

# JOINT PUBLIC PROTECTION COMMITTEE

## Minutes of the meeting held on Tuesday, 19 SEPTEMBER 2017

### Wokingham BOROUGH COUNCIL, SHUTE END, WOKINGHAM, RG40 1BN

**Present:** Councillors Nick Allen, Dominic Boeck (Substitute) (In place of Marcus Franks), Michael Firmager, Norman Jorgensen and Iain McCracken

**Also Present:** Paul Anstey (Public Protection Manager) and Sean Murphy (Public Protection Manager), Steve Broughton (Head of Culture & Environmental Protection), Clare Lawrence (Wokingham Borough Council), Steve Loudoun (Chief Officer Environment & Public Protection) and Jo Reeves (Principal Policy Officer)

**Apologies for absence:** Paul Bettison, Councillor Marcus Franks and Councillor Emma Webster

## PART I

### 22 Minutes

The Minutes of the meeting held on 12 June 2017 were approved as a true and correct record by the Committee and signed by the Chairman.

The Committee reviewed the actions arising from the minutes of the previous meeting. Regarding the action on page 2, Paul Anstey confirmed that in relation to the query around Food Hygiene Rating Scheme totals, there had been no data errors but there was a lag between the database and the website which meant the totals did not equal 100%. Members requested that an explanatory note be placed on the website.

All other actions had been completed.

### 23 Declarations of Interest

There were no declarations of interest received.

### 24 Notice of Public Speaking and Questions

No notice had been received that members of the public wished to address the Committee on any of the agenda items.

No public questions were submitted in relation to general issues concerned with the work of the Partnership or any items which were on the agenda for the meeting.

### 25 Future Plan

Members noted the future plan.

### 26 Nominations to the Board of Directors of Trading Standards South East Ltd (PP3354)

The Committee considered a report (Agenda Item 6) which asked that the Committee approve that Sean Murphy be nominated as Director of Trading Standards South East (TSSE) Ltd to represent West Berkshire District Council, Bracknell Forest Borough Council and Wokingham Borough Council ('the Councils') and that John Nash be nominated to the role as Alternate Director to represent the Councils.

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Steve Loudoun explained that the decision was a straightforward business need. All three Councils had a right to be members of the company but as they were part of a shared service there was an opportunity for a saving and have only one person representing all three Councils.

Sean Murphy explained that each authority was entitled to nominate one Director and a number of Alternate Directors. Currently Sean Murphy was a Director for West Berkshire Council. Wokingham Borough Council had no formal representation on the Board. Bracknell Forest appointed Rob Sexton but he stood down on the formation of the Public Protection Partnership (PPP) in the expectation that the PPP would then assume this role. As each of the three Members of TSSE Ltd were now parties to the Public Protection Partnership, it was proposed that it would make good sense to have common representation on the Board. This would not alter the individual status of each authority as a Member of the company.

Councillor Norman Jorgensen asked what sorts of decisions were taken by Directors of TSSE Ltd. Sean Murphy responded by explaining that the initial purpose of the company was to manage and deliver the contract with the government for the Consumer Direct Advice Line. Initially it ran in parallel with the Trading Standards South East Partnership which was an affiliation of member authorities who shared best practice and developed initiatives aimed at improving service improvements, cross border co-operation and value for money. In 2007 a decision was made to broaden the remit of TSSE Ltd to encompass all activity. The company had a good governance structure and drove efficiencies. It handled grant funding from a variety of government sources and made decisions relating to the business of the company and its strategic direction.

Councillor Nick Allen asked whether there might be any disadvantages to voting rights in not having three representatives on the company's board. Sean Murphy advised that there was one other joint service on the board (Buckinghamshire and Surrey) which has maintained two Directors however he had not come across a situation when two votes would have changed a decision made. It would be possible for the Committee to change a decision regarding nomination to the board at any time.

Councillor Allen asked for the cost implications. Sean Murphy advised that the cost structure was set depending on the size of the Council. The three Councils' fee was lower as a shared service versus paying as three separate unitary authorities. The Committee could opt to have more than one representative if they chose but officers recommended that one representative could speak on behalf of the three Councils. Steve Loudoun added that each Council was still able to bid separately for any funding and could in effect have three bites of the cherry. Clare Lawrence noted that county councils had a significantly larger remit in comparison to unitary authorities but were permitted one representative.

Councillor Ian McCracken noted that in the financial implications section of the report, the membership fee was £12.3k per annum and the benefit had been equivalent to £200k over five years. Sean Murphy clarified that the £200k figure had been based on the former shared service between Wokingham and West Berkshire and therefore did not include the benefit received by Bracknell Forest Council. To maximise the opportunity for grant funding there needed to be a critical mass so that the resource could be deployed. All three councils would have better access to grant funding now they were all part of the shared service. Membership of the company also provided access to national investigative resources. Steve Loudoun added that sending just one rather than three representatives would be one of the potential benefits that should arise from the partnership.

Councillor Boeck asked whether representation would be improved or reduced as a result of one Director representing the PPP. Sean Murphy explained that the Director

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would be speaking with one voice on behalf of the membership and if the Committee were dissatisfied with the decision they could change it at the next meeting.

Councillor Allen noted the benefit of membership of TSSE Ltd but asked if the benefit would reduce if the PPP was represented by only one person. Steve Loudoun explained there would be a benefit in terms of officer time saved.

Councillor Michael Firmager expressed concern that the PPP could be outvoted if they chose to have only one representative. Sean Murphy advised that he could not recall a time when two votes would have made a difference in terms of the decision made.

Councillor McCracken asked whether there was a tiered structure to the company's board. Sean Murphy advised that there was a Chair, a Finance Director and a Strategic Management Group which comprised past Chairs as therefore as a former Chair he was a member.

**RESOLVED that the Committee approve that: Sean Murphy be nominated as Director of Trading Standards South East Ltd to represent West Berkshire District Council, Bracknell Forest Borough Council and Wokingham Borough Council ('the Councils') and that John Nash be nominated to the role as Alternate Director to represent the Councils.**

### 27 Update on the Business Plan

The Committee considered a report (Agenda Item 7) to update Members on performance against the aims of the business plan agreed on 14th March 2017. Paul Anstey also tabled a document entitled Performance Information which he explained was a live document.

Sean Murphy gave a presentation to provide an overview of the Public Protection Partnership's Activities since the Business Plan was adopted by the Committee in March 2017. He noted the role of the Committee and the Joint Management Board which was a monthly officer meeting which took forward the business of the Committee. There had been changes to the senior leadership at West Berkshire and Wokingham Borough Councils and regeneration in Bracknell Forest.

Sean Murphy then provided an overview of the Committee's previous and upcoming agenda items, explaining how they aligned with the business plan.

The Committee received information on the staff structure of the Partnership and the current vacancies. Teams now operated on behalf of all three Councils, for example the Licensing section had one team which dealt with licensing applications on behalf of all three Councils and one team which handled the governance and regulatory committees for all three Councils.

Thought had also been given to workforce planning and the PPP would aim to 'grow its own' staff. They would be maximising the opportunities arising from the Apprenticeship Levy in creating a regulatory services trainee role. This would enable the PPP to access some of the funding for apprenticeships and ensure that new staff had the necessary competencies for working across a broad partnership.

The PPP was undertaking work on behalf of neighbouring local authorities and public sector organisations.

Paul Anstey provided a summary regarding accommodation of the PPP. Officers wanted to ensure that the staff could reap the benefits of coming together into one shared service so they could share their experiences and work as a team. It was intended to begin by collocating the frontline teams in one building to act as a hub for the PPP. The Committee had previously heard that there were conversations with the Royal Berkshire Fire and Rescue Service (RBFRS) to share a building but unfortunately the timescales

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were such that progress had been slow. Officers had therefore sought an alternative solution in the meantime, namely the former library building in Theale. This building could be used for two years while talks with RBFRS continued.

Councillor Jorgensen asked whether there was a risk that the PPP would be paying twice to kit our buildings, once for the Theale building and again in two years time. Paul Anstey advised that the 'worst case scenario' cost of furnishing the building would be £30k. The PPP would have to pay £27k per annum in rent to West Berkshire Council.

Steve Broughton offered reassurance that West Berkshire Council's Chief Executive would be meeting with the Deputy Chief Fire Officer in October 2017 to help progress collocation between RBFRS and the PPP. There would still be scope to move other PPP staff in with RBFRS if timescales gathered pace.

Returning to the plans to hire apprentices, Councillor Firmager enquired whether officers were confident about their ability to retain staff they had trained. Paul Anstey advised that all three Councils had a good track record of staff retention. The PPP would be in the fortunate position of being able to offer new staff a variety of experiences and could offer existing staff mentoring opportunities. Sean Murphy praised the Bracknell model of employing regulatory services officers.

In response to a question from Councillor McCracken, Paul Anstey advised that it was intended that teams would operate from the same locations and not be spread out over the three Council areas.

Councillor Allen asked if there would be an underspend as a result of the unfilled vacancies. Paul Anstey advised that some funds had been diverting to other projects in year as officers had deemed this to have the most benefit. For example they had been able to invest in improving case management IT systems with the headroom created by the vacancies. It was possible there would be a small underspend at year end. Sean Murphy confirmed that some vacancies had been filled like-for like but the overall needs of the partnership had been prioritised.

Councillor Jorgensen enquired how staff felt about the possibility of being located in Theale. Paul Anstey responded that the move was being explained to staff as a transitional arrangement and no changes to contracts were being proposed in the short term. Informally, the proposal had not been controversial and some staff would benefit from a change in office location in terms of their personal commuting time and costs.

Councillor Jorgensen noted that the report stated that of the 23 risk profiles listed, one was marked red and this related to workforce. Steve Loudoun invited the Committee to note the progress against the business case so far.

Councillor McCracken requested that the presentation slides and risk register be circulated to the Committee **(SM/ JR to action)**.

Councillor McCracken acknowledged that he and Councillor Emma Webster were also members of the Fire Authority and enquired whether they were required to take any role in conversations regarding collocation at this stage. Steve Broughton confirmed that conversations were positive and the delay had been caused by trying to find a suitable time for both parties. Members were not required to intervene at this stage.

**RESOLVED that the report and presentation be noted.**

### **28 Any other items the Chairman considers to be urgent**

The Chairman did not raise any further items.

*(The meeting commenced at 7.00 pm and closed at 8.24 pm)*

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**CHAIRMAN** .....

**Date of Signature** .....