

DRAFT

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

JOINT PUBLIC PROTECTION COMMITTEE

Minutes of the meeting held on Tuesday, 12 JUNE 2018

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

Present: Norman Jorgensen, Marcus Franks, Emma Webster, Nick Allen and Iain McCracken

Also Present: Sean Murphy (Public Protection Manager), Paul Anstey (Head of Public Protection and Culture), Rosalynd Gater (Public Protection Partnership), Damian James (Bracknell Forest Council), Clare Lawrence (Wokingham Borough Council), George Lawrence (Public Protection Partnership), Steve Loudoun (Chief Officer Environment & Public Protection), Jo Reeves (Principal Policy Officer) and Anna Smy (Public Protection Partnership)

PART I

46 Election of the Chairman and Appointment of the Vice-Chairman for the 2018/19 Municipal Year

RESOLVED that Councillor Ian McCracken be elected the Chairman for the 2018/19 Municipal Year.

RESOLVED that Councillor Marcus Franks be appointed the Vice-Chairman for the 2018/19 Municipal Year.

47 Declarations of Interest

Councillor Ian McCracken declared a personal interest in Agenda Item 7.

48 Minutes from the Previous Meeting

The minutes of the previous meeting held on 19 March 2018 were approved by the Committee and signed by the Chairman.

49 Notice of Public Speaking and Questions

No public questions were submitted.

50 Future Plan

The Committee noted the Future Plan. Anna Smy advised that it would be updated following the meeting of the Joint Management Board on Friday 15 June 2018 and she would circulate a copy to the Committee.

Councillor Ian McCracken requested that the Future Plan included a column to show whether items had been completed.

51 Public Protection Partnership Charging Policy for Relevant Protected Sites (Mobile Homes) (PP3567)

(Councillor Iain McCracken declared a personal interest in Agenda Item 7 by virtue of the fact that he was a resident of Warfield Park, Bracknell. As his interest was personal and

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not a disclosable pecuniary interest he determined to take part in the debate but not to vote on the matter.)

The Committee considered a report (Agenda Item 7) which proposed the adoption of a consistent charging policy for relevant protected sites across the three local authority areas.

Councillor Norman Jorgensen asked how the policy might impact residents. George Lawrence advised that there were between 42 and 45 sites of varying sizes across the three areas and there was no requirement to undertake a consultation, although site owners would be aware. It would be the license holder and not the residents who were impacted, although the license holder might pass on the cost to residents.

Councillor Iain McCracken asked whether there would be an exemptions to the policy. George Lawrence advised that exemptions usually meant the site was unlicensed.

Councillor Nick Allen noted that Bracknell Forest Council had introduced a charging policy two years previously and there had been little impact.

Councillor McCracken enquired when the implementation date would be. George Lawrence advised that the policy could be implemented immediately. Councillor McCracken enquired what the financial implication there would be to Bracknell Forest Council if the Committee were minded not to approve the policy. George Lawrence stated that the absence of a charging policy would mean that Bracknell Forest Council would not yield £14k income.

Clare Lawrence noted that there was already a process to issue licenses and the proposal was to introduce a cost recovery charge. The policy would bring West Berkshire and Wokingham into line with Bracknell's existing policy.

Councillor Marcus Franks stated that he was supportive of consistency across the three local authorities.

Councillor Emma Webster asked whether it was known how many license holder passed on the costs to residents. Steve Loudoun admitted that the number was unknown but the license fee for each pitch was £13.48 per year so if that cost was passed back to residents there would not be a significant impact.

Paul Anstey reassured the Committee that the Partnership would continue to review fees and charges on an annual basis and recommend any adjustments based on the outcome of the strategic assessment and control strategy (annual documents which the JPPC approve).

Councillor Webster stated that it made sense for there to be a consistent approach and suggested that Councils' customer service teams be provided with information to avoid misinformation and dissatisfaction with residents, the concern expressed was that licence holders may attempt to pass on an increase beyond that imposed by the PPP.

Councillor McCracken enquired whether the timescale was known for the outcome of the Ministry of Housing, Communities and Local Government consultation into park home legislation. George Lawrence advised that the full outcome report was anticipated to be published in October 2018.

The Committee discussed the implementation date of the policy and concluded that it should be introduced from 1st July 2018.

RESOLVED that the Committee adopt the existing Bracknell Forest Policy across PPP to allow for charging against all relevant protected sites within the PPP's areas.

52 Public Protection Food and Feed Control Plan (PP3568)

The Committee considered a report (Agenda Item 8) which set out the Food and Feed Control Plan. Rosalynd Gater explained that the document included plans for food hygiene, standards and feed control so was a lengthy document and followed prescriptions set by the Food Standards Authority. The changes to the previous plans were mainly around the inspection regime, with changes to inspections of lower risk premises in order to make best use of officer time. Inspections would also be combined with other visits in the PPP's remit such as gas safety.

Councillor McCracken asked what the rationale was for using highly qualified officers to undertake lower risk inspections. Rosalynd Gater advised that the Code of Practice prescribed the experience level of the officer and the plan was in accordance with the Code. The Code used a competency framework rather than suggesting a risk based approach.

Councillor Jorgensen asked for the reason behind an increase in the ratings of premises in Wokingham. Rosalynd Gater advised she could not confirm the reason but suspected that the nationwide awareness of hygiene ratings might play a part.

Councillor McCracken asked how lower risk premises which were inspected less frequently were prevented from slipping into higher risk categories. Rosalynd Gater advised that a premises would be subject to re-inspection with any personnel changes. Councillor McCracken further asked who set the targets for inspections. Rosalynd Gater confirmed that the 28 day inspection target was contained within the Code of Practice.

Councillor Webster asked what factors led to a large increase in new premises in 2017/18 in Bracknell Forest compared to 2016/17. Rosalynd Gater advised that a new database had been implemented so there might have been some delay in logging new premises in 2017/18 and the town centre regeneration project reached its conclusion.

Councillor McCracken noted that the accreditation for a quality management system (QMS) had lapsed and asked what was being done to merge the systems used across the PPP. Paul Anstey advised that this was a historical arrangement and as with many other elements of the PPP it was on the list of things to review. Anna Smy advised that a number of projects were underway and she would present an update to the next meeting of the JPPC. **(Action: Anna Smy)**

Councillor McCracken asked whether the target to inspect 75% of new premises within 28 days of registration was set by the PPP. Paul Anstey advised that it had been set by the previous shared service and was not a performance indicator used previously by Bracknell Forest Council. Steve Loudoun advised that although it was not being reported in the documents the targets were achieved.

RESOLVED that the Food and Feed Control Plan be noted.

53 Public Protection Partnership Performance Report (PP3565)

The Committee considered a report (Agenda Item 9) to present the performance of the PPP over 2017/18. Anna Smy tabled a summary of the key achievements of the Partnership alongside the five priority areas. Despite the amount of work to consolidate activities across the three areas the Partnership achieved good outcomes. Anna Smy particularly highlighted that there had been 46 media occurrences and that the Partnership would continue to develop its relationships with customers.

Councillor Allen expressed concern that the target for license approvals had been downgraded from two days to five days and expressed the view that he had hoped the Partnership would enable the same or better outcomes to be achieved. Anna Smy

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advised that high priority complaints would be responded to within two days and where possible others would be responded to earlier than five days. Steve Loudoun noted that Bracknell's previous two day target for applications had been out of step with the remainder of Bracknell Forest Council which expected a 5 day response and that expectations may have been raised. Councillor Webster expressed the view that the key point was the expectation being set to the customer. Sean Murphy contributed that it was the aspiration of the Partnership to move to one applications team to improve service resilience and align processes.

Paul Anstey raised the point that often applicants had been provided the information well in advance and submitted poor quality applications which were time intensive for officers to process. There might be scope to offer a faster turn-around for a higher fee, such as the system used for passport checking.

RESOLVED that the report be approved.

54 **Public Protection Partnership Statement of Fees and Charges Methodology (PP3392)**

The Committee considered a report (Agenda Item 10) to set out the methodology for fees and charges which would be used to amalgamate the approach across the PPP and enable cost recovery. Taxi licensing would be a priority as this was an area with a high level of activity.

Councillor Webster requested that each Local Authority's Executive be informed of the likely direction of travel of the proposed fees in advance of the JPPC's September meeting.

Councillor Franks asked whether an uplift could be set to take into account foreseen increases in costs. Paul Anstey advised that the method used to set the fees and charges would need to acknowledge national case law in order to be robust and defensible. The fees and charges would be reviewed annually based on actual costs.

Councillor Jorgensen requested benchmarking data to be included in the report to the Committee in September to enable Members to understand the market; this was agreed.

RESOLVED that the methodology for setting fees and charges be approved.

55 **Public Protection Partnership Implementation Plan for General Data Protection Regulations (PP3566)**

The Committee received an item for information (Agenda Item 11) regarding the PPP's progress to achieve compliance with the General Data Protection Regulations (GDPR).

Councillor McCracken enquired how the merge of IT systems was progressing to which Anna Smy replied that there had been some challenges.

In response to a question from Councillor McCracken, Sean Murphy confirmed that all three local authorities were jointly responsible for any data protection implications arising from the work of the Partnership.

Councillor Webster raised a query regarding page 172 and asked whether disciplinary records should be held for 7 years after the employee ceases employment. Anna Smy advised that she would confirm with West Berkshire Council's Human Resources Department.

Councillor Allen asked which body would bear the GDPR implementation costs. Anna Smy advised that this was under discussion. Paul Anstey advised that any costs would

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be considered in line with the funding methodology, these costs would then be reflected in any subsequent fees and charges.

RESOLVED that the report be noted.

56 Any other items the Chairman considers to be urgent

No other matters were raised by the Chairman.

(The meeting commenced at 7.03 pm and closed at 8.13 pm)

CHAIRMAN

Date of Signature