

REPORT TO: STRATEGY AND RESOURCES

Date: 4 November 2019

TOPIC: LYNTON AGENCY PERFORMANCE REVIEW

REPORT BY: HEAD OF RESOURCES

1 INTRODUCTION

1.1 In February 2015 North Devon Council approved the service improvement framework to objectively review services to improve the customer experience and/or value for money. A review of the Lynton and Lynmouth agency agreement was added to the review programme.

1.2 Concluding the review process; a further report to the meeting of the Executive 3rd July 2017 it was approved;

- That Executive note the annual report and that the actions being taken to ensure that performance against the 14 review recommendations is at the desired level.
- That Executive approve to continue with the new revised agency agreement with Lynton and Lynmouth Town Council with effect 1st April 2017 for a period of 3 years, with a formal review on that date.
- That Executive recommends that Council agrees to the delegation, to Lynton and Lynmouth Town Council, of the harbour authority function reserved to North Devon District Council in respect of Lynmouth Harbour
- That Executive agrees to the delegation, to Lynton and Lynmouth Town Council, of the functions reserved to North Devon District Council for the administrative area of Lynton and Lynmouth Town Council in respect of:
 - the management and enforcement of off street parking pursuant to NDDC's off-street parking orders;
 - the management and provision of public conveniences;
 - street cleaning;
 - public litter bin refuse collection;
 - grounds and property maintenance; and
 - property management.

1.3 This is the third annual report on the agency performance and financial management for the 2018/19 financial year. The report aims to update members on progress against the 14 review recommendations put forward by the review team; to receive the financial outturn for the agency for the 2018/19 year and to make recommendation about the future delivery of the services for 2020/21 year onwards.

2 RECOMMENDATIONS

2.1 That members note the annual report and that the actions being taken to ensure that performance against the 14 review recommendations is at the desired level.

2.2 That members approve to continue with the agency agreement with Lynton and Lynmouth Town Council with effect 1st April 2020 for a period of 3 years, with a formal review on that date.

3 REASONS FOR RECOMMENDATIONS

3.1 A full review of the agency function has been carried out to determine value for money in service provision. Regular reporting will enable transparency over progress and early support and/or intervention if required.

3.2 If the annual report doesn't demonstrate and evidence significant progress towards the recommendations this will enable North Devon Council to exit from the agreement and bring those services back in house.

3.3 To inform members of actual performance against the review recommendations.

3.4 To ensure the Lynton and Lynmouth Agency is properly and legally set up.

4 REPORT

4.1 A summary annual report on the 2018/19 agency performance and financial outturn from the Lynton and Lynmouth Town Clerk is shown in **Appendix A**.

4.2 The aim of the agency review that was carried out in 2015 was to:

- To create a position statement of the Lynton and Lynmouth agency agreement
- To detail any changes from the original agreement
- To produce a performance report of agreed services and assets with any associated issues and risks
- To provide a cost v benefit analysis against possible future options

4.3 The review team put forward 14 recommendations to ensure moving forwards service levels were consistent with the rest of North Devon Council services areas and to also deal with the issues and risks highlighted throughout the review process.

4.4 The 14 Recommendations were:

1. Introduce the port marine safety code to the harbour
2. A recharging of services in adherence to the Service Reporting Code of Practice to improve the accuracy of the accounts and justify costs
3. Budgetary process and approval to spend should be aligned to the North Devon Council process
4. Accounts to be subjected to NDC internal audit programme
5. Adherence to data protection legislation
6. Compliance with Environmental Protection Act 1990 with regards to street cleaning
7. Provide technical support for providing North Devon Council compliant services
8. Customers to have the same access to services as North Devon Council services
9. Explore a joint way forward to reduce public convenience costs as part delivering the public convenience policy
10. Improved management for issuing parking fines including monitoring of performance
11. Cash collection and counting to follow North Devon Council procedures
12. Inclusion of the car parks in the proposed North Devon Council car park review
13. Joint procurement to realise potential savings and compliance with EU regulations
14. Comply with all Health and safety requirements

4.5 Progress against the review recommendations is monitored through the Council's performance management system (Pentana).

4.6 Significant progress has been made since the last report to Executive in September 2018 and this is outlined in the report from the Lynton and Lynmouth Town Clerk shown in **Appendix A**. The only remaining review recommendation to be completed is in relation to exploring a joint way forwards to reducing public convenience costs and this action is reliant on North Devon Council carrying out a wider review of all public conveniences across the District.

4.7 It is pleasing to see the above progress and it is proposed that we continue with the agency agreement with Lynton and Lynmouth Town Council for a further period of 3 years from 1 April 2020.

5 RESOURCE IMPLICATIONS

5.1 Following the agency review, the revised forecast figures presented by Lynton and Lynmouth Town Council were projecting a net budget surplus (excluding parking fines) of £48,912; which was in line with the in-house North Devon Council costing put forward as part of the review process.

	L&L Agency (old)	L&L Agency (new)	NDC Solution
Expenditure	-£326,418.00	£-327,651.00	-£248,599.50
Income	£359,651.00	£376,563.00	£ 297,431.00
Surplus	£33,233.00	£48,912.00	£48,831.50

5.2 I am pleased to inform members that as outlined in the report from the Lynton and Lynmouth Town Clerk that the **actual financial performance for 2018/19 year has resulted in a net surplus of £60,177** (2017/18 was £57,674) which will be returned to North Devon Council.

6 EQUALITIES ASSESSMENT

6.1 There are no equalities implications anticipated as a result of this report.

7 CONSTITUTIONAL CONTEXT

Article or Appendix and paragraph	Referred or delegated power?
Article 9.2.2 and Part 3 Annexe 4	Delegated
Article 9.2.1 and Part 3 Annexe 3	Referred

8 STATEMENT OF CONFIDENTIALITY

8.1 This report contains no confidential information or exempt information under the provisions of Schedule 12A of 1972 Act.

9 BACKGROUND PAPERS

9.1 The background papers are available for inspection and kept by the author of the report.

10 STATEMENT OF INTERNAL ADVICE

10.1 The author (below) confirms that advice has been taken from all appropriate Councillors and Officers.

Author: Jon Triggs, Head of Resources

Date: 27 September 2019