

No.

SHARED REGULATORY SERVICES JOINT COMMITTEE

Minutes of the Remote Annual Meeting held on 21st June, 2023.

The Committee agenda is available [here](#).

The recording of the meeting is available [here](#).

Present:

Representing Bridgend County Borough Council – Councillors R. Goode and M. Lewis.

Representing Cardiff City and County Council – Councillor M. Michael.

Representing the Vale of Glamorgan Council – Councillors R. Sivagnanam and P. Drake.

(a) Announcement –

Prior to the commencement of the business of the Committee the Democratic and Scrutiny Services Officer reminded all present that the meeting would be live streamed, as well as recorded, via the internet and the recording archived for future viewing.

(b) Appointment of Chair –

RESOLVED – T H A T Councillor R. Goode be appointed to the position of Chair for the current Municipal year and in line with the Joint Working Agreement.

(c) Appointment of Vice-Chair –

RESOLVED – T H A T Councillor D. De’Ath be appointed to the position of Vice-Chair for the current Municipal year and in line with the Joint Working Agreement.

(d) Apology for Absence –

This was received from Councillor D. De’Ath (Cardiff City and County Council).

(e) Minutes –

RESOLVED – T H A T the minutes of the meeting held on 21st March, 2023 be approved as a correct record.

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(f) Declarations of Interest –

No declarations of interest were received.

(g) Shared Regulatory Services Unaudited Statement of Accounts 2022/23 (HOF/S151O) –

The Unaudited Shared Regulatory Services (SRS) Statement of Accounts 2022/23 had been prepared in accordance with the proper practices as set out in the CIPFA/LASAAC Code of Practice on Local Authority Accounting in the United Kingdom (the Code). The Statement was complete, and the report informed Committee of the financial position of the SRS prior to final audit in respect of financial year 2022/23.

The Statement of Accounts was subject to Audit. The Committee was asked to authorise the Chair and the Head of Finance to sign and release of the SRS Statement of Accounts to Audit Wales.

The Unaudited Statement of Accounts for 2022/23 (attached at Appendix 1 to the report), had been circulated prior to the Shared Regulatory Services Joint Committee meeting and were also made available for public inspection.

Having considered the report, it was

RESOLVED –

- (1) T H A T the contents of the report be noted.
- (2) T H A T the Shared Regulatory Services Statement of Accounts be approved electronically by Members by 28th June, 2023, therefore enabling the final sign off to occur by 30th June, 2023 deadline.
- (3) T H A T the Chair and Head of Finance be authorised to sign the Unaudited Statement of Accounts 2022/23 for its release to Audit Wales.

Reasons for decisions

- (1) Having regard to the contents of the report and the information provided at the meeting.
- (2&3) To facilitate the completion of the audit of the accounts.

(h) Shared Regulatory Services Annual Report (DEH) –

The Shared Regulatory Service (SRS) was a collaboration between Bridgend County Borough Council, the County Council of the City and County of Cardiff and the Vale of Glamorgan Council that commenced on 1st May, 2015, and was charged with the provision of Regulatory Services across the three Authorities.

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The Joint Working Agreement required the Head of SRS and the Head of Finance to produce an Annual Report which, once approved by the Committee, was forwarded to the partner Councils.

The report provided assurance that during 2022/23, the Shared Service had largely recovered performance across its traditional metrics after the disruption caused by the COVID-19 pandemic. There was however a way to go in clearing the inevitable backlogs in some areas of programmed work.

The report also reflected on additional demands being placed upon the Service, through for example, Government expectation that new areas of legislation would be enforced despite there being no new funding, this at a time when the Service had implemented a core services budget saving of 3% for the year ahead.

The £8.331m 2022/23 SRS Budget had been agreed by Committee on 14th December, 2021, which included an assumed 2% pay award.

The July 2022 National Employers for Local Government Services pay offer was accepted late 2022, thus resulting in a budget shortfall of £268k – although this had been offset by vacancies and other underspends in the service during 2022/23.

The adverse variances at year end shown against Cardiff and the Vale could be associated with the Authority Specific elements of the SRS budget and was further detailed in paragraphs 2.72 to 2.82 of the report.

As at 31st March 2023, the SRS had achieved an unaudited outturn deficit of £63k against the 2022/23 £8.331m budget. The forecast outturn position is illustrated on the following table:

Authority	Gross	Forecast	Outturn
	Budget	Outturn	Variance
	£'000's	£'000's	£'000's
Bridgend	1,777	1,703	74
Cardiff	4,811	4,936	(125)
Vale	1,743	1,755	(12)
Total Gross Expenditure	8,331	8,394	(63)

This position was subject to the completion of the Audit Wales audit of these accounts.

During the presentation of the report the Head of Service in conjunction with the Operational Managers provided an overview of the following service areas:

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- Human Resources.
- Operational Performance (shown at Appendix 1).
- SRS Prosecution Statistics 2022-2023 (shown at Appendix 2).
- Significant Service achievements including Food Hygiene and Food Standards Interventions, Building Safety, Minimum Energy Efficiency Standards, Animal Welfare, Air Quality, Safeguarding the Vulnerable, Supporting the Local Economy and maximising the use of resources.
- Financial Performance (shown at Appendix 3).
- Challenges Moving Forward.

Councillor R. Sivagnanam queried what was being proposed to alleviate the budget pressure associated with the Licensing Section. In reply, the Committee was advised that the overspend was specific to Cardiff and related to an underachievement for an income collection target. The target would require re-balancing which would be part of an accountancy exercise.

The Chair commented that a large part of the overall overspend was due to the number of vacant posts. In reply, the Operational Manager – Accountancy stated that the budget would be based on a full establishment of staff. There was also inflationary pressure which were being monitored as well as pressures relating to staff pay awards.

With regard to the staff survey, the Chair referred to the lower score given by staff to recognition and reward, and queried the actions being undertaken to ensure the Service attracted suitably qualified staff members and to ensure that the work that they undertook was recognised and respected. In response, the Head of Service stated that due to budgetary pressures the Service would not be able to provide large increases to the pay award but there were other things that the Service was doing to attract staff. That would include supporting officers as they undertook further education such as match funding for degree courses. In addition, the Service had clear pathways for career progression as it was very important for the Service to 'grow its own'. Finally, the Service offered opportunity to experience a variety of roles.

In terms of opportunities below degree level, the Head of Service stated that careers within the SRS were not the most visible to students and there was more work that could be done on a national level to raise awareness of career opportunities within the areas of trading standards, environmental health and licensing. The regulatory apprenticeship scheme would be an important way of raising interest.

With regard to an increase in staff sickness absence between 2021/22 and 2022/23, the Chair commented that presumably that was due to staff working from home as a result of Covid, and he asked whether the Service was being fully supportive for staff to have opportunities to work from home. In reply, the Head of Service stated that home working had always been reflected in the way that services were delivered, and the Service's agile working policy predated the Covid pandemic.

Councillor R. Sivagnanam referred to breaches relating to trading standards and queried the follow up work that would be undertaken. In reply, the Operational Manager – Commercial Services advised that trading standards breaches could be a

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rogue trader or an operation targeting the sale of goods to underage children, some of the operations and investigations could be very complex particularly if that led to criminal prosecution.

The Chair queried the reasons why for some food establishments the hygiene ratings had been lower for inspections undertaken post Covid. The Operational Manager – Commercial Services stated that there were a variety of reasons, with one major factor being a shortage of staff within the hospitality industry. There was also the transient nature of the work which meant that there were training issues for new staff. There was also the impact of long working hours which had affected standards. The Operational Manager also highlighted that a number of businesses had diversified during Covid by providing new cuisines and more varied menus, which had meant that there may be different standards to comply with.

Following a query from the Chair regarding an increase in the number of Planning applications for Dog kennelling, the Head of Service clarified that inspection officers would have an eye open for any signs of illegal dog breeding activities. The Operational Manager – Enterprise and Specialist Services added that there had been added pressures on local kennelling facilities because of people not being able to care of their dogs. The Chair suggested that there was opportunity to undertake some public relations or signposting of the responsible routes should people feel that looking after dog had become too much.

The Chair commented on the increase in vaping among young people and he queried the breakdown of the number of cases for the illegal sale of tobacco and the illegal sale of vaping products to children. It was agreed for information to be sent electronically. Members of the Joint Committee expressed concern regarding lifestyle choices and people taking up vaping that may never have smoked tobacco.

In relation to reporting issues and to assist people with signposting, the Chair suggested that an infographic would be useful and would be of particular benefit to Elected Members. The Head of Service agreed for that to be looked into further.

The Joint Committee expressed its thanks and appreciation to all staff within the SRS for their hard work and commitment.

Subsequently it was

RESOLVED –

(1) T H A T the report be approved and the Chief Executive, Vale of Glamorgan Council, be authorised to forward a copy of the report to the Heads of Paid Service for the other partner Councils.

(2) T H A T the 2022/23 unaudited outturn position be noted.

Reasons for decisions

(1) To meet the requirements set out in Clause 5.1 of the Joint Working Agreement.

No.

(2) Having regard to the contents of the report and discussions at the meeting.

(i) Shared Regulatory Services Business Plan (DEH) –

The report set out the process by which the draft Shared Regulatory Services (SRS) Business Plan for 2023/24 had been developed.

The draft Plan required ratification by the Joint Committee and formed a part of the SRS annual reporting process as set out in the Joint Working Agreement.

The Head of Service referred to recommendations received from the Vale of Glamorgan's Homes and Safe Communities Scrutiny Committee, which had been circulated prior to the meeting. The suggestions made by the Scrutiny Committee being:

- The Plan should identify the need for a clear process through which any significant reprioritisation of services undertaken by Shared Regulatory Services would be decided by the partner Councils. In the context of on-going cost pressures, such as those resulting from the cost-of-living crisis, consideration should be given as to how such a reprioritisation exercise would be communicated and consulted upon, as part of the process through which a final decision is made.
- The Plan should also look at how Shared Regulatory Services could engage with Elected Members more regarding areas of concern and safeguarding for the public, such as rogue traders, scams, illegal money lending and doorstep crime.

The Chair commented that the only suggestion he would like to see was around further information to be included around the financial contributions made by each of the 3 constituent local authorities.

The Joint Committee agreed for the themes raised by the Scrutiny Committee and the Chair to be incorporated into the Business Plan for 2023/24.

Subsequently, it was

RESOLVED –

(1) T H A T the contents of the report be noted and the Shared Regulatory Business Plan for 2023/24 be approved.

(2) T H A T the Head of the Shared Regulatory Service be authorised to make administrative amendments to the 2023/24 Business Plan should the need arise.

Reasons for decisions

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

(2) The purpose of the Business Plan, as specified by the JWA, being 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. The JWA further specified that a draft Business Plan be submitted to the Joint Committee for approval, and that once approved, it be circulated to each Participant Authority's Head of Paid Service.

(3) The Head of Shared Regulatory Services being authorised to make administrative amendments to the Business Plan would enable minor changes to be made, as and when needed during the year, without the need to bring the matter back to the Joint Committee. To ensure that minor changes can be made promptly in response to any issues that arise.

(j) Shared Regulatory Services Health and Safety Enforcement Service Plan 2023/24 (DEH) –

The report apprised the Committee of the work of the Health and Safety Team and requested approval for the Health and Safety Enforcement Service Plan for the Shared Regulatory Service for 2023/24.

A Copy of the draft Health and Safety Enforcement Plan for 2023/24 was attached at Appendix 1.

The Service Plan detailed the aims and objectives of the service in respect of Health and Safety enforcement, which were determined annually. The Plan detailed:

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

The Plan explained the Health and Safety Executives expectations of Local Authorities along with some achievements from 2022/23 and the challenges envisaged in the year ahead.

Having considered the report, it was

RESOLVED –

(1) T H A T the 2023/24 Health and Safety Enforcement Service Plan be approved.

No.

(2) T H A T the Head of the Shared Regulatory Service be authorised to make administrative amendments to the 2023/24 Health and Safety Enforcement Service Plan should the need arise.

Reason for decisions

(1&2) To ensure the Shared Regulatory Service had robust arrangements in place to deliver its obligations as an enforcing authority under the Health and Safety at Work Act 1974 and to comply with statutory guidance.