

---

## Nominations to the Board of Directors of Trading Standards South East Ltd– Report

---

Committee considering report:	Joint Public Protection Committee
Date of Committee:	19 <sup>th</sup> September 2017
Date submission agreed Joint Management Board:	8 <sup>th</sup> September 2017
Report Author:	Sean Murphy

### 1. Purpose of the Report

- 1.1. To propose nominations to Board of Trading Standards South East Ltd and seek approval for those appointments.

### 2. Recommendation

- 2.1. 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.

### 3. Implications

<b>Financial:</b>	<p>The PPP pays an annual fee to support the day to day operational costs for Trading Standards South East Ltd. In 2017/18 this fee was £12.3K. The operational costs include payments to the staff that deliver the programme set by the Board. This cost is met from existing revenue budgets.</p> <p>Over the last five years we have received some £200K in funding and operational support time for level 2 and 3 investigations and in the last two years around £45 in pass-ported grants for work around feed, food, intelligence etc. We continue to be supported with investigation work.</p>
<b>Policy:</b>	<p>All three authorities have previously determined to be Members of Trading Standards South East Ltd. These proposals amount to a proposal for re-alignment of representation on the Board of Directors</p>
<b>Personnel:</b>	<p>There are no personnel implications arising from this report.</p>
<b>Legal:</b>	<p>Trading Standards South East Ltd is a locally authority controlled company limited by guarantee. Membership of the company is open to all nineteen authorities with responsibility for trading standards in the south east region. Eighteen authorities are</p>

Members. These include Bracknell Forest, West Berkshire and Wokingham.

Each Member is entitled to nominate a Member Representative and a Director. They are also entitled to nominate one or more Alternate Directors. There is nothing in the Articles of Association that prevents an more than one authority from nominating the same person or same alternate to represent them on the Board of Directors. Membership of the Company remains at all times a matter for individual authorities.

**Risk Management:** There are no specific risk identified in this report,

**Property:** No implications.

**Other:** None

#### 4. Other options considered

The alternative options are that each Council nominates an individual Director or no Director. In the case of the former this would mean all three needed to attend to ensure each authority is represented at Board Meetings. This would present unnecessary duplication given that that the Board is effectively interfacing with one shared service managed by a Joint Committee. The latter would mean no representation for that particular Member authority.

#### 5. Background

- 5.1 Trading Standards South East Ltd was incorporated in October 2004 as private company limited by guarantee with no share capital. It is defined legally as a local authority controlled company.
- 5.2 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.
- 5.3 In the subsequent years the form Consumer Direct advice line passed to the Citizens Advice Service and TSSE Ltd took on a number of new roles. These have included holding the contract for the National Trading Standards Scam Team and the contract for the South East/London/East of England Trading Standards Regional Investigation Team, The South East Safety at Ports Team (monitoring the safety of products coming into the country) as well as the Regional Intelligence Team and oversight and regional co-ordination of the national animal feed enforcement programme.
- 5.4 At a local level the team manages a regional training facility to provide lo-cost and no cost training to member LA's as well as various initiatives

around public health, crime prevention, service development and enforcement. Through the National Trading Standards Board and government departments it acts as an interface with the wider enforcement world and in particular other regions. Each of the authorities that form part of the PPP have received a range of grants administered by Trading Standards South East and benefited from the sharing of best practice, training and other initiatives it has developed. An infographic of some recent achievements is attached Appendix B to this report.

## **6.0 Current Position**

- 6.1 As previously set out each authority is entitled within the terms of the articles to nominate one Director and a number of Alternate Directors. Currently West Berkshire Council has a Director namely, Sean Murphy, Public Protection Manager. Wokingham Borough Council currently have no formal representation on the Board. Bracknell Forest appointed Rob Sexton but he stood down on the formation of the PPP in the expectation that the PPP would then assume this role.
- 6.2 The West Berkshire Director is the longest serving Director on the Board having been appointed in August 2005. He has twice served as Chair of the Board, is a member of the Strategic Management Group and represented the South East on the National Trading Standards Board for nearly three years.

## **7.0 Proposed Way Forward**

- 7.1 As each of the three Members of TSSE Ltd are now parties to the Public Protection Partnership of which the shared trading standards service is constituent it is proposed that it would make good sense to have common representation on the Board. This does not alter the individual status of each authority as a Member of the company.
- 7.2 It is therefore proposed that Sean Murphy be nominated as Director to represent the interests of all three Councils party to the PPP Inter-Authority Agreement and that John Nash be nominated as Alternate Director to represent the interests of said authorities.
- 7.3 Should the recommendations be approved the nominations will be put forward for consideration by TSSE Ltd.

### **Appendices:**

Appendix A – Equalities Impact Assessment

Appendix B – Infographic of Trading Standards South East Ltd