
STATUTORY INSTRUMENTS

1999 No. 3251

**LOCAL GOVERNMENT, ENGLAND
LOCAL GOVERNMENT, WALES**

**The Local Government (Best Value)
Performance Plans and Reviews Order 1999**

Made - - - - *7th December 1999*
Laid before Parliament *14th December 1999*
Coming into force - - *4th January 2000*

The Secretary of State, in exercise of the powers conferred on him by sections 5 and 6 of the Local Government Act 1999(1) and all other powers enabling him on that behalf, hereby makes the following Order:—

Citation and commencement and interpretation

1.—(1) This Order may be cited as the Local Government (Best Value) Performance Plans and Reviews Order 1999 and shall come into force on 4th January 2000.

(2) In this Order—

“the Act” means the Local Government Act 1999;

“relevant Audit Commission indicators” means the indicators specified in Schedule 1 to this Order which are listed and defined in the “Publication of Information Direction 1998” issued by the Audit Commission in December 1998 in accordance with the provisions of section 44 and 46 of the Audit Commission Act 1998(2);

“best value performance indicators” means the factors by reference to which a best value authority’s performance in exercising a function can be measured, as specified from time to time by an Order made under section 4 of the Act or as specified by a best value authority in accordance with any guidance issued from time to time under section 5(6)(a) of the Act;

“best value performance standard” means the minimum acceptable level of service provision which must be met by a best value authority in the exercise of a function and measured by reference to a performance indicator for that function, as specified from time to time by an Order made under section 4 of the Act;

(1) 1999 c. 27.
(2) 1998 c. 18.

“best value performance target” means the level of performance in the exercise of a function that a best value authority is expected to attain, measured by reference to the performance indicator in relation to that function, as specified by a best value authority, in accordance with any guidance issued under sections 5(6)(b) and 5(7) of the Act.

Application

- 2.—(1) This order applies—
- (a) in relation to England, to all best value authorities;
 - (b) in relation to Wales, only to authorities falling within section 1(1)(d) or (e) of the Act (police and fire authorities).

Content of best value performance plans for the financial year 2000

3.—(1) Best value authorities must include the following matters in their best value performance plans for the financial year 2000—

- (a) a summary of the authority’s objectives in relation to the exercise of its functions;
- (b) a summary of any assessment made by the authority of the level at which, and the way in which, it exercises its functions;
- (c) a statement specifying any period within which the authority is required to review its functions under section 5 of the Act and articles 5 and 6 of this Order;
- (d) a statement indicating the timetable the authority proposes to follow in conducting a best value review;
- (e) a statement specifying any best value performance indicators, best value performance standards and best value performance targets specified or set in relation to the authority’s functions;
- (f) a summary of the authority’s assessment of its performance in the previous financial year with regard to the relevant Audit Commission indicators, where applicable;
- (g) a comparison of that performance with the authority’s performance in previous financial years.

Content of best value performance plans for the financial year 2001 and each financial year thereafter

4.—(1) Best value authorities must include in their best value performance plan for the financial year 2001 and each financial year thereafter, all the matters specified in sub-paragraphs (a) to (e) of article 3 of this Order and in paragraph (2) below.

- (2) The matters referred to in paragraph (1) above are—
- (a) a summary of the authority’s assessment of its performance in the previous financial year with regard to best value performance indicators, where applicable;
 - (b) a comparison of that performance with the authority’s performance in previous financial years;
 - (c) a comparison of the authority’s performance as summarised in accordance with paragraph (a) above, with the performance of other best value authorities in previous financial years;
 - (d) a summary of its assessment of its success in meeting any best value performance standard which applied at any time in the previous financial year;

- (e) a summary of its assessment of its progress towards meeting any best value performance standard which has been specified but which does not yet apply;
- (f) a summary of its assessment of its progress towards meeting any best value performance target;
- (g) a summary of any plan of action to be taken in the financial year to which the plan relates for the purposes of meeting a best value performance target;
- (h) a summary of the basis on which any best value performance target was set, and any plan of action was determined, in relation to a function reviewed under section 5 of the Act and articles 5 and 6 of this Order, in the previous financial year.

Preparation of best value reviews—Period of reviews

5.—(1) Best value authorities other than fire authorities must conduct the first best value review of all their functions by 31st March 2005.

(2) Fire authorities must conduct the first best value review of—

- (a) their communication and control functions by 31st March 2001;
- (b) their procurement functions by 31st March 2002;
- (c) their training functions by 31st March 2003;
- (d) all their other functions by 31st March 2005.

(3) Best value authorities must conduct a further best value review of all their functions by 31st March 2010 and thereafter by the end of each successive period of five years (ending on 31st March 2015, 31st March 2020 and so on).

(4) In this article—

“fire authority” means—

- (a) a fire authority constituted by a combination scheme;
- (b) a metropolitan county fire and civil defence authority;
- (c) the London Fire and Emergency Planning Authority;
- (d) a county council acting as the fire authority for its area under the provisions of section 4 of the Fire Services Act 1947⁽³⁾.

“procurement functions” means the securing by fire authorities of such equipment as may be necessary to meet efficiently all normal requirements for the discharge of their duties, as set out in section 1 of the Fire Services Act 1947;

“communication and control functions” means securing efficient arrangements for dealing with calls for the assistance of the fire brigade and for summoning members of the fire brigade, as mentioned in section 1(1)(c) of the Fire Services Act 1947;

“training functions” means securing the efficient training of members of the fire brigade as mentioned in section 1(1)(b) of the Fire Services Act 1947.

Content of best value reviews

6.—(1) In conducting a best value review, a best value authority shall:—

- (a) consider whether it should be exercising the function;
- (b) consider the level at which, and the way in which, it should be exercising the function;
- (c) consider its objectives in relation to the exercise of the function;

(3) 1947, 10 & 11 Geo 6 c. 41.

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- (d) assess its performance in exercising the function by reference to any best value performance indicator specified for the function;
- (e) assess the competitiveness of its performance in exercising the function by reference to the exercise of the same function, or similar functions, by other best value authorities and by commercial and other businesses, including organisations in the voluntary sector;
- (f) consult other best value authorities, commercial and other businesses, including organisations in the voluntary sector, about the exercise of the function;
- (g) assess its success in meeting any best value performance standard which applies in relation to the function;
- (h) assess its progress towards meeting any relevant best value performance standard which has been specified but which does not yet apply;
- (i) assess its progress towards meeting any relevant best value performance target.

Signed by authority of the Secretary of State

Hilary Armstrong
Minister of State,
Department of the Environment, Transport and
the Regions

7th December 1999

SCHEDULE 1

Articles 1(2) and 2(f)

RELEVANT AUDIT COMMISSION PERFORMANCE INDICATORS PUBLISHED IN “THE PUBLICATION OF INFORMATION DIRECTION” (“THE DIRECTION”) SETTING OUT PERFORMANCE INDICATORS FOR THE FINANCIAL YEAR 1999/2000

PART I—SECTION A—DEALING WITH THE PUBLIC:

1. Indicators 1a, 1b, 3, 4 and 5 (defined in Part II, section A of the Direction).

PART I—SECTION B—PROVIDING HOUSING ACCOMMODATION

- (a) (a) Indicator 3 under the heading “Allocating and letting housing” (defined in Part II, section B of the Direction);
- (b) Indicator 5 under the heading “Repairing council homes” (defined in Part II, section B of the Direction);
- (c) Indicator 7 under the heading “Collecting rent” (defined in Part II, section B of the Direction);
- (d) Indicator 11 under the heading “Rents and costs” (defined in Part II, section B of the Direction).

PART I—SECTION C—HOUSING THE HOMELESS

3. Indicator 3 under the heading “Assessing homeless people” (defined in Part II, section C of the Direction).

PART I—SECTION D—REFUSE COLLECTION

- (a) (a) Indicator 2a under the heading “Reliability” (defined in Part II, section D of the Direction);
- (b) Indicators 3 and 4 under the heading “Waste recycling and reduction” (defined in Part II, section D of the Direction);
- (c) Indicator 5 under the heading “Costs” (defined in Part II, section D of the Direction).

PART I—SECTION E—WASTE DISPOSAL

- (a) (a) Indicators 1 and 2 under the heading “Waste recycling and reduction” (defined in Part II, section E of the Direction);
- (b) Indicator 3 under the heading “Costs” (defined in Part II, section E of the Direction).

PART I—SECTION F—PLANNING AND LAND SEARCHES

- (a) (a) Indicator 1 under the heading “Dealing with planning applications” (defined in Part II, section F of the Direction);
- (b) Indicator 4 under the heading “Establishing local and unitary plans” (defined in Part II, section F of the Direction);
- (c) Indicator 5 under the heading “Planning costs” (defined in Part II, section F of the Direction).

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PART I—SECTION G—PAYING HOUSING BENEFIT AND COUNCIL TAX BENEFIT

- (a) (a) Indicators 1 to 4 under the heading “Time taken to deal with benefit applications” (defined in Part II, section G of the Direction);
- (b) Indicator 5b under the heading “Costs” (defined in Part II, section G of the Direction);
- (c) Indicator 6b under the heading “Costs” (defined in Part II, section G of the Direction);
- (d) Indicator 7 under the heading “Claimants satisfaction” (defined in Part II, section G of the Direction).

PART I—SECTION H—COLLECTING LOCAL TAXES:

8. Indicators 1 and 2 under the heading “Collecting taxes” (defined in Part II, section H of the Direction).

PART I—SECTION J—LOOKING AFTER THE LOCAL ENVIRONMENT

9. Indicator 3 under the heading “Keeping land and highways clear of litter and refuse” (defined in Part II, section J of the Direction).

PART I—SECTION K—PROVIDING EDUCATIONAL SERVICE

- (a) (a) Indicators 1 to 6 under the heading “Exclusions & absences” (defined in Part II, section K of the Direction);
- (b) Indicator 8 under the heading “Educational achievement” (defined in Part II, section K of the Direction);
- (c) Indicator 12 under the heading “Children with special needs” (defined in Part II, section K of the Direction);
- (d) Indicators 14 and 17 under the heading “Adult Education” (defined in Part II, section K of the Direction).

PART I—SECTION L—PROVIDING SOCIAL SERVICES

- (a) (a) Indicators 1 and 3 under the heading “Helping people to live at home” (defined in Part II, section L of the Direction);
- (b) Indicator 8 under the heading “Identifying needs and arranging services” (defined in Part II, section L of the Direction);
- (c) Indicator 10(c) under the heading “Looking after Children” (defined in Part II, section L of the Direction).

PART I—SECTION M—PROVIDING A PUBLIC LIBRARY SERVICE

- (a) (a) Indicator 2 under the heading “Use of libraries” (defined in Part II, section M of the Direction);
- (b) Indicator 5a under the heading “Satisfaction” (defined in Part II, section M of the Direction).

PART I—SECTION N—PROVIDING POLICE SERVICES

- (a) (a) Indicator 1 under the heading “Answering 999 calls” (defined in Part II, section N of the Direction);

- (b) Indicator 2 under the heading “Incidents requiring immediate response” (defined in Part II, section N of the Direction);
- (c) Indicators 3a and 3b under the heading “Detecting crime” (defined in Part II, section N of the Direction);
- (d) Indicator 5b under the heading “Handling complaints” (defined in Part II, section N of the Direction);
- (e) Indicator 8 under the heading “Public satisfaction with policing” (defined in Part II, section N of the Direction);
- (f) Indicator 9 under the heading “Costs” (defined in Part II, section N of the Direction).

PART I—SECTION O—PROVIDING FIRE SERVICES

14. Indicators 1 to 5 under the heading “Providing fire services” (defined in Part II, section O of the Direction).

PART I—SECTION P—MAINTAINING HIGHWAYS AND STREETLIGHTS

- (a) (a) Indicators 1 to 4 under the heading “Maintaining roads, pavements and streetlights” (defined in Part II, section P of the Direction);
- (b) Indicator 7 under the heading “Public transport” (defined in Part II, section P of the Direction).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order specifies the elements which best value authorities must include in their performance plans and reviews prepared pursuant to the provisions of sections 5 and 6 of Part I of the Local Government Act 1999 (Best Value).

Article 3 of the Order specifies the matters that best value authorities need to include in both their first performance plan for the financial year 2000 and every performance plan in subsequent years, with the exclusion of the requirements specified in sub-paragraphs (f) and (g) of this article, which will only apply in respect of the first performance plan.

Sub-paragraphs (f) and (g) of article 3 require best value authorities to provide, in the performance plan for the first year, a performance assessment and a comparison of that performance with other best value authorities by reference to certain Audit Commission indicators specified in Schedule 1 to the Order.

Article 4 of the Order specifies additional elements to those in article 3, which best value authorities need to include in their plans for the financial year 2001 and subsequent years. Article 4 includes several new requirements for best value authorities to summarise and compare various elements by reference to their performance in previous financial years or the performance of other best value authorities.

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Article 5 of the Order specifies the dates for the preparation of best value reviews by best value authorities. Article 5(2) includes a separate requirement for fire authorities to conduct the first review of some of their functions by certain dates.

Article 6 of the Order sets out the elements that authorities need to incorporate into their reviews.

The Order extends to all best value authorities in England and to police authorities and fire authorities in Wales.

The Publication of Information Direction 1998, mentioned in article 1(2) of this Order, is available free of charge from the Performance Information Team, Audit Commission, 1 Vincent Square, London SW1P 2PN.