

**ANNUAL MEETING SHARED REGULATORY SERVICES JOINT COMMITTEE**

Minutes of the Annual meeting held on 27<sup>th</sup> June, 2017.

Present:

Representing Bridgend County Borough Council - Councillors D. Patel and D. Lewis  
Representing Cardiff City and County Council - Councillors M. Michael and Ms. J. Parry  
Representing the Vale of Glamorgan County Borough Council - Councillors T.H. Jarvie and A. Hampton.

Also present: Councillor M. Morgan (Substitute for Councillor A. Hampton).

(a) Appointment of Chairman -

RESOLVED - T H A T Councillor D. Patel be appointed Chairman for the current municipal year.

(b) Appointment of Vice-Chairman -

RESOLVED - T H A T Councillor M. Michael be appointed Vice-Chairman for the current municipal year.

(c) Minutes -

RESOLVED - T H A T the minutes of the meeting held on 28<sup>th</sup> February, 2017 be approved as a correct record.

(d) Declarations of Interest -

No declarations were received.

(e) Shared Regulatory Services Annual Report (DEHS) -

Committee was informed that under the Joint Working Agreement the Shared Regulatory Service (SRS) was required to produce an Annual Report that covered the operational and financial performance of the service for the preceding year. The report was to include

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- (i) a statement showing the performance of the Regulatory Service Functions and progress in achieving the Objectives and delivering the Business Plan
- (ii) a summary revenue account and statement of capital spending including the distribution or use of any revenue surpluses and the financing of any capital expenditure"

It was noted that this was the second report produced under the requirement and covered the period 1<sup>st</sup> April, 2016 to 31<sup>st</sup> March, 2017. The Director of Environment and Housing Services in presenting the report referred to the operation of the service which delivered a range of statutory services that were critical to maintaining the health, safety and economic wellbeing of local communities through a collaborative model. The operating model delivered an integrated service between Trading Standards, Environmental Health and Licensing functions which had three service delivery sectors focusing upon the customer rather than the traditional professional delivery model. These covered Neighbourhood Services, Commercial Services and Enterprise and Special Services.

The Shared Regulatory Service sought to ensure that the corporate priorities and stated outcomes of the three Councils was at the heart of all activities. Using them as a focus the strategic priorities for the Shared Regulatory Service were

- Safeguarding the Vulnerable
- Improving Health and Wellbeing
- Protecting the Environment
- Supporting the Local Economy
- Maximising the Use of Resources.

## **Annual Review**

The 2016 Annual report highlighted the following items as the principal challenges for the service.

- Delivery of the SRS Business Plan 2016-2017
- Implementation of the SRS Workforce Plan
- A review of the partnership, governance and scrutiny arrangements and organisational structure for the SRS
- Delivery of the identified budget contribution reductions for partners
- Refinement of the fee-generating activities approach to better understand the SRS cost base
- Exploration of new ways of generating income for the service and future savings
- Continue the process of channel shift by increasing the customer's ability to use self-help and undertake transactions on-line.
- Continue to harmonise working practices across the region, ensuring an effective, improved delivery and achievement of key performance indicators.

The SRS structure had become operational on 1<sup>st</sup> December, 2015 and almost 200 people had been placed in the new structure within 10 weeks through a process of

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matching and competitive interview. Committee was advised that the joining together of three Local Authorities operating different working practices, policies procedures and using different systems and forms required standardisation across the service in order to provide consistency and efficiency across the organisation. Agile working which also underpinned the new operating model had been developed with laptops and other mobile devices being provided. A new database employing Cloud technology had been introduced in February 2017 which also enhanced the capacity for mobile working. The service had developed a single telephone contact number 0300 123 6696 which had gone live in November 2016. In referring to operational performance it was noted that despite significant change and an overall reduction in the resources available to the partner Authorities, performance exceeded that recorded for 2016/17 and the previous reporting year in the majority of services that had been delivered. The SRS had also appeared before Scrutiny Committee at all three Councils providing evidence on matters relating to Private Sector Housing, Food Hygiene, Young People and Legal Highs, Protecting Vulnerable Residents along with updates on the implementation of the SRS. Work was currently being undertaken to review governance arrangements for the service to ensure full visibility of SRS activities and decision making in the partner Councils. The Director advised that a further report would be reported to the Committee in due course.

In referring to significant service achievements, the Director referred to the following,

- Wales Illegal Money Lending Unit
- Tackling the problem of stray or 'fly-grazed' horses
- Food Service success
- Trading Standards interventions in the car trade
- Housing Enforcement
- Financial Performance
- Authority Specific Services.

The Draft Statement of Accounts referred to as an Appendix in the report was tabled at the meeting for Member's consideration. It was noted that the Balance Sheet held net Tangible Assets of £95k, which consisted of equipment and vehicle purchases, plus net Intangible Assets of £99k which related to the purchase of the IT system.

As at the 31st March 2017, the balance of Usable Reserves held by the SRS was £530k. This could be broken down as £252k retained from the 2015/16 underspend as detailed by the September 2016 SRS Committee, £102k to fund the Implementation costs slipped into 2017-18, the £173k provisional underspend from 2016-17 plus £3k Proceeds of Crime Act (POCA) Funds.

The next steps for the service noted that the SRS had built upon a successful start and services continued to be delivered in accord with the agreed standards with new ways of working having been developed.

For 2017/18, the service's principal challenge was to implement fully the target-operating model to deliver high quality services and meet all the partners differing financial pressures. The Key Milestones for 2017/18 included:

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- Delivery of the SRS Business Plan 2017-2018
- Implementation of the SRS Workforce Plan
- A review of the partnership, governance and scrutiny arrangements and organisational structure for the SRS
- Produce a financial projection for the delivery of the SRS for the period 2018 - 2020.
- Introduce the Lalpac licensing system at Bridgend
- Deliver a range of training events for elected Members across the three Councils
- Enhanced arrangements for delivering services with partner organisations.

The Section 151 Officer in referring to the financial implications contained within the report advised that the Joint Working Agreement stated that the treatment of any surplus or deficit balance held by the Joint Service required agreement by the Joint Committee following completion of the audit of the accounts. Proposals for distribution or recovery of funds from the legacy authorities would therefore be brought to the September 2017 Committee meeting for approval.

Following a query from a Member as to the Lalpac Licensing system, Committee was informed that this service also involved the printing of the licences as well as paperwork and procedures attached to it. It had allowed all three Authorities to be consistent in their approach and was proving successful.

The Chairman queried the ongoing relationships between the Local Authorities and whether the joining of the partnership had proved successful in each of the Authority's perspective. In response, the Director stated that in his view the service was working extremely well and that all staff were receiving positive support from management and at various meetings that he had attended with partner representatives good healthy debates took place. All three partners were aware that there were cultural issues within each Local Authority area but that the aim was to work together for the good of the service and the constituents the Councils served.

Having considered the report it was subsequently

RESOLVED - T H A T the Shared Regulatory Service Annual Report be approved and that the Managing Director for the Vale of Glamorgan be requested to forward a copy of the report to the Heads of Paid Service for the partner Councils.

#### Reason for decision

In order to meet the requirements set out in Clause 5.1 of the Joint Working Agreement (JWA).

#### (f) Overview and Update on the Shared Regulatory Service (DEH) -

The Director commenced by referring to the fact that the report contained information outlining how the service was working to achieve better outcomes for residents and businesses within the region through a series of different actions and work

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programmes. The report provided an overview of actions undertaken rather than a full breakdown of activities.

The report referred to ICT and mobile working advising of the implementation of the single database. The Tascomi database which had gone live in mid-February had replaced the four instances of Civica Flare that had been in use prior to the creation of the Shared Service.

With regard to the financial position, the Committee was advised that the SRS had completed its first full year of trading and had achieved an overall underspend of £173k against the gross revenue budget of £9.187m. The performance data 2016/17 for the service was set out at Appendix 1 to the report and in referring to service updates Committee was informed of some major events that had been supported e.g. the UEFA Champions League. Reference was made to a number of investigations underway locally in relation to alleged puppy farming with the officer referring to the fact that this could be a highly lucrative practice with little regard for the wellbeing of the animals nor the satisfaction of customers who have invariably handed over significant sums of money for puppies. Further reference was made to the Bridgend Estates Engagement Project which aimed to support businesses to effectively manage a safe, healthy and more prosperous work place in line with HSE strategy 'Helping Great Britain Work Well', with the project being trailed on Brackla and Bridgend Estates to establish the level of health and safety compliance and businesses receptiveness to receiving support from external agencies.

During March 2017 the Shared Regulatory Service had been the first collaborative service to be audited as part of an audit programme by the Food Standards Agency. The draft Audit Report had been received and officers were currently responding to initial feedback from the Auditors. Late in 2016 the Welsh Government had introduced legislation to require takeaway food businesses to publish a bi-lingual statement of certain hardcopy publicity materials directing customers to the food hygiene ratings website. Wales was the first country in the UK to introduce a statutory food hygiene rating scheme in 2013 when the Food Hygiene Wales Act 2013 made it mandatory for food businesses to display their food hygiene rating on their premises. At Appendix 2 to the report were details of recent cases investigated by the SRS that had resulted in prosecution.

A Member queried the process when takeaway businesses changed ownership and in response the officer advised that all businesses were required to register with the Local Authority for any changes in ownership and the Local Authority was required to inspect the new premises within 28 days.

In considering as to how such information was received by officers, a suggestion was made that all Councillors be asked to let Departments know if there are any new businesses established in their Wards. The Operational Manager advised that later in the year there would also be a raising awareness of the issue campaign to support their work. A further suggestion was also made that the Department consult with the Planning Department when applications were received for planning permission.

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The Vice-Chairman took the opportunity to congratulate all staff that had been involved in the UEFA Champions League, advising that it had been an excellent and efficient event which had raised the profile not only for Cardiff but for Wales.

RESOLVED - T H A T the content of the report in respect of the overview and update on the Shared Regulatory Service be accepted.

Reason for decision

Having considered the work of the service and the progress towards completing the implementation programme.

(g) Shared Regulatory Services Business Plan 2017-18 (DEH) -

The Director sought the Committee's approval for the Shared Regulatory Services 2017/18 Business Plan.

The draft SRS Business Plan reflected the aspirations set out in each of the participant Council's corporate planning processes along with the national priorities agreed for Regulatory Services in Wales. The draft Plan was attached as an Appendix to the report and had been developed through conversations with SRS officers and discussions with different stakeholders. Following consultation on the Plan the following changes had been made to the Plan:

“(a) Section 6 of the plan now seeks to demonstrate clearly, the linkages between the activities carried out by the SRS and their contribution to the priorities set out above

(b) The plan contains a lot of important information on Food Hygiene visits; however health partners felt that:

- The nutritional content of foods and the Healthy Options Award should be discussed with food retailers.
- The Public Health (Wales) Bill includes a motion to create an Obesity Prevention Strategy and the SRS has a role in promoting the aims of the strategy.
- Generally, the activities around law enforcement and support could be more aligned to the Public Health Wales Bill.

(c) Police partners felt that there should be greater reference to the Crime Prevention and Reduction plan, particularly early intervention and vulnerability/safeguarding – the links to doorstep crime, scams, online crime and fraud are all reflective of the changing demands on policing. The plan has been amended to reflect the move away from the traditional 'street' crime, to more online, behind closed door crime.“

The Director informed the Committee that with the benefit of the above changes, it was felt that the draft Plan presented a detailed position statement on the

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development of the Shared Service to date and provided a clear timetable for service delivery in the year ahead.

RESOLVED -

(1) T H A T the contents of the Shared Regulatory Service Business Plan 2017-18 be approved.

(2) T H A T the Head of Shared Regulatory Service be authorised to make administrative amendments to the 2017/18 Business Plan should the need arise.

Reason for decisions

(1) The Joint Working Agreement (JWA) specifies (at clause 14) that each year the Head of Regulatory Services will develop a draft Business Plan under the direction of the Management Board.

(2) The purpose of the draft Business Plan, specified by the JWA, is to update the information contained in the previous Business Plan; and to identify the proposals for service activities, business and financial objectives, efficiency targets, business continuity planning, risk management, indicative staffing levels and changes, performance targets, costs and income.

(3) The JWA further specifies that the draft Business Plan is submitted to the Joint Committee for approval, and circulated to each participant Authority's Proper Officer.

(h) Health and Safety Enforcement Service Plan 2017/18 (DEH) -

Approval was sought for the Health and Safety Enforcement Service Plan for the Shared Regulatory Service 2017/18. The Director of Environment and Housing Services advised that the Local Authority had a duty to produce a Health and Safety Enforcement Service Plan that was endorsed by Elected Members and made clear the arrangements for contributing to current Health and Safety Commission priorities.

The Service Plan detailed the aims and objectives of the service in respect of Health and Safety Enforcement which was determined on an annual basis and the Plan detailed

- the demands on the service
- the risk-based work programme
- the resources available to deliver the required work.

In referring to the challenges ahead for 2017/18, reference was made to events advising that the region hosts many outdoor events across a wide range of venues with the time spent planning, organising, monitoring events and inspecting food premises during each year not to be under-estimated. There were additional commitments above the planned inspection programme often not experienced by other Councils in Wales. The continuing financial difficulties faced by all Local

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Authorities had required implementation of remedial measures to off-set budgetary deficits and this had an impact on the delivery of services in recent years.

It was noted that this pressure would also continue in the year to come. However, a new collaborative model did provide a budgetary framework to work within which would allow a greater level of certainty for the service than would otherwise have been possible.

Following consideration of the report in recognising that page numbers would be added to the contents page, the Chairman advised that it was a well written report and easy to follow and it was subsequently

RESOLVED -

- (1) T H A T the 2017/18 Health and Safety Enforcement Service Plan be approved.
- (2) T H A T the Head of the Shared Regulatory Service be authorised to make administrative amendments to the 2017/18 Health and Safety Enforcement Service Plan should the need arise.

Reasons for decisions

- (1) To ensure the Shared Regulatory Service has robust arrangements in place to deliver its obligations as an enforcing Authority under the Health and Safety at Work Act 1974 and comply with statutory guidance.
- (2) To ensure effective delivery of service.