



	Cabinet Report
Date:	30 th August 2007
Subject:	End-to-End review of Licensing (WorkSmart) and transfer of Licensing Service to Community Protection

1. Summary

- 1.1 In September 2003 the licensing service was transferred from the then Planning and Transportation Department to the Legal and Administrative Services Department. This was agreed in the run-up to the transition to the new regime under the Licensing Act 2003, which was a critical period for the licensing service, in order to optimise the opportunities for joint working between the licensing staff, lawyers and other staff engaged on licensing, as well as to provide additional management support which could, at the time, more readily and cost effectively be provided from within the Legal and Administrative Services Department.
- 1.2 Given the circumstances described in paragraph 1.4 of the main report under Background Information, the transition under the Licensing Act 2003 having been successfully completed, and the bulk of the appeals arising from transition having been successfully disposed of, the time is now right to review how the licensing service is provided in order to ensure that it is provided in the most cost effective and efficient way. For this reason an end-to-end review (i.e. from application right through to enforcement) of the licensing service has been identified as one of the key WorkSmart projects within the City Council's WorkSmart Programme.
- 1.3 The work undertaken on the review to date suggests that efficiencies and improvements to service delivery can be effected if certain aspects of the roles undertaken by the licensing service on the one hand, and the consultation team within Community Protection on the other, are brought together and on line applications and consultation processes can be facilitated by investment in appropriate technology. As part of the implementation, further work needs to be done to redesign the processes and to firm up roles, in order to remove duplication of activity and streamline processes to achieve maximum efficiency; an early transfer of the licensing service to the Community Protection Department will help to facilitate this work. In addition, the merger will facilitate the streamlining of existing management structures with the workloads undertaken being absorbed by other posts within the combined service. Legal and committee services support will of course continue to be provided from the Legal and Administrative Services Department, including in particular legal advice on licensing policy and licensing appeals.

- 1.4 The transfer of the service will also facilitate a single point of accountability to the Cabinet Member, under one Chief Officer, for the entire end-to-end licensing service. It will also bring responsibility for the financial accounting for the whole service within one Department, rather than being split between two Departments, as is presently the case.
- 1.5 The opportunity has also been taken to review the frequency of licensing inspections and notice checks, by reducing the high and medium risk inspections to 12 and 18 months respectively.
- 1.6 Going forward Westminster City Council will continually strive to look at innovative ways to improve the overall service delivery, which may require further changes to the organisation and business operation.
- 1.7 The review has identified potential net savings of £868k in a full year. £746k in from harmonising the City Council functions as outlined above and a further potential saving of some £122k in the Vertex contract subject to conclusion of ongoing negotiations. These savings deliver existing business plan commitments of £577k and the excess savings of £291k have been identified as additional savings in this year's Star Chamber process.

2. Recommendations

- 2.1 That the posts shown in Appendix 2 be transferred from the Legal and Administrative Services Department to the Community Protection Department with effect from 3rd September 2007.
- 2.2 That the posts shown in Appendix 3 be deleted from the establishment.
- 2.3 That the posts shown as to be deleted in Appendix 4 be deleted from the establishment on a date or dates to be agreed by the Director of Community Protection and the Head of Human Resources and the structure and new posts shown in Appendices 4 and 5(C) be approved at grades to be agreed with the Head of Human Resources.
- 2.4 That the changes to the inspection programme for high and medium risk premises and the reduction in notice check visits be implemented from 3rd September 2007.
- 2.5 That post number P1064 be transferred from the Central Services Finance team to the Finance team within Common and Shared Services (Built Environment) with effect from 3rd September 2007.
- 2.6 That all appropriate budget transfers be effected as determined by the Director of Finance and Resources.
- 2.7 That the funding required for capital expenditure of £231k identified in paragraph 2.8 of the main report under Financial Implications is included in this year's Capital Programme as a priority scheme.

- 2.8 That the one off revenue cost of some £350k, for undertaking the review and implementing its findings (including any potential redundancy costs), is funded from the Transformation Reserve.
- 2.9 That it is noted the Elton Savings targets have been removed from the plans as a result of a supplementary estimate of £1.25m being approved for the current year in May 2007, and the inclusion of a growth bid for £1.25m from 2008/09 in the forthcoming Business Plan process for the new year.
- 2.10 That it is noted that the savings exceed the existing business plan commitments of £577k by £291k, but fall short by some £80k from this year's Star Chamber proposals. This shortfall will be addressed during the implementation of the Review's findings by the end of the financial year.
- 2.11 That (subject where necessary to confirmation by Licensing Committee) the Schedule of Delegations to Chief Officers be amended to transfer all relevant Licensing delegations to the Director of Community Protection with effect from 3rd September 2007.
- 2.10 That posts in the new structure are filled in line with standard Council policies, but that in the event that it should not be possible to redeploy any member of staff affected by the changes it be agreed that they be declared redundant with effect from dates to be agreed between the Deputy Chief Executive, Director of Community Protection and the Head of Human Resources, and paid benefits in accordance with the Council's Discretionary Compensation Policy applicable at the effective date of redundancy.
- 2.11 That a full review of the Street Licensing function is completed as part of the implementation phase by October 2008.



City of Westminster

Cabinet Report

Date:	30th August 2007
Classification:	For General Release
Title of Report:	End-to-End review of Licensing (WorkSmart) and transfer of Licensing Service to Community Protection
Report of:	Deputy Chief Executive, Built Environment Director of Legal & Administrative Services Director of Community Protection
Wards involved:	All
Policy context:	WorkSmart
Financial summary:	<p>The transfer of the licensing service to the Community Protection Department will facilitate the merger of the Licensing Team with the Consultation Team currently within the Community Protection Department, thus enabling the combination of roles, removal of duplication, and streamlining of procedures. It is envisaged that this will help to generate the savings required to meet the remainder of the Business Plan savings included in the budget for the end-to-end licensing review, for 2007/08, as well as contributing to the shortfall between licensing income and expenditure as referred to above.</p> <p>The proposals in the report will result in savings of £746k before any Vertex savings (potentially £122k) and one-off implementation costs. The total potential savings of £868 exceed the existing business plan target of £577k by £291k.</p>

Report Author:

Colin Wilson, Director of Legal and Administrative Services

Contact details

Telephone 020 7641 2710
e-mail: cwilson@westminster.gov.uk

1. Background Information

- 1.1 The licensing service is responsible for carrying out the City Council's statutory licensing functions which cover alcohol and entertainment licensing, street trading, sex premises licensing and general licensing including massage and special treatment premises. The service is also in the process of assuming licensing responsibilities under the Gambling Act 2005. However, consultation and enforcement functions are currently undertaken within the Community Protection Department. Telephony and certain "front office" licence processing functions have, since February 2003, been undertaken by Vertex as part of the customer services initiative.
- 1.2 As members are aware, the Licensing Act 2003 brought about radical changes to the nature of licensing, which had a dramatic impact on the licensing service. In anticipation of the transition period under the Act, it was necessary to plan for a substantial growth in the volume of applications handled. In addition, there was a need for new policies, processes and procedures to be put into place, which increased the importance of joint working between the legal and other staff within the Legal and Administrative Services Department and the licensing service which, at the time, was located within the then Planning and Transportation Department. In addition, the major change process involved in the transition to the new regime required additional management support, which was not readily available within the latter Department at the time. There was a backlog of applications to deal with and a business process re-engineering exercise was underway following the transfer of activities to the CSi.
- 1.3 The result of these pressures was that the licensing service was transferred to the Legal and Administrative Services Department in 2003 both to optimise opportunities for joint working between the licensing staff, lawyers and other staff engaged on licensing work, as well as to provide additional management support, in order to ensure a smooth transition under the 2003 Act.
- 1.4 There can be no doubt that the transition, and the business process re-engineering undertaken to facilitate it, has been a success given the volume of work, the short timescales imposed by Government, and the delayed issue of relevant Regulations and Government guidance. A total of 2453 applications were determined during the transition period, and 54 Licensing Sub-Committee hearings were held. A total of 370 appeals were received under the Licensing Act 2003, of which 323 have either been heard, or withdrawn or settled on favourable terms. Only 15 appeals arising from the transition period are still outstanding (the remainder were submitted outside that period). Of the 31 cases, which have gone to a full hearing, only 10 were allowed, 8 allowed in part, and 13 were dismissed. In the vast majority of cases, the City Council's decisions, and its licensing policy, have been upheld. Having almost disposed of the appeals received during transition under the Licensing Act 2003, the service has recently produced the Statement of Licensing Principles under the Gambling Act 2005 (adopted at the Council meeting on 24th January 2007) and an implementation plan has been devised to enable the smooth take up of the City Council's new licensing responsibilities under that legislation.

- 1.5 In an ideal world, the licensing service would benefit from a period of stability following the very substantial change process that it has recently come through. However, it is clear that the City Council cannot afford to stand still in this area and must constantly strive to find new and better ways of working, especially bearing in mind the significant shortfall which exists between the expenditure incurred on the licensing service as a whole, and the income generated from fees. It is also timely following the transition under the 2003 Act, to take stock and examine whether, in the current circumstances, there are better and more efficient ways of delivering the service. It was for this reason that an end-to-end review of the licensing service was established under the WorkSmart Programme. Indeed, it was one of the initial top five projects within the programme monitored personally by the Chief Executive.
- 1.6 As indicated above, the work undertaken in the review suggests that there are certain inefficiencies, and duplication of effort, which are inherent as a result of the fact that the licensing processing function is carried out in one department (with Vertex undertaking the “front office” function), whilst the consultation processes are undertaken in another department. It is considered, therefore, that there is logic in bringing together the processing and consultation functions within the Community Protection Department, to facilitate further joint working, to establish new roles where appropriate, revised and streamlined procedures, and a single management structure for the entire service.
- 1.7 It is also envisaged that new technology will be harnessed (making links to other WorkSmart projects such as EDRMS, Make and Take Payment etc) to ensure that processes are automated as far as practicable, including in particular the provision of on line applications, consultation processes and payments. The new technology required will require some investment as set out in paragraph 2.8 below. The “To Be” model envisaged has been described in a list of project aims which is set out as Appendix 6.
- 1.8 It is envisaged that the move of the service to Community Protection will facilitate the achievement of several of the aims in the appendix, including in particular item C6, which refers to hand offs between services/functions being avoided if possible or minimised, as well as C8 which refers to the removal of duplication of roles and activities.
- 1.9 Although not specifically referenced in the document, introduction of new on line applications will deliver efficiencies in the “front office” function undertaken by Vertex, by reducing the level of manual intervention and input.
- 1.10 The level of take up of on line processes is heavily dependent upon changes to the existing legislation to remove the existing requirement for paper applications being approved. The City Council is actively lobbying Government on this issue and the changes required are consistent with the recommendation in the Elton report to the effect that Licensing Authorities should be obliged to accept electronic applications.

- 1.11 Through the efficiencies delivered from the end-to-end review, customers will see an improvement to the overall service and experience. In due course, technology will be harnessed to provide applicants with the ability to apply on-line for licences, together with the capability to make payments via a new web enabled service, all of which will be supported with essential information and guidance. In addition, the on-line tool will also enable applicants to check progress of their application throughout the licensing process. Residents will be able to use the on-line facility to make representations. As well as the technology enhancements, further improvements to the Licensing process will move towards a “single point of contact” for customers, improving the quality and availability of information. Regular reviews and consultation with customers will be undertaken to ensure that customer experience and opinion are fully represented within the project.
- 1.12 In anticipation of the efficiencies to be achieved through the end-to-end review, and to assist in the delivery of Business Plan savings targets, various posts within the licensing service have been frozen during the year and it is considered that these posts can now safely be deleted from the establishment. These posts are shown in Appendix 3. Further posts can be deleted following transfer of the service to Community Protection on a date or dates to be agreed. These posts are shown in Appendix 4. The transfer will also require one Finance post to be transferred from the central finance team to the finance team within common and shared services in the Built Environment group.
- 1.13 An outline of the existing organisational structure within Community Protection is attached as Appendix 5(A) and an revised organisational structure showing how the Licensing Service will fit into that structure is included as Appendix 5(C).
- 1.14 As part of the review the opportunity was taken to assess “Policy Driven” requirements; requirements that are driven by preference rather than law. Areas that have been reviewed are firstly, the reduction of Notice Checks by enforcement officers and secondly the reduction in the frequency of scheduled visits for premises that are classed as “High” and “Medium” risk to 12 and 18 months respectively. The outcome of which is a much more targeted enforcement regime.

2. Financial Implications

- 2.1 Overall expenditure budget for the licensing service in 2007/08, including the enforcement elements (£5.6m) within Community Protection that support it, currently amounts to £11.1m, whereas total income from fees is expected at £5.6m leading to a shortfall of £5.5m which is met from the General Fund. There is limited discretion to set fees to recover costs for certain licensing areas, such as Street Trading. The fees that the City Council can charge under the Licensing Act 2003 are prescribed, which severely limits the City Council’s ability to achieve a self-financing licensing service.
- 2.2 As noted under paragraph 1.4 above, the business process re-engineering work undertaken in 2003 was successful in delivering some £1m+ savings in operating costs in setting up the new responsibilities when compared with the then extant processes and procedures.

- 2.3 The existing Business Plan includes £577k of net savings to be delivered from this review and a further £2.5m additional income was anticipated from the Elton Review. However, following the announcement of the Elton Review findings it is clear that there is no scope for achieving these savings and these have been removed from the business plans accordingly with a supplementary estimate approval in the current year and necessary growth from next year.

Existing Business Plan Items (000's)	07/08	08/09	09/10	Total in Plan
Reduction in Licence Processing Costs	£167			£167
Reduction in EH Costs			£160	£160
Additional Saving Target from End-to-End Licensing Review			£250	£250
Total Planned Savings from End-to-End Licensing Review (excluding Elton savings below)	£167		£410	£577
Elton Review – removed from plans going forward. 07/08 £1,250 approved in May 2007. 08/09 £1,250 growth in 08/09 Star Chamber process.	£1,250	£1,250		£2,500

The above business plan savings have been reconfirmed and increased in this year's Star Chamber process as follows:

Latest Proposed Business Plan	07/08	08/09	09/10	10/11	Total in Plan
Realisation of Licensing Existing BP savings	£167				£167
Early realisation of CP Existing BP savings planned for 09/10		£160			£160
		£250			£250
Additional savings declared in current Star Chamber 2007:					
Licensing Element		£229			£229
CP Element		£142			£142
TOTAL SAVINGS targeted from E2E Review (before one off implementation costs)	£167	£781			£948

- 2.4 It is envisaged the staffing reductions proposed in this report will deliver savings, before implementation costs, of £540K in 2007/08 and £746k in a full year.
- 2.5 In a full year total potential saving, before one-off implementation costs, of £868k are envisaged including potential Vertex contract savings (subject to ongoing negotiations) of £122k. These savings contribute to the latest revised Business Plan commitment of £948k, leaving a shortfall of £80k. Service Officers will address this shortfall during the implementation phase of the E2E Review findings by the end of this financial year.
- 2.6 In addition to head count reductions proposed in this report, further savings are envisaged relating to the release of floor space, lower use of IT which contribute towards savings already in the Business plan for other WorkSmart projects (e.g. FLOW, ERM, Wireless etc.). This is estimated at £319k in a full year, the bulk of which relates to release of half a floor in City Hall.
- 2.7 The breakdown of the headcount reduction arising from the adoption of the recommendations is set out in Appendix 3 and 4.
- 2.8 The Capital Investment required to deliver the project is £231k, although this will only be incurred when successful lobbying has concluded so that development of online applications can deliver the benefits envisaged. The associated capital financing costs have been taken into account in assessing the savings realisation.
- 2.9 Additional savings of £122k within Vertex for on line applications is dependent on both the successful introduction of the necessary technology and the assumed levels of take up of on line facilities being achieved.

3. Legal Implications

- 3.1 The City Council has a number of distinct and separate roles under the Licensing Act 2003. In particular, it is both the licensing authority and separate "responsible authorities" - in relation to planning, environmental health, trading standards and children. Neither the legislation nor the Secretary of State's Guidance require any formal organisational or structural separation between officers carrying out different roles.
- 3.2 However, it is clearly important that the licensing authority, when determining licence applications, is seen to be separate from the responsible authorities who make representations on those applications. This is the case at present, and will remain so under the proposed new arrangements, because the licensing authority in this context is the Council's Licensing Sub-Committee, which as a matter of law must determine all applications where a relevant representation is made.

- 3.3 Where no relevant representations are made, the determination of the application is made at officer level, but in that case, and again as a matter of law, no exercise of discretion is involved, because the application must be granted, subject only to conditions which are consistent with the operating schedule. The Environmental Health (EH) Manager Licensing will have the delegated powers to determine applications where no representation is made as at present. Since no exercise of discretion is involved, no conflict arises from the fact that the EH Manager Licensing will also be responsible for the "environmental health" responsible authority. There are a few powers exercisable by the licensing authority at officer level which do involve the exercise of discretion, for example determining whether representations made by an interested party (although not a responsible authority) are frivolous or vexatious. Those decisions will also be taken by the EH Manager Licensing, and again no conflict will arise. "Authorised persons" – those entitled under the Act to carry out inspections and enforcement - include by definition under the Act officers of the licensing authority and environmental health officers, and are not required to be independent of each other.
- 3.4 The integrity of Environmental Health as a responsible authority should not be compromised by these proposals. Indeed, arguably, the proposals represent an improvement upon the present position so far as the separation of roles is concerned, and involve moving closer towards the operating model envisaged by the legislation and Guidance. In particular, a number of roles currently undertaken by licensing officers - including advising applicants upon policy, negotiation, mediation, and in particular making recommendations to the Licensing Sub-Committee - are arguably matters for, and certainly overlap with roles undertaken by, environmental health. The proposals involve moving towards the mechanisation of all "processing" and non-discretionary licensing authority functions wherever possible, almost all decisions by the licensing authority being taken by the Licensing Committee or Sub-Committees as at present, and all discussion and negotiation with applicants and all advice to the licensing authority about the merits of applications coming from EH as responsible authority, consistent with legislative intent.

4. Staffing Implications

- 4.1 Posts in the new structure will be filled in accordance with HR policy. Where it is not possible to redeploy displaced staff into the new structure, redeployment elsewhere in the department and the Council will be considered. In addition to the corporate redeployment process, Chief Officers will be asked to identify posts currently filled by agency or temporary contractors that may potentially be considered suitable alternative employment.
- 4.2 Where there are fewer posts available in the new structure or the roles have changed so significantly that redeployment in the new structure is unlikely, employees will be asked to state a preference for redundancy, however this does not mean that they will be declared redundant. Redundancy will be the last resort after every redeployment opportunity across the Council is exhausted.

5. Business Plan Implications

- 5.1 As detailed in Section 2 under Financial Implications, the proposals contained in this report will exceed the existing business plan savings of £577k by £291k, but fall short by £80k from the draft Business plans being drawn up for 2008/09 and beyond. Service Officers will address this shortfall during the implementation phase of the E2E Review findings by the end of this financial year.

6. Staff Consultation

- 6.1 Consultation with staff commenced on 30th May 2007 and was scheduled to end on 22nd June 2007. Requests for an extension to this period was received from staff and it was agreed to extend the consultation period to 2nd July 2007.

- 6.2 Consultation was carried out through a range of methods:

- Two manager briefing sessions were held, where the management teams from both Licensing Service and Community Protection were presented with the reason for the change and their role as managers/leaders;
- Two staff briefing sessions were held, where all affected staff were presented with the proposals and given the opportunity to ask questions;
- Four staff “surgeries” were held, where staff could ask questions and discuss the proposals individually and in private;
- All staff were given the opportunity to ask questions and raise concerns through a dedicated e-mail address and approximately 60 representations were received;
- Regular staff briefing notes and summaries of frequently asked questions were issued;
- These key documents and others, including the drafts of this Cabinet Member report, were put on the Intranet (“The Wire”);
- Affected staff who don’t have access to The Wire were sent key documents by post;
- All staff off on long-term sick, maternity leave or otherwise absent were written to, with full documentation about the proposals.

- 6.3 Two Equalities Impact Assessments have been undertaken, looking at:

- The potential impact of the changes on the public;
- The potential impact on staff.

As part of the consultation process, both of these documents have been made available and placed on The Wire for staff and Unison comment.

- 6.4 Through the consultation process, staff and Unison comments covered a wide range of issues, including:

- The proposed structure for the new department;

- The concept of the new Environmental Health Case Officer post;
- The impartiality and potential conflict of the Responsible Authority with the Licensing Authority;
- The approach and delivery of training;
- The “ring-fencing” of affected staff and how the selection process will be managed.

A summary of issues and concerns, with the management response, is attached as Appendix 1.

6.5 Discussions with staff during the consultation period were constructive and creative and, as a result, several changes have been made to the detailed proposals. These changes are summarised in Appendices 1 & 5C.

7. Ward Member Consultation

7.1 This report is not ward specific and no ward member consultation has, therefore, been undertaken.

8. Trade Union Consultation

8.1 Consultation with trade unions commenced on 30th May 2007 and will continue throughout the implementation phase. Weekly meetings have been held with representatives from Unison and discussions at all times have been constructive and valued.

8.2 Comments raised by trade unions have been taken into consideration and addressed and at this stage have no further points to raise.

9. Reason(s) for Decision(s)

9.1 The transfer of the licensing service to the Legal and Administrative Services Department in 2003 has now served its purpose with the successful completion of the transition under the Licensing Act 2003 and the disposal of the bulk of the appeals arising from transition. The time is now right to review the entirety of the licensing service from end-to-end, i.e. From application processing and through consultation, to determination. It is envisaged that processes and procedures and job roles can be refined and streamlined to reduce duplication, and hand-offs between functions, and the combination of the processing, consultation and enforcement functions within one department will help achieve this. A new structure within Community Protection is proposed, and expenditure on investment in new technology is required to deliver the full efficiencies envisaged and improved service to the customer.

If you have any queries about this report or wish to inspect one of the background papers please contact Colin Wilson, Director of Legal and Administrative Services on 020 7641 2710, email cwilson@westminster.gov.uk.

Background Papers

- Report to Cabinet Urgency Committee September 2003 – Transfer of Licensing Service to the Legal and Administrative Services Department

Appendix 1

Representations raised by staff about their own circumstances and options have been responded to individually and have been specifically excluded from this report for confidentiality reasons.

Below is a summary of the main areas of comment received from staff and the management response.

Representations raised regarding the Structure:

Representations:	Management Response:
Differing views were presented by the Licensing team and Environmental Health Consultation team over whether EHO/EHEO's should be present within the Licensing processing teams.	Both sets of representations clearly demonstrated merits for each case. However, in view of the wider needs of the department, it has been decided that EHO/EHEO's placed previously within the Licensing teams are removed and distributed within the EH Consultation Team and EH Planning and Events Team.
Concerns were raised with the justification for deleting posts in the proposed structure.	The process for identifying posts in the proposed structure was not one aimed at selecting existing posts for deletion, but rather, one of identifying necessary duties and responsibilities to carry out the tasks in the combined department, designing a new structure accordingly, and allocating duties to the proposed posts within the new structure. It was as a result of this process that existing posts not replaced in the new structure were identified for deletion.
Concerns raised that there is insufficient management resource to support the Operations Manager, and, therefore two new Assistant Operations Manager post are needed.	This was looked at but was not considered necessary on the basis that sufficient resource and support exists in the proposed structure.
Concerns raised that there is insufficient Licensing Support Officer cover in the Street Trading team and that current level of 3 is maintained, until such time as the review of this function is completed.	This was looked at but at this stage will not be considered fully until a full review of the Street Trading function is completed.
Concerns raised that the proposed new post of a Senior Technical Support Officer (Range 7) is not necessary and that this post is replaced, on a temporary contract, with a Licensing Support Officer (Range 6) to complement the Street Trading team.	This was looked at but at this stage will not be considered fully until a full review of the overlaps between Technical Support and Licensing processes is undertaken. To allow for additional support across the whole service, the new proposal still includes a Senior Technical Support Officer.
Request to change the name of the Street Trading team to "Street Licensing Team"	Accepted and structure chart amended.

Concerns raised that the proposed structure does not take into account all the work undertaken by the EH Consultation team and distribution of staff across the teams is disproportionate	Concerns have been taken on board and the new structure has been amended accordingly.
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Representations raised regarding Roles/Process:

Representations:	Management Response:
Further development of the EH Case Officer would need to be carefully considered. EH Case Officer does not need to be a fully qualified EHO to perform the role. EH Case Officer does not need to be a fully qualified EHO to perform some premises inspections	Comments taken on board. Going forward appropriate training and developments plans will be drawn up alongside specifications of the boundaries between a Case Officer and EHO/EHEO.
To be reflective of the roles performed by the case officers within the Street Licensing Team, change the name to "Street Licensing Case Officer" and job description of these posts so that they are specific to this function	Accepted, with the structure chart being amended and a new job description created. Taking on board these comments we have also amended the title of the Team Leader post and created a separate job description specifically for Street Licensing.
Concerns raised with the deletion of the Street Trading Improvement Policy posts and the ability of the work to be absorbed within the existing structure.	The Street Trading Improvement will be put on hold from the point at which the Licensing Service transfers to Community Protection on 3 rd September. The work undertaken to date will then form part of the wider Street Trading review.
Concerns raised with the potential overlaps between the activities performed by the Technical Support Team and Licensing Support Officers and Street Trading e.g. dealing applications for therapists.	This is acknowledged and a separate piece of work will be undertaken to review potential overlaps, process implications and the optimum design for the business going forward.

Representations raised regarding Policy:

Representations:	Management Response:
The area surrounding impartiality of EH Consultation as the Responsible Authority is compromised by the proposed structure.	EH Consultation will remain impartial as at present. There will continue to be a separation of roles between the licensing authority and the responsible authority. In some respects the proposed arrangements improve the separation of responsibilities, since officers of the licensing authority will no longer be required to make recommendations to the Licensing Sub-Committee.
EH Case Officer becomes the Responsible Authority for Environmental Health.	The EH case officer will perform the responsible authority role, co-ordinating all representations from EH officers on policy, noise, and public safety. This does not involve

	any conflict of interest.
Concerns raised with the proposed changes to the inspection frequency of high and medium risk premises to 12 months and 18 months respectively.	<p>The frequency of inspection to the high, medium and low risk premises has always been at Council's discretion. The Licensing Act 2003 is supposed to be self-regulating and as such WCC are expected to visit premises only when there is a reason to do so. The service has always stated that it intends to visit premises based on risk and this continues to be the case. These proactive inspections are only one of the many ways in which premises can, and do come to our attention. Many of the premises visited are as a result of a complaint or a referral from another team or the police etc.</p> <p>The End-to-End Licensing review has looked at all of the processes and based on this information the decision has been made at a senior management level and in conjunction with the cabinet member for Licensing to alter the frequency of inspections as stated.</p> <p>The logic behind this is if there are issues, problems or complaints about a specific premise it will be visited regardless of its risk category, therefore, premises that are likely to be problematic will be visited as required. By reducing the frequency of programmed visits it frees up capacity for the officers to carry out more targeted work based on intelligence and report, and to carry out self-generated visits to deal with problems they encounter during their shift.</p> <p>Once in place the new frequency of inspection will be kept under review and if there is evidence that the decision to reduce the frequency of inspection requires review then it will be reconsidered.</p>

Representations raised regarding HR Process:

Representations:	Management Response:
Concerns raised that the post of the Operations Manager Licensing & Reviews in the proposed structure should not have been automatically assigned to the individual named.	On closer consideration and through discussions with HR, this has been taken on board and the named individual has been removed. The appropriate HR selection/ assimilation process will be followed for filling both the vacant Operations Manager positions.

Representations raised regarding Development:

Representations:	Management Response:
Concerns raised that the two Operations Manager posts are restricted to those with EH qualifications and that the job descriptions should be amended to be less prohibitive.	The proposed job descriptions make reference to appropriate qualification or experience, and therefore the opportunity exists for individuals to apply based on both.
Concerns raised that the proposed structure limits the career progression for EHO/EHEO's.	This has been taken on board and the structure has been amended accordingly.
The concept of the EH Case Officer holds huge responsibility requiring suitable experience and adequate training to be deemed competent.	This is acknowledged and appropriate training and development plans will be drawn up for all staff.

Representations raised regarding Alternative Proposals:

Representations:	Management Response:
Proposal for an alternative structure to bring together Licensing with the Licensing Inspectors.	This was looked at and discarded on the basis that the processes are too different to deliver the expected efficiencies and process savings.

Appendix 2

Posts to be transferred to Built Environment - Community Protection and Finance Team

Position:	Post Number:
Head of Licensing	C0248
Executive Assistant	C0124
Deputy Head of Licensing	C0249
Licensing Support Manager	P0074
Licensing Project Manager	R0179
Business Analyst	P5514
Admin Support Officer	P0076
Finance & Business Support Manager	R0245
Performance Analyst & IT Projects Officer	R0246
Licensing Manager	P5515
Licensing Manager	P5523
Licensing Manager	C0222
Licensing Projects Officer	R0161
Senior Licensing Officer	R0294
Senior Licensing Officer	C0221
Senior Licensing Officer	P5519
Senior Licensing Officer	P5524
Senior Licensing Officer	P5516
Senior Licensing Officer	C0218
Senior Licensing Officer	C0219
Senior Licensing Officer	R0030
Senior Licensing Officer	C0220
Senior Licensing Officer	R0151
Senior Licensing Officer	C0128
Senior Licensing Officer	P5541
Senior Licensing Officer	R0165
Senior Licensing Officer	R0166

Licensing Support Officer	R0164
Licensing Support Officer	R0194
Licensing Support Officer	R0124
Licensing Support Officer (TENs)	-- --
Banking & Control Officer (0.5 FTE)	-- --
Senior Licensing Officer (Gambling Act)	-- --
Senior Licensing Officer (Gambling Act)	-- --
Street Trading Policy Manager	-- --
Street Trading Policy Officer	-- --

Total Posts = 35.5 FTE

Appendix 3

Vacant Posts to be deleted immediately

Position:

Post Number:

Licensing Department:

Street Trading Policy Manager -- (Vacant)

Street Trading Policy Officer -- (Vacant)

Senior Licensing Officers x 2 -- (Vacant)

Total Posts = 4

Appendix 4

Posts to be deleted following business reorganisation effective September 2007

Position:	Post Number:
Head of Licensing	C0248
Deputy Head of Licensing	C0249
Licensing Support Manager	P0074
Licensing Manager	P5515
Licensing Manager	P5523
Licensing Manager	C0222
Business Analyst	P5514
Executive Assistant	C0124
Licensing Project Manager	R0179
Admin Support Officer	P0076
Senior Licensing Officer	R0294
Senior Licensing Officer	C0221
Senior Licensing Officer	P5519
Senior Licensing Officer	P5524
Senior Licensing Officer	P5516
Senior Licensing Officer	C0218
Senior Licensing Officer	C0219
Senior Licensing Officer	R0030
Senior Licensing Officer	C0220
Senior Licensing Officer	R0151
Senior Licensing Officer	C0128
Senior Licensing Officer	P5514
Senior Licensing Officer	R0165
Senior Licensing Officer	R0166
Environmental Health Manager (Licensing)	X1064
Operations Manager EH Consultation & Env Sciences	X3037
Total Posts Deleted = 26	

New Posts to be created following business reorganisation effective September 2007

Position:	Post Number:
Environmental Health Manager (Licensing)	TBC
Deputy Environmental Health Manager (Licensing)	TBC
Operations Manager Consultation & Licensing	TBC
Operations Manager Planning & Events, Technical Support and Environmental Sciences	TBC
Team Leader Licensing (x 2)	TBC
Team Leader Street Licensing	TBC
EH Case Officer Licensing (x 12)	TBC
EH Case Officer Street Licensing (x 2)	TBC
Senior Technical Support Officer	TBC
Total Posts Created = 22	

Post to be deleted effective September 2007.

Position:	Post Number:
Licensing Inspector x 3.5	TBC

A total of 3.5 posts will be removed effective September 2007 following the introduction of policy driven changes to frequency of inspections.

Posts to be deleted effective November 2007.

Position:	Post Number:
EH Case Officer Licensing (x 12)	TBC
EH Case Officer Street Licensing (x 2)	TBC

*A total of **3 posts will be removed** effective November 2007 from this combined pool above following from a reduction in processing time as a result of processes being re-engineered and introduced into the new combined service.*

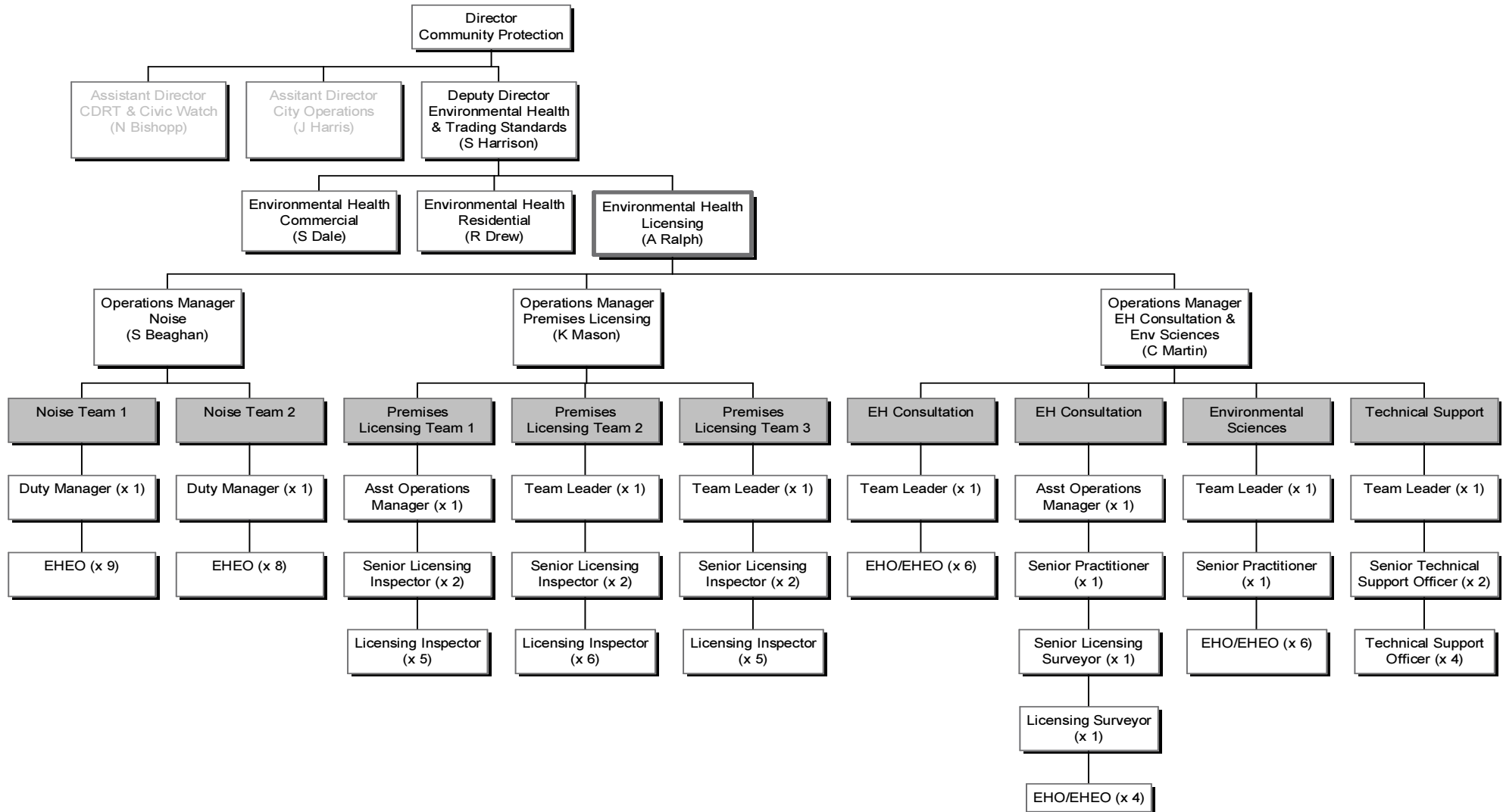
Position:	Post Number:
EHO/EHEO (x 10)	TBC

*A total of **1 post will be removed** effective November 2007 from this combined pool above following from a reduction in processing time as a result of processes being re-engineered and introduced into the new combined service.*

Posts to be deleted only following the successful introduction of handheld technology for Licensing Inspectors.

Position:	Post Number:
Licensing Inspector x 2	TBC

Community Protection – Current Structure

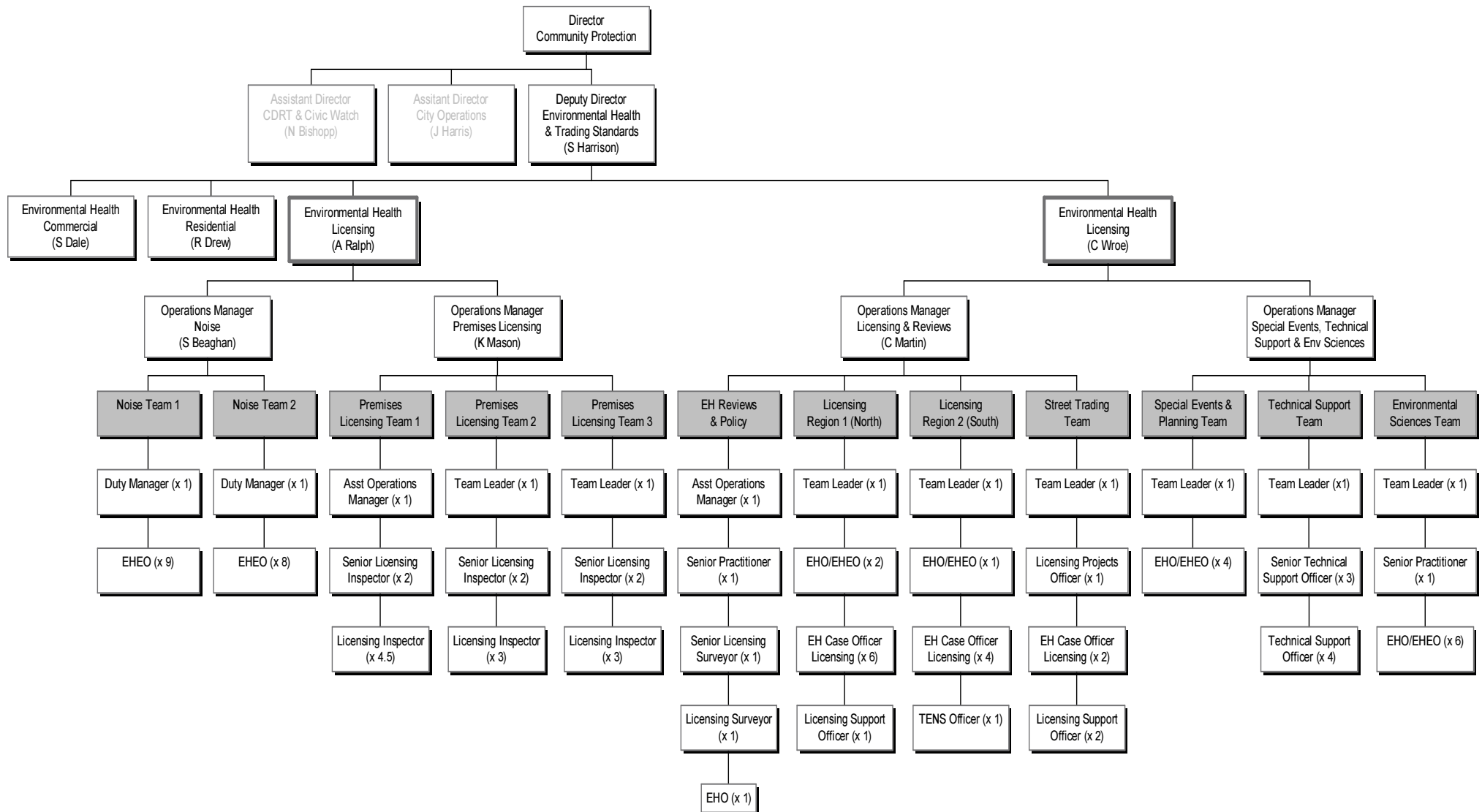


Proposed New Structure – Original Proposal

Posts to be transferred to Community Protection

Position:	Post Number:	Transferred To:
Finance & Business Support Manager	R0245	CP Finance
Banking & Control Officer	--	CP Finance

Position:	Post Number:	Transferred To:
Performance Analyst & IT Projects Officer	R0246	EH Projects
Strategic Policy Manager	--	BE Planning

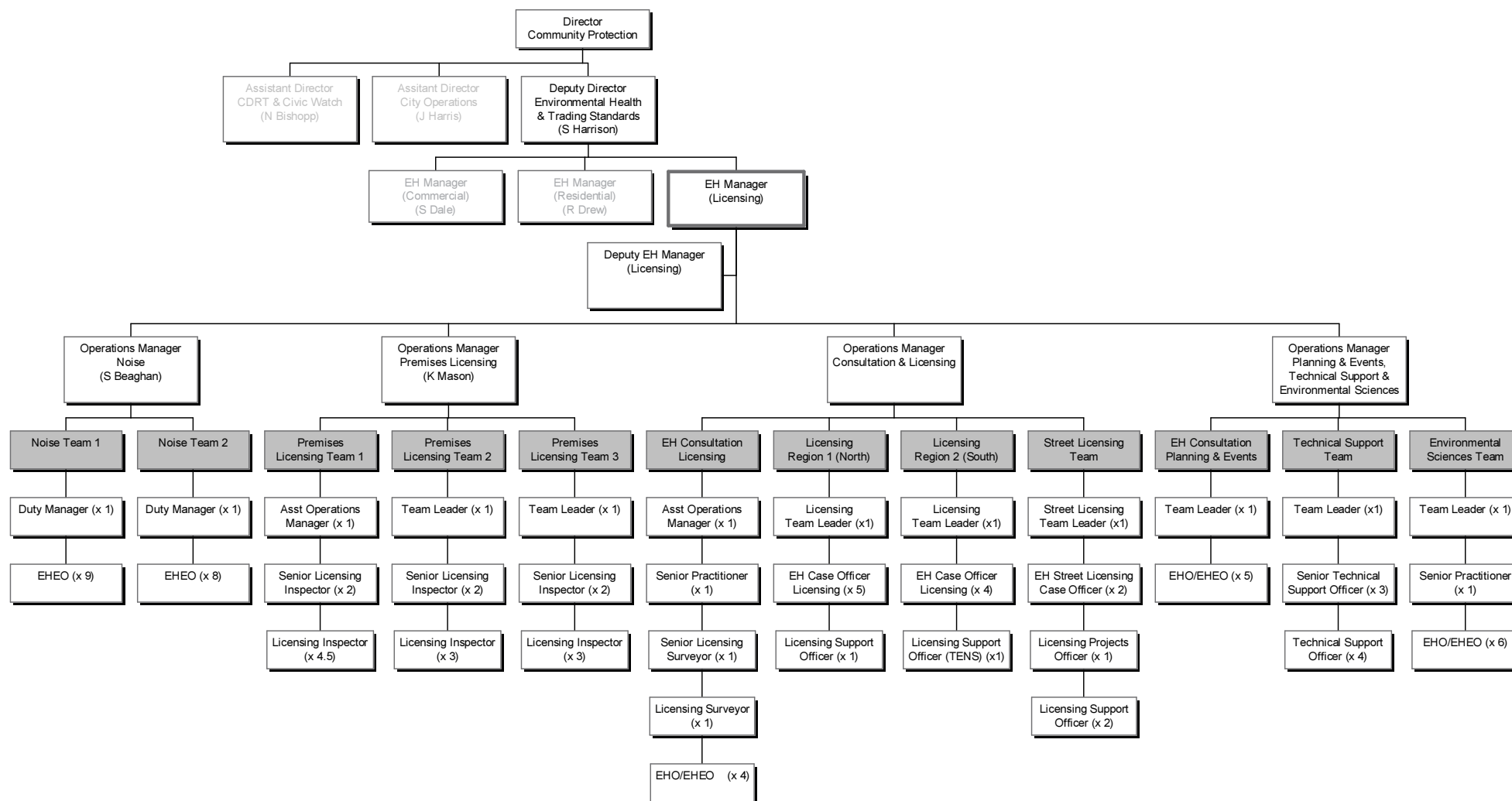


Proposed New Structure – Revised Proposal Post Consultation

Other posts to be transferred to Community Protection or elsewhere within the Built Environment Group

Position:	Post Number:	Transferred To:
Finance & Business Support Manager	R0245	CP Finance
Central Services Finance – Accountant	P1064	CP Finance
Banking & Control Officer	--	CP Finance

Position:	Post Number:	Transferred To:
Performance Analyst & IT Projects Officer	R0246	EH Projects
Strategic Policy Manager	--	BE Planning



Appendix 5C

Revised Proposal Post Consultation – Structural Changes:

Based on comments received during the consultation process the following changes have been made to the structure.

- There will now be one overall manager for the service, with a new post of a deputy created.
- The following name changes have been applied to the structure:
 - Post names for the two heads of service changed to EH Manager (Noise & Enforcement) and EH Manager (Licensing).
 - EH Reviews and Policy Team name changed to EH Consultation Team Licensing.
 - Street Trading Team name changed to Street Licensing Team.
 - Special Events and Planning Team name changed to EH Consultation Team Planning and Events.
- Separate job description created and name changed for the Team Leader and EH Case Officers (EHCO's) within the Street Licensing Team to 'Street Licensing Team Leader' and 'EH Street Licensing Case Officer'.
- EHO's/EHEO's placed in the Licensing teams within the previously proposed structure have been removed and distributed within the EH Consultation Team and EH Planning and Events Team. From the pool of 5 (x 3, plus 2 Range 8's), 1 is moved across to the EH Planning & Events Team, 3 are moved across to the EH Consultation Team and the remaining 1 post is given up as part of the 4 posts being reduced.
- From the pool of 14 SLO's, 3 are given up as part of the 4 posts being reduced. This leaves 11 new EHCO's with 9 in the Licensing Teams and 2 in Street Licensing.
- Reduction of 4 posts still stands. This is now made up of 1 reduction from the combined pool of EHO's/EHEO's and 3 from the combined pool of SLO's.
- The previously proposed ring fencing for EHO's and SLO's no longer applies. All Range 8-11 EHO's/EHEO's will now be ring fenced for interview for a reduction of 1 post. All Range 8 and 1 Range 9 SLO's will be ring fenced for interview for the EH Case Officer (x 9) and EH Street Licensing Case Officer (x 2) posts, resulting in an overall reduction of 3 posts.
- The focus of the EH Consultation Team Licensing will predominantly be to support the Licensing activities for both LA03 and BAU and supporting the development and training of the EHCO's. As part of premises inspections undertaken, they will also review noise, H&S, food etc. aspects of the application.
- The EH Consultation Team Planning & Events will undertake all other aspects of EH work, from planning and events, food and health and safety.
- The proposed creation of two new positions, Range 14 Operations Manager and Range 7 Senior Technical Support Officer remains the same.

Appendix 6

Project Aims

- C1. Data should only be entered once and is available to all that need it. Data should be entered correctly and completely first time.
- C2. All data should be standardised to allow processes to be automated where possible.
- C3. Data should be quality assured within the system for consistency and completeness on site prior to remote acceptance
- C4. Delivery success should be measured against outcome-based KPI's.
- C5. Delivery of on-line application and payments capability.
- C6. Hand-offs between services/functions should be avoided if possible or minimised otherwise.
- C7. Up-to-date intelligence on relevant incidents and events should be available to drive decision-making and tasking. Proactive enforcement and automated work allocation based on intelligence.
- C8. Remove duplication of roles and activities, improve the sharing of information across services and enhance the ability to prioritise responses according to available resources and to organise co-ordinated cross-service responses based on intelligence and analysis.
- C9. Optimal use of street-based and premises-based resources based on proactive scheduling and reactive assignment re-scheduling changes as they occur. Scheduling based on skills required and those available.
- C10. Agreed prioritisation between services related to licensing to facilitate automated work allocation with an escalation process based on total coverage and risk requirements.
- C11. Intelligent and integrated use of resources beyond staff, such as making best use of monitoring technology and supporting residents to play a role in managing their own environment.
- C12. Inspection SLA (covering protocol and work plan) based on risk assessment.
- C13. Definition of SLA for what licence processing need from inspection and enforcement.
- C14. Co-ordinated effort to fix causes rather than deal with symptoms.
- C15. An excellent customer experience, allowing a single point of contact and resolution, high quality information given in response to customers, timely response, and presenting a co-ordinated front. The design of the customer experience should be based on the CSi customer values.
- C16. Meaningful management information that informs decision making, presented in a way that allows managers to drill down to key issues.
- C17. Analysis and intelligence to identify issues and persistent problems by area and inform pro-active operations for permanent resolution – Area Management and Civic Watch.

- C18. Cost effectiveness, measured by accurate and maintained cost-to-serve data with a presumption of e enabled information flows rather than hard copy.
- C19. Consistent and accurate policy input to hearings from combined service.
- C20. Co-ordinated and streamlined negotiation with applicants and stakeholders.