

NOTICE
OF
MEETING



CRIME & DISORDER OVERVIEW & SCRUTINY PANEL

will meet on

TUESDAY, 22ND MARCH, 2016

At 6.15 pm

in the

DESBOROUGH 2 & 3 - TOWN HALL, MAIDENHEAD

TO: MEMBERS OF THE CRIME & DISORDER OVERVIEW & SCRUTINY PANEL

COUNCILLORS DAVID HILTON (CHAIRMAN), JOHN STORY (VICE-CHAIRMAN),
HASHIM BHATTI, JOHN BOWDEN, HARI SHARMA, LISA TARGOWSKA AND
SIMON WERNER

SUBSTITUTE MEMBERS

COUNCILLORS MALCOLM ALEXANDER, CLIVE BULLOCK, MOHAMMED ILYAS,
GARY MUIR, SHAMSUL SHELMIM, MALCOLM BEER AND LYNNE JONES

Karen Shepherd - Democratic Services Manager - Issued: Monday, 14 March 2016

Members of the Press and Public are welcome to attend Part I of this meeting. The agenda is available on the Council's web site at www.rbwm.gov.uk or contact the Panel Administrator **Tanya Leftwich** 01628 796345

Fire Alarm - In the event of the fire alarm sounding or other emergency, please leave the building quickly and calmly by the nearest exit. Do not stop to collect personal belongings and do not use the lifts. Congregate in the Town Hall Car Park, Park Street, Maidenhead (immediately adjacent to the Town Hall) and do not re-enter the building until told to do so by a member of staff.

Recording of Meetings – The Council allows the filming, recording and photography of public Council meetings. This may be undertaken by the Council itself, or any person attending the meeting. By entering the meeting room you are acknowledging that you may be audio or video recorded and that this recording will be available for public viewing on the RBWM website. If you have any questions regarding the council's policy, please speak to the Democratic Services or Legal representative at the meeting.

AGENDA

PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
1.	<u>APOLOGIES FOR ABSENCE</u> To receive any apologies for absence.	
2.	<u>DECLARATIONS OF INTEREST</u> To receive Declarations of Interests from Members of the Panel in respect of any item to be considered at the meeting.	7 - 8
3.	<u>MINUTES</u> To note the minutes of the Crime & Disorder Overview & Scrutiny Panel held on the 4 February 2016.	9 - 16
4.	<u>RBWM TRANSFORMATION PROGRAMME 2015-18: AN AGILE COUNCIL</u> To comment on the report to be considered by Cabinet on the 31 March 2016.	17 - 38
5.	<u>RECOMMENDATIONS FOR A NEW TYPE OF PUBLIC SPACE PROTECTION ORDER (PSPO)</u> To comment on the report to be considered by Cabinet on the 31 March 2016.	39 - 48
6.	<u>DATE OF FUTURE MEETINGS</u> Dates of the next meetings are as follows: <ul style="list-style-type: none">• Tuesday 12 April 2016.• Tuesday 19 July 2016.• Thursday 15 September 2016.• Monday 14 November 2016.• Monday 30 January 2017.• Thursday 20 April 2017.	
7.	<u>LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC</u> To consider passing the following resolution:- "That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting whilst discussion takes place on item 8 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 3 & 4 of part I of Schedule 12A of the Act"	

PRIVATE MEETING

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
8.	<u>DELIVERING SERVICES DIFFERENTLY IN OPERATIONS AND CUSTOMER SERVICES</u> To comment on the report to be considered by Cabinet on the 31 March 2016. <i>(Not for publication by virtue of Paragraph 3, 4 of Part 1 of Schedule 12A of the Local Government Act 1972)</i>	49 - 58

This page is intentionally left blank

MEMBERS' GUIDANCE NOTE

DECLARING INTERESTS IN MEETINGS

DISCLOSABLE PECUNIARY INTERESTS (DPIs)

DPIs include:

- Any employment, office, trade, profession or vocation carried on for profit or gain.
- Any payment or provision of any other financial benefit made in respect of any expenses occurred in carrying out member duties or election expenses.
- Any contract under which goods and services are to be provided/works to be executed which has not been fully discharged.
- Any beneficial interest in land within the area of the relevant authority.
- Any license to occupy land in the area of the relevant authority for a month or longer.
- Any tenancy where the landlord is the relevant authority, and the tenant is a body in which the relevant person has a beneficial interest.
- Any beneficial interest in securities of a body where
 - a) that body has a piece of business or land in the area of the relevant authority, and
 - b) either (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body **or** (ii) the total nominal value of the shares of any one class belonging to the relevant person exceeds one hundredth of the total issued share capital of that class.

PREJUDICIAL INTERESTS

This is an interest which a reasonable fair minded and informed member of the public would reasonably believe is so significant that it harms or impairs your ability to judge the public interest. That is, your decision making is influenced by your interest that you are not able to impartially consider only relevant issues.

DECLARING INTERESTS

If you have not disclosed your interest in the register, you **must make** the declaration of interest at the beginning of the meeting, or as soon as you are aware that you have a DPI or Prejudicial Interest. If you have already disclosed the interest in your Register of Interests you are still required to disclose this in the meeting if it relates to the matter being discussed. A member with a DPI or Prejudicial Interest **may make representations at the start of the item but must not take part in discussion or vote at a meeting.** The term 'discussion' has been taken to mean a discussion by the members of the committee or other body determining the issue. You should notify Democratic Services before the meeting of your intention to speak. In order to avoid any accusations of taking part in the discussion or vote, you must move to the public area, having made your representations.

If you have any queries then you should obtain advice from the Legal or Democratic Services Officer before participating in the meeting.

If the interest declared has not been entered on to your Register of Interests, you must notify the Monitoring Officer in writing within the next 28 days following the meeting.

This page is intentionally left blank

Public Document Pack Agenda Item 3

CRIME & DISORDER OVERVIEW & SCRUTINY PANEL

THURSDAY, 4 FEBRUARY 2016

PRESENT: Councillors David Hilton (Chairman), John Story (Vice-Chairman), John Bowden, Hari Sharma and Lisa Targowska and Malcolm Beer.

Also in attendance: Parish Councillor Pat McDonald (White Waltham Parish Council).

Officers: Tanya Leftwich, Brian Martin, Craig Miller, Claire Gomm, Simon Fletcher, Richard Bunn, Louise Hulse and Alison Alexander.

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Werner, Parish Councillor Spike Humphrey (Sunninghill & Ascot Parish Council), Parish Councillor Margaret Lenton (Wraysbury Parish Council) and Superintendent Rai (Thames Valley Police).

It was noted that Councillors John Story and Hashim Bhatti would arrive late.

The Chairman informed everyone present that the meeting was being recorded and would be made available on the RBWM website.

DECLARATIONS OF INTEREST

None.

MINUTES

The Part I minutes of the meeting held on the 24 November 2015 were agreed as a correct record.

YOUTH OFFENDING TEAM OVERVIEW

The YOT Service Manager, Louise Hulse, gave Members a brief presentation on the Youth Offending Team (YOT) and explained how the YOT management could be more effective than it had been. The presentation covered the following areas:

- Modern Youth Justice partnerships: the role of the YOT management board.
- Modern Youth Justice partnerships: responsibilities of the board.
- Characteristics of effective boards.
- Membership.
- Expectations of a draft agenda.

Councillor Beer arrived

- Performance overview: National indicators – end of Q2.
- Finance.
- Asset Plus.
- National review of Youth Justice.

In the ensuing discussion the following points were noted:

- It was important that the YOT management board had sufficient decision making powers.

- That in other Local Authorities the YOT produce an induction pack for the Youth Management Board.
- That the target (0.75) with regard to reoffending which was noted to be on target at 0.52. It was noted that the 0.52 target which was set locally was the average number of re-offences by all youth offenders in a twelve month period.
- That of the 10-17 year olds anyone who was turned 15 years old would not be shown in the re-offending statistics because they would fall outside the time scale.
- That there had been an indication of a 1% cut in the PCC contribution for next year.
- That the number of young people with disposals as a consequence of offences were declining.
- That draft findings of the National Youth Justice Review should be available in February with final findings to be available in June.
- That benchmarking took place in terms of practice and that statistically the Royal Borough was a high performing YOT.
- That if the young person was a resident of the Royal Borough but committed an offence outside the borough then the Thames Valley Police had an obligation to notify the Council within 24 hours of the offence.
- That the YOT had been established in 2000.
- That no data to show the number of offences committed by young people outside the Royal Borough that had been dealt with elsewhere was available.

It was agreed that of the 42 young offenders in the Royal Borough Members would be informed of the number that had re-offended along with the number of re-offences per young person. It was noted that this information would be provided to Members in age bands and gender in order to hide the young peoples identities.

It was also agreed that the local statistics could be collated in a scorecard similar to the one that was produced for the Corporate Parenting Forum (i.e. to show how many had not re-offended, how many had re-offended once, how many had re-offended twice and how many had re-offended three times and above). It was noted that the scorecard would be run past Councillor Lisa Targowska before it was provided to Members of the Panel.

COMMUNITY SAFETY PARTNERSHIP MATTERS

The Community Safety Manager, Brian Martin, gave Members a verbal update on Community Safety Partnership (CSP) matters. It was noted that it was that stage in the year when the Council were looking at the plans for next year and also looking back on what had happened over the last year. Members were informed that a Community Safety report was being produced which looked at emerging trends and established a series of priorities for the coming years which included:

- Sexual assault.
- Violent crime.
- Burglary.
- Safeguarding (crime related).
- Business as usual (including Anti-Social Behaviour).

It was noted that these priorities were all looked at by the following overarching themes:

- Prevention.
- Protection.
- Inclusion.

Members were informed that the Council had a short annual action plan in place and would be refreshing the three year strategic action plan. It was noted that all the above should be available for Members to see at the next meeting in March.

The Community Safety Manager went on to explain that the Council had actively engaged and completed two consultations around Public Space Protection Orders (PSPOs) and that a meeting had been set up for the 23 March 2016. Members were informed that a paper was being produced for Cabinet on the new type of PSPOs. It was noted that the new type of PSPOs would cover Dog Control, Barbecues and Rough Sleepers in Council run car parks. The borough would also be considering the viability of giving teachers the power to fine people parking in an anti-social manner around schools.

UPDATE FROM THAMES VALLEY POLICE

The Chairman informed Members that Superintendent Rai (Thames Valley Police) was unable to attend the meeting but had provided the Clerk with a copy of the current crime statistics of which a hard copy had been supplied to everyone present at the start of the meeting.

In the ensuing discussion the following points were noted:

- There were 140 public space cameras in the Royal Borough which provided the Thames Valley Police with evidence bundles for crimes such as bike theft.
- That successes were publicised by the Thames Valley Police via social media.
- That the crime statistics covered ten months (financial year to date).
- That theft from cars was being reported through the Alert system and that the majority of crimes were due to cars being left unlocked.

RESOLVED That the Chairman would email Superintendent Rai and request that she provide a report for the next meeting to explain the drivers behind:

- **Violence with injury.**
- **Violence without injury.**
- **Rape (whether there had been an increase in reporting or an increase in offences).**
- **Bike thefts.**
- **Possession of weapons offences.**

NIGHT TIME ECONOMY ENFORCEMENT SERVICES

The Head of Community Protection & Enforcement, Craig Miller, informed Members that the purpose of the report was to consider the results of the six month Night Time Economy Enforcement pilot that concluded on 31 December 2015 and determine whether the service was continued as a permanent arrangement.

It was noted that the performance data and reports had been analysed to inform a recommendation to continue the service as a permanent arrangement using the same configuration as the pilot (Friday & Saturday 19.00 to 03.00).

Members were informed that the report also suggested that a service review was undertaken after a further 12 months (February 2017) to ensure the service configuration continued to offer value for money and was in line with residents' needs and concerns.

The Head of Community Protection & Enforcement explained that the service had been continued on an interim basis since 31 December 2015 and could therefore be made permanent with immediate effect should Members be minded to approve the recommended option. It was noted that the annual cost of operating the service was £7,000 (revenue) and £2,000(capital).

In the ensuing discussion the following points were noted:

- That this could be seen to be a proactive step towards a reactive solution giving greater scope for residents to access services.
- That further work would be done with the Thames Valley Police and night time economy premises.

- That the community wardens would take on more of an enforcement role going forward.
- It was questioned whether some of the environmental protection investigations throughout the trial could have been done throughout the day (i.e. taxi licensing checks and licensed premises checks). The Head of Community Protection & Enforcement explained that licensed premises checks could not be done during daytime hours.
- That the Council received approximately 4500 complaints per annum, the majority of which were noise nuisance related.
- That one of the Councils Manifesto commitments was to increase the number of Community Wardens from 18 to 36 with no increase to resources (e.g. approximately three per year).
- That it could be explored whether night time economy premises (particularly in Windsor) could help manage egress of revellers by utilising their SIA doorstaff .
- That the use of both taxi ranks in Winsor could help reduce issues related to the night time economy.

The Crime & Disorder Overview & Scrutiny Panel unanimously agreed to recommend to Cabinet the following:

- i. Approves Option 1 as detailed in point 2.9 below;**
- ii. Delegates authority to the Strategic Director of Operations in conjunction with the Lead Member for Environmental Services to undertake a service review in 12 months and submit a report to Cabinet should any significant changes to the service configuration be considered necessary;**
- iii. Approves the exploration of options for managing the night time economy with relevant night time economy stakeholders and Thames Valley Police to assist with successful egress from night time economy locations;**
- iv. Delegates authority to the Strategic Director of Operations in conjunction with the Lead Member for Environmental Services to prepare a media statement to communicate and promote the continuation of the Night Time Economy service as a permanent arrangement.**

UPDATE ON THE DRUG AND ALCOHOL ACTION TEAM REVIEW

The Chairman gave Members a verbal update on the progress of the DAAT Task & Finish Groups work.

The Chairman explained that at the meeting on the 27 October 2015 the Panel had been given a presentation on proposals for a full review of the DAAT and that this review would be undertaken by a Task and Finish Group. It was noted that this group was being chaired by Councillor Carroll and included other Councillors, a number of key stakeholders including Dr Kirstin Ostle, GP representing WAM, Inspector Mike Darrah, Thames Valley Police, Dr Lise Llewellyn, Director Public Health Berkshire and a number of Council officers.

Members were informed that the Task & Finish Group terms of reference included:

1. Benchmarking service outcomes.
2. Reviewing best practice.
3. Developing options for future service delivery.
4. Assessing risk of options and mitigation.
5. Consultation on options.
6. Conducting Crime and Disorder and Health Impact Assessments of options.

The Chairman went onto explain that the plan was to formulate options for future service delivery for the consideration of Cabinet.

It was noted that the Chairman had attended many of the Task and Finish meetings and had been impressed not only by the engagement of stakeholders but by the quality and depth of the discussions that had taken place. Members were informed that the process had included meetings with Public Health England, Berkshire Healthcare Foundation Trust on mental health issues and importantly users of the DAAT service provided by SMART.

The Chairman commended the Public Health Programme Manager & DAAT Manager and Commissioner, Claire Gomm, who headed the DAAT for her dedication in preparing many detailed papers for the Task & Finish group and for her openness and clarity in responding to questions and helping to guide the debate.

The Clerk was asked to minute the Chairman's commendation.

Members were informed that the benchmarking exercise had been completed with the following headlines:

- Overall, in terms of prevalence and complexity factors, the needs of the Royal Borough appeared to be less than those of Slough and Reading, similar to those in West Berkshire but largely higher than those of Wokingham and Bracknell.
- Performance in the Royal Borough around successful completions of adult services users has compared well to the other Berkshire authorities, with the September 2015 data placing RBWM second for the non-opiate and alcohol cohorts and third for the combined alcohol and non-opiate cohort. There were some improvements to be gained in the opiate cohort.
- Performance around 'in treatment' benefits which sought to demonstrate the positive gains experienced before people exited formal treatment showed that RBWM compared well to national averages.
- Finally, the Young People's service was described, as demonstrating the balance of one to one 'treatment' work carried out as well as the prevention work. It was noted that the service performed well compared to the other Berkshire services, with the highest rates of planned exits for young people in service, in 2014/15.
- When considering costs the Borough's budget was the joint third highest in Berkshire. It was noted that the Royal Borough had the third highest estimated drug user population, the third highest number in treatment and the third highest rate of alcohol admissions. The Chairman explained that on balance the Royal Borough compared well with the other Berkshire Unitaries.
- Using the benchmarking information a consultation survey was developed on the SMART and prescribing services with a separate consultation on Young People's services, which seemed to have a greater focus on prevention and questions covered a broad range from stakeholder priorities to measures of success. Members were informed that once the results had been analysed the Task and Finish group would focus on developing options for the service which would be presented to Cabinet.

The Chairman informed the Panel that the Task & Finish Group were next due to meet on the 9 February 2016.

The Chairman went on to explain that Members might be interested to learn Psychoactive Substances Act 2016 would come into force on the 6th April 2016. It was noted that this act was passed to combat what was widely known as legal highs.

In the ensuing discussion the following points were noted:

- That replies to the survey would be chased up by the Public Health Programme Manager & DAAT Manager and Commissioner.
- That the data from service user replies was currently being collated.
- That more could be done with GP's around early intervention for people at risk.

BUDGET 2016/17

The Chief Accountant, Richard Bunn, referred Members to pages 33-200 of the agenda and gave an overview of the Council budget for 2016/17. Members were informed that the report would be going before Cabinet on the 11 February 2016 and then onto Council on the 23 February 2016.

Members were informed that there had been an increase in demand from Adult Social Care and that the Council would lose about 45% of the grant over the next four years. It was noted that the Council was able to raise funds elsewhere locally possibly by raising Council Tax by 4% if it wished. This would be made up of a 2% increase that could be levied without a local referendum and a further 2% adult services precept could be imposed.

The Chief Accountant went on to explain that there was a new homes bonus scheme 2017/18 which meant that no new homes bonus would be received on homes built after the appeal. Members were informed that there were therefore significant changes proposed to the way the new homes bonus scheme currently worked.

In the ensuing discussion the following points were noted:

- The Chief Accountant explained that an injection of £3.8million had been made for the increase in demand from Adult Social Care and £5.7million needed to be made in efficiency savings.
- Members were referred to the capital programme specifically on pages 101, 104, 123 & 134 of the agenda and asked if there were any schemes the Panel wanted to promote.

The Crime & Disorder Overview & Scrutiny Panel unanimously agreed to recommend to Cabinet the following:

- i. That the detailed recommendations contained in Appendix A, which includes a Council Tax at band D of £906.95, be approved.
- ii. That an Adult Social Care Levy of £1.191m be included in the Council's budget proposals, this levy being equivalent to £18.14 at band D.
- iii. That Fees and Charges as contained in Appendix B be approved.
- iv. That the Capital Programme shown in Appendices C and D be adopted by the Council for the year commencing April 2016.
- v. That responsibility is delegated to the Cabinet Prioritisation Sub Committee to identify specific scheme budgets for the Highway Maintenance programmes as soon as project specifications have been completed.
- vi. That authority is delegated to the Head of Finance in consultation with the Lead Members for Finance and for Adult Services and Health to add up to a further £300k to the budget for Disabled Facilities Grant once demand for those grants has been established.
- vii. That the prudential Borrowing limits set out in Appendix L are approved.
- viii. That Council is asked to note the Business Rate tax base calculation detailed in Appendix P (to follow) and its use in the calculation of the Council Tax Requirement in Appendix A.
- ix. That the Head of Finance in consultation with Lead Members for Finance and Education, is authorised to amend the Total Schools Budget, to reflect actual Dedicated Schools Grant levels.
- x. That the Head of Finance in consultation with Lead Members for Finance and Education, the Managing Director and Strategic Director for Adult, Children and Health Services and the School Forum is authorised to approve subsequent allocation of the Schools Budget in accordance with the 2016/17 funding formula and the Schools Finance and Early Years Regulations 2015.
- xi. That responsibility to include the precept from the Berkshire Fire and Rescue Authority in the overall Council Tax charges is delegated to the

- Lead Member for Finance and Head of Finance as soon as the precept is announced. (should be 17 February 2016)**
- xii. That the revision to the Council’s Minimum Revenue Policy set out in paragraph 3.43 be approved.**

The Panel unanimously agreed that they would like to promote the following Capital Bid schemes:

- Item 15 = Enforcement Services Mobile Phone Replacement 2016-2017.
- Item 16 = Parking Enforcement Equipment Upgrade & Renewal 2016-2017.
- Item 17 = Mobile working for street based staff 2016-2017.

The Panel agreed that Item 53 (Decriminalised parking enforcement (post implementation parking review) be promoted and phased in but that it was not necessarily something that was needed in the short-term or this year.

The Panel stated that in the past the Youth Offending Team had been a separate item in the budget and that in order to be transparent the financial amounts should be split into separate amounts going forward.

DATE OF FUTURE MEETINGS

The Chairman informed Members that the dates of the next meetings were as follows:

- Thursday 12 April 2016.

Parish Councillor Pat McDonald informed Members that the National Crime Survey was currently taking place and twenty-five houses in Maidenhead were currently being surveyed.

The meeting, which began at 6.15 pm, finished at 8.45 pm

CHAIRMAN.....

DATE.....

This page is intentionally left blank

Report for: INFORMATION



Contains Confidential or Exempt Information	<i>NO - Part I</i>
Title	RBWM Transformation Programme 2015-18: An Agile Council
Responsible Officer(s)	Simon Fletcher, Strategic Director of Operations and Customer Services
Contact officer, job title and phone number	Simon Fletcher, Strategic Director of Operations and Customer Services
Member reporting	Cllr Paul Brimacombe, Principal Member for Transformation & Performance
For Consideration By	Cabinet
Date to be Considered	31 March 2016
Implementation Date if Not Called In	Immediately
Affected Wards	All

REPORT SUMMARY

1. This paper introduces a refreshed RBWM Transformation Programme (strategy) 2015-18. The Programme is designed to respond to the changing face and funding structure of local government and enable the Royal Borough to become a change ready and 'Agile' organisation.
2. This Transformation Programme is ambitious; it seeks substantial and sustainable change to cope with the increasing demands on local government but also seeks to meet the changing needs of residents, within tightening financial constraints, without compromising the quality of our services.
3. Successful implementation of the strategy will result in new operating models for our services, delivered by employees who are skilled and confident; able to respond positively to challenges and act to maximise opportunities, who will ensure we continue to utilise the right tools and technologies to provide quality services to residents.

If recommendations are adopted, how will residents benefit?

Benefits to residents and reasons why they will benefit	Dates by which residents can expect to notice a difference
1. The strategy directs service reviews to focus on the needs of the customer – changes will be made to	From 1 April 2016 onwards

ensure that these needs are more effectively met.	
2. The strategy looks to put in place operating models which will both reduce the cost and increase the efficiency of the services which we provide to residents.	From 1 April 2016 onwards

1. DETAILS OF RECOMMENDATIONS

RECOMMENDATION: That Cabinet:

- i. Approves the refreshed RBWM Transformation Programme 2015-18: An Agile Council.

2. REASON FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

- 2.1 The purpose of the refreshed transformation programme is to create a lean and agile organisation, focused on customers, services and the communities we serve.
- 2.2 Transformation is about changing the way an organisation functions; through better use of technologies, changes to working practices and structures, the introduction of new operating models and encouraging changes to customer behaviours.
- 2.3 In February 2016 both Council and Cabinet reviewed a medium term financial plan (MTFP) identifying £14.595m of savings targets for the three directorates for the period 2017/18 – 2019/20. Clearly, the council is operating in a challenging time with increases in demand for services alongside these ongoing financial constraints. The transformation programme sets out how we will increase innovation and use of digital technology, create a much stronger customer focused and commercial orientation to generate additional income and/or reduce costs and introduce different ways of delivering our services going forward, across the full range of services we provide.
- 2.4 Our transformation programme will focus on three key areas:
 - **Knowing our services** – undertaking Fundamental Service Reviews (FSRs) of our activities and using the information gleaned to plan the future scope and volume of service outcomes, and how they are achieved.
 - **Having the right people and tools** – creating a strong ‘can do’ culture across the organisation and equipping managers with the right skills to do their jobs.
 - **Delivering differently** – using relevant information and management skills to adapt our services, providing us with the ability to flex the size and shape of the council over time to meet demands and pressures we face.
- 2.5 These key areas (workstreams) will be delivered through a number of projects, which are currently in the process of being fully defined. The basis of this is set out in appendix B.

OPTIONS CONSIDERED

Options	Comments
Approve the Transformation Programme 2015-18. This is the recommended option	This option allows us to become an agile council, able to respond to the changing environment of local government and the challenges and opportunities this presents.
Not approve the Transformation Programme 2015-18. This is not recommended	This option could lead a reactive response to the changing environment we face and may affect our opportunities to achieve sustainable change and savings.

3. KEY IMPLICATIONS

3.1 Transformation is not something that is new to the Royal Borough, and the new programme identifies some of our achievements of the last few years – but there is more to do. By 2018, through this refreshed transformation programme we expect to be a council which is:

- More self reliant – successful in becoming less dependent on central government funding and increasing our income generation;
- Equipped to work in new ways – regularly commissioning the services we need based on outcomes for residents, and making evidence based decisions on those services we change;
- Quicker to respond – more able to adapt to changing circumstances and residents’ needs, including improving our digital offer to customers;
- Providing a mixed economy of service provision – taking different approaches to delivering services, taking ideas from all sectors as well as our own.

3.2 The key outcomes of this transformation programme are set out below:

Defined Outcomes	Unmet	Met	Exceeded	Significantly Exceeded	Date they should be delivered by
% of Measures of Success, as laid out in the Transformation Strategy, achieved.	<85%	85-89.9%	90-95%	>95%	31 March 2018
Deliver the identified £5.7m savings Transformation Programme for 2016/17	<£5.7m	£5.7m	£5.7m - £6m	>£6m	31 March 2017
An additional £5.5 savings identified and delivered through the Transformation Programme for 2017/18	<£5.5m	£5.5m	£5.5m – £5.75m	>£5.75m	31 March 2018

4. FINANCIAL DETAILS

Financial impact on the budget

- 4.1 There are no financial implications of this report, however some of the Transformation workstreams themselves may have budget implications (e.g. CRM Lite, New Telephony etc).

	2015/16	2016/17	2017/18
	Revenue £'000	Revenue £'000	Revenue £'000
Addition	N/A	N/A	N/A
Reduction	N/A	N/A	N/A

	2015/16	2016/17	2017/18
	Capital £'000	Capital £'000	Capital £'000
Addition	N/A	N/A	N/A
Reduction	N/A	N/A	N/A

5. LEGAL IMPLICATIONS

- 5.1 There are no legal implications.

6. VALUE FOR MONEY

- 6.1 A main strategic priority of the Transformation Programme is to achieve value for money.

7. SUSTAINABILITY IMPACT APPRAISAL

- 7.1 N/A

8. RISK MANAGEMENT

Risks	Uncontrolled Risk	Controls	Controlled Risk
The Transformation Programme does not achieve it's agreed objectives.	HIGH	The Transformation Steering Group will review progress on a monthly basis. A quarterly report will be submitted to Cabinet summarising programme progress.	LOW
The Transformation Programme does not deliver the required savings.	HIGH	The Transformation Steering Group will review progress on a monthly basis. A quarterly report will be submitted to Cabinet summarising programme progress.	LOW

9. LINKS TO STRATEGIC OBJECTIVES

9.1 The Transformation Strategy addresses the following strategic objectives.

Value for Money

- Deliver Economic Services
- Improve the use of technology
- Increase non-Council Tax Revenue
- Invest in the future

Delivering Together

- Enhanced Customer Services
- Deliver Effective Services
- Strengthen Partnerships

Equipping Ourselves for the Future

- Equipping Our Workforce
- Developing Our systems and Structures
- Changing Our Culture

10. EQUALITIES, HUMAN RIGHTS AND COMMUNITY COHESION

10.1 N/A

11. STAFFING/WORKFORCE AND ACCOMMODATION IMPLICATIONS

11.1 N/A

12. PROPERTY AND ASSETS

12.1 N/A

13. ANY OTHER IMPLICATIONS

13.1 N/A

14. CONSULTATION

14.1 Consultation has taken place with;

- Elected Members and Overview & Scrutiny Panels
- Strategic Leadership of the Council.

15. TIMETABLE FOR IMPLEMENTATION

Date	Details
31 March 2016	Report presented to Cabinet for approval

16. APPENDICES

- Appendix A - RBWM Transformation Programme 2015-18: An Agile Council
- Appendix B – Transformation Workstreams 2016-18

17. BACKGROUND INFORMATION

- N/A

18. CONSULTATION (MANDATORY)

Name of consultee	Post held and Department	Date sent	Date received	See comments in paragraph:
Internal				
Cllr Burbage	Leader of the Council	29/02/16	09/03/16	
Cllr Paul Brimacombe	Principal Member Transformation & Performance	29/02/16	29/02/16	
Cllr Simon Dudley	Deputy Leader of the Council	29/02/16		
Cllr Geoff Hill	Lead Member for Customer & Business Services, including IT	29/02/16		
Alison Alexander	Managing Director/ Strategic Director Adults, Children and Health	29/02/16	07/03/16	
Russell O'Keefe	Strategic Director Corporate and Community Services	29/02/16		
Andrew Brooker	Head of Finance	29/02/16		
Michael Llewelyn	Cabinet Policy Officer	29/02/16	29/02/16	

REPORT HISTORY

Decision type:	Urgency item?
Key Decision	No

Full name of report author	Job title	Full contact no:
Simon Fletcher	Strategic Director of Operations & Customer Services	01628 796484

**RBWM TRANSFORMATION PROGRAMME
2015 – 2018: AN AGILE COUNCIL**

January 2016

“The Royal Borough of Windsor & Maidenhead is a great place to live, work, play and do business supported by a modern, dynamic and successful Council”

Our vision is underpinned by four principles:

Putting residents first

Delivering value for money

Delivering together with our partners

Equipping ourselves for the future

What is Transformation?

“Changing the way that the organisation functions”.

1. Changing processes affecting technology and structures.
2. Changing (legacy) historical working practices, values and structures.
3. Changing to new products or services and new delivery mechanisms.
4. Changing internal, external and customer behaviour.

CONTENTS

- 1 Introduction
- 2 Transformation Vision and Outcomes
- 3 Transformation Strands
- 4 How We Get There
- 5 Our Transformation Achievements to Date
- 6 Measures of Success

Frequently used acronyms

FTE	Full time equivalent
RBWM	Royal Borough of Windsor & Maidenhead

1. INTRODUCTION

- 1.1 Our transformation programme is designed to respond to the changing environment of local government. The public sector is at a turning point in its evolution; change is the norm and 'change ready', agile and commercially focused public service organisations are required.
- 1.2 We anticipate significant changes in the needs, behaviours and expectations of residents, customers, clients and communities - compounded by the reality of deficit reduction. We expect an increase in the volume of demand for council services; with particular growth in demographic-led demand for the services used by young and older people. That is, a likely disproportionate level of spend required for a small number of people with high needs where people (adults and children) are dependent on more restrictive support.
- 1.3 Demand is growing for a number of reasons; people are living longer and our lifestyles are changing and so too are our expectations – people want to stay out of hospitals, people want to remain in their own homes as they get older, and we are gaining greater understanding of issues such as child sexual exploitation and what we need to do about it. These are the areas where the costs are greatest; placing extra financial pressure on the Royal Borough of Windsor and Maidenhead (RBWM) every year. Meanwhile our duty to lead and support communities and create vibrant places and spaces for people to live, learn, work and play continues unabated.
- 1.4 The Royal Borough has a track record of responding positively to these challenges. We recognise and embrace the changing landscape of local government; operating in an environment of increasing demand and reducing resource. To ensure we respond to these challenges and opportunities, and continue to provide local people with the quality services they expect, we need to do things differently and change the way the council functions; Our transformation programme is enabling RBWM to do just that, and become an 'AGILE COUNCIL'.
- 1.5 An 'Agile Council' is one that has the knowledge, will and ability to transform efficiently and effectively within meaningful and appropriate timescales. It adheres to the principles of data-driven decision making, outcome based planning and performance management. It delivers valued and precise outcomes through the most effective operating models, by employees who are skilled and confident, who respond positively to challenges and act to maximise opportunities.
- 1.6 The recent local government settlement introduces changes to the ways the sector will be funded in the future. It sets out reductions in our revenue support grant going forward. The council, like the whole sector, therefore faces significant financial challenges over the period to 2020, with a current funding gap of approximately £14.5million over the period. We are committed to limit council tax rises at or below the rate of inflation whilst improving our services, which itself limits our choices and supports the need for us to become more Agile.
- 1.7 RBWM has an advantage over many other public, voluntary and private sector organisations in that we are in touch with the views of residents of the borough and have a mandate to commission services from a broad range of providers, including ourselves. We will work closely with partners, stakeholders and communities to address our financial challenges and determine the scope, size and content of our future services.

- 1.8 While the transformation programme will change the way the council functions we will also achieve continuous improvement through our 'business as usual' activities; it is intended that an 'Agile Council' will become the cultural norm. In this way the success of the transformation programme is complete when 'Agile' itself is business as usual.

2. TRANSFORMATION AMBITION AND OUTCOMES

- 2.1 The council's ambition, as articulated in our Corporate Plan 2016-20 and through this transformation programme, is to for the Royal Borough to be:

“A great place to live, work, play and do business, supported by a modern, dynamic and successful council.”

- 2.2 The transformation programme has solid foundations, built upon the preceding initiative of a business improvement programme (BIP) using lean and service reviews and earlier iterations of transformation. These initiatives assisted the council to successfully deliver balanced budgets and ensure continued financial stability. This transformation programme is more ambitious; it seeks substantial and sustainable change to cope with the increasing demands on local government. It also seeks to meet the changing needs of residents, within these tightening financial constraints, without compromising the quality of our services.

Anticipated outcomes of our transformation programme

By 2018 we expect to be a council which is:

- **Resident Focused** – Our customers will be able to access some services 24/7 and self-service for simple transactions will become the norm. Where possible, we will develop a single view of the customer, to ensure our staff have the right information and our customers receive consistently high levels of service, resolved at the first point of contact. Service will be provided at the point of need, be that in council buildings, through our libraries, through partner buildings and, if needed, in customers' homes.
- **Value for Money** – RBWM will be 'Lean', in terms of efficient and effective processes. We will implement a 'mixed economy' of different delivery models for our services, adopting the best model for each service, rather than a one size fits all approach. Being flexible about our future operating models will provide us with the ability to flex the size and shape of RBWM over time to meet demands and pressures, such as funding, demographic and policy changes.
- **Delivering Together** – We will be a smaller, smarter organisation, having successfully built sustainable partnerships across the public, third sector and private sectors and through them support the changing behaviours and needs of our residents. Our operating models will make us a sustainable council. We will continue to champion the Big Society, and will have devolved service provision through local partners and communities where the will to do so exists. We will also seek to optimise use of our assets and be smarter in our procurement activities.
- **Equipped for the Future** – We will continue to lead the way in local government, an innovative and self-sustaining council staffed by professional, trained officers with real ambition for our communities; a flexible and agile council that is an employer of choice in our sector and which residents are proud of.

3. TRANSFORMATION STRANDS

3.1 Our transformation programme has three strands to it.

STRAND ONE – ‘KNOWING OUR SERVICES’

3.2 The first strand is to undertake Fundamental Service Reviews (FSRs) for each of the council’s activities. The FSR is essential to provide insight and understanding that will enable continual thinking and planning to determine the future scope and volume of service outcomes, and how they are best achieved. It will also provide greater understanding of the priorities, challenges and opportunities facing services. We will use this understanding and detailed information on our services to identify and plan for the best future service provision. The key outputs of this work strand are:

- The council will become outcome focused so that decisions about what the Council does and how it does it are based on which choice makes the best contribution to the Council’s priority outcomes;
- The council will employ the principles of a business intelligence system to push knowledge towards employees required to take actions, and make decisions at the time, place and in the right format for them to make best use of it. Taking the view that data is just facts and figures, information is structured, contextualised data and knowledge is purposed and insightful information.

STRAND TWO - ‘HAVING THE RIGHT PEOPLE AND TOOLS’

3.3 To do this successfully we will require leaders, managers and officers with a broad range of skills who can help articulate challenges and spot opportunities for communities and the council alike. A key part of our transformation programme will be creating a strong ‘can do’ organisational culture, with modern managers and modern management skills. The key outputs of this work strand are:

- Managers who have a shared understanding of the fundamental tools and techniques of management and an appreciation of the essential role of leadership;
- Managers who have a shared understanding of change and project management and who can employ an ‘Agile Approach’ to delivering beneficial outcomes;
- Managers who have a shared understanding of the function and importance of knowledge management such that they can ensure optimal decisions, management of risk, precision of action and required performance;
- Staff at all levels act in line with the councils CREATE values.

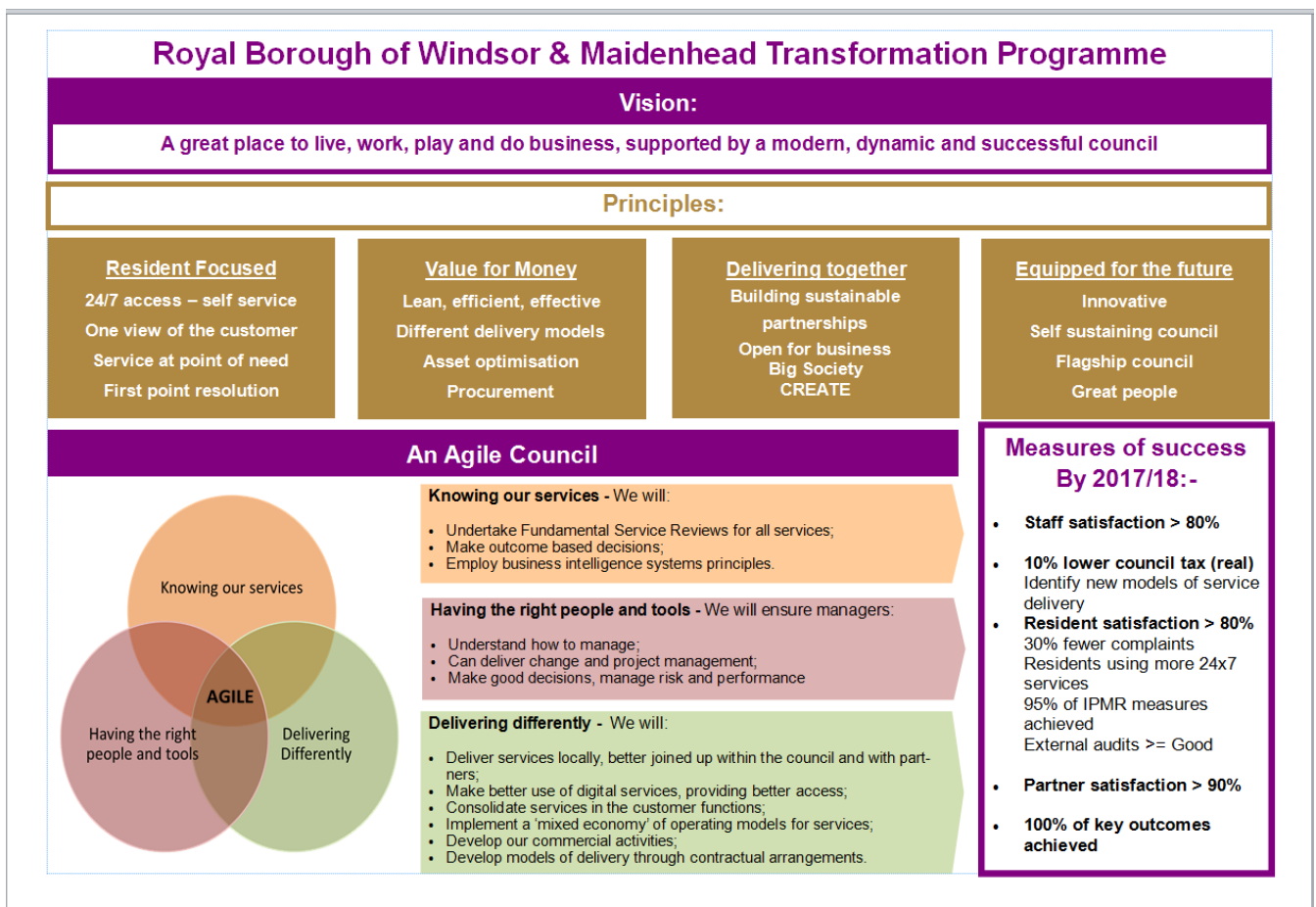
STRAND THREE – ‘DELIVERING DIFFERENTLY’

3.4 With the right business intelligence system and information, and managers and officers with the right skills to identify opportunities and challenges ahead, we can create a Agile Council, fit for purpose and able to adapt. ‘Delivering Differently’ articulates an ambition to create a ‘mixed economy’ approach to service provision in the future. The key outputs of this work strand are:

- Services delivered locally so that services are planned in, delivered in and accountable to the localities they serve and are better able to join up within the council and with other public sector partners;

- Better use made of digital services so that customers have greater access; also services are available at times that suit them and on devices that suit them;
- Consolidated services in the customer functions and the back office support functions, so that they are more efficient;
- A mixture of operating models implemented and utilised for the provision of our services; the right solutions for our services;
- Commercial activity developed and opportunities to spin out services, part of services and/or new services through our trading company, RBWM Commercial Services, to be maximised;
- Opportunities to use our assets (land and buildings) in creative ways to generate capital and revenue receipts is maximised;
- Models of delivery achieved through contractual arrangement, grants or other funding mechanisms are developed;
- Communities better supported to reduce dependence on the council through facilitating, enabling, organising and funding activities.

Figure 1 shows our 'plan on a page'.

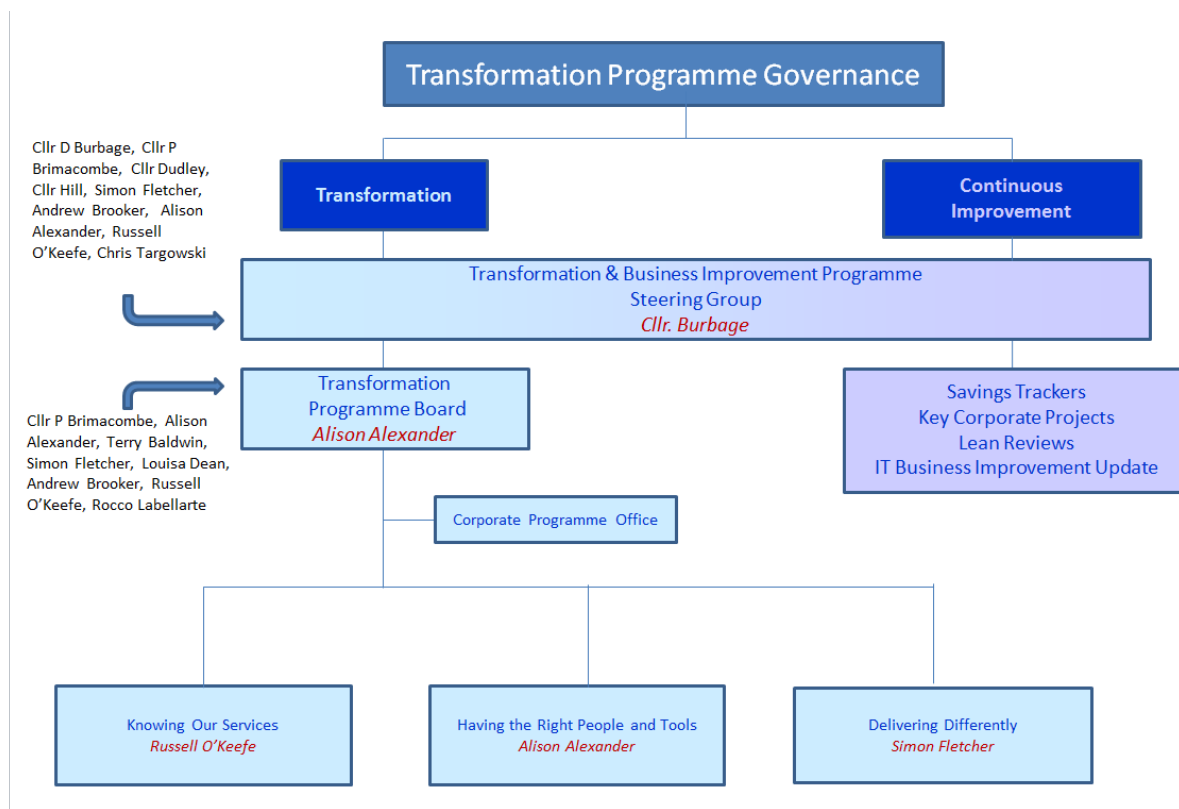


4. HOW WE GET THERE

- 4.1 Delivery of this revised transformation programme will build on the successes, and structures, we have already achieved.

- 4.2 The programme will change how we do business, to improve services to residents and to provide better value for money. It will involve better alignment of the Council's staff, processes and technology with our objectives and priorities in order to support and help innovate new ways of working and provide new levels of customer service.
- 4.3 Transformation is achieved when 'Agile' becomes 'business as usual'. It will result in new operational models, better management practices, more efficient processes, new technology, improved leadership and will influence culture, staff training and structures.
- 4.4 Projects and work-streams will continue to be identified and managed through Verto, supported by the Corporate Programme Office. The existing transformation programme benefits realisation and performance management structures will continue (see figure 2 below) - to enable, track and bring about real change. Likewise, we will continue to centrally coordinate change communications, supported by our Change Agents and Champions.

Figure 2 shows the transformation programme governance arrangements (from 1 April 2016).



- 4.5 We are taking a priority-based approach as we have limited resource and organisational capacity for change and cannot transform everything at once. A roadmap will be developed to show the journey and steps for transformation within the three areas, with individual projects and their approximate start and delivery dates.

5. OUR TRANSFORMATION ACHIEVEMENTS TO DATE

5.1 Some progress has already been made on our transformation journey.

- We have achieved £24.6m's of savings since 2013/14 supported by our 'Lean' practices and FSRs
- We have restructured our senior management layer, again generating £460k of financial savings, and creating a more flexible, senior cadre of managers
- We have reduced the staff headcount by 216 FTE since 2013/14 (including 90 transferred to Legacy Leisure).
- We launched a new website in January 2015 (6 weeks lead in) and old website 'switched off' in December 2015.
- We have implemented remote and home working, anytime anywhere access to Council systems for staff and Members;
- Introduced hot desk working – open plan offices through the Smarter Working project;
- Provided access to email and calendars on Smartphones, iPads and other devices;
- Introduced Wi-Fi access in council offices for Members, staff and visitors;
- Created a new, paperless Cabinet and Committee reports system;
- We have upgraded almost all core business systems (Finance, HR, Pensions, Revenues and Benefits, Planning, Social Care, Elections);
- Achieved secure encryption added to all devices, computers, laptops, tablets, phones, etc.
- Introduced a new Project Management methodology (Gateway Process) and reporting (Verto);
- Major works undertaken in 13/14 to achieve Government security compliance;
- Received recognition from Government as the first authority to deliver a cloud environment;
- Implemented a series of shared services (including Shared Legal Solutions and Building Control);
- Diverted more than 90% of our waste from landfill to 'energy from waste' sites;
- Implemented locally based 'Community Wardens' to improve access to our services to residents – and extended this to cover our vibrant night time economy;
- Brought forward a series of exciting regeneration activities to support further development of the Borough;
- Built new school in Oldfield, in response to growing demand;
- Invested in projects which significantly improve our environment and leisure facilities (Furze Platt Leisure Centre, Waterways scheme etc).

6. MEASURES OF SUCCESS

6.1 The following table sets out the measurable success factors for the transformation programme.

BENEFIT REF	BENEFITS	KPI or ACTION	How the Transformation strategy contributes to the benefit	Baseline if app.	RBWM target	
					2016/17	2017/18
Tx Ben 1	Financial management	Savings targets are achieved.	<ul style="list-style-type: none"> By maximising opportunities for sharing services with public and third sector partners; By implementing a mixture of operating models for the provision of our services, achieving sustainable savings; By develop models of delivery to be achieved through contractual arrangement, grants or other funding mechanisms. 	£20.3m savings by 2020 (Local Government Settlement 2015)	£5.7m	£5.5m
Tx Ben 2		New income is realised from commenrcial trading activities	<ul style="list-style-type: none"> By developing our commercial / trading activities and opportunities to spin out services, part of services and/or new services through RBWM Commercial Services; 	<£80K (TWO5NINE)	>£500K	>£750K
Tx Ben 3		Cost of service (per transaction) is known and used in planning for services	<ul style="list-style-type: none"> By use of a business intelligence system to ensure decisions are taken based on appropriate information 	To be baselined (by March 2016)	TBC	TBC
Tx Ben 4	Reduced council tax (real)	% real terms reduction in council tax	<ul style="list-style-type: none"> By continuing to put residents first and ensure that efficiencies we achieve can be passed onto them. 	Band D Rate (£906.95 excludes £18.14 ASC precept)	TBC	10%
Tx Ben 5	Increased resident satisfaction	% of residents who are overall very satisfied or fairly satisfied with RBWM	<ul style="list-style-type: none"> By consolidating services in the customer functions and the back office support functions so they are more efficient By creating customer focused services, utilising technology, and our assets across the Borough, to improve services to residents By engendering a culture of customer service excellence across the council By providing effective, efficient services and delivering first time resolution to customer queries 	65% (2015 residents survey)	75%	>80%



BENEFIT REF	BENEFITS	KPI or ACTION	How the Transformation strategy contributes to the benefit	Baseline if app.	RBWM target	
					2016/17	2017/18
Tx Ben 6		% fewer complaints received	<ul style="list-style-type: none"> By consolidating services in the customer functions and the back office support functions so they are more efficient By creating customer focused services, utilising technology, and our assets across the Borough, to improve services to residents By engendering a culture of customer service excellence across the council 	720 (estimate 2015/16)	600 (15%)	30%
Tx Ben 7		% of residents accessing services '24/7'	<ul style="list-style-type: none"> By increasing the number of channels available at different locations and at different times By improving the transactional capability of our website and how it interfaces with back office systems; By developing a 'my account' feature for residents so they can apply, pay for and track services online 	To be baselined (by March 2016)	TBC	TBC
Tx Ben 8		% IPMR measures achieved	<ul style="list-style-type: none"> By ensuring managers are focused on outcomes and organisational priorities 	63% on target (2014/15)	??	95%
Tx Ben 9		% external audits scored as 'good' or better	<ul style="list-style-type: none"> By ensuring managers are focused on outcomes and organisational priorities 	To be baselined (by March 2016)	TBC	TBC
Tx Ben 10		% of residents satisfied with the way their complaint was handled?	<ul style="list-style-type: none"> By engendering a culture of customer service excellence across the council 	To be baselined (by March 2016)	TBC	TBC
Tx Ben 11		% of key outcomes achieved	<ul style="list-style-type: none"> By ensuring managers are focused on outcomes and organisational priorities 	66% (2014/15)	??	100%
Tx Ben 12	Increased partner satisfaction	% of partners who are overall very satisfied or satisfied with RBWM	<ul style="list-style-type: none"> By focusing on working together with partners to achieve targets and shared priorities for residents. 	To be baselined (by March 2016)	TBC	>90%
Tx Ben 13	Increased staff satisfaction	% of staff who are satisfied with RBWM as their employer	<ul style="list-style-type: none"> By recognising staff for their contribution to the services they provide for our residents By providing clear direction and leadership over the future of services and the organisation 	47.5% (2013) 42.6% (2014)	60%	>80%
Tx Ben 14		% of staff who have confidence in the leadership skills of their manager	<ul style="list-style-type: none"> By developing managers who have the tools and techniques of management and an appreciation of the essential role of leadership; 	To be baselined (by March 2016)	TBC	TBC
Tx Ben 15		% of staff who agree their manager is an excellent role model	<ul style="list-style-type: none"> By developing managers who have the tools and techniques of management and an appreciation of the essential role of leadership; 	To be baselined (by March 2016)	TBC	TBC



BENEFIT REF	BENEFITS	KPI or ACTION	How the Transformation strategy contributes to the benefit	Baseline if app.	RBWM target	
					2016/17	2017/18
Tx Ben 16		% staff who agree their manager exhibits the CREATE values the majority of the time	<ul style="list-style-type: none"> By growing managers who have the tools and techniques of management and an appreciation of the essential role of leadership; 	To be baselined (by March 2016) 55.8% (2013 – in relation to people they work with)	TBC	TBC
Tx Ben 17		% of staff who have confidence in the leadership skills of the senior leadership team	<ul style="list-style-type: none"> By growing managers who have the tools and techniques of management and an appreciation of the essential role of leadership; 	To be baselined (by March 2016)	TBC	TBC
Tx Ben 18		% of staff who have confidence in the leadership skills of members	By improving our communications and trust between member and senior leaders	To be baselined (by March 2016)	TBC	TBC
Tx Ben 19		% of staff who agree the senior leadership team exhibit the CREATE values	<ul style="list-style-type: none"> By growing managers who have the tools and techniques of management and an appreciation of the essential role of leadership; 	To be baselined (by March 2016)	TBC	TBC
Tx Ben 20		% of staff who agree they would be happy to be still working at the council in 12 months time	<ul style="list-style-type: none"> By creating a strong outcomes focused organisation supported by a can do culture 	56.8% (2014)	70%	>80%
Tx Ben 21		Successful project management	% project objectives met in full	<ul style="list-style-type: none"> By growing managers who are able to manage change and project management and who can employ an agile approach to delivering beneficial outcomes; 	To be baselined (by March 2016)	TBC
Tx Ben 22	% of projects completed on time and to original budget		<ul style="list-style-type: none"> By growing managers who are able to manage change and project management and who can employ an agile approach to delivering beneficial outcomes; 	To be baselined (by March 2016)	TBC	TBC



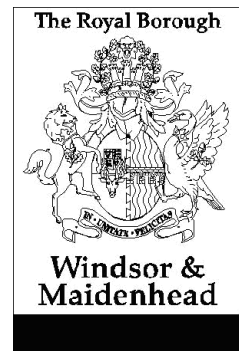
Document Name	RBWM Transformation Strategy Document		
Document Author	Simon Fletcher (Strategic Director of Operations)		
Document owner	Transformation Steering Group		
Accessibility	??		
File location	TBC		
Destruction date	TBC		
How this document was created	Version 0.1	S Fletcher - First draft	16/Dec/2015
	Version 0.2	Cllr P Brimacombe – amends / additional text	16/Dec/2015
	Version 0.3	S Fletcher – further additions to measures of success / redrafting of text throughout	06/01/2016
	Version 0.4	A Brooker, R O’Keefe, L Dean: further additions of financial data, text to ‘delivering differently’ strand / achievements added	07/01/2015
	Version 1.0	A Alexander: minor amendments to section 2 wording, formatting	09/03/2016
Circulation restrictions	Tx Programme Board.		
Review date	TBC		

This page is intentionally left blank

WORKSTREAMS	
KNOWING OUR SERVICES	
Fundamental Service Reviews	Undertaking reviews of all services / functions across the council
Precision of Outcome	Becoming a data driven, BIS reliant organisation
DELIVERING DIFFERENTLY	PROJECT SUMMARY
Adult, Special Care and Health Provision	Converting ASC into Health or alternative CIC provision
Delivering Children's Services Differently	Moving Children's Services from LA provision into a CIC
Delivering Differently through Parishes	Devolving some highways and planning service provision to local parishes
Delivering a Great Customer Experience	<p>Digital by Choice: Introducing new technologies to improve 24/7 access encourage 'digital' as channel of choice</p> <p>Local Access: Access to council service from our / partner assets or customers' homes where required</p> <p>First Time Fix: Reduction of failure demand / avoidable contact - focus on 1st time resolution of customer contacts</p>
Delivering Operations & Customer Services Differently (title TBC)	Implementing new operating models for the provision of services in the Operations and Customer Services directorate.
Delivering Corporate Services Differently (title TBC)	<p>Delivering different approaches in corporate and community services to realise savings, income and improvements including:</p> <ul style="list-style-type: none"> - Finance and procurement - Property - Planning - Legal and governance - Performance.
HAVING THE RIGHT PEOPLE & TOOLS	PROJECT SUMMARY
High Performance Organisation	<p>Ensure a customer focused culture at all levels of the council</p> <p>Deliver a strong management culture, in partnership with Members, able to make good decisions and manage risk & performance</p>
Change & Project Management Capability	Delivering successful change and project management
Communications	Improving (I/E) communications and engagement, promoting the work of the council and ensuring we give the right messages to our community

This page is intentionally left blank

Report for: *ACTION*



Contains Confidential or Exempt Information	NO - Part I
Title	Recommendations for a New Type of Public Space Protection Order (PSPO)
Responsible Officer(s)	Simon Fletcher – Strategic Director of Operations & Customer Services
Contact officer, job title and phone number	Craig Miller - Community Protection & Enforcement Service Lead 01628 683598
Member reporting	Cllr Carwyn Cox – Lead Member for Environmental Services
For Consideration By	Cabinet
Date to be Considered	31 st March 2016
Implementation Date if Not Called In	Immediately
Affected Wards	All

REPORT SUMMARY

1. This paper proposes that Cabinet recommends that full Council considers and approves an extension to the scope of PSPOs available for use within the Royal Borough to include anti-social behaviour (ASB) arising from barbecues lit in public spaces.
2. The paper also recommends that delegated authority be given to the Lead Members for Environmental Services and Highways and Transport in conjunction with the Strategic Director of Operations & Customer Services to make further recommendations (as appropriate in the future) on the extension of the scope of PSPOs direct to full Council.
3. The paper also sets out a number of anti social behaviour issues that the council has received contact about. These issues have been considered under the PSPO framework by other local authorities. The paper suggests further research is undertaken in conjunction with the Policy Committee and stakeholders to determine the most appropriate response (if any) to these matters.

If recommendations are adopted, how will residents benefit?	
Benefits to residents and reasons why they will benefit	Dates by which residents can expect to notice a difference
A reduction in barbecue-related anti-social behaviour in the locations where relevant PSPOs are implemented.	Immediately from the inception of an appropriate PSPO.

1. DETAILS OF RECOMMENDATIONS

RECOMMENDATION: That Cabinet:

- i. Approves Option1 in section 2.9 below;**
- ii. Delegates authority to the Strategic Director of Operations & Customer Services in conjunction with the Lead members for Environmental Services and Highways & Transport to propose any future widening of the scope of ASB covered by PSPOs directly to full Council;**
- iii. Requests the Strategic Director of Operations & Customer Services in conjunction with the Policy Committee and relevant stakeholders to complete an options appraisal of the potential responses to the items detailed at a) to e) in section 2.7.**

2. REASON FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

- 2.1 Certain types of anti-social behaviour are more prevalent in some areas than others. Public Space Protection Orders (PSPOs) provide the tool by which such ASB can be tackled. A paper to July 2015 Cabinet considered the introduction of PSPOs in detail and whilst it just dealt primarily with the replacement of the borough's old Designated Public Space Orders, it indicated that PSPOs would in future be used to tackle other types of ASB occurring in public places.
- 2.2 The main item being put forward in this paper is anti-social behaviour (ASB) that can arise from barbecues being lit in public spaces (smoke annoyance and safety concerns from hot coals and fire). The council has over the past few years received contact and complaints from residents and ward councillors in respect of barbecues that have been lit on Bath's Island, Windsor during weekend and bank holiday periods. An initial review of e-mails and complaints made to the council's Environmental Protection team alone highlights six formal complaints made about barbecues on Baths Island between the end of May 2014 and the end of April 2015. One of these details a patrol that identified 15 barbecues lit on the island with another complaint detailing significant numbers of users on the Island many with barbecues.
- 2.3 As a result, Community Wardens have been tasked to patrol this location for the past three years during peak periods to prevent people lighting barbecues (on average 2 -5 per day). On average this has required 8 hours Community Warden overtime per weekend. This results in an additional cost to the council of circa £6,000.
- 2.4 The council currently has little or no enforcement power to tackle this issue effectively and relies on good will and interpersonal skills when issues occur. The ability to issue a Fixed Penalty Notice ~~140~~ a breach of a PSPO would act as a

strong deterrent. This would also provide an actual sanction for any instance where all other informal efforts and attempts to rectify an issue have been exhausted.

- 2.5 It is likely that this ability will also help improve some of the wider issues associated with the use of barbecues in public spaces e.g. littering and damage to grass from disposable barbecues etc. Leisure services officers have received complaints and experienced issues of this nature in open spaces within the Borough. Appendix 1 shows images of Baths Island, Windsor and the extent of littering and waste left on the Island following good weather periods when barbecues have been lit.
- 2.6 It is important to note that should Cabinet be minded to make a recommendation to Council to extend the scope of PSPO's and it is approved, this does not mean an order is in existence. The determination and implementation of an actual PSPO is undertaken by a PSPO panel with local ward member representation. This would be done on the basis of a referral to a panel supported by an appropriate evidence base for the issue and location(s) in hand.
- 2.7 The council has received contact about a number of other anti social behaviour issues that currently do not currently fall within an existing work stream or enforcement mechanism. Other authorities have considered such issues within the PSPO framework. The issues comprise:
- a) Anti social behaviour (urinating, defecating and aggressive behaviour towards customers) associated with persons sleeping in council owned car parks overnight (in the stairwells and enclosed parts);
 - b) Issues with dog control in some parks e.g. one person trying to keep control of numerous dogs and causing issues for other park users and other dog owners;
 - c) Anti-social driving and parking outside many of the borough's 63 schools;
 - d) Anti social behaviour associated with illegal moorings; and
 - e) Anti social behaviour associated with illegal encampments (litter, defecation etc) in the borough's public open spaces.
- 2.8 Officers are aware of media coverage about alleged over zealous use of PSPO powers by some authorities and in particular for issues related to homelessness. The items listed at a) to e) can be complex and sensitive issues. Officers believe it would be prudent to undertake further research to determine whether each issue requires a response from the council. Where this is the case an appraisal of all options available including PSPOs should be completed to ensure any intervention or action is necessary and proportionate. It is recommended that this work be completed in conjunction with the council's Policy Committee and relevant stakeholders. If necessary a subsequent report can be submitted to cabinet and or council for determination of any proposed actions that fall outside of existing officer delegations or work streams.

2.9 Options

Option	Comments
1. Cabinet proposes that Council should if necessary be able to implement PSPOs covering 41	Full Council is the body that authorises PSPOs either itself or via its PSPO Panel. It also decides which types of

Option	Comments
<p>the anti-social behaviour (ASB) associated with barbecues in public spaces.</p> <p>This is the recommended option</p>	<p>ASB can be tackled using PSPOs. Using a PSPO is useful in that it is not directed at specific individuals and therefore can be used to reduce a type of ASB in a specified area.</p>
<p>2. To utilise other ASB tools such as ASB Contracts and Community Protection Notices rather than PSPOs.</p> <p>This is not recommended</p>	<p>Most of the other ASB tools relate specifically to individuals rather than a specified area. These tools should where appropriate be used in conjunction with a PSPO when addressing ASB within a specified area.</p>
<p>3. Do nothing.</p> <p>This is not recommended.</p>	<p>The borough would be failing to utilise the tools provided by the ASB Crime and Policing Act (2014) and in doing so would be failing to realise the opportunities to reduce these behaviours.</p>

3. KEY IMPLICATIONS

3.1 The 30th July 2015 Cabinet Meeting agreed the following measures of success and this paper proposes these should be continued.

Defined Outcomes	Unmet	Met	Exceeded	Significantly Exceeded	Date they should be delivered by
PSPO Scope is extended to include ASB associated with barbecues lit in public spaces by:	Post 26/04/16	26/04/16	n/a	n/a	26/04/16
PSPO's for ASB associated with barbecues lit in public spaces are available for consideration and use by PSPO panels by:	Post 31/05/15	31/05/16	n/a	n/a	31/05/16

4. FINANCIAL DETAILS

Financial impact on the budget

	2015/16	2016/17	2017/18
	Revenue £'000	Revenue £'000	Revenue £'000
Addition	£0	£1	£
Reduction	£0	£0	£0

	2015/16	2016/17	2017/18
	Capital £'000	Capital £'000	Capital £'000
Addition	£0	£0	£0
Reduction	£0	£0	£0

The main financial implications are the revenue cost of printing of two-part Fixed Penalty Notice (FPN) stationery and the cost of signage which can be met from existing budget provision.

5. LEGAL IMPLICATIONS

5.1 The Royal Borough is empowered under s.59 of the Anti-Social Behaviour, Crime and Policing Act 2014 to make PSPOs where activities carried on in a public place:

- Have had, or are likely to have, a detrimental effect on the quality of life of those in the locality;
- Are, or are likely to be, persistent or continuing in nature;
- Are, or are likely to be, unreasonable; and
- Justify the restrictions imposed.

“Public place” is defined by s74 (1) as “any place to which the public or any section of the public has access....”

Further, under s59, it has to consider the restrictions, and the duration of the Order proposed.

Also, before an Order is made, then under s71, it must have had regard to the Rights of Freedom of Expression and of Assembly under the Human rights Act 1998, before making the Order. European Human Rights considerations are covered below:

Article 10 – Freedom of expression

Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.

The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

Article 11 – Freedom of assembly and association

Everyone has the right to freedom of peaceful assembly and to freedom of association with others, including the right to form and to join trade unions for the protection of his interests.

No restrictions shall be placed on the exercise of these rights other than such as are prescribed by law and are necessary in a democratic society in the interests of national security or public safety, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others. This article shall not prevent the imposition of lawful restrictions on the exercise of these rights by members of the armed forces, of the police or of the administration of the State.

The Passing of the ASB Act 2014 by Parliament allows RBWM to make a PSPO that could restrict the above Rights, where that is compatible with those Rights.

Finally, (under s72(3)) before an Order is made it must also have carried out the “necessary consultation” with the Police, Community Representatives and the owners and occupiers of the affected land (the latter only where “reasonably practicable”) and have carried out “necessary publicity”, which means publishing the text of the proposed Order. Note that in certain categories of land there is a wider duty of consultation, for example land designated as “open access” land will require consultation with any relevant groups such as Ramblers depending on the restriction proposed. Therefore in respect of any proposed PSPO for Bath’s Island it will be essential to check that this is not one of these special categories of land.

Section 66 of the Anti-Social Behaviour, Crime and Policing Act allows that an interested person, i.e. “an individual who lives in the restricted area or who regularly works in or visits that area”, may challenge the validity of a PSPO by application to the High Court where:

A local authority did not have power to make the order; or
That a requirement under the legislation was not complied with

Additionally, Regulation 2 of the Anti-social Behaviour, Crime and Policing Act 2014 (Publication of Public Spaces Protection Orders) Regulations 2014 requires that the Royal Borough must take certain steps to publicise PSPOs.

The legislation stipulates that PSPOs must be subject to regular review. New orders should ideally be reviewed after a year, and thereafter PSPOs must be reviewed triennially.

Once made the Royal Borough can extend (s60) vary or discharge (s61) an Order. An Order can be extended where there are reasonable grounds that doing so is necessary to prevent an occurrence or recurrence of the activities identified in the Order or an increase in the frequency or seriousness of those activities. An Order can only be varied to include a wider area and/ or impose more extensive prohibitions or requirements only if the original statutory criteria under s59 are met.

6. VALUE FOR MONEY

- 6.1 PSPOs have the potential to reduce long-term ASB costs in terms of resourcing e.g. police and council officer time, allowing these resources to be deployed elsewhere.

7. SUSTAINABILITY IMPACT APPRAISAL

- 7.1 None.

8. RISK MANAGEMENT

Risks	Uncontrolled Risk	Controls	Controlled Risk
Legal challenge to the validity of the PSPO process	Reputation damage to the Council, potential court costs	<ul style="list-style-type: none">• Public consultation on PSPOs• Ad hoc PSPO panel to decide on local PSPOs• Cabinet to decide on strategic PSPOs• Initial review of individual PSPOs after one year• Triennial reviews of all PSPOs	Low

9. LINKS TO STRATEGIC OBJECTIVES

- 9.1 *Residents First*
- Improve the Environment, Economy and Transport
 - Work for safer and stronger communities

Delivering Together

- Enhanced Customer Services
- Strengthen Partnerships

10. EQUALITIES, HUMAN RIGHTS AND COMMUNITY COHESION

- 10.1 Each PSPO application would be assessed on its own merits incorporating equality, human rights and community impacts.

11. STAFFING/WORKFORCE AND ACCOMMODATION IMPLICATIONS

- 11.1 ASB associated with Barbecues will be the responsibility of Community Wardens and potentially Environmental Protection Officers. Appropriate signage will be erected in an agreed location and those lighting barbecues will be issued with a fixed penalty notice.

12. PROPERTY AND ASSETS

- 12.1 None

13. ANY OTHER IMPLICATIONS

13.1 The fees associated with Fixed Penalty Notices and Community Protection Notices will be the subject of a paper to full Council.

14. CONSULTATION

14.1 This paper is scheduled for consideration by the Crime & Disorder Overview & Scrutiny Panel scheduled for 22 March 2016. The feedback and comments from this meeting will be made available to Cabinet.

15. TIMETABLE FOR IMPLEMENTATION

Date	Details
31 st March 2016	Cabinet proposes widening the scope of Public Space Protection Orders to Council.
26 th April 2016	Council approves the introduction of the new types of PSPO allowing the potential for consulting on new PSPOs to commence in May 2016.

16. APPENDICES

Appendix 1 – Images of Baths Island, Windsor

17. BACKGROUND INFORMATION

Public Space Protection Orders are established in sections 59 to 75 of the Anti-Social Behaviour, Crime and Policing Act 2014. This can be viewed at:

<http://www.legislation.gov.uk/ukpga/2014/12/contents/enacted>

Regulations regarding the publication of PSPOs are covered by the Anti-Social Behaviour, Crime and Policing Act 2014 (Publication of Public Spaces Protection Orders) Regulations 2014. This can be viewed at:

<http://www.legislation.gov.uk/uksi/2014/2591/contents/made>

Guidance on the legislation is available via the Home Office publication “**Anti-social Behaviour, Crime and Policing Act 2014: Reform of anti-social behaviour powers Statutory guidance for frontline professionals**”. PSPOs are covered in pages 46 to 52: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/352562/SB_Guidance_v8_July2014_final_2.pdf

18. CONSULTATION (MANDATORY)

Name of consultee	Post held and Department	Date sent	Date received	See comments in paragraph:
Internal				
Cllr Burbage	Leader of the Council	08/03/16		
Cllr Cox	Lead Member Environmental Services	07/03/16	08/03/16	
Simon Fletcher	Strategic Director of	29/02/16 46	1/03/2016	

	Operations & Customer Services			
Michaela Rizou	Cabinet Policy Assistant	03/04/16	04/03/16	
Craig Miller	Head of Community Protection & Enforcement	16/02/16	29/02/16	
Neil Allen	Shared Legal Services	26/02/16	29/02/2016	
Mark Lampard	Finance Partner			

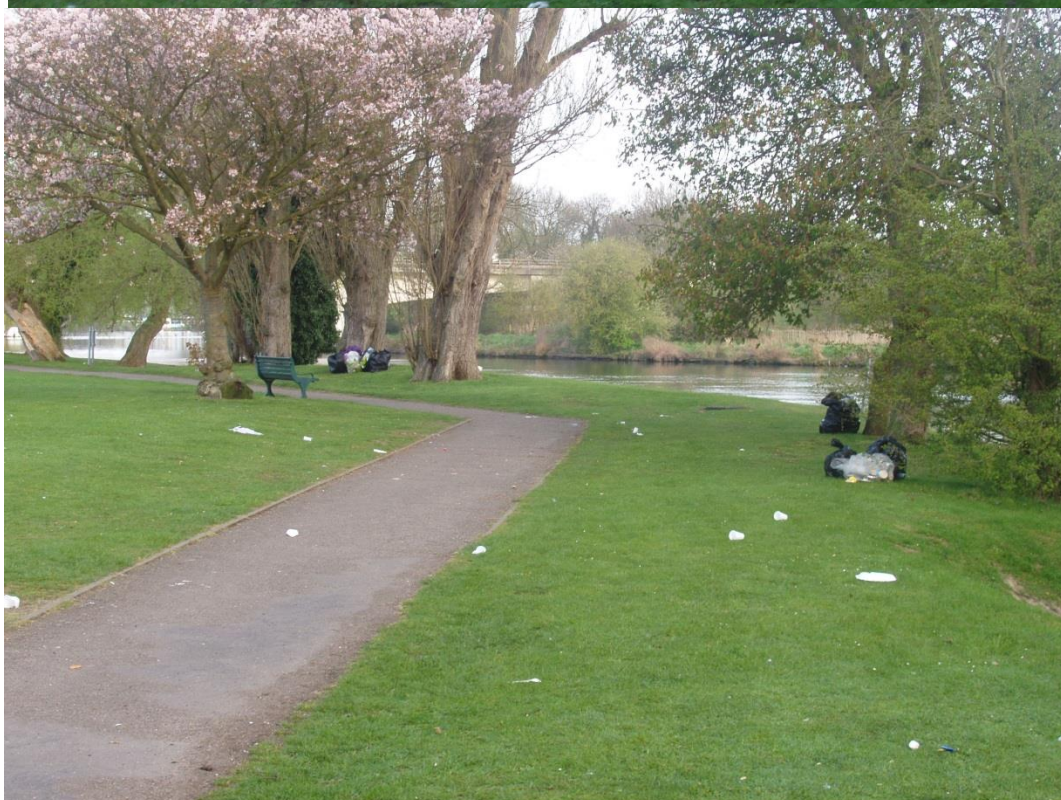
REPORT HISTORY

Decision type:	Urgency item?
Non-key decision	No

Full name of report author	Job title	Full contact no:
Brian Martin	Community Safety Manager	01628 796337

Appendix 1 – Images of Bath’s Island, Windsor

The images show the extent of waste and litter cleared following peak use periods on Baths Island, Windsor. Fire/barbecue damage to the grass is also evident in the first image.



Agenda Item 8

By virtue of paragraph(s) 3, 4 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank