Service Level Agreement and therefore formally undertake the delegation of services set out within it.
- 23 There are no further legal implications. The report contains no information that is deemed exempt or confidential.

- 24 The Area Committee's decision to approve, or not, the attached Service Level Agreement is eligible for call-in, within the standard five working day period from the date the decision is published.

Risk management

- 25 The Area Committee is being asked to approve the attached Service Level Agreement, which will formalise the partnership arrangements between the East North East Environmental Locality Team and the Committee. Should the Service Level Agreement not be approved then the Locality Team will still be required to deliver environmental services within the area, however this will be without the significant input of the Area Committee.

Conclusions

- 26 A significant amount of collaborative work has been undertaken and real progress made in making ready for the services to operate under the terms of the SLA with effect from September 2011. This first SLA will apply to the end of the 2011/12 municipal year, during which time performance monitoring will be reported to the Area Committee and Cleaner Neighbourhoods Sub group.
- 27 The SLA will be reviewed annually to inform the production and approval of subsequent agreements for future years, in line with corporate budget cycle and review process, with the first review beginning in October 2011.
- 28 Assurances are provided with this report to the Area Committee that the budget for the ENE Locality Team to deliver its services to best meet the commitments made in the 3 SLAs is not delegated to Area Committee level and is the responsibility of the Locality Manager.

Recommendations

- 29 The Area Committee is asked to:
- a) Note the contents of the report; and
 - b) Approve the attached Service Level Agreement.

Background documents

- Leeds City Council Constitution
- Area Committee roles and functions 2011/12
- Area Committee report and appendices: Delegation of Environmental Services – Service Level Agreement, 19th September 2011
- Area Committee report: Environmental Services Delegation – Update and Progress Report, 20th June 2011
- Area Chairs' Meeting report: Devolvement of Environmental Services to Area Committees – progress report, 15th April 2011
- Area Committee report: Delegation of Environmental Services, 14th March 2011
- Executive Board report: Delegation of Executive Functions in Relation to Streetscene Management to Area Committees, 30th March 2011
- Area Committee report: Delegation of Environmental Services, 31st January 2011

- Area Chairs' Meeting report: Devolvement of Environmental Services to Area Committees – Development of Service Level Agreements, 14th January 2011
- Area Chairs' Meeting report: Devolvement of Environmental Services to Area Committees, 3rd December 2011
- Area Committee report: Briefing note on proposed delegation of elements of Streetscene services, Oct/Nov 2010