



Runnymede Borough Council

*Peer Challenge of the CPA Corporate
Self-Assessment*

July 2003

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1. Background

1.1 In October 2002 the Audit Commission published its proposals on the methodology to be adopted for carrying out comprehensive performance assessments (CPA) for district councils which was piloted in ten "pathfinder" authorities. It was subsequently decided to carry out a second piloting stage, this time for the district councils in one county. A number of amendments were to the draft methodology in the light of this piloting, but now that it has been finalised one of the central elements remains a self-assessment to be challenged by peers.

1.2 The Audit Commission's intended aims of peer challenge are to:

- Provide an objective, robust and managed external challenge to the self assessment;
- Encourage thinking about strengths and areas for improvement;
- Contribute to producing a strong and forward looking improvement plan.

A number of different approaches and organisations, including SOLACE Enterprises, have been accredited by the Audit Commission to provide the requisite peer challenge.

1.3 The SOLACE model involves a chief executive and leading council member working with a facilitator for three days plus a follow up "Challenge Event" the following week. This model has been specifically designed for providing peer challenge rather than being an adaptation of an existing model and meets the Audit Commission's requirements for peer challenge:

- Using credible peers who understand the working of a district council;
- Peers must be independent from the council;
- The peer team must be communicated to and acceptable to the council;
- The peer challenge must cover the four top level corporate assessment questions;
- The peer team must provide written and verbal feedback to the council.

1.4 The SOLACE model sets out to test the robustness of three different aspects of the self-assessment carried out by the local authority, namely:

- The scope and rigour of the **process** adopted by the authority for producing its self-assessment (e.g. the extent of stakeholder involvement, the breadth and depth of information gathered, etc.);
- The range and honesty of the **content** of the self-assessment (e.g. is it comprehensive and does it appear a balanced document, addressing areas for improvement as well as successes?);
- The Council's **capacity to deliver** on the conclusions and address the areas of risk set out in the self assessment (e.g. looking at what progress has already been achieved in the areas where the need for action has been identified, the likelihood of progress being maintained, ownership of the assessment by the council's leadership, the resources likely to be available, etc.).

1.5 The purpose of the SOLACE Enterprises' model of Peer Challenge is to help the local authority to ensure that the final version of its self-assessment is as accurate a reflection of its current performance, achievements and future capacity as it possibly can be.

As well as being designed specifically to provide peer challenge for CPA self assessment there are some other distinctive features of the SOLACE model including:


- The emphasis placed on establishing a dialogue with Runnymede;
- The understanding that Peer Challenge is not part of the inspection
- The emphasis placed on the flexibility of the challenge process, focusing on the specific circumstances of and issues facing a council.

2. *The Runnymede peer challenge process*

2.1 The peer challenge of Runnymede Council's self-assessment began during the week commencing 22nd July 2003 when a provisional timetable of activities was drawn up and background documentation circulated to the challenge team.

2.2 The challenge team was also briefed for the process. The team was:

- Gillian Dent, SOLACE Facilitator
- Mike Turvey, Chief Executive, Christchurch Borough Council
- Kevin Reynolds, Huntingdonshire District Council



2.3 On the evening prior to the three-day visit the team met to prepare for the challenge process. In that preparatory meeting the team:

- Reviewed the Audit Commission's proposed methodology for CPA for district councils and the SOLACE model for challenging the self assessment element of that process.
- Reviewed the background information provided by the authority, including the self-assessment, the related evidence and the additional documentation requested by the SOLACE Facilitator
- Agreed lines of enquiry to be pursued during the visit and additional activities and documentation that was needed to gather information on these
- In the light of that agreement, reviewed and agreed adjustments to the provisional timetable of activities.
- Agreed a *modus operandi* for the process (e.g. team roles and responsibilities)


2.4 The lines of enquiry identified by the team were:


- Aspects of service provision
- Financial Sustainability
- Prioritisation
- Capacity

2.5 The team examined the top level questions and the ten key themes for CPA, but gave particular attention to the issues that appeared from the documentation to warrant particular focus. It was recognised by the team that three people working on site for three days could not look at absolutely everything in the same level of detail and that the process needed to be bounded in some way.

2.6 The various methods that the team used to gather information included:

- Face to face and telephone interviews with a cross section of stakeholders from inside and outside the authority (e.g. Leader of the Council, the Chief Executive, Senior Operational Managers and Directors and elected members, Chief Executive, Surrey County Council, Chief Executive, Spelthorne Borough Council, Director of GOSE, Chairman of the Association for Volunteers and the Managing Director of the Company involved in the Urban Renewal Partnership in Chertsey, Chief Constable, Surrey Police).
- Small group discussions (e.g. members, staff and partners)

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- Facilitating a specially convened meeting of Policy (Service Committee Chairs and three Members of the Review Board from different parties to discuss the performance of Runnymede, the self-assessment and the effectiveness of scrutiny
 - A "table dialogue" session involving group discussions with a diagonal slice of staff from the authority including frontline staff.
 - Attending various meetings and events (e.g. Departmental Management Team, Housing Committee.).
 - An E-mail asking for comments sent out via Runnymede's intranet to all staff and all elected members which elicited a number of responses.
 - A tour of the area to familiarise the team with Runnymede.

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- 2.7 Throughout the process the team reflected back to Runnymede what they thought they were seeing and learning which provided the authority with an opportunity to steer the team to look at additional information if they thought that they had not been given quite the right message. It was also intended that this dialogue would help to generate an ownership of our feedback because nothing would come as a surprise.
- 2.8 A week after the three-day visit the team returned to the authority to feedback the results of the information gathering process in a more structured way at a "challenge event". Approximately 40 Members, officers, partners and front line staff who had been involved during the process, attended this event.
- 2.9 Although the presentation made by the team was robust and evidenced, the aim was to make this Challenge Event as informal and as non-adversarial as possible. The Challenge Event was an important additional means of evidence gathering.
- 2.10 The results of the process outlined above, including the challenge event, are set out in the remainder of this report which is structured as follows:
- Section Three: Feedback on the top level question **What is the Council seeking to achieve?** and the three themes that fall under this question namely:
 - *Ambition*
 - *Focus*
 - *Prioritisation*
 - Section Four: Feedback on the top level question **How has the Council set about delivering its priorities?** and the two themes that fall under this question namely:
 - *Capacity*
 - *Performance management*
 - Section Five: Feedback on the top level question **What has the Council achieved/not achieved to date?** and the two themes that fall under this question, namely:
 - *Achievement in service quality*
 - *Achievement of improvement*
 - *Investment*

- Section Six: Feedback on the top level question **What does the Council plan to do next?** and the two themes that fall under this question, namely:
 - *Learning*
 - *Future plans*
- Section Seven: feedback on the three different elements for self assessment i.e.:
 - *The **process** by which it was produced*
 - *Its overall **content***
 - *Its **deliverability***
- Section Eight: Runnymede's response
- Conclusion

In making its comments the team sought to add value by concentrating on those areas where, as peers, they were able to identify issues that had not been fed back to the authority by other commentators, or where it came to a different view on an issue that had already been discussed. While the team took care to note areas of strengths as well as areas for improvement, since the main aim of the challenge process was to stimulate improvement, comparatively more attention has been given in this report to explaining and evidencing the areas on which the team believes Runnymede should focus its attention.

3. What is the Council seeking to achieve?

Theme One: Ambition

Strengths:

- 3.1 You have defined your ambitions for improving quality of life for the area in all key documentation with clearly identified outcomes; this is particularly evident in the Leader's Position Statement.
- 3.2 Partnership working for delivering ambitions is well developed and robust. Examples of delivering services through partnership include the Chertsey Town Centre Revitalisation, the development of key worker accommodation for nursing staff in Sandgates and Safer Runnymede with Surrey Police.
- 3.3 Following the floods in 2001 you have worked in partnership with partners, residents and the Environment Agency to ensure a more proactive response. This was tested earlier this year and your response to the floods was viewed positively. You continue to work in partnership to understand the cause of the floods to minimise similar incidents in the future.

- 3.4 Strong leadership from both the Leader and the Chief Executive was recognised by partners and staff and considered to be influential in fulfilling ambitions for the area.
- 3.5 You have two clear objectives which are promoted in all council material and have been for some years, i.e. promoting quality of life and ensuring the maintenance of a relatively low council tax compared with other Surrey authorities. There is an agreed common purpose amongst staff, Members and partners around the two key Council objectives. They were clearly stated time and time again in interviews and workshops.

Areas for discussion:

- 3.6 There has been consultation with the public on key priorities which emerged in a variety of documents as 9 key themes, it was not evident how the views of all stakeholders involved had been coordinated to arrive at the two key objectives. You may wish to coordinate and demonstrate this more clearly in your self assessment.
- 3.7 The nine key themes outlined in different documents including the Community Strategy, the Best Value Performance Plan and the CPA self-assessment had derived from a key visioning event and a broad range of other consultative mechanisms. However it was not clear from any of the documentation, in particular the self-assessment, or through interviews and workshops with staff and partners, what your ambitions are around those key themes.
- 3.8 You have worked well in partnership with others, however are you confident that you can maintain key partnerships in order to deliver ambitions particularly with the County and with transport partners?

Theme Two: Focus

Strengths:

- 3.9 You have demonstrated your ability to keep focussed on priorities over long periods of time with partners, staff and members. Examples of focussed working towards ambitions are evident in longer term projects such as the Chertsey revitalisation project and others where the long term benefits have outweighed short term criticism.
- 3.10 Priorities are discussed at different meetings, slots are evident on agendas for progress reporting for both officers and members.
- 3.11 Performance information on priority areas is discussed at key meetings and is used to enable members and officers to focus on key areas for improvement e.g. the top 10 priority indicators which are discussed at Corporate Management Committee demonstrate focus on areas where action to improve is required.
- 3.12 Priority indicators have been identified and progress is regularly reported.

Areas for discussion:

- 3.13 How do you intend to pursue the priorities identified through the nine themes? There are some plans evident in different documentation, including Leader's Position Statement, BVPP, Community Strategy, as to how they will be pursued



but this is currently patchy and not coordinated. You may wish to reflect this more clearly in the self assessment.

- 3.14 How will the work of the project groups from the LSP have progressed by the time of the inspection? How will you ensure that this is as inclusive as possible, to incorporate views from other stakeholders?
- 3.15 In some authorities they identify a "champion" for key themes, whilst it is acknowledged that this model tends to be consistent with an executive structure and you have alternative arrangements. You have done this successfully in the past for young people, is this something you could extend or clarify for the inspection? You would need to ensure that "champions" had clear roles and remit.
- 3.16 It is acknowledged that some themes are picked up in the Leader's statement through committee chairs, however could they be more clearly defined?

Theme Three: Prioritisation

Strengths:

- 3.17 You have two clearly identifiable priorities which are owned and known by all, this drives much of the debate and decision making in your authority.
- 3.18 You demonstrate balance between local and national priorities. By shifting resources to areas which have been performing less well e.g. in planning and recycling, you have ensured that challenging targets were set and have to date been met.
- 3.19 You have made use of external grants and funding in order to meet priorities e.g. part of the funds to increase recycling rates was obtained from DEFRA and landfill tax credits.
- 3.20 In order to help prioritise further, a key visioning event was held to help develop the community strategy, with members of the public this confirmed that the two key objectives for the council were the right ones and also reaffirmed priorities around the nine key themes.

Areas for discussion:


- 3.21 Whilst the nine key themes are evident in all key documentation, it is less clear how well understood they are across the council and how they will influence operations for the future.
- 3.22 Are you satisfied that you have consulted sufficiently widely on your priorities?
- 3.23 It is currently not clear what are not your priorities. There is a statement in the self assessment about leisure being an area of high spend and operating with a deficit, however this is not explained sufficiently in the document, in spite of your business planning in this area.
- 3.24 Through interviews and workshops there was a general agreement that the council could improve communications with the outside world, particularly around your priorities. How will you ensure that your developing communications strategy will address this concern?
- 3.25 Can you show how the core values stated in your self assessment have guided the prioritisation of resources and development of local capacity?
- 3.26 Can you demonstrate how your expenditure on discretionary services reflects local need both now and in the future?

4. How has the council set about delivering its priorities?

Theme Four: Capacity

Strengths:

- 4.1 You demonstrate leadership through your charring of the Local Strategic Partnership (LSP) and have established a number of project groups working on the nine themes identified in the self assessment. Members are also active in other groups around the Region.

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- 4.2 Examples were given by your partners of effective working leading to improved outcomes, one example was the development of a Council for Voluntary Services in Runnymede which has enhanced the coordination of those services. Other examples included working with the Police on Community Safety, working with the private sector on revitalisation schemes and also working with the County on emergency planning for floods.
- 4.3 In spite of the relatively low levels of deprivation, you have a successful history of seeking investment from external sources, there has been up to £180m invested in the area over the past five to ten years this has included substantial investment from external sources.
- 4.4 You have an active land and property management portfolio which was intended to complement strategic policies and has been managed well in terms of progressing developments and revitalisation schemes, through the release of capital and revenue funding through sales and rents.
- 4.5 You are in the process of an ambitious project around IT and workflow which will change the way in which you provide services. This is linked to your proposed move to new offices.
- 4.6 You have a sound approach to financial management with a five year forecast in place. The Council is debt free, has managed healthy reserves and is financially sound. You have to date planned well and made good use of investments.
- 4.7 You have high levels of confidence amongst members, staff and partners of your capacity to deliver improvements.
- 4.8 You have achieved Level 1 of the equality standard and have plans in place to develop further.

Staff

- 4.9 Meetings observed were effective, demonstrating, mutual respect between officers and members with evident clarity between the respective roles.
- 4.10 Development opportunities through the training and development budget are available on request for staff. You have also been active in developing training for your staff.
- 4.11 You have a personal development programme for your staff, plus you have identified the area of recruitment and retention as being important.
- 4.12 You are currently developing your equalities agenda.
- 4.13 Sickness absence compares well with the national average.

Members

- 4.14 Whilst on site we observed a number of meetings and interactions between officers and between both members and officers. There is a high level of respect and appreciation of one another's role. Stakeholders both internal and external to the organisation observed the roles of both officers and members, as facilitating improvement and progress.
- 4.15 Partners interviewed through the process praised highly the members and the officers and observed that the structure of the organisation and decision making

processes were not a barrier to progress. A representative from the voluntary sector stated that officers went out of their way to be helpful and were knowledgeable making the interface with your council effective for them.

- 4.16 Partners considered that members were receptive and enthusiastic about new ideas and were keen to make progress, once a project was agreed.
- 4.17 Member training is available on request, it is also a requirement in some areas such as Planning, Standards and Audit and Review Board. Induction is provided for new Councillors and refresher training for existing members is available for areas such as finance and other major service areas. Members also attend training and conferences provided externally.

Human Resources

- 4.18 In your self assessment you identify the age profile of the staff and retention and recruitment as being issues. You have an annual personnel report in place which in part addresses these issues.
- 4.19 You are addressing the issue of the age profile of staff through the introduction of a Graduate Incentive Scheme and the School Leavers scheme. You have also introduced web advertising for jobs, linking to ethnic minority and disability sites.

Areas for discussion:

- 4.20 Your ambitions over the next five years in terms of managing existing services and looking to maximise the benefit of others are likely to throw up new challenges, whilst it is acknowledged that changes in government policy and new initiatives cannot always be envisaged. Do you have a clear strategy in place as to how you might address those challenges?
- 4.21 What are the skills and competencies required to meet those challenges?
- 4.22 Are there gaps in the current organisation and how will you address this in the future through training and development and recruitment and selection?
- 4.23 You have managed to date to address the high levels of turnover experienced a couple of years ago with rates as high as 17% for white collar staff and 65% for casual staff, whilst maintaining service quality, public and customer satisfaction at high levels. Are you confident you have plans to address this in the future?
- 4.24 Have you addressed equalities issues and workforce planning for the future in sufficient detail and reflected this in your self assessment?
- 4.25 Are your members and staff clear about the role and purpose of scrutiny in the organisation? Is the current arrangement for Audit and Standards appropriate?
- 4.26 Is member training as well developed and focused as it could be?
- 4.27 Could you say more in the self assessment about how you intend to address some of the issues you identified around the age profile of staff, recruitment and retention, ethnicity, and gender?
- 4.28 Are your communications both internal and external as effective as they could be to communicate changes and development within the council and outside?
- 4.29 Given that staff talked about increases in workload and the consequent pressures. Do you consider that your current Annual Personnel Report is

sufficiently forward looking, to deal with capacity issues and workforce planning, now and in the future?

Theme Five: Performance management

Strengths:

- 4.30 You have robust mechanisms in place for performance management. Performance information against key performance indicators is reported to members quarterly, with 10 priority indicators that require attention highlighted in more depth reports identifying trends over previous quarters and identifying any areas where corrective action is required
- 4.31 The Leader's position statement is a key document widely known across the organisation and is used a key driver for strategies and plans. Staff recognise the document and identify clearly with their part in delivery.
- 4.32 Staff have clear targets which are set out through annual appraisal interviews and are translated from the various plans and strategies belonging to the organisation.
- 4.33 All departments have service plans which are generally well set out with clear targets, milestones and stated outcomes. The more effective service plans also set out the source document from which the key actions are drawn.
- 4.34 You can in some cases demonstrate value for money achievements in planning and refuse collection, as they are in the top quartile for lowest cost services.

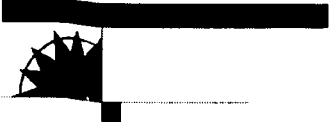
Areas for discussion:

- 4.35 There is limited attention given in the self assessment to developing risk management further across the organisation with both members and staff.
- 4.36 Could you enhance the role of scrutiny to play a stronger role in challenging performance management across the council?
- 4.37 35% of your services fall within the area of discretionary services, as such they are not part of the national performance indicator framework. Are you satisfied that those services are being managed as effectively and efficiently as others? Could you extend your performance management framework to identify more clearly how those services are performing?
- 4.38 Could you eliminate some of the inconsistencies in your service planning by adopting a corporate model possibly based on corporate services and housing?

5. What has the council achieved/not achieved to date?

Theme Six: Achievement in service quality

Strengths:

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- 5.1 You have areas of achievement, which are demonstrable and would be evident to the public, including the revitalisation schemes, the newly developed affordable housing schemes, the School Yellow bus scheme, traffic management measures, Safer Runnymede initiatives, day centres for older people and improvements to leisure facilities.
 - 5.2 You currently have many performance indicators performing within the national upper quartile. Targets are clearly set for those service areas where improvement is required and there is clear evidence of improvement where that level of focus has been applied.
 - 5.3 Levels of customer satisfaction with your council are the second highest in the country and those for individual services such as housing at 90% also perform highly.
 - 5.4 You provide services over and above your statutory requirement, including services for older people through day centres and meals on wheels, home to school transport through the yellow bus scheme, CCTV and other community safety initiatives. This initiative has reduced the fear of crime amongst the people of Runnymede from 41% to 22%.
 - 5.5 Priority areas have been identified and the levels of satisfaction and performance information indicate that high quality services are on offer.

Areas for discussion:

- 5.6 There have been some small dips in satisfaction rating across 5 of the ten key service areas. Are you satisfied that this is not related to any dips in service provision?
- 5.7 The level of discretionary provision is high, although you are undertaking best value reviews in these services, this may be an area you wish to tighten and reflect in the self assessment?
- 5.8 There are some areas where your performance indicators are declining; this is evident in some areas including crime and environmental health. Are you satisfied that you can justify this decline?


Theme Seven: Achievement of improvement

Strengths:

- 5.9 Services that have undergone best value reviews, have been inspected and have all shown prospects for improvement. Progress since the inspection in each of these services is reported regularly to the multidisciplinary Best Value Project Group and related actions feature in service plans. There have also been demonstrable improvements in some of those service areas, linked to performance indicators in recycling and planning.
- 5.10 The auditor's management letters analysed as part of this assessment showed year on year improvements from 1999 against those areas reported for attention in each report. This demonstrates a track record of improvement and openness to external scrutiny.

Areas for discussion:

Runnymede CPA Peer Challenge

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- 5.11 Could you enhance the use of cross cutting reviews to enhance services delivery across key priority areas?
- 5.12 Could you demonstrate more clearly in your self assessment which are areas of concern in service delivery and how are they being tackled?

Theme Eight: Investment

Strengths:

- 5.13 You have building blocks in place for some key service areas such as affordable housing.
- 5.14 Resources have been secured for improvement and are in place in key areas e.g. leisure, housing and recycling.
- 5.15 You have used your Best Value Review process as a way of progressing improvement in some services and good progress is being made on improvement plans.
- 5.16 Training for staff is available on request and you have a healthy training budget in place.
- 5.17 You have invested in some key areas such as community safety with partners to tackle local concerns and issues.
- 5.18 You are in the process of moving to new offices which you say will complement your shift to the more integrated use of IT and workflow.
- 5.19 You have a large grant aid budget which you have used to build capacity in the community through voluntary services and community based provision

Areas for discussion:

- 5.20 Are you clear that you have opened yourselves up as far as possible for external challenge?
- 5.21 Can you be sure that the investments you have made to date in discretionary services are value for money and of a quality you would expect to see in other services?
- 5.22 Will you have clear plans in place for the move to the new offices and how the links to IT and workflow enhancement will be made? Can you be sure that all stakeholders understand the implications of the move and the long term benefits it will bring to both service users and staff? Have you sufficiently identified the inherent risks?
- 5.23 Are your communication systems both internal and external adequate to support your long term ambitions and plans and to ensure buy in and involvement through this period? Will your consultation strategy, currently in development, reflect this when the inspectors arrive?

6. What does the Council plan to do next?

Theme Nine: Learning

Strengths:

- 6.1 You have been successful in many areas and you have capitalised on this and continued to develop successful partnerships.
- 6.2 You are involved in some benchmarking clubs and cross authority groups.
- 6.3 There is an open approach to decision making which gives an opportunity to learn from previous experience.

Areas for discussion:

- 6.4 Staff felt that there was limited learning across the council and limited sharing of information across the council. Whilst this has not had a negative impact on service delivery, this may be something you could improve. Could you demonstrate areas where you have made improvements as a result of sharing information? Are you capitalising on the good work being undertaken across the organisation?
- 6.5 Ensure that your website is up to date, particularly if staff quote the site as being key to learning about what others are doing.
- 6.6 Could you do more to learn from partners and those external to the organisation?

10 Theme Ten: Future plans

Strengths:

- 6.7 Your statutory plans are in place and you have inclusive processes with partners and staff for developing those plans
- 6.8 There are linkages across most plans which are evident particularly in relation to the two key objectives of the council.
- 6.9 Your improvement plan in the self assessment set out some challenging ambitions for the next three years.

Areas for discussion:

- 6.10 You need to be satisfied that you have paid sufficient attention to the nine priority themes and addressed them fully in your future plans
- 6.11 How will you be addressing those plans that are given limited attention in the self assessment i.e. equalities, procurement, inclusion, procurement and risk and HR?
- 6.12 Are you satisfied that the plan in your self assessment accurately reflects, your challenges and issues and addresses them?
- 6.13 Will you be able to demonstrate to inspectors how undertaking those actions will make a difference?

7. Process, content and deliverability

- 7.1 This section of the challenge report sets out the team's findings on the three aspects of the authority's CPA self assessment which the team was charged with assessing namely:
- The **process** by which it was produced
 - Its **content**
 - Its **deliverability**

Process


- 7.2 In drafting your self assessment you have involved members and staff in the process and invited them to comment on the four main questions and have used the responses from this exercise to develop the document.
- 7.3 There was a good level of understanding of CPA and the self assessment document evident with members and staff, there was also an open attitude to the process and a willingness to listen to anything that may help the organisation improve.
- 7.4 Some of the issues highlighted in the self assessment were not clearly identified as priorities and challenges to staff. This may be something that you could work on in preparation for the inspection i.e. getting across the key messages.

Content

- 7.5 The use of hard data to demonstrate progress and also the context of Runnymede is helpful and paints a clear picture. Making clearer links between issues around nine themes, key challenges and targets and progress to date and action would be helpful.
- 7.6 The section on learning included some elements of learning but also some statements of fact which did not sufficiently explain how the council had learnt from its experience. This seems to be a question of reordering.
- 7.7 A number of the points in relation to the content of the draft self assessment have already been raised throughout this document. Mainly they have been about improving linkages throughout the document and highlighting clearly how you will make a difference to the environment of the district.
- 7.8 There is limited reference in the self assessment to the members and the council's role in community leadership. You have made reference to the mechanisms but this is an area you could strengthen.

Deliverability

- 7.9 You are confident in your ability to deliver the challenges set out through the self assessment as you have a track record of delivery in the past. You need to



ensure that you have linked all the elements together sufficiently and can demonstrate clearly what difference your plans will make to key stakeholders and the wider community.

7.10 The challenge is now with you

8. Runnymede's response to the peer challenge

The final comments of the Chief Executive are set out below:-

"We have sought to make the whole CPA process as inclusive and positive for the organisation, particularly in relation to future learning. The Peer Review Team played a most constructive part in this process. They have carefully balanced encouragement and questioning in equal measure.

The Review team have been thorough and sought, in a quite proper fashion, evidence and background material to support our various contentions. We were particularly pleased at the active involvement of Members in ensuring the very most was obtained from the Peer Review.

The comments highlighted in both strengths and areas for discussion, are helpful, and provide a firm base for us to move forward. Our work currently in progress as well as our general approach to the CPA outcomes will ensure we continue to strive for service improvements and quality in service delivery for residents. This Peer Review encourages us to complete the Self Assessment documentation, Improvement Plan and engage members, staff and stakeholders in a coherent and well structured forward plan."



9. Conclusion

You were keen to get the most from the challenge and you showed an interest throughout on the issues we were identified and considering how you might address them. You were open to challenge and took the opportunity in the feedback session to have a full debate on the issues for discussion and both members and officers took the opportunity to explore our reasoning and consider the issues in depth.

Gillian Dent on behalf of SOLACE Enterprises

27/8/03

REPORT TO LEISURE AND ENVIRONMENT
COMMITTEE ON 18 SEPTEMBER 2003

THE NEW LIQUOR LICENSING REGIME (DTS/DAL)

(Ref: Minutes of Corporate Management Committee, January 2003, page 926, para 531, June 2003, page 30, para 56 and Leisure and Environment Committee, June 2003, page 191, para 126).

1. Purpose of Report

- 1.1 To advise Members of the provisions and implications of the Licensing Act 2003 and the Gambling Bill.**
- 1.2 To recommend that a separate Licensing Committee be established.**
- 1.3 To recommend that a programme of statutory consultation be carried out on a draft Statement of Licensing Policy.**
- 1.4 To recommend that a new post of Licensing Officer and a new post of Licensing Clerk be established within the Environmental Protection Division of the Technical Services Department.**

2. Background Information

- 2.1** The Licensing Bill has been the subject of reports to both this Committee and to Corporate Management Committee in June of this year, and a summary was presented to that Committee earlier this month. Royal Assent was obtained on 10 July 2003. Unfortunately, regulations, guidance and prescribed forms are awaited.
- 2.2** The main aim of the Licensing Act (the 'Act') is to modernise the legislation governing the sale and supply of alcohol and control of public entertainment. Responsibility for licensing persons and premises which supply alcohol will transfer from the Magistrates Court and become the sole responsibility of District and Unitary Authorities in England and Wales. These Authorities are currently responsible for Public Entertainment Licences, Cinemas, Theatres and Late Night Refreshment Houses, all of which will also come under the new regime.
- 2.3** The initial implications of the Licensing Bill for staffing resources were mentioned in paragraphs 3.2.1.1 and 5.4.5 of the Annual Report on Personnel for 2002/03 and again in the reports which were presented both to this Committee and Corporate Management Committee in June 2003.
- 2.4** Officers have established an inter-departmental Officer working group to prepare Runnymede for the new regime which has met on two occasions. Officers are also attending the Surrey Countywide Licensing Forum. The object of this is to minimise duplication of effort and resources, to ensure that there is consistency between the policies and procedures of all the Surrey Authorities and to provide other agencies with a single point of contact. The Forum is currently working on a strategy for publicity including the production of leaflets, Member and Officer training and an awareness campaign for licensees, developing technical regulations and liaising with the representatives of the Licensing Justices.
- 2.5** The Act requires that the Council undertakes its various licensing functions in such a way as to promote the following licensing objectives in relation to licensed premises.
- the prevention of crime and disorder
 - public safety
 - the prevention of public nuisance
 - the protection of children from harm

- 2.6 Various new statutory responsibilities, types of licences, and local arrangements have been proposed;
- Premises licences – premises selling liquor, providing regulated entertainment or selling hot food between 11 p.m. and 5 a.m. will require a licence. The application must be accompanied by an operating schedule, detailing the steps the applicant will make to promote the licensing objectives.
 - Personnel licences – a 10 year licence issued by the authority where the applicant is normally resident, allowing holders to sell or serve alcohol for consumption on or off any premises possessing a premises licence.
 - Club premises certificates – these are similar to the Premises Licence but with variations to take account of the fact that the Clubs are not run for commercial gain.
 - Temporary event notices – these would be available for 10 occasions per year, per venue for up to 72 hours and issued to persons not holding a personal licence.
- 2.7 Implementation of the Act will take place in two stages. On the first appointed day, expected to be 1 April 2004, applications can be made and dealt with under transitional arrangements. However, prior to the second appointed day, likely to be 1 January 2005, all licences and certificates issued will be in effect dummy licences lying dormant until simultaneously brought into force. The Licensing Justices will continue to be the Licensing Authority until the second appointed day.
- 2.8 Section 5 of the Act requires a licensing authority to prepare and publish a statement of its Licensing Policy and to review it every three years. Before determining the policy, a statutory range of specified persons or groups must be consulted. Such a policy must be published before the authority carries out any functions in respect of individual applications made under the terms of the 2003 Act. It is imperative that the policy is in place before the first appointed date otherwise the Council will be unable to consider applications made which will then be deemed to be approved or will go to appeal.
- 2.9 Officers have received information from the Clerk to the Licensing Justices concerning the existing number of premises which have liquor licences, but not on the potential number of personal licence holders, as these are not issued under the present regime. Combined with information held by the Environmental Protection Division of Technical Services with regard to food registration, there appears to be approximately 320 premises that will require premises licences under the new Act.
- 2.10 The number of licensed premises in the Borough and applications dealt with by the Magistrates Court for the Borough in the year 2002/03 are as follows:
- 1 Licensed Club
 - 64 Off Licences
 - 106 On Licences
 - 38 Restaurants
 - 1 Beer, Cider and Wine on
 - 1 Residential
 - 83 Occasional Permissions
 - 52 Registered Clubs
- 2.11 The Government has recently published a consultation draft of Part One of a proposed Gambling Bill. Should this be enacted, a Gambling Commission will be established to regulate the operators and personal licensing regimes, but local authorities will license Gambling Premises such as Bookmakers.
3. Report
- 3.1 Statement of Licensing Policy

- 3.1.1 Preliminary consultation with interested parties was undertaken during August and early September and any results will be reported to Members at the meeting.

A draft Policy Framework document is attached at Appendix (not attached). It had been intended to seek Committee approval to this as a basis for formal consultation. Unfortunately, given that Guidance as to consultation has not yet been settled, advice from the Local Authorities Co-ordinating Office on Regulatory Services (LACORS) is that the drafting and consultation on final policy must await the Parliamentary approval of the Guidance. It is still hoped that it will be possible to undertake formal consultation during October and November.

- 3.1.3 The policy will be drawn up with regard to the aforementioned Policy Framework document, together with any relevant material arising from the Surrey Countywide Licensing Forum which has been set up to assist in joint working on this matter.

3.2 Licensing Unit

- 3.2.1 Currently the Environmental Protection Division of the Technical Services Department is responsible for most licensing functions, including the licensing of places of public entertainment, Late Night Refreshment Houses, animal boarding establishments, pet shops, butchers, and taxis. Support is provided by the Legal Section as required. Gaming Machine permits for Fruit Machines in the small number of places without a liquor licence are currently dealt with by the Committee Section in the Department of Administration and Leisure. The Environmental Protection Division is appropriately placed, in view of existing experience in handling public entertainment licensing and its hearings and appeals, to take on, with the support of the Legal Section, the new licensing function. In addition, the licensing process will require close liaison with the Police and Fire Authorities. Established working relationships are already in place between Environmental Protection staff and the relevant authorities, and these ties will be developed to respond to possible implications for pollution control that will arise out of the granting of the new licences.

- 3.2.2 It is not possible at this time to assess definitively the additional workload arising under the new licensing regime but it can confidently be predicted to be significant, and to impact on the Legal and Committee Sections as well. Present Officer resources will be insufficient for the additional workload. The likely resource implications are dealt with in Section 5.

- 3.2.3 The common approach of other Surrey Authorities is to establish a Licensing Unit within Environmental Services and to appoint a Licensing Officer with licensing administration support Officers.

3.3 Licensing Committee

- 3.3.1 It is a requirement of the Act that Licensing authorities establish dedicated Licensing Committees comprising not less than 10 and not more than 15 members with provision for hearings before Sub-Committees of three members. There is provision for delegation to Officers, and attached at Appendix (not attached) following the draft framework, is a list of recommended delegated functions.

- 3.3.2 It is likely that the business of the Sub-Committee(s) will need to be conducted during the working day.

- 3.3.3 Members serving on the new Committee will need to be available to attend training on Licensing Law and the Committee process as it relates to the conduct of hearings. Consideration is being given as to how best training can be provided for both Officers and Members. Members are requested to advise of any preferences they may have.

- 3.3.4 The establishment of the Licensing Committee is now a matter of some urgency so that it can agree and recommend the Licensing Policy to Council. This will involve a detailed report to Corporate Management Committee and ideally this should be to their next meeting so that the matter can be considered and a recommendation on the establishment of the Committee made to Council on 16 October 2003. The process is, however, complicated by the fact that detailed regulations as to proceedings of Licensing

Committees and their Sub- Committees, the validity of proceedings, the quorum for meetings, public access, publicity, agenda and records, and public access to information regarding the Committees are still awaited.

3.4 Gaming Permits

- 3.4.1 One of the consequences of the new Licensing Act is that local authorities will become responsible for issuing gaming permits in all premises. As previously stated, the Committee Section currently issues permits for the small number of non-liquor licensed premises in the Borough. As this is a minor function it is proposed that this is transferred to the enhanced Environmental Protection Division.

3.5 The Gambling Bill

- 3.5.1 Members are advised that the Gambling Bill has implications for local authorities in that, if passed in its present form, it is proposed that the licensing of gambling establishments should pass to local authorities.
- 3.5.2 This would have resource implications for this authority. However, it is likely that the functions and the resource need would fit well with the licensing functions which are the subject of this report and would support further the licensing unit as recommended in this report.

4. Council Policy

- 4.1 A new Licensing policy is to be developed and agreed.
- 4.2 There needs to be a change to the Council's Constitution to accommodate the formation of a new Licensing Committee.

5. Resource Implications

- 5.1 The Act provides for the setting of fees nationally in relation to licence applications on the basis of full cost recovery for the licensing authority. The Council will seek to provide the service on the basis of full cost recovery, as envisaged by the Government. The level of fees has yet to be finalised and the Council will not receive any fee income until the new arrangements become operational. However expenditure is required now in preparation for the start of the new arrangements to cover the set up costs in relation to recruiting additional staff, purchasing and implementing software, data transfer and establishing new administration systems.
- 5.2 The current income stream for public entertainment licences will cease at the second appointed day. In previous years this has been approximately £4,000 a year. These premises will need to obtain a Premises Licence under the new regime. No fee is currently payable for licences issued to community halls and similar premises, and this will continue to be the case. Approximately 40 premises currently hold Public Entertainment Licences. Under the new regime this is set to rise to over 350 premises licences and 700 personal licences.
- 5.3 The estimates of the standard fees initially proposed by the Department of Culture, Media and Sport (DCMS) were:
- Premises Licence - Between £100 - £300
 - Personal Licence - Approximately £30
 - Temporary Event Notice - Approximately £20
 - There will also be provision for an annual fee for on-going enforcement costs, but there has been no official indication of what this might be.
- 5.4 A verbal update on the fees and potential income will be made at the meeting, as firm proposals are currently awaited from the DCMS.

- 5.5 It is estimated that within the Environmental Protection Division of Technical Services an additional full time Licensing Officer, on scale E/G, and an additional full time Licensing Clerk, on scale D/E will be required even after the transitional phase is completed. In order to assist with preparation of the licensing policy, the new posts are required by November 2003.

The cost at the top of the scale including Employers' on costs at 20% is set out below:

Officer Post	2003/04	Full Year
	£	£
Licensing Officer (scale E/G)	11,800	35,500
Plus essential user car allowance	1,000	3,000
Licensing Clerk (scale D/E)	8,800	26,400
Total	21,600	64,900

- 5.6 It may well be that additional manpower will be needed in the first year of operation of the legislation depending upon the number of applications and objections received. It is envisaged that the Head of Environmental Protection will assume the role of lead officer with regard to preparation of reports and committee attendance. There will also be implications for both the Committee and Legal Sections within the Department of Administration and Leisure, in regard to the establishment and servicing of the new Licensing Committee and in the support of enforcement elements of the new regime. However, these would have to be assessed in more detail once the new Regulations and Guidance have been published.
- 5.7 The costs of implementing a new licensing IT system within the existing Environmental Protection software, and other ancillary costs, is estimated to be £10,300 in 2003/04 and £1,800 per annum from 2004/05 onwards.
- 5.8 In addition, there will be costs relating to Consultation, Legal and Committee support, printing and start up costs each in the sum of approximately £5,000 for 2003/04.
- 5.9 There is no budget for the projected costs of £30,900 falling in the current financial year and a supplementary revenue estimate will be required.
- 5.10 There are minimal resource implications with regard to the transfer of gaming machine licences in non-liquor licensed premises. There are considerably more gaming machines in licensed premises, but the additional staffing resources envisaged in this report should be sufficient to accommodate this additional function.
- 5.11 There are 12 known gambling establishments (Bookmakers) which will require premises licences under the new Gambling regime, should the Gambling Bill become enacted. It is envisaged that this work would be carried out without further additional resources being required.
6. Environmental Considerations
- 6.1 The licensing objectives that the Council must promote in carrying out the function (the prevention of crime and disorder, public safety, the prevention of public nuisance, the protection of children from harm) all contribute to the Council's environmental and sustainability objectives.
7. Community Strategy/Human Rights Consideration/Crime and Disorder Considerations/Race Relations/Unison views
- 7.1 Runnymede's Licensing Policy will need to consider human rights, crime and disorder and Race Relations, and appropriate parties will be included as consultees in the formal consultation process.

- 7.2 UNISON is fully supportive of additional staffing resources in order to meet the requirements of the new Licensing Regime. In order for a cohesive Licensing Unit to be formed which is able to deal efficiently and effectively with the additional functions it would be sensible for the additional staff to be located within the Environmental Protection Division. Furthermore, it is suggested that those staff who were transferred to Technical Services Administration be considered for re-location to Environmental Protection in order to strengthen the Licensing Service as a whole.
- 7.3 Once the new Regulations are in place and further staffing implications are clarified UNISON looks forward to discussing the issues with Management to ensure that the new regime is adequately resourced in all affected areas.

OFFICERS' RECOMMENDATION that -

- i) **Corporate Management Committee be requested to recommend the establishment of a new Licensing Officer post on scale E/G at a cost on top of scale of £11,800 in 2003/04, (£35,500 in a full year) and a new Licensing Clerk post on scale D/E at a cost on top of scale of £8,800 in 2003/04, (£26,400 in a full year) both within the Environmental Protection Division of the Technical Services Department;**
- ii) **Corporate Management Committee also be requested to approve a supplementary Revenue Estimate of £30,900 in 2003/04 to cover the part year costs of the two additional posts together with the ancillary costs identified in paragraphs 5.7 and 5.8 of the report;**
- iii) **Corporate Management Committee be asked to consider and report to Council on the changes to the Council's Constitution to accommodate a Licensing Committee; and**
- iv) **the Head of Environmental Protection be authorised to undertake formal consultation on a Licensing Policy within statutory guidelines as soon as practicable.**

(TO RESOLVE)

Background Information

Licensing Act 2003, and draft Guidance

RUNNYMEDE BOROUGH COUNCIL
TECHNICAL SERVICES DEPARTMENT
ENVIRONMENTAL PROTECTION DIVISION

APPENDIX '3'

JOB DESCRIPTION

1. POST DETAILS

<u>Department:</u> Technical Services	<u>Post Title:</u> Senior Licensing Officer
<u>Division:</u> Environmental Protection	<u>Post No.</u>
<u>Section:</u>	<u>Working Hours:</u> 37 hours
<u>Other Details:</u>	<u>Work Base:</u> Addlestone
<u>Prepared by:</u> Dennis Speight	<u>Date:</u> 26 th September 2003

2. ORGANISATIONAL RELATIONSHIPS

<u>Reports to:</u> Head of Environmental Protection	<u>Directly Supervises :</u> Technician (Licensing).
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3. JOB PURPOSE / OBJECTIVES

To provide Senior Licensing Officer support across the range of licensing functions associated with the Environmental Protection Division, primarily relating to the licensing of premises and developing and implementing policies relating to the transfer of liquor licensing to local authorities.

To assume delegated responsibility for such areas of work as are agreed with the Head of Environmental Protection from time to time.

4. MAIN DUTIES OF THE POST

To carry out all work appropriate to the post of a Senior Licensing Officer which is likely to include:-

- 4.1 Inspection of all types of premises and businesses for licensing purposes.
- 4.2 The investigation of all types of complaint relating to licensing.
- 4.3 Writing reports, preparing statements, and the service of informal and formal notices.
- 4.4 Attendance at court and giving evidence at appeals in connection with the enforcement of licensing provisions.
- 4.5 Preparing and presenting reports to the Licensing Committee as necessary.
- 4.6 To ensure effective enforcement of licence provisions and conditions and co-ordinate enforcement in relation to unlicensed premises and events. This will include field-based enforcement where necessary.
- 4.7 Assist in the preparation, development and review of the Council's Licensing Policy.
- 4.8 Undertake other licensing work that may reasonably be required, for example, duties associated with the licensing of hackney carriage and private hire vehicles.
- 4.9 Liaise with the Police and other enforcement agencies to ensure adequate enforcement outside of normal working hours.

- 4.10 Co-operate with the current out of hours response service criteria and any future scheme the Council may adopt.
- 4.11 To maintain the public register of licences as required by the Licensing Act 2003.
- 4.12 Any other duties which may be allocated from time to time which are commensurate with the post holder's qualifications and experience.

Signed and agreed by:

(i) Employee: (ii) Supervising Officer:

Date: Date:

(i) Chief Officer: (ii) Personnel Officer:

Date: Date:

RUNNYMEDE BOROUGH COUNCIL

Environmental Protection Division

Person Specification

Post.....Senior Licensing Officer..... Post No.....

Completed by.Dennis Speight.....Date.26th September 2003.....

A ✓ should be shown against each criterion to indicate whether it will be assessed from the application form (A.F.) or at interview (Int)

Essential	How assessed		Desirable	How assessed	
	A.F	Int		A.F	Int
<u>Education & Training</u>	A.F	Int		A.F	Int
'A' level or equivalent	✓		Degree/degree equivalent Licensing qualification/Health and Safety qualification	✓ ✓	
<u>Experience & Knowledge</u>					
2 years experience in licensing enforcement in a Local Authority/Court environment	✓	✓	Knowledge of local authorities		✓
Knowledge of the Licensing Act 2003/statutory guidance	✓	✓	Attendance at Committee	✓	✓
<u>Personal Qualities/Personality</u>					
Non- smoker at work	✓	✓			
Enthusiastic		✓			
Smart Appearance		✓			
<u>Skills</u>	A.F	Int		A.F	Int
Able to communicate effectively – both written and oral – with members of the public and Councillors.	✓	✓	Experience of Committee report writing and presentation	✓	✓
Computer Literate	✓	✓			
Good presentational skills	✓	✓	Experience of presentation of reports to Committee	✓	✓
<u>Career Objectives</u>					
			Willing to undertake further training/qualifications	✓	✓
<u>Special Requirements</u>					
Car owner/Driver	✓				

Prepared to undertake work outside
normal office hours at short notice

✓

✓

TECHNICAL SERVICES DEPARTMENT
ENVIRONMENTAL PROTECTION DIVISION

JOB DESCRIPTION

1. POST DETAILS

<u>Department:</u> Technical Services	<u>Post Title:</u> Administrator (licensing)
<u>Division:</u> Environmental Protection	<u>Post No.</u>
<u>Section:</u>	<u>Working Hours:</u> 37 hours
<u>Other Details:</u>	<u>Work Base:</u> Addlestone
<u>Prepared by:</u> Dennis Speight	<u>Date:</u> 26 th September 2003

2. ORGANISATIONAL RELATIONSHIPS

Reports to: Head of Environmental Protection Directly Supervises :

3. JOB PURPOSE / OBJECTIVES

To provide comprehensive clerical, typing, data processing and word processor support to the Environmental Protection Division, Technical Services Dept, in particular with regard to licensing.

4. MAIN DUTIES OF THE POST

- 4.1 General clerical, filing, and typing. Data processing and word processing.
- 4.2 Dealing with telephone calls and the general public at the Division's enquiry desk.
- 4.3 Assisting in dealing with land search enquiries.
- 4.4 To provide support for other similar posts during times of annual leave or sickness.
- 4.5 Process CDSC returns.
- 4.6 To co-operate with other Administrators to ensure an equal distribution of work.
- 4.7 Maintenance of administrative records and documentation, and implementation of clerical procedures associated with Licensing (including Liquor, Public Entertainment and Hackney Carriage/Private Hire).
- 4.8 Carry out duties associated with Wintime
- 4.9 Any other duties and responsibilities which may be allocated from time to time as necessary.

Signed and agreed by:

(i) Employee: (ii) Supervising Officer:
Date: Date:

(i) Chief Officer: (ii) Personnel Officer:
Date: Date:

RUNNYMEDE BOROUGH COUNCIL

Environmental Protection Division

Person Specification

Post.....Administrator (Licensing)..... Post No.....

Completed by.Dennis Speight.....Date.26th September 2003.....

A ✓ should be shown against each criterion to indicate whether it will be assessed from the application form (A.F.) or at interview (Int)

Essential	How assessed		Desirable	How assessed	
	A.F	Int		A.F	Int
<u>Education & Training</u> Good general education. GCSE or equivalent level English and Maths.	✓ ✓		GCSE x 5 A-C or equivalent.	✓	
<u>Experience & Knowledge</u> General office experience. Handling telephone. Admin and office procedures	✓ ✓ ✓	✓ ✓ ✓	Local Government experience. Experience dealing with the public. Knowledge of maps and local area.	✓ ✓ ✓	✓ ✓ ✓
<u>Personal Qualities/Personality</u> Non- smoker at work Enthusiastic Smart Appearance Accurate. Adaptable. Ability to work in a team. Methodical. Polite. Articulate.	✓	✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓			
<u>Skills</u> IT literate. Ability to communicate clearly. Ability to listen. Literacy. Confidence.	✓ ✓	✓ ✓ ✓ ✓ ✓			
<u>Career Objectives</u> Acceptance of few opportunities to progress higher.	✓		Keen to undertake training and self-development.	✓	✓

Desire to work within Local Government.	✓				
<u>Special Requirements</u>					
Good general health.	✓				
Non-smoker at work.	✓				

This form of delegations is without prejudice to Officers referring an application to a Sub-Committee, or a Sub-Committee to Full Committee, if considered appropriate in the circumstances of any particular case.

TABLE OF DELEGATIONS OF LICENSING FUNCTIONS

MATTER TO BE DEALT WITH	FULL COMMITTEE	SUB-COMMITTEE	OFFICERS
Application for personal licence		If a representation made	If no representation made
Application for personal licence with unspent convictions		All cases	
Application for premises licence/club premises Certificate		If a representation made	If no representation made
Application for provisional statement		If a representation made	If no representation made
Application to vary premises licence/club registration Certificate		If a representation made	If no representation made
Application to vary designated personal licence holder	If a police representation		All other cases
Request to be removed as designated personal licence holder			All cases
Application for transfer of premises licence	If a police representation		All other cases
Application for Interim Authorities	If a police representation		All other cases
Application to review premises licence/club premises Registration	All cases		
Decision on whether a complaint is irrelevant, frivolous, vexatious, etc			All cases
Decision to object when local authority is a consultee and not the lead authority			All cases
Determination of a police representation to a temporary event notices		All cases	