
Public Protection Partnership Covid19 Response and Q1 2021/22 Performance Report

Committee considering report:	Joint Public Protection Committee
Date of Committee:	13 September 2021
Chair of Committee:	John Harrison
Date JMB agreed report:	16 August 2021
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Forward Plan Ref:	JPPC4069

1. Purpose of the Report

- 1.1 To inform the Committee of the current performance of the Public Protection Partnership in line with the operating model and business plan, provide an update setting out the Service's response to the Covid19 pandemic and an update on the work of the Case Management Unit.

2. Recommendations

The Committee:

- 2.1 **NOTES** the role the Public Protection Service are playing across the Councils with respect to Covid19 response.
- 2.2 **NOTES** the ongoing effect of additional Covid19 related workload on the ability to perform certain functions.
- 2.3 **NOTES** the 2021/22 Q1 performance for the Public Protection Service.
- 2.4 **CONSIDERS** any actions for areas of improvement for the service.

3. Implications and Impact Assessment

Implication	Commentary
Financial:	<p>The service continues to receive additional grant funding to support its response to the ongoing pandemic. This year that is currently projected to be in the order of £255K of additional funding to support work around business advice, local tracing, outbreak management and investigation and events as well as support for various licence holders through the engagement of the licensing liaison officers.</p> <p>In addition the service carried forward approximately £198K underspend from 2020/21. So far this has been used to engage</p>

	<p>additional resource to assist with the recovery process for food hygiene and food standards as well as investigative resource for the range of issues with regard to the unlicensed and unfair trading practices linked to the trade in puppies. Finally additional resource has been deployed to Environmental Quality to assist with the high volume of planning application related work.</p>
Human Resource:	<p>There are no direct personnel implications arising from this paper.</p>
Legal:	<p>There are no direct legal implications arising from this report. The Inter-Authority Agreement charges the Joint Public Protection Committee with the responsibility to oversee service delivery and performance including financial performance. This report addresses this responsibility.</p> <p>With respect to Covid19 the Service is the primary enforcement body for all three councils with respect to legal controls regulating businesses and events.</p>
Risk Management:	<p>We will continue to manage risk in line with the prevailing situation and corporate policies. The risk register is regularly scrutinised by the Joint Management Board (JMB) which meets fortnightly. The JMB considers the red risk action plans at these meetings. The service maintains both a Strategic and Operational Risk Register.</p> <p>In terms of operational delivery risks, the most significant risk arises from the decision by Wokingham Borough Council to leave the shared service arrangement. These risks are being managed by the parties as part of the disaggregation process and the Committee will receive a report at the special meeting arranged for the 01 November 2021 on progress with respect to this matter.</p> <p>The other area of significant risk relates to service recovery should we see a third wave that requires the re-imposition of business restrictions following the Step 4 easing on the 19 July 2021.</p>
Property:	<p>There are no direct property implications arising from this report.</p>
Policy:	<p>There are no direct policy implications arising from this paper. It should be noted that the Inter-Authority Agreement (IAA) places a responsibility on the Joint Public Protection Committee (JPPC) to determine service policies and priorities and also to maintain oversight of performance.</p> <p>This report addresses that requirement by setting out the current performance levels and the approach to ongoing service recovery.</p>

	Positive	Neutral	Negative	Commentary
Equalities Impact:				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		x		No implications
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		x		No implications
Environmental Impact:	x			There has been an unquantifiable environmental impact from the new service arrangements as travel has been significantly reduced. Longer term it is anticipated that this impact will be maintained as new ways of working are embedded in service delivery.
Health Impact:	x			The proposals create no direct health impacts on staff. They do however set out community based health protection measures.
ICT or Digital Services Impact:	x			<p>The use of ICT on service delivery has been transformational. Telephone conferencing, MS Teams and Zoom have all been employed in the day today running of the service but also, whilst permitted, in the delivery of democratic decision making.</p> <p>Following the expiry of the emergency Coronavirus regulations that permitted remote meetings, Council's decision making public meetings must now take place in person at a single, specified, geographical location, with a physical presence at that location. This has led to the introduction of hybrid meetings with decision makers being present in the physical</p>

				venue while still permitting other attendees to join remotely. The JPPC will continue to meet in accordance with the decisions made by West Berkshire Council, as the host authority, about meeting arrangements. The Licensing Committees will be conducted under the meeting arrangements of their individual authorities.
PPP Priorities :	x			These set out how the Service has maximised the use of resource to deliver against the JPPC priorities particularly around health protection, protection of vulnerable people and environmental protection on a risk led basis. The priority relating to effective and efficient service delivery has been at the core of arrangements.
Data Impact:		✓		None
Consultation and Engagement:	There is regular engagement with staff as well as senior officer and Member briefings in each of the three authorities that form the PPP.			

4. Executive Summary

- 4.1 The Committee is mandated by the Inter-Authority Agreement to keep under review the Performance of the Public Protection Service. Throughout the year the Committee will receive updates on aspects of performance and any additional workload resulting from the impact of the Covid19 pandemic.

The Committee will also receive an update on the Service recovery programme which is under constant review as the impact of Covid19 on demand varies with prevailing infection rates and controls.

5. Covid19 Response

- 5.1 Since the last meeting the country has left Step 3 and the vast majority of Covid19 controls have been removed and replaced by a wide ranging set of guidance for the public, businesses and event organisers. In the case of businesses and event organisers this is designed to help them comply with obligations under the Health and Safety at Work etc. Act 1974 with respect to their obligations to employees and visitors. This has meant that many businesses have kept some measures in place and we have provided advice where requested to do so.
- 5.2 The most significant areas of work since the last meeting have been local contact tracing (West Berkshire seven day service and Wokingham and BFC at weekends), outbreaks, isolation calls (West Berkshire only), Managed Quarantine Service visits and Events. All of these continue to place high demands on the service although the event work will ease somewhat as we enter the autumn and winter months. We are

currently recruiting further resource for local contact tracing as numbers remain high and we expect further rises in the coming weeks. It is hoped that some of the resource employed on events will be re-deployed into food safety work in the coming weeks although the event cycle continues to feature through the autumn and the run up to Christmas.

6. 2021/22 Quarter 1 (April to June) Performance Summary

- 6.1 This report shows progress against key strategic areas of the business; Finance, HR, ICT, Property, Legal and Risk. The Quarter 1 performance summary can be found at Appendix A to this report.

Finance

- 6.2 At the 14 June 2021 meeting Members agreed to carry forward the £198K underspend identified at year end into the 2021/22 financial year. It was envisaged this will be used to assist with additional staff for recovery in 2021/22 and to provide a buffer for any income shortfall around licensing.
- 6.3 With respect to the Covid19 response for 2021/22 grant support has been secured in the order of £250K to cover compliance, outbreaks, local contact tracing and events and gatherings assessment and compliance.

Human Resources:

- 6.4 The key staffing updates are:
- The Service currently has six funded vacancies. It has been agreed that these vacancies will be considered on a case by case basis pending the exit of Wokingham Borough Council from the Partnership in order to minimise the financial risk for all parties.
 - In Q1 the recruitment for the fixed term to March 2023 Air Quality Officer post was successful and the post holder will be joining PPP in August, this post is funded by the DEFRA Air Quality Grant.
 - The ongoing work associated with the Covid pandemic has meant that a number of Officers have had to undertake a significant number of out of hours shift (circa 4000 hours in 2020/21). This will need to continue (for both local contact tracing and outbreaks and business recovery / catch-up on BAU) for the foreseeable future.
 - There are a number of temporary staff currently engaged by the service. These are either grant funded for Covid19 response including events, Covid health and safety, local contact tracing, licensed sectors support, isolation support calls (West Berkshire) and events. These currently total approximately 7FTE. There are also an additional 7FTE covering vacancies / recovery in a range of areas including food safety, investigations, EQ planning work, case management, licensing and management support.
 - The Service has recruited a support officer under the Kickstart initiative to work across the Service. The Kickstart apprentice joined the team on the 01 September 2021 for a six month placement
 - Finally one colleague has now passed her MSc in Environmental Health and a Trainee Regulatory Services Officer is expected to qualify in the near future making that two qualified officers.

ICT

6.5 Good progress is being made with the One System Project with the following key milestones being achieved during this period:

- data to be migrated from legacy systems was sent to the new supplier in June along with mapping of legacy system codes to new system codes and testing took place between the 14th and 25th June 2021;
- migrated data was uploaded into the new system during Q2; and testing of this data took place in August;
- further testing is scheduled for September and October for those areas that do not require data migration;
- the second round of data migration will take place in October and will also be subjected to a testing exercise.

Property

6.6 The key property highlights are as follows:

- Both Bracknell Forest and West Berkshire Councils are currently developing their post pandemic office and working arrangements. The service is effectively operating from its office in Theale which has recently been updated.
- In line with the recommendations of the Service Review in 2018 the PPP will look to centralise at Theale with service delivery points in Bracknell and Newbury once Wokingham have left the Partnership.
- Wokingham have now reduced their footprint for the PPP to eight desks.
- Desk booking systems are in operation in West Berkshire for both the Theale and Market Street Offices.
- Bracknell Offices have been reconfigured and the team is still located on the third floor albeit that the footprint of the team has been reduced.

Legal

6.7 The significant piece of legal issue the service is engaged in relates to the disaggregation of the Service following the decision by Wokingham to leave the Partnership. There is also a separate piece of work relating to possible 'buy-back' of aspects of the Service. This is dealt with elsewhere on this agenda.

Risk Management

6.8 The Committee is asked to note that:

- The Joint Management Board which meets fortnightly, maintains both a Strategic and an Operational Risk Register which is reviewed during these meetings.
- In terms of operational delivery risks the most significant risk arises from the decision by Wokingham Borough Council to leave the shared service arrangement. These risks are being managed by the parties as part of the disaggregation process and the Committee will receive a report at the special meeting arranged for the 01 November 2021 on progress with respect to this matter.
- The other area of significant risk relates to service recovery should we see a third wave that requires the re-imposition of business restrictions following the Step 4 easing on the 19 July 2021.

- In the meantime recovery is the priority. The service is seeing a return to the types of service requests that were paused due to closures, including the return of a large volume events across the PPP area. Although the number of Covid related service requests and enforcement activity is falling in line with the removal of restrictions the overall number has not fallen from the same period in 2021 as the Covid19 enquiries have been replaced by increased volumes of food, licensing, trading standards, environmental quality and housing enquiries.

Q1 Performance Update

6.9 The key performance data is set out in **Appendix A** to this report which includes the following:

- 123 Facebook posts were generated during Q1 reaching 113, 659 people. The top three posts were 'Meet the Animal Wardens', 'Keep Your Animals Cool' and 'Having a Summer Clear Out?'
- Q1 saw 20 new twitter followers of the PPP account, 23,399 impressions were generated by the 107 tweets put out. The 'Meet the Animal Wardens' tweet made it into the top three tweets too alongside 'Water Safety' and 'Food Labelling Webinar'
- The PPP webpages were viewed 40,407 times during Quarter 1.
- 90 small businesses that have received direct support regarding food, health and safety and licensing by attending or accessing a PPP business advice session
- Despite the challenging times customer satisfaction has continued to improve with 94% of service users stating that they were satisfied with the Public Protection Partnership compared to 78.0% at the 2020/21 year end.

6.10 The key highlights by team in terms of activity so far this financial year include:

Community and Trading Standards (including Customer Services)

- Community Larder Opening in Thatcham providing advice on all areas of regulatory responsibility within PPP to support community cohesion.
- Provided handwashing sessions across 30 schools to over 1000 children
- Quarter 1 has seen a 74% reduction in the number of complaints about bonfires (142) when compared to the first quarter of 2020/21 (543). Likely due to changes in working and schooling habits, different weather conditions, and the re-opening of waste facilities.
- The number of Service Requests in this quarter (4694) are broadly the same as last year (4626), however, the service has seen a change in service type due to the changing landscape.
- A significant operation has been conducted to look at the scale of on-line sales of puppies from potentially unlicensed sources.
- A new approach to tackling fly-tipping in Bracknell has been developed and will be rolled out across the Borough in the coming weeks and months.
- Trading Standards investigation work remains at high volume with a number of investigations relating to areas such as building works, under age sales and counterfeiting.
- The Community Team have been successful in receiving a grant from the England Illegal Money Lending Team to raise awareness of illegal credit activity.

Commercial (Food Safety and Health and Safety)

- The team had to delay the start of the food safety inspection programme as a result of the extension of Covid Step 3 restrictions and the need to continue with compliance work. The recovery plan is now underway but has been hampered by the recent loss of an Environmental Health Officer and the difficulty recruiting temporary staff.
- The last few months have seen a significant input into Safety Advisory Group and event related work including the attendance at a range of events along with colleagues from Licensing and Environmental Quality. This work is now slowing which should allow further resource to be deployed to the food safety functions.
- There a number of accident investigations being undertaken by the team to establish whether there have been breaches of the Health and Safety at Work Act.
- This team is also responsible for managing the outbreak work, local contact tracing and isolation calls (West Berkshire). See 5 above.

Licensing (Including Applications and Licensing Governance)

- Revised Hackney Carriage Tariffs were agreed and implemented in Bracknell during Quarter 1 and revised tariffs will be consulted on during Q2 in West Berkshire
- Meetings of all three Taxi and Private Hire Liaison Groups have taken place this year and further meetings are planned.
- The Applications Team has been merged with the Licensing Operations function as a result of changes to Partnership Support.
- Each Council is currently consulting on the Gambling Act 2005 Statement of Policy. The results of the consultations will be considered by the individual Licensing Committees in the autumn before the policies go before each full Council prior to implementation by the end of January 2022.
- Licensing Liaison Officers have been engaged for an initial period until October to assist all licence sectors with recovery through advice and support. They have also assisted with event monitoring. A review is taking place to look at whether these roles should be extended until the end of the financial year.
- Unsurprisingly, Licensing Applications have increased overall, with TENS being most popular as we see the return of events. Similarly, licensing enquires generally have also increased this quarter by 51% (312) compared to last quarter's figure of 206 enquires.
- Attendance at Safety Advisory Group (SAG) and preparation for and attendance at a range of events along with Commercial Team and EQ colleagues.

Private Sector Housing

- The service had a significant increase in service requests in the first quarter of 2021/22. The increase was some 128% rising from 117 to 267 compared to the equivalent period last year.
- A major piece of work for the team has been the implementation of the 'fit and proper' regime for licence holders of regulated licenced caravan sites. Applications are now being received and being considered in accordance with the legislative framework. This work should be concluded by October 2021.
- The service is dealing with a number of complex private sector housing matters relating to conversions of buildings from industrial and office space to

residential. It is anticipated that work in this area will continue to increase and is subject to a funding proposal elsewhere on this agenda.

- A number of Houses in Multiple Occupation's (HMOs) are now due for renewal and applications are being considered.

Environmental Quality

- There has been a marked increase in the number of planning related matters being considered by the team year on year. In quarter 1 the team dealt with 226 queries which represented an increase of 21%. More significantly has been the complexity of some of these matters in order to avoid long term issues.
- Although the level of nuisance complaints has fallen overall there has been an increase in the level of complex commercial nuisance matters that have taken up a significant amount of time and in one case now subject to formal investigation for breach of abatement. These are not just confined to noise matters but also include light intrusion and allegations of chemical contamination.
- The team has been conducting a significant piece of work to re-risk private water supplies in order to develop the inspection and sampling programme for the coming period.
- The Defra funded air quality project is now underway and the project officer appointed. The PM2.5 monitoring is currently subject to tender and will begin in the near future.

Joint Case Management Unit

- The Joint Case Management Unit has continued to be busy in line with the rest of PPP.
- Project recently commenced looking at an overhaul of the documents and procedures used in enforcement work. All case file documents will be reviewed and where necessary updated to ensure PPP are working to one streamlined system when undertaking enforcement work and putting together case files.
- Examples of recent cases –
- **Wokingham** - Trader entered guilty pleas to four offences under the Consumer Protection from Unfair Trading Regulations 2008 in relation to five complainants who contracted the services of the defendant to undertake home renovations. In all cases the work was completed to a poor standard and in some cases work was left unfinished. In two of the homes the electrics were left in a dangerous state. The Court fined the defendant £1,000 and ordered compensation to be paid of £12,187.00.
- **Bracknell** – Resident convicted at Reading Magistrates Court after being found guilty in absence of 2 offences for failing to microchip a dog properly and 1 offence concerning the dog straying without a collar. The defendant was fined £250 for the 1st microchipping offence, £350 for the second offence and £400 for the dog having no collar. She was ordered to pay a victim's surcharge of £100, a contribution towards prosecution costs of £600 and the cost of recovering, kennelling and reuniting dog and owner totalling £178 (2 x £89).
- **West Berkshire** – 13 prosecutions were undertaken for offences under the Road Traffic Regulation Act 1984 in relation to breach of weight restrictions. Five fines were ordered by the Court for breaches at Skew Bridge totalling £2309, three fines for breaches at Streatley totalling £1870, three fines for

breaches at Mill Lane totalling £1150, one fine for a breach at Cold Ash Hill of £440 and one fine for a breach at Ermin Street, Stockcross of £507.

- The financial investigators are supporting a number of significant fraud and unfair trading investigators for both PPP and Reading BC Trading Standards in accordance with the shared arrangement with RBC. This includes money laundering and confiscation matters.

7. Concluding Observations

7.11 Quarter 1 of 2021/22 was every bit as challenging as 2020/21 as we moved through the various 'Steps' of the Covid restriction easing in England. We continued to engage with business and the public through the process and although significantly lower than last year still dealt with some 220 enquiries.

7.12 Performance measures have been by and large met throughout this period despite increased workload which continued into Quarter 2. The additional funding provided by the Council's has helped significantly with this. This is likely to be the last year this additional grant funding is available. It is therefore imperative that the Service moves ahead with recovery particularly in the areas of food safety and food standards which have been hit by staff redeployment to Covid and closed premises.

7.13 At the time of writing Covid case numbers continue to edge up both locally and nationally. The impact of schools re-opening is not yet known. As the summer closes and social activity moves indoors combined with a return to some workplaces there will invariably be an increase in cases. This will increase workload for local contact tracing and outbreak work. The overall effect on the service will be reported in December.

APPENDIX A – 2021/22 Performance Summary

APPENDIX C – PPP Digital Update up until July 2021
