

Notice of Meeting

Joint Public Protection Committee

A shared service provided by Bracknell Forest Council,
West Berkshire Council and Wokingham Borough Council

Monday 28 September 2020 at 6.30pm

This meeting will be held in a virtual format in accordance with The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panels Meetings) (England and Wales) Regulations 2020

This meeting will be streamed live here:

<https://www.westberks.gov.uk/jointpublicprotectioncommitteelive>

To: Councillors Parry Bath (Wokingham Borough Council), Chris Bowring (Wokingham Borough Council), Hilary Cole (West Berkshire Council), James Cole (West Berkshire Council), John Harrison (Bracknell Forest Council) and John Porter (Bracknell Forest Council)

Part I

Page No.

1 **Apologies**

To receive apologies for inability to attend the meeting.

2 **Minutes**

To approve as a correct record the Minutes of the meeting of this Committee held on 24 June 2020.

1 - 8

3 **Declarations of Interest**

Any Member with a Disclosable Pecuniary Interest in a matter should withdraw from the meeting when the matter is under consideration, and should notify the Democratic Services Officer in attendance that they are withdrawing as they have such an interest. If the Disclosable Pecuniary Interest is not entered on the register of Members' Interests, the Monitoring Officer must be notified of the interest within 28 days.

Public Protection Partnership Agenda - Monday, 28 September 2020 (continued)

4 Notice of Public Speaking and Questions

Members of the JPPC to answer questions submitted by members of the public.

a Question submitted by Ms Jackie Whitbread to the Chairman of the Committee

“Will the Chairman confirm that the use of a single recovery rate for all licensed Local Home Dog Boarders served by the Public Protection Partnership does not contravene requirements for separate accounting and without cross subsidisation between all licence holders, in the light of the Hemming v Westminster Court of Appeal 2013 case?”

b Question submitted by Ms Karen Fleck to the Chairman of the Committee

“Chairman, given that local authorities have a duty to set licensing fees at a reasonable and proportionate level, what comments will you make on the fact that the revised Dog Home Boarding Licence fees have been set at a level that exceeds the maximum fine legislated by parliament and is, therefore, likely to act as a deterrent to local businesses in these most difficult of times?”

c Question submitted by Mr Phil Hope to the Chairman of the Committee

“Can the PPP confirm that the Public Protection Partnership is legally compliant with the legislation for ‘the schemes for the licensing of houses in multiple occupation (‘HMOs’) under Part 2 of the Housing Act 2004 (‘the 2004 Act’) are authorisation schemes, within the meaning of EU Directive 2006/123/EC (‘the Directive’) and regulations incorporating the Directive in domestic law: the Provision of Services Regulations 2009 (‘the 2009 Regulations’)?”

d Question submitted by Mr Phil Hope to the Chairman of the Committee

“Is the hourly fee of £57 per hour totalling 20 Hours for the licencing of Houses in Multiple Occupancy directly proportional to the administration of the HMO licencing scheme only and can evidence be provided to support this?”

5 Future Plan

To detail future items that the Committee will be considering.

Public Protection Partnership Agenda - Monday, 28 September 2020 *(continued)*

- 6 **Draft Revenue Budget 2021/22** 9 - 46
To set out the draft revenue budget for 2021/22 including fees and charges.
To seek approval for the draft budget and draft fees and charges schedule prior to submission to the Councils in accordance with the Inter-Authority Agreement.
To seek approval for the recommendation to revise the fees for licences issued under the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.
To seek approval for the recommendation to revise the fees for Houses in Multiple Occupation issued under the Housing Act 2004.
- 7 **PPP Private Sector Housing Policy** 47 - 82
To provide the Joint Public Protection Committee with an update on the work of PPP within Private Sector Housing and to highlight the high level priorities which we will undertake over the next 2 years.
- 8 **PPP Covid-19 Response and Recovery Update** 83 - 128
To provide the Joint Public Protection Committee with an update on the service response to Covid19 as well as an update on interim service delivery arrangements.

Item for Information

- 9 **Air Quality Status Reports** 129 - 154
To inform the Joint Public Protection Committee of the submission and results of the annual air quality reports for the 3 local authorities. These reports are for the monitoring data and action plan progress for the calendar year 2019.
- 10 **Any other items the Chairman considers to be urgent**

Contact Officer:

Stephen Chard, Strategic Support, West Berkshire Council, Council Offices, Market Street, Newbury RG14 5LD

Email: stephen.chard@westberks.gov.uk **Tel:** 01635 519462

This page is intentionally left blank

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 Wednesday 24 June 2020

Present: Parry Batth (Chairman), Chris Bowring, Hilary Cole, James Cole, John Harrison (Vice-Chairman) and John Porter

Also Present: Paul Anstey (Head of Public Protection and Culture), John Ashworth (Executive Director - Place), Rosalyn Gater (Team Manager - Commercial), Suzanne McLaughlin (Principal Officer - Policy and Governance), Sean Murphy (Public Protection Manager), Anna Smy (Strategic Manager - Response), Councillor Paul Bettison, Stephen Chard (Principal Policy Officer), Kevin Gibbs (Bracknell Forest Council), Damian James (Chair of the PPP Joint Management Board) and Clare Lawrence (Wokingham Borough Council)

PART I

1 Election of the Chairman

RESOLVED that Councillor Parry Batth be elected Chairman of the Joint Public Protection Committee for the 2020/21 Municipal Year.

2 Election of the Vice-Chairman

RESOLVED that Councillor John Harrison be elected Vice-Chairman of the Joint Public Protection Committee for the 2020/21 Municipal Year.

3 Minutes from the previous meeting

The minutes of the previous meeting held on 30 January 2020 were approved as a true and correct record and signed by the Chairman.

4 Declarations of Interest

There were no declarations of interest received.

5 Public Questions

No public questions were submitted.

6 Future Plan

RESOLVED that the Future Plan, dated 15 September 2020 to 16 March 2021, be noted.

7 Public Protection Partnership Response to Covid-19

The Committee considered the report (Agenda Item 8) which provided an overview of the work undertaken by the Public Protection Service in response to Covid-19.

Sean Murphy (Public Protection Manager) introduced the report. He described the work undertaken by the service in recent months in response to the Covid-19 outbreak and future work.

JOINT PUBLIC PROTECTION COMMITTEE - 24 JUNE 2020 - MINUTES

Interim service arrangements had been put in place immediately prior to lockdown and it had been necessary to cease operating some aspects of the service. This would be covered in greater detail in the performance report, but included inspections of food premises and visits to farms.

New areas of work had also been introduced quite rapidly in response to Government regulations. The structure of the service had been analysed to see how best to deliver this work. This was taken forward in two ways.

Firstly, a reactive service was created to manage the increased demand in enquiries from, and provide increased support for, residents and businesses.

The second aspect was work within the community. This included the provision of messages to support businesses and more recently to support businesses to reopen. This also covered track and trace work.

Anna Smy (Strategic Manager for Response) provided further detail on the reactive/response work. This work had involved existing staff but officers who would normally undertake inspections and visits to premises had also been utilised.

Initially, there was work in relation to what premises could remain open, with non-compliance issues having to be resolved. This involved weekend visits to premises, sometimes alongside the Police. This was a heavy workload for a relatively small team.

There was a particular increase in the reporting, at the beginning of lockdown, of complaints relating to bonfires and noise nuisance. The priority for officers had been responding to issues linked to commercial activities.

There had been an initial reduction in work associated with complaints related to food premises as they were not operating. However, this was beginning to return to normal levels as businesses sought to operate, sometimes in different ways.

Noise complaints had returned with business reopening and many people continuing to work from home. Domestic noise had also resulted in complaints, again as people worked from home and children remained home from school.

There had been a strong focus on ensuring health and safety requirements were being met by businesses.

The team's workload had currently become a mixture of a return to business as usual (doorstep crime was increasing) and ongoing Covid-19 related work. This included working with businesses such as public houses and hair salons seeking to operate.

Sean Murphy added that when the regulations were issued for restrictions to businesses, Public Protection Partnerships (PPPs) were designated as the enforcement authority. A team of officers had been put in place although the impact at that stage was unclear. As an example of the impact, Sean Murphy explained that since this report was produced, 280+ enquiries/complaints had been received from residents, other businesses and employees of businesses. In response, officers had conducted a number of visits and all allegations had been followed up. This resulted in closure notices being issued in some cases, but in the majority of incidents it transpired that there was a misunderstanding on the part of businesses.

Rosalyn Gater (Commercial Team Manager) described the more proactive elements of the workload. A major area recently was work in relation to the national test and trace programme.

Work fell into three different tiers. Tier 1 work would be for those cases where there was a positive test in a high risk setting. Instructions would come from Public Health England to conduct further investigations and/or form incident control teams. The service was the

JOINT PUBLIC PROTECTION COMMITTEE - 24 JUNE 2020 - MINUTES

front door for this work. Systems had been developed and implemented with Public Health Teams for outbreak control work.

Officers were also involved in the formation of Covid-19 incident plans. The work of the team with high risk premises would impact on these plans. This included preventative work around what action to taken in the event of an outbreak. High risk premises included care homes, schools, hotels and pubs. Such premises were targeted and assistance offered with safety measures and test/trace systems.

Assistance was given to premises able to reopen. Information was available for businesses on council websites, including advice around risk assessments. Information was also shared via social media and mailshots.

Hygiene audits were held in care homes to ensure infectious disease control requirements of Clinical Commissioning Groups were being adhered to.

Sean Murphy added further details of communication work. This included advice to businesses and residents, as well as council staff and Members. He felt this had been successful and evidence of this was the significant rise in the use of the PPP website which had become a major source of information for businesses etc. Information included scam awareness.

To summarise, Sean Murphy stated that this had been a very busy period. While it was acknowledged that some activities had initially been reduced, the service had sought to maintain business as usual as much as possible alongside track and trace work, helping businesses to reopen and providing support to other council services.

Councillor Parry Batth gave thanks for the detailed report and presentation.

Councillor Chris Bowring was unaware of the PPP's role in test and trace. It was also his understanding that the work within care homes was managed by Adult Social Care rather than the PPP. He queried the governance arrangements in this area.

In relation to work within care homes, Sean Murphy explained that each local authority had handled this locally. The PPP was working in West Berkshire's care homes at the request of the Clinical Commissioning Group. The service had offered to do likewise across the three local authorities, but Wokingham had elected for its Adult Social Care service to take this forward rather than the PPP.

On the track and trace role, Environmental Health had traditionally been involved in the control of infectious diseases. Experienced staff had therefore been deployed to work in complex settings and this was the model across Berkshire. Rosalynd Gater added a further element to the track and trace role. This was to link with and support vulnerable groups.

Sean Murphy further explained that it had been possible to share best practice across the three local authorities, covering the work conducted in high risk settings and work across the three Public Health Teams.

Councillor John Harrison offered his congratulations to the PPP for all their hard work. He gave particular thanks for the proactive work undertaken with businesses in helping them to reopen which in turn helped the economy.

Sean Murphy explained that the work with businesses would help to build confidence among residents by reassuring them that businesses were being closely monitored.

Councillor Hilary Cole added her thanks for the work undertaken by the service across the three local authority areas, which included working closely with other service areas and outside bodies. She added a further thank you to officers for keeping Members well informed.

JOINT PUBLIC PROTECTION COMMITTEE - 24 JUNE 2020 - MINUTES

Councillor Hilary Cole continued by praising the thorough approach to supporting businesses to benefit the economy whilst keeping members of the public safe. She asked that thanks be passed on to the officers involved.

Councillor John Porter echoed these points and added thanks for the updates that had been provided to keep parish and town councils informed. The increased use of social media had been positive and he hoped that would continue to be used as a way of sharing information and advice.

Sean Murphy advised that many new ways of working had been identified during the response to and recovery from Covid-19. This included communication and provision of online training. It was the intention for this approach to continue and be enhanced.

RESOLVED to note the report and the work undertaken by the Public Protection Service in response to the Covid-19 pandemic.

8 Public Protection Partnership Covid-19 Recovery Approach

The Committee considered the report (Agenda Item 9) which provided an overview on the approach to service recovery alongside the move from interim service delivery arrangements.

Sean Murphy (Public Protection Manager) introduced the report. He began by describing the balance to be struck between response and recovery work. A Recovery Plan was in place that included community protection work, protecting/improving health, and providing health and safety advice to businesses. The service had a role to play in economic recovery, by supporting businesses and helping to build residents' confidence by providing assurance. Regular communication would need to continue to help achieve that. Communication with businesses was at an increased level and it was the intention to build on positive working relationships.

However, it was also necessary to conduct business as usual as much as possible and progress service development priorities.

Part of the return to business as usual was to restart routine work around food safety inspections. This would help to provide the reassurance to residents. However, this type of work was also important for businesses in terms of receiving hygiene ratings and in following the advice of the Food Standards Agency.

The report outlined the approach to taking forward this challenging workload. Much of the work was a high priority, but work would be conducted with higher risk premises first.

One of the many challenges arose from the fact that court cases had been adjourned to the end of June 2020 and there would therefore be an increased workload once the courts reopened.

Anna Smy (Strategic Manager for Response) added that licencing applications continued to be processed. She explained that the opportunity had been taken during these challenging times to work more flexibly and undertake increased cross-authority work to become more resilient and widen the capability of officers.

Councillor Hilary Cole gave thanks for the very comprehensive Recovery Plan. However she questioned whether there was sufficient resource to implement the plan.

Sean Murphy explained that this was very much the challenge. For example, staff involved in track and trace work would normally be conducting food safety inspections and health and safety audits. However there was also the high priority of helping businesses to reopen safely to aid the economy.

JOINT PUBLIC PROTECTION COMMITTEE - 24 JUNE 2020 - MINUTES

It would not be possible to accommodate all areas of work and there would be an ongoing need to prioritise. Areas identified as being of greatest risk would come first. An update report would be provided at the next meeting of the Committee.

Councillor Hilary Cole noted that the vast majority of the priorities in the plan were rated as high level, making prioritisation of work streams very challenging. She queried whether the priority list would be revisited with the aim of making it more manageable.

Sean Murphy acknowledged this point, consideration had been given to those areas of work that could be reduced and/or delayed. Adjustments were being made to the staffing structure to enable officers to work across different areas and different disciplines. New ways of working could also assist, telephone contact could be made with businesses in some cases rather than face to face contact.

Councillor James Cole highlighted that track and trace work could be a requirement for some time. He queried whether Government funds could be accessed to help meet the requirements for this work.

Sean Murphy explained that funding allocations had been made to each of the three local authorities and discussions had followed with Public Health Teams to identify what needed to be put in place and how best to put funding to use. Rosalyn Gater confirmed that an 18 month period was anticipated at this stage for track and trace.

Sean Murphy added that resource requirements were being and would continue to be looked at, but it was difficult to be clear on the requirements moving forward. It was also the case that the service often had to react within short notice to Government announcements about premises that could reopen.

Best practice had been shared between local authorities to see if further efficiencies could be put in place. Close working arrangements with other local authorities was an important aspect of that.

Councillor John Harrison noted that in 2019/20 the service was very close to being on budget, but there was a loss of income within 2020/21 and Councillor Harrison queried the impact of this. Sean Murphy reported that there had been a reduction in income in April and May. The longer term position was at this stage unclear with some businesses not looking to renew their licences or pause existing licenses. It was hoped that during the course of the financial year businesses would resume operations and would therefore require licences, and this had begun in some cases, but the level of need was uncertain.

Income levels would continue to be routinely monitored and this was often a challenge for the service. However, the budget had been balanced in all previous years of the PPP's operation. Budget discussions would continue at the September 2020 meeting when the situation would be clearer.

Mitigation grants were available and it was hoped that some lost income could be recovered via this route. However, pressures were being felt across council service areas and some pressures would need to be absorbed within services.

Councillor Chris Bowring was pleased that the meeting was being live streamed as it was a useful and more accessible way of publicising the PPP's many areas of good work. He felt that meetings should continue to be live streamed for this reason. Councillor Hilary Cole agreed, but raised the importance of finding a way to enable public participation within meetings if they continued to be held on a virtual basis.

RESOLVED that:

- **The approach to recovery be noted.**
- **The proposals set out in the report be noted.**

JOINT PUBLIC PROTECTION COMMITTEE - 24 JUNE 2020 - MINUTES

- The Committee would receive a further update on progress at its meeting in September 2020.

9 Public Protection Partnership 2019/20 Year End Performance Report

The Committee considered the 2019/20 performance outturn for the Public Protection Partnership (Agenda Item 10).

Paul Anstey (Head of Public Protection and Culture) commenced his presentation of the report by explaining that fluctuations in demand had been closely analysed during the response to Covid-19 to try to understand whether these changed the basis of the Inter-Authority Agreement. The analysis considered demand across local authority areas and sought to ensure that the budget composition was fair.

The outcome of this work found that trends remained broadly in line with the Inter-Authority Agreement and it therefore did not need to be adjusted. This would aid the budget setting process.

A challenging set of performance indicators had been set for 2019/20. At year end, 24 were reported as Green, 9 as Amber and 11 as Red. It was the view that the Amber indicators would have been reported Green had it not been necessary, based on Government guidance, to make changes to inspection programmes.

Significant achievements included:

- A growth in social media and communications. Visits to the website and grown from 300 visits a month to 10,500 visits.
- £155k recovered for the victims of crime.
- £101k recovered from proceeds of crime.

Progress had also been made with the use of technology and it was the intention to expand this further as part of recovery work. Technological developments had benefitted the operation of this shared service.

The Joint Management Board spent some time challenging the 'Red' indicators and looked at ways to improve performance in these areas in future. A contributing factor was the level of staffing absence. Much of this related to the personal circumstances of officers during very challenging times.

Areas identified for improvement included:

- The production of quarterly absence data for the Management Board with a clear narrative on resulting operational risks.
- The Management Board would conclude contract matters with Tascomi to deliver the single case management system by April 2021.
- The Workforce Strategy would be concluded, this would identify the appropriate recruitment options and approaches to staff development to improve resilience and delivery of key targets.
- The service would produce an effective recovery plan, dealing with the lessons learned from 2019/20 and Covid-19 response work, specifically seeking to address management capacity issues.

Councillor James Cole questioned the time it had taken to agree a contract with Tascomi. Paul Anstey explained that Tascomi had been bought out by a competitor part way through contractual discussions. It had therefore proved necessary to renegotiate terms and conditions.

Councillor James Cole followed this by querying if this remained the correct approach. Paul Anstey confirmed his view that it was. The software in question was the most tried and tested product on the market, and it made sense from a financial viewpoint. If the

JOINT PUBLIC PROTECTION COMMITTEE - 24 JUNE 2020 - MINUTES

procurement process was restarted then it would result in further delays which would become a problem operationally.

Damian James (Chair of the Joint Management Board) explained that while a contract had yet to be signed with Tascomi, work was taking place in preparation for the implementation of the new product. A small team of officers was involved in this work which included a transfer of data between systems.

RESOLVED that:

- **The report and associated areas for improvement be noted.**

10 Any other items the Chairman considers to be urgent

No urgent items were raised.

(The meeting commenced at 6.30pm and closed at 7.45pm)

CHAIRMAN

Date of Signature

This page is intentionally left blank

Draft Revenue Budget 2021/22 - Summary Report

Committee considering report:	Joint Public Protection Committee
Date of Committee:	28 th September 2020
Date agreed by Joint Management Board:	18 th September 2020
Report Author:	Paul Anstey

1. Purpose of the Report

- 1.1 To set out the draft revenue budget for 2021/22 including fees and charges.
- 1.2 To seek approval for the draft budget and draft fees and charges schedule prior to submission to the Councils in accordance with the Inter-Authority Agreement.
- 1.3 To seek approval for the recommendation to revise the fees for licences issued under the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.
- 1.4 To seek approval for the recommendation to revise the fees for Houses in Multiple Occupation issued under the Housing Act 2004.

2. Recommendations

- 2.1 That the Committee consider the draft revenue budget including the fees and charges set out in this report.
- 2.2 That the Committee **RECOMMEND** to the Councils the contributions set out at 5.11 (total budget of £3.876M) below along with the fees and charges set out in **Appendix B**.
- 2.3 That the Committee **APPROVE** the proposed revisions to 2019/20 fees for licences issued under the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 and fees for the licences issued under the Housing Act 2004 as set out at **Appendix C** to the report.
- 2.4 With respect to any monies received under the Asset Recovery Incentivisation Scheme the Committee is asked to **APPROVE** that the policy position approved at its meeting on the 14th March 2017 remains the policy to be applied to spend / allocation of any such monies. In 2019/20 the total money received under the terms of the scheme was £36.7K.

The relevant reports and decisions can be found here:
<http://decisionmaking.westberks.gov.uk/ieListDocuments.aspx?CId=449&MId=4217&Ver=4>

3. Implications

- 3.1 **Financial:** The net revenue budget for the PPP service in 2020/21 was set at £3.715M.
- The recommendation by JMB is for a standstill budget based on the 2020/21 revenue budget but with salary related pressures factored in. No increases in supplies and services or contractual related budgets are proposed. This would see a budget of £3.876M being recommended for 2021/22.
- The fees and charges proposed are set out **Appendix B** to this report. These are either statutory fees where any variance will have been set by law or discretionary fees. In respect of the discretionary fees these are based on the principle of full cost recovery agreed previously by this Committee.
- For the avoidance of doubt any grant funding received under the Proceeds of Crime Asset Recovery Incentivisation Scheme **does not** form part of the PPP revenue budget. This has been agreed by the Committee previously.
- Following public questions raised around the fees set for 2020/21 insofar as they relate to licences issued under the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 and the Housing Act 2004 their compliance with the Services Directive these have been reviewed and proposals with respect to an updated methodology are to be found at **Appendix C** to this report. A separate briefing note for members to answer the specific questions has also been produced.
- 3.2 **Policy:** The Joint Public Protection Committee has responsibility for setting the strategic direction and policy of the PPP Service. This includes the maintenance of financial oversight to ensure sound financial management. More specifically the Committee has responsibility for recommending to the Councils a budget that meets its needs along with a proposal for fees and charges.
- 3.3 **Personnel:** There are no personnel implications arising from this report.

3.4 Legal:

The IAA that set up the Partnership effectively delegates responsibility for the strategic direction of the joint service to the Joint Committee. The responsibilities of the committee are set out in Schedule 1 to the agreement.

Included is the responsibility to propose a fee structure, annual budget to the Councils and agree any variations from the budget from the IAA. It also has the responsibility to set out a proposal for the agreed percentage figures. The agreement requires that these should be submitted by 30th November in year preceding the effective implementation date or other such date agreed by the Councils.

It remains at all times the responsibility of the partner Councils to set their own budgets including fees and charges having received the recommendation of the Committee.

Compliance with the Services Directive has been considered as part of this report and to assist with public questions asked of the Joint Committee, there is no evidence to suggest breaches but more work is required to improve transparency on the fees and charges methodology.

3.5 Risk Management:

At previous meetings the Committee has been updated on the issue of risk relating to income. The Covid19 pandemic has significantly impacted many businesses that are currently licenced by the Councils. At the end of the August 2020 the lost income in the 2020/21 financial amounted to some 36K.

Going forward many licensed sectors face challenge. These include taxis / private hire; animal welfare establishments and licences issued under the Licensing Act 2003 and Gambling Act 2005.

This creates a high degree of uncertainty for the Councils and the service. The next few months may give a clearer indication of the longer term impact as the job retention scheme ends and licences come up for renewal. In the meantime every effort to manage in year and future risk is being taken by holding vacant posts and delaying recruitment.

3.6 Property:

None

4. Other options considered

- 4.1 The Councils are currently still considering their wider revenue budgets for 2021/22. Budget setting is being conducted at a time of considerable uncertainty caused by a number of factors arising from the Covid19 pandemic. At the time of writing none of the Councils have indicated savings for 2021/22 for public protection related services but should any council wish to do so the approved methodology is set out at Appendix D to this report. The ability for this Committee to recommend a base budget for 2021/22 is not therefore impaired.
- 4.2 The PPP could absorb the salary inflation costs for 2021/22 but this was discounted due to the operational impact of losing up to 4FTE at a time when demand on services is unprecedented. This would have significantly reduced capacity and resilience in areas such as the food inspection programme and private sector housing, as well as reducing the ability to respond to general neighbourhood enquiries.
- 4.3 Fees and charges can be calculated in a number of ways, the service has considered applying a generic rate for all discretionary elements, as has been the practice for many years, but given the outcome of the recent review this was not considered to be the best option. At this stage it is not known how this may impact on the overall budget and as more data is gathered the Joint Committee will be informed.

5. Executive Summary

- 5.1 The Inter-Authority Agreement (IAA) between the Councils sets out the functions that are delegated to the Joint Committee under the terms of the agreement. These include an array of statutory functions relating to private sector housing, nuisance, environmental protection, licensing, trading standards, food safety and standards and health and safety.
- 5.2 The IAA also identifies the key priority areas for the service which are community protection; protection and improving health; protection of the environment; supporting prosperity and economic growth and the delivery of effective and improving service.
- 5.3 In order to deliver these functions for the Councils they are requested on an annual basis to allocate a budget to the Joint Committee. That budget is proposed by the Joint Committee along with a proposed schedule of fees and charges. The total net revenue budget for the service is then divided between the Councils in the agreed percentages. The proposed net revenue budget for 2021/22 is £3.876M and the agreed percentages as set out in 5.11. The basis of the calculation is set out in **Appendix A** to this report.
- 5.4 In preparing its recommended budget the Committee is required to consider the following matters:
- The previous expenditure of the PPP and the service levels achieved;

- Any proposals for the development of the PPP and the services it offers;
- Any material changes to the activities of the PPP;
- Any other matters relevant from time to times;
- Development and impact of any efficiencies that could lead to reduced costs and consider any investment required to realise these efficiencies.

5.5 At the Committee meeting on the 7th November 2019 the Committee approved a methodology for local service reduction should any partner authority wish to propose this. The methodology approved recognised that nature of the partnership and the need to maintain ‘agreed percentages’ and cover the costs of shared resource with respect to core service delivery costs. The methodology approved can be found at **Appendix D**.

5.6 Fees and charges have also been reviewed and in accordance with the request of Committee in December 2017 work has been carried out to review and where appropriate to update the fees in accordance with the principle of full cost recovery agreed previously by the Committee.

5.7 The budget is based on a number of factors including annual salary inflation, pension changes, NI adjustments and adjustments for incremental salary rises. Existing discretionary fees and charges have been reviewed and are now mostly aligned across the PPP authorities.

5.8 An internal review of the generic hourly rate (following the agreed methodology of the PPP agreed by JPPC in 2017) has been undertaken and confirmed to be increased from £57 p/h to £59 p/h. This has not been increased for 2 years having being held at £57 in 2020/21. For simplicity this is essentially total cost divided by number of staff.

5.9 Following a number of exchanges with businesses about specific licences which are captured within the scope of the Services Directive, the service carried out individual reviews of these processes and moved away from a generic hourly rate to identify if there was any risk of legal challenge. The review led to the formation of differential hourly rates for officers at different pay scales. This was seen as an improvement to the overall transparency of the service. This led to new fees being considered for both Home Boarding and Houses in Multiple Occupation. More work is required to extend this review to other licenses and to consider budget implications in the future. **Recommendations are detailed in Appendix C.**

5.10 The service has required minimal capital investment. The two areas of capital investment made by the service to date are the establishment and improvement of the PPP office at Theale and the introduction of the single case / premises management system. Both of these are subject to repayment over 5 years. The repayments for the latter are delivered through reduction in software licence costs based on the movement from three to one system.

5.11 Table – Proposed Budget 1921/22

Authority	20/21 Percentage	21/22 Percentage	Budget Allocation	Increase om 1920/21
Bracknell Forest	25.76	25.83	£1,001,000	£43.6K
West Berkshire	40.00	39.96	£1,549,110	£54K
Wokingham	34.24	34.21	£1,326,470	£63.1K

Total budget = £3.876M

5.12 There are a range of COVID19 related issues to contend with that could impact on the budget position of the service, explored in **Appendix A**, at this stage it is not possible to establish if this will lead to a deficit, which would have a material impact on fees and charges, so no specific recommendations have been put forward to address this issue. Further reports will be brought to the Joint Committee as and when more information is available.

6. Conclusion

6.1 This is a key responsibility for the Joint Committee to recommend a revenue budget including a fees and charges structure. It also has a responsibility to keep under review the budget and consider the outturn and any variance. A report will be brought forward in due course to report the 2021/22 outturn.

6.2 The Joint Management Board has considered the budget in light of the impact of the Coronavirus Pandemic including potential loss of income and one off grant payments covering additional work undertaken by the service during this time. Whilst it remains the view that the integrity of the partnership is best maintained by delivering any savings collectively as has happened in previous years the methodology for local service disinvestment has been agreed should any Council wish to pay a lower contribution than that set out at 5.10.

6.3 It has been a consistent view of Joint Management Board and Committee that cost recovery forms the basis of all decisions relating to the setting of discretionary fees and any other charges or cost recovery levied or otherwise to deliver the service e.g. recovery of court costs.

6.4 Joint Management Board have acknowledged that more work is needed to review the wider implications of the Services Directive but remain of the view that it has acted reasonably and proportionately to determine the fees and charges being published. There is no evidence to suggest the service is generating a surplus, in fact more work needs to be done to understand potential deficits in income. This could lead to staffing levels and service levels changing in future years.

6.5 The recommendations aim to meet the requirements of the IAA, the approved business plan and current indicated budget position of the partners.

Appendices

Appendix A – Supporting Information

Appendix B – Draft Fees and Charges 2021/22

Appendix C – Proposals for fees - Animal Welfare Regulations 2018 and Housing Act 2004

Appendix D – Agreed Methodology for Localised Service Disinvestment

Background Papers: None

PPP Strategic Aims and Priorities Supported:

The proposals will help achieve the following Public Protection Partnership aims as stated in the Inter Authority Agreement:

- 1 – Community Protection**
 - 2 – Protecting and Improving Health**
 - 3 – Protection of the Environment**
 - 4 – Supporting Prosperity and Economic Growth**
 - 5 – Effective and Improving Service Delivery**
-

Officer details:

Name: Paul Anstey

Job Title: Head of Public Protection and Culture

Tel No: 01635 519837

E-mail Address: paul.anstey@westberks.gov.uk

This page is intentionally left blank

Appendix A

Public Protection Partnership Budget - Supporting Information

1. Introduction/Background

- 1.1. The net revenue budget for 2021/22 has been calculated taking into account:
- The annual cost of living rise (£65.25K)
 - Incremental rises effective from the 1st April 2021 (£36.7K)
 - Minor NI Changes
 - Increase in pension contributions notified to the host authority
 - No inflationary rise has been applied to supplies and services or contractual payments

This gives a total net revenue budget for 2021/22 of **£3.876M**

- 1.2. This means that with inflation and adjustments the budget has increased by £161K although the staff and budgets are hosted by West Berkshire Council it is important to note that these inflationary pressures would have been experienced by the individual partner councils had the services been hosted individually.
- 1.3. The agreed percentages remain within 0.2% of the 2020/21 percentages. The minor variances relate to pensions.

The End of Year Performance report considered by this Committee in July 2020 set out many aspects of the workload split between authorities. Whilst there had been some small variance it is proposed that this should be looked at over a rolling three year period as one year could be skewed by a single event such as a large investigation, disease outbreak etc.

Authority	20/21 Percentage	21/22 Percentage	Budget Allocation	Increase om 1920/21
Bracknell Forest	25.76	25.83	£1,001,000	£43.6K
West Berkshire	40.00	39.96	£1,549,110	£54K
Wokingham	34.24	34.21	£1,326,470	£63.1K

2. The Impact of Covid19 – Loss of Income

- 2.1. Very few areas of local authority budget setting has not been impacted by the Covid19 pandemic. The services provided by the partnership are no different and have been impacted in a number of different ways an including Loss of Income

In the period April 2020 - August 2020 it is anticipated that the total income lost due to licence surrender, non-renewal etc. amounted to £36K

Income continues to fall as licences come up for renewal or licences are surrendered. We have seen reductions in the taxi and private hire trade whose revenue is intrinsically linked to the hospitality and business sectors as well as airport and holiday fares. All of these revenue streams are under pressure and without significant recovery it is likely many more drivers and vehicles licences will not be renewed in due course.

The effects on hospitality are significant. A number of restaurant chains have announced closures and these include premises within the PPP area. The number of pubs continues to decline and at this time it is not known how many will face unviability as we move into autumn and winter and the use of outdoor spaces is no longer viable.

Gambling establishments in the form of betting shops were already closing following the capping of stakes on 'fixed odds terminals'. A number that closed due to lockdown business restrictions have not re-opened.

There has been also a significant reduction in licenced events although the number of events licenced and unlicensed is now picking up and because of the Councils responsibility under the Coronavirus regulations granting local powers to control events the service has a significant increase in workload. An event for which a £21 TEN fee (set by law) may be payable can create many hours of work.

Animal establishments have all faced significant financial challenges to a lesser or greater degree. Almost certainly the most challenged aspect of the sector is animal boarding establishments who rely on either caring for people's pets whilst they are away from home or face other personal challenges or who provide day care for people's dogs whilst they are at work. Like taxis and private hire they face the collateral impact of changes in other sectors.

All in all it is not known what the licensing income base will be in 2021/22. We will keep the Committee and the Councils informed of emerging trends and budget variances. In the meantime we continue to mitigate and manage risk by keeping posts vacant and using temporary staff where expedient. It goes without saying that the higher the loss the more difficult this will be to manage without more fundamental structural change as critical mass is lost.

3. The impact of Covid19 – Additional Expenditure

- 3.1. At the meeting of this Committee on the 24th June 2020 the Committee received a paper on the role of the Public Protection Service in the delivery of the Covid19 response. This included enforcing new legislation relating to business restrictions, responding to resident and employee concerns and the provision of advice to businesses. More detail can be found elsewhere on this agenda of the work since this time.

- 3.2. In terms of funding for additional work, particularly around local outbreaks, each of the PPP Councils received grant funding from DHSC. The service prepared, and submitted a bid and has been awarded funding from this central grant. The bid was predicated on the provision of a 7 day service for 18 months as well as some additional resource to carry out local outbreak investigation in workplaces and high risk settings. This combined funding amounts to £169K for the period 1st July 2020 to 31st December 2021. As a grant this funding is being accounted for separately and we will report back to the Councils as required. It does not form part of this revenue budget.
- 3.3. Other areas of work which are increasing and are expected to increase further are concerns raised by residents about businesses allegedly not complying with Covid legislation or guidance. We are looking at whether we can access other grant monies available and in particular those aimed at supporting businesses.
- 3.4. The final and significant area is events and gatherings. The Covid (No3) Regulations 2020 gave local authority significant powers to issue directions and, if need be, prohibitions in respect of premises, events and public places. It is worth saying that certain events (gatherings) are permissible subject to them being risk assessed and we are working with public health colleagues to consider all risk assessments. This is a significant piece of work and can take many hours per event. We then also conduct visits to ensure compliance. The cost of this work is being assessed and again we are looking at whether resources can be found for some additional staffing for a 12 month period.

4. Supporting Information – Emerging Pressures

- 4.1. The PPP continues to look for options to mitigate pressures including building capacity. We continue to concentrate on working with other authorities to share resource and build capacity as well as looking to obtain grant funding to mitigate costs in respect of investigations and court matters. Examples include the work we do around case management with colleagues from Oxfordshire and RBFRS, the sharing of resource for animal feed activity, petroleum inspections, proceeds of crime and animal health. We are currently considering further options around joint investigation work in the trading standards arena where much of the offending is cross border.
- 4.2. One emerging area of workload is the end of the EU withdrawal transition period. At the time of report preparation negotiations on future trade relationship were still being conducted. Most of the regulatory controls that relate to food, products, the environment, agriculture, safety, animal health and welfare are currently based in single market law. Over the last few months these are being adopted into domestic law but there are many changes that will affect business around approvals, certification and border controls etc. These changes will grow as we continue the process of divergence. As the enforcement body for most of these areas of law we expect to see a significant but unquantifiable (at this stage) increase in workload. This could include checks and certification, increased enforcement role and advice for local businesses. When we have a clearer picture we will report back to Committee on this issue.

5. Supporting Information – Fees and Charges

- 5.1. At the meeting of the Committee in December 2017 (when it considered the 2018/19 fees and charges) a number of matters were decided. It was agreed that as a matter of principle that all fees and charges should be set on the basis of full cost recovery. In 2018/19 a generic hourly rate for the service was set at £55 p/h as the basis of cost recovery. This was increased in 2019/20 to £57 per hour and was held at this level for 2020/21. For 2021/22 the full cost of the service, including internal support service re-charges (as per Council budget build processes) and the current establishment lists were updated which resulted in a new rate of £59 p/h. This is the figure used for fee setting for 2021/22, unless specified.
- 5.2. In calculating this fee a range of factors have been considered including the wide variety of council overheads each of the partners must contribute to, the levels of staffing, their costs, contracts and the necessary training to maintain a competent workforce.
- 5.3. All fees proposed by this Committee will be considered by each of the Councils Licensing Committees prior to submission to each full Council as part of the budget setting process. If consultation was felt appropriate it would be a matter for the Licensing Committees as these are local matters. Statutory consultations for taxi and private hire vehicles and private hire operator fees would of course be conducted as a matter of course.

5.4. Animal Welfare Establishments

A new licensing regime for Animal Welfare Establishments e.g. pet shops, animal boarding, riding establishments etc. entered into force in October 2018.

For 2019/20 the fees were capped to the levels for 2018/19. This gave the service and the licence holders' time to adjust to the new and significantly more detailed and comprehensive licensing regime.

The fees set for 2020/21 gave rise to a significant level of concern being raised by those involved in Home Boarding (Day Care) for dogs. These concerns have been looked at in detail and a proposal on a new methodology can be found at **Appendix C** to this report. This is based on the principle that there is basic fee for compliant businesses and non-compliant businesses will pay a higher fee where, for example, additional visits of chasing of information is needed.

It is worth noting that the new regime is risk based. In Wokingham and West Berkshire those with the highest standards of compliance who were granted a three year licence have seen on marginal increases under the existing methodology. They will see a reduction under the new methodology compared to 2019/20.

The whole basis of the Regulations is improved standards. It is hoped that we can work with licence holders to get to the stage that they all meet the criteria to be classed as low risk and can achieve the granting of a three year licence.

5.5. Houses in Multiple Occupation (HMO)

There have been a series of exchanges with interested parties in relation to the fees set for issuing 5 year HMO licences. This focussed on compliance with the Services Directive and the level of transparency regarding the formation of the hourly rate that applied. In response to this question a review was carried out by the Joint Management Board and the findings are detailed in **Appendix C**.

5.6. Fees for Licenses Granted for 2 or more years

There are a number of licence fees proposed which run for 2 or more years. Given the uncertainty faced by many sectors it is proposed that in such cases the fee can be paid in equal annual instalments over the period of the licence.

6. Supporting Information – Risks should the budget not be agreed

6.1 It is important to understand the implications of not approving this recommended budget and how the PPP would need to manage risk. In order to allow the partners to consider this the summary below shows what would be the most logical steps to address a budget reduction:

- a) Any programmed work which can be quantified in terms of number of visits/inspections/audits would be prioritised as a service reduction. This would almost entirely be seen in the reduction in the number of staff allocated to either Food Safety/Hygiene/Standards or Private Sector Housing. Depending on the level of reduction it could mean both. This is seen as preferable to a reduction in community led response work which inevitably leads to much more prevalent service complaints, member and MP enquiries. All of which have been agreed as priority areas for the management team to avoid. There may be redundancy costs associated with this option.
- b) Stop providing business support and event management guidance. This has been an area of high demand throughout the COVID-19 response phase and is likely to be an issue of high concern throughout the EU Exit response phase. These matters are not a legal requirement for the PPP to provide, although it has been widely acknowledged that this is a role that the PPP have fully embraced and has been vital to business recovery planning and economic development.
- c) Increase the threshold for neighbourhood response led work to all but the most vulnerable in the community i.e. automate all processes via websites/chatbots etc. unless there is a direct link to ill health/shielded individuals or high risk settings such as schools and care homes. This may require some upfront investment to achieve.

Background Papers:

Papers containing facts or material you have relied on to prepare your report. The public can access these background papers.

PPP Strategic Aims and Priorities Supported:

The proposals will help achieve the following Public Protection Partnership aims as stated in the Inter Authority Agreement:

x 5 – Effective and Improving Service Delivery

Officer details:

Name: Sean Murphy
Job Title: Public Protection Manager
Tel No: 01635 519840
E-mail Address: sean.murphy@westberks.gov.uk

Equality Impact Assessment – Stage One

What is the proposed decision that you are asking the Committee to make:	To consider the revenue budget for the PPP for 2021/22 including fees and charges
Summary of relevant legislation:	
Does the proposed decision conflict with any of the partnerships key objectives?	No
Name of assessor:	Sean Murphy
Date of assessment:	06/09/2020

Is this a:		Is this:	
Policy	✓	New or proposed	✓
Strategy		Already exists and is being reviewed	
Function		Is changing	
Service			

1. What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?	
Aims:	To set out a draft budget for 2021/22 to be considered by the Committee prior to submission to Councils as part of the budget setting processes. This includes fees and charges.
Objectives:	To agree a draft budget for 2021/22 to be considered by the Councils as part of the budget setting processes. This includes fees and charges. Ultimately the budgets and fees and charges will be set by the individual Councils and will be subject to local equalities impact assessments.
Outcomes:	
Benefits:	The delivery of the key PPP priorities of: Community Protection and in particular the protection of the vulnerable Protecting and Improving Health Protection of the Environment Supporting economic growth Improving and efficient service delivery

2. Note which groups may be affected by the proposed decision. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this.

(Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)		
Group Affected	What might be the effect?	Information to support this
Age	No	
Disability	No	
Gender Reassignment	No	
Marriage and Civil Partnership	No	
Pregnancy and Maternity	No	
Race	No	
Religion or Belief	No	
Sex	No	
Sexual Orientation	No	
Further Comments relating to the item:		

3. Result	
Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?	No
Please provide an explanation for your answer: The premises are accessibility compliant.	
Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?	No

4. Identify next steps as appropriate:	
Stage Two required	No
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	

Name:

Date:

Description	Wokingham / West Berks / Bracknell 2020/2021 (Excluding VAT)	Proposed Wokingham/West Berkshire/Bracknell 1 2021/2022 (Excluding VAT) + 0.6 % (CPI 30 June 2020 rate)	Wokingham / West Berks / Bracknell 2021/2022 (Excluding VAT) Fees Rounded Off	%increase/decrease for committee	Notes
Hourly Rate for PPP	£57.00	£59.00	£59.00	4%	Hourly rate revised calculation carried out September 2020 - to be used instead of 0.6% increase
Public Protection Partnership					
Environmental Protection					
Prevention of Damage by Pests					
Pest Site survey	N/A				Hourly rate as part of cost recovery where WID only
Rat treatment	N/A				Hourly rate as part of cost recovery where WID only
Any other Pest treatment	N/A				Hourly rate as part of cost recovery where WID only
Dog Warden Services					
Stray Dogs - Not taken to Kennel	£73.00	£73.44	£73.00	0%	Amalgamate. Vet fees separate as applicable
Stray Dogs - Taken to Kennel	Fees based on charges & cost recovery. Vet fees separate as applicable	Fees based on charges & cost recovery. Vet fees separate as applicable	Fees based on charges & cost recovery. Vet fees separate as applicable		Fees based on charges & cost recovery. Vet fees separate as applicable
Dog Fouling fixed penalty charge	£75.00		£75.00		Set in FPN policy
Misc stray dog activities ie taxi, relocating, microchipping etc	£57.00	£59.00	£59.00	4%	Plus cost recovery on charges.
Abandoned Vehicles					
Removal (prescribed fee)	Less than 3.5 tonnes	£150.00	£150.00	£150.00	Set by statute
Daily Storage (prescribed fee)	Less than 3.5 tonnes	£20.00	£20.00	£20.00	Set by statute
Enforcement disposal costs (prescribed fee)	Less than 3.5 tonnes	£75.00	£75.00	£75.00	Set by statute
Fixed penalty notice	Reduced to £120 if paid within 7 days	£200.00	£200.00	£200.00	Set by statute
Enforcement invoice costs		£77.00	£77.00	£77.00	Set by statute
Trading Standards					
Weights and Measures Fees (per hour)	£64.00	£64.38	£64.00	0%	Discretionary, includes the cost of maintaining calibration of equipment annually
Explosives Licenses / Registrations - set by statute					NEC = Net Explosive Content
New licence for explosives below 250Kg NEC	1 year	£109.00		£109.00	Set by statute
	2 years	£141.00		£141.00	Set by statute
	3 years	£173.00		£173.00	Set by statute
	4 years	£206.00		£206.00	Set by statute
	5 years	£238.00		£238.00	Set by statute
Renewal licence for explosives below 250Kg NEC	1 year	£54.00		£54.00	Set by statute
	2 years	£86.00		£86.00	Set by statute
	3 years	£120.00		£120.00	Set by statute
	4 years	£152.00		£152.00	Set by statute
	5 years	£185.00		£185.00	Set by statute
New licence for explosives above 250Kg NEC	1 year	£185.00		£185.00	Set by statute
	2 years	£243.00		£243.00	Set by statute
	3 years	£304.00		£304.00	Set by statute
	4 years	£374.00		£374.00	Set by statute
	5 years	£423.00		£423.00	Set by statute
Renewal licence for explosives below 250Kg NEC	1 year	£86.00		£86.00	Set by statute
	2 years	£147.00		£147.00	Set by statute
	3 years	£206.00		£206.00	Set by statute
	4 years	£266.00		£266.00	Set by statute
	5 years	£326.00		£326.00	Set by statute
Varying the name of licensee or address of site		£36.00		£36.00	Set by statute
Any other kind of variation		£40.00		£40.00	Set by statute
Transfer of licence		£36.00		£36.00	Set by statute
Replacement licence		£36.00		£36.00	Set by statute

Description		Wokingham / West Berks / Bracknell 2020/2021 (Excluding VAT)	Proposed Wokingham/West Berkshire/Bracknell 2021/2022 (Excluding VAT) + 0.6 % (CPI 30 June 2020 rate)	Wokingham / West Berks / Bracknell 2021/2022 (Excluding VAT) Fees Rounded Off	%increase/decrease for committee	Notes
Fullm year registration for fireworks		£515.00		£515.00		Set by statute
Petroleum Licensing - set by statute						
Petroleum Licensing Fees	not exceeding 2,500 litres	£44.00		£44.00		Set by statute
Petroleum Licensing Fees	not exceeding 50,000 litres	£60.00		£60.00		Set by statute
Petroleum Licensing Fees	exceeding 50,00 litres	£125.00		£125.00		Set by statute
Primary Authority						
Primary Authority Work hourly chargeable rate		£57.00	£59.00	£59.00	4%	
Annual charge - previous year usage 10 hours or less		£513.00	£516.08	£516.00	1%	
Annual charge - previous year usage 20 hours		£1,025.00	£1,031.15	£1,031.00	1%	
Anything likely to be in excess of 20 hours		CR				Individually assessed
Support with Confidence						
Application fee	1-5 employees	£59.00	£59.35	£59.00	0%	All disbursements charged at cost
	6-20 employees	£119.00	£119.71	£120.00	1%	As above except fee reduced to £50 if registered with confidence
	21+ employees	£298.00	£299.79	£300.00	1%	As above except fee reduced to £50 if registered with confidence
Buy with Confidence						
Not Statutory but agreed fee - no % increase						
Members from 2017/18 Application Fee	1-5 employees	£128.00	£125.00	£125.00	-2%	Nationally agreed with 'Buy with Confidence' scheme holder as varied from time to time
	6-20 employees	£170.00	£167.00	£167.00	-2%	Nationally agreed with 'Buy with Confidence' scheme holder
	21+ employees	£212.00	£208.00	£208.00	-2%	Nationally agreed with 'Buy with Confidence' scheme holder
Annual Fee	1-5 employees	£255.00	£250.00	£250.00	-2%	Nationally agreed with 'Buy with Confidence' scheme holder
	6-20 employees	£383.00	£375.00	£375.00	-2%	Nationally agreed with 'Buy with Confidence' scheme holder
	21-49 employees	£510.00	£500.00	£500.00	-2%	Nationally agreed with 'Buy with Confidence' scheme holder
	50+		POA	POA		Nationally agreed with 'Buy with Confidence' scheme holder
Members before 2017/18 Annual Fee	1-5 employees	£125.00	£125.00	£125.00	0%	Applicable only to legacy Bracknell members
	6-20 employees	£189.00	£189.00	£189.00	0%	Applicable only to legacy Bracknell members
	21+ employees	£252.00	£252.00	£252.00	0%	Applicable only to legacy Bracknell members
Commercial						
Food Export Certificates		£57.00	£59.00	£59.00	4%	Full cost recovery based on officer hourly rate
Food Hygiene Rating Scheme rescore	2 hours	£114.00	£118.00	£118.00	4%	New - agreed dec 2019
Anti-Social Behaviour Act:						
High Hedges Fee (Class A – Fee Discretionary)		£1,199.00	£1,206.19	£1,206.00	1%	Cost recovery for consultant
Licences, Registrations and Similar Consents						
<i>Licensing Act 2003:</i>						
Premises Licence – “one off” fees set by statute based upon rateable value (RV) of premises (Class B – Statutory Fee)						
Band A – RV up to 4300		£100.00		£100.00		Statutory -no increase.
Band B – RV 4300 to 33000		£190.00		£190.00		Statutory -no increase.
Band C – RV 33001 to 87000		£315.00		£315.00		Statutory -no increase.
Band D – RV 87001 to 125000		£450.00		£450.00		Statutory -no increase.
Band E – RV 125001 and above		£635.00		£635.00		Statutory -no increase.
Pre-Application Advice, Hourly charge	Min 1 Hr	£57.00	£59.00	£59.00	4%	
Premises Licence – Annual Fee (Class B – Statutory Fee)						
Band A		£70.00		£70.00		Statutory -no increase.
Band B		£180.00		£180.00		Statutory -no increase.
Band C		£295.00		£295.00		Statutory -no increase.
Band D		£320.00		£320.00		Statutory -no increase.
Band E		£350.00		£350.00		Statutory -no increase.
Personal Licence - (Class B – Statutory Fee)						

Description	Wokingham / West Berks / Bracknell 2020/2021 (Excluding VAT)	Proposed Wokingham/West Berkshire/Bracknell 2021/2022 (Excluding VAT) + 0.6 % (CPI 30 June 2020 rate)	Wokingham / West Berks / Bracknell 2021/2022 (Excluding VAT) Fees Rounded Off	%increase/decrease for committee	Notes
Personal Licence - (Class B – Statutory Fee)	£37.00		£37.00		Statutory -no increase.
Temporary Event Notices (TEN's) - (Class B – Statutory Fee)	£21.00		£21.00		Statutory -no increase.
Application for copy licence, change address or club rules	£10.50		£10.50		Statutory -no increase.
Application to vary DPS/transfer licence/interim notice	£23.00		£23.00		Statutory -no increase.
Application for making a provisional statement	£315.00		£315.00		Statutory -no increase.
Minor variation	£89.00		£89.00		Statutory -no increase.
Application to disapply mandatory DPS condition	£23.00		£23.00		Statutory -no increase.
Pre-Application Advice, hrly charge	Min 1 Hr	£57.00	£59.00	4%	
Gambling Licenses					
Casinos (regional)	New Application	£15,000.00	£15,000.00		100% of Statutory Maximum
	Provisional Statement	£15,000.00	£15,000.00		100% of Statutory Maximum
	Application with Provisional Statement	£8,000.00	£8,000.00		100% of Statutory Maximum
	Variation	£7,500.00	£7,500.00		100% of Statutory Maximum
	Transfer/Reinstatement	£6,500.00	£6,500.00		100% of Statutory Maximum
	Annual Fee	£15,000.00	£15,000.00		100% of Statutory Maximum
Casinos (large)	New Application	£10,000.00	£10,000.00		100% of Statutory Maximum
	Provisional Statement	£10,000.00	£10,000.00		100% of Statutory Maximum
	Application with Provisional Statement	£5,000.00	£5,000.00		100% of Statutory Maximum
	Variation	£5,000.00	£5,000.00		100% of Statutory Maximum
	Transfer/Reinstatement	£2,150.00	£2,150.00		100% of Statutory Maximum
	Annual Fee	£10,000.00	£10,000.00		100% of Statutory Maximum
Casinos (small)	New Application	£8,000.00	£8,000.00		100% of Statutory Maximum
	Provisional Statement	£8,000.00	£8,000.00		100% of Statutory Maximum
	Application with Provisional Statement	£3,000.00	£3,000.00		100% of Statutory Maximum
	Variation	£4,000.00	£4,000.00		100% of Statutory Maximum
	Transfer/Reinstatement	£1,800.00	£1,800.00		100% of Statutory Maximum
	Annual Fee	£5,000.00	£5,000.00		100% of Statutory Maximum
Bingo Clubs	New Application	£3,500.00	£3,500.00		100% of Statutory Maximum
	Provisional Statement	£3,500.00	£3,500.00		100% of Statutory Maximum
	Application with Provisional Statement	£1,200.00	£1,200.00		100% of Statutory Maximum
	Variation	£1,750.00	£1,750.00		100% of Statutory Maximum
	Transfer/Reinstatement	£1,200.00	£1,200.00		100% of Statutory Maximum
	Annual Fee	£1,000.00	£1,000.00		100% of Statutory Maximum
Betting Premises	New Application	£3,000.00	£3,000.00		100% of Statutory Maximum
	Provisional Statement	£3,000.00	£3,000.00		100% of Statutory Maximum
	Application with Provisional Statement	£1,200.00	£1,200.00		100% of Statutory Maximum
	Variation	£1,500.00	£1,500.00		100% of Statutory Maximum
	Transfer/Reinstatement	£1,200.00	£1,200.00		100% of Statutory Maximum
	Annual Fee	£600.00	£600.00		100% of Statutory Maximum
Tracks	New Application	£2,500.00	£2,500.00		100% of Statutory Maximum
	Provisional Statement	£2,500.00	£2,500.00		100% of Statutory Maximum
	Application with Provisional Statement	£950.00	£950.00		100% of Statutory Maximum
	Variation	£1,250.00	£1,250.00		100% of Statutory Maximum
	Transfer/Reinstatement	£950.00	£950.00		100% of Statutory Maximum
	Annual Fee	£1,000.00	£1,000.00		100% of Statutory Maximum
Family Entertainment Centres	New Application	£2,000.00	£2,000.00		100% of Statutory Maximum
	Provisional Statement	£2,000.00	£2,000.00		100% of Statutory Maximum
	Application with Provisional Statement	£950.00	£950.00		100% of Statutory Maximum
	Variation	£1,000.00	£1,000.00		100% of Statutory Maximum
	Transfer/Reinstatement	£950.00	£950.00		100% of Statutory Maximum
	Annual Fee	£750.00	£750.00		100% of Statutory Maximum
Adult Gaming Centres	New Application	£2,000.00	£2,000.00		100% of Statutory Maximum
	Provisional Statement	£2,000.00	£2,000.00		100% of Statutory Maximum
	Application with Provisional Statement	£1,200.00	£1,200.00		100% of Statutory Maximum

Description		Wokingham / West Berks / Bracknell 2020/2021 (Excluding VAT)	Proposed Wokingham/West Berkshire/Bracknell 2021/2022 (Excluding VAT) + 0.6 % (CPI 30 June 2020 rate)	Wokingham / West Berks / Bracknell 2021/2022 (Excluding VAT) Fees Rounded Off	%increase/decrease for committee	Notes
Adult Gaming Centres	Variation	£1,000.00		£1,000.00		100% of Statutory Maximum
	Transfer/Reinstatement	£1,200.00		£1,200.00		100% of Statutory Maximum
	Annual Fee	£1,000.00		£1,000.00		100% of Statutory Maximum
Lotteries and Amusements	New Application	£40.00		£40.00		Statutory -no increase.
	Annual Fee	£20.00		£20.00		Statutory -no increase.
All Licences	Notification of change	£50.00		£50.00		100% of Statutory Maximum
	Copy of Licence	£25.00		£25.00		100% of Statutory Maximum
Pre-Application Advice, hrly charge	Min 1 Hr	£57.00	£59.00	£59.00	4%	
Club Gaming Machines						
Club Gaming or Machine Permit	New Application	£200.00		£200.00		Statutory-no increase
Club Gaming or Machine Permit	Existing holder	£100.00		£100.00		Statutory-no increase
Club Gaming or Machine Permit	Renewal	£200.00		£200.00		Statutory-no increase
Club Gaming or Machine Permit	Annual Fee	£50.00		£50.00		Statutory-no increase
Club Gaming or Machine Permit	Variation	£100.00		£100.00		Statutory-no increase
Club Gaming or Machine Permit	Copy of Licence	£15.00		£15.00		Statutory-no increase
Club Gaming or Machine Permit (holds a Club Premises Certificate under Licensing Act 2003)	New Application	£100.00		£100.00		Statutory-no increase
Club Gaming or Machine Permit(holds a Club Premises Certificate under Licensing Act 2003)	Renewal	£100.00		£100.00		Statutory-no increase
Licensed Premises Notifications						
To make available up to 2 gaming machines on premises which hold on-premises alcohol licence	Notification of intention	£50.00		£50.00		Statutory-no increase
Gaming Machine Permit (more than 2 machines) on premises which hold on premises alcohol licence	Application (existing holder)	£100.00		£100.00		Statutory-no increase
Gaming Machine Permit (more than 2 machines) on premises which hold on premises alcohol licence	New Application	£150.00		£150.00		Statutory-no increase
Gaming Machine Permit (more than 2 machines) on premises which hold on premises alcohol licence	Annual Fee	£50.00		£50.00		Statutory-no increase
Gaming Machine Permit (more than 2 machines) on premises which hold on premises alcohol licence	Annual Fee (payable within 30 days of date permit takes effect)	£50.00		£50.00		Statutory-no increase
Gaming Machine Permit (more than 2 machines) on premises which hold on premises alcohol licence	Variation	£100.00		£100.00		Statutory-no increase
Gaming Machine Permit (more than 2 machines) on premises which hold on premises alcohol licence	Transfer	£25.00		£25.00		Statutory-no increase
Gaming Machine Permit (more than 2 machines) on premises which hold on premises alcohol licence	Change of Name	£25.00		£25.00		Statutory-no increase
Gaming Machine Permit (more than 2 machines) on premises which hold on premises alcohol licence	Copy of Permit	£15.00		£15.00		Statutory-no increase
Pre-Application Advice, hrly charge	Min 1Hr	£57.00	£59.00	£59.00	4%	
Sex Establishments – (Class A – Fee Discretionary)						
Cinema		min £3,100 to max £5,150	min £3,100 to max £5,150	min £3,100 to max £5,150		No change
Shop		min £3,100 to max £5,150	min £3,100 to max £5,150	min £3,100 to max £5,150		No change
Entertainment Venue		min £3,100 to max £5,150	min £3,100 to max £5,150	min £3,100 to max £5,150		No change
Pre-Application Advice, hrly charge	Min 1 Hr	£57.00	£59.00	£59.00	4%	
Street Trading Consents – (Class A – Fee Discretionary)						
	1 week	£138.00	£138.83	£139.00	1%	Fees remain as per individual authorities to be reviewed 2021 with a view to unifying 2022/23 Bracknell only

Description		Wokingham / West Berks / Bracknell 2020/2021 (Excluding VAT)	Proposed Wokingham/West Berkshire/Bracknell 2021/2022 (Excluding VAT) + 0.6 % (CPI 30 June 2020 rate)	Wokingham / West Berks / Bracknell 2021/2022 (Excluding VAT) Fees Rounded Off	%increase/decrease for committee	Notes
Application / Renewal	Monthly Rate	£370.00	£372.22	£372.00	1%	Bracknell only
	Monthly Rate	£227.00	£228.36	£228.00	0%	WB & WOK only
	3 months	£871.00	£876.23	£876.00	1%	Bracknell only
	6 months	£1,424.00	£1,432.54	£1,433.00	1%	Bracknell only
	6 months	£800.00	£804.80	£805.00	1%	WB & WOK only
	Annual Fee	£1,370.00	£1,378.22	£1,378.00	1%	WB & WOK only
	6 months max 2 trading days a week incl Fri, Sat or Sun	£854.00	£859.12	£859.00	1%	Bracknell only
	6 months max 2 trading days a week Mon to Thurs only	£569.00	£572.41	£572.00	1%	Bracknell only
Ice Cream Van 1 month (per van) application / renewal	1 month	£185.00	£186.11	£186.00	1%	Bracknell only
Ice Cream Van 6 months (per van) application / renewal	6 months	£713.00	£717.28	£717.00	1%	Bracknell only
Variation fee		£90.00	£90.54	£91.00	1%	
Community Events				£0.00		50% reduction of appropriate fee for non profit making events
Refund for Street Traders	If application withdrawn	£115.00	£115.69	£116.00	1%	WB & WOK only
Pre-Application Advice, hrly charge	Min 1 Hr	£57.00	£59.00	£59.00	4%	
Skin Piercing Registrations (one off registration) – (Class A – Fee Discretionary)						
Individual		£179.00	£180.07	£180.00	1%	Cost recovery
Premises		£280.00	£281.68	£282.00	1%	Cost recovery
Joint Application		£448.00	£450.69	£451.00	1%	Cost recovery
Pre-Application Advice, hrly charge	Min 1 Hr	£56.00	£59.00	£59.00	5%	
NEW or RENEWAL 2020/2021						
Animal Licences – (Class A – Fee Discretionary) * +vet fee where applicable						
Licenses issued form 1-3 years depending on inspection rating						
Animal Boarding Establishment - combined (dogs and cats)	New Application	£684.00	£590.00	£590.00	-14%	Application Fee - 4 hours and Grant Fee 6 hours = 10 hrs total
	Renewal Fee		£531.00	£531.00		
Animal Boarding Establishment - single species (dogs or cats))	New Application	£570.00	£472.00	£472.00	-17%	Application Fee - 3 hours and Grant Fee 5 hours = 8 hrs total
	Renewal Fee		£413.00	£413.00		
Home boarder	New Application	£570.00	£472.00	£472.00	-17%	Application Fee - 3 hours and Grant Fee 5 hours = 8 hrs total
	Renewal Fee		£413.00			
Home Boarder - Franchisee arrangers licence (excludes inspection fee per host)	New Application	£228.00	£206.50	£207.00	-9%	Application Fee - 2.5 hours and Grant Fee 1 hours = 3.5 hrs total
	Renewal Fee		£177.00	£177.00		
Home Boarder - Assessment of hobby host as part of a franchisee licence	New Application	£112.00	£118.00	£118.00	5%	2hrs minimum
	Renewal Fee		£118.00	£118.00		
Dog Day Care	New Application	£684.00	£590.00	£590.00	-14%	Application Fee - 4 hours and Grant Fee 6 hours = 10 hrs total
	Renewal Fee		£531.00	£531.00		
Dog Breeding Establishment (excluding vet fee)	New Application	£684.00	£590.00	£590.00	-14%	Application Fee - 4 hours and Grant Fee 6 hours = 10 hrs total
	Renewal Fee		£531.00	£531.00		
Dog Breeding Establishment (in domestic dwelling)	New Application	£570.00	£472.00	£472.00	-17%	Application Fee - 3 hours and Grant Fee 5 hours = 8 hrs total
	Renewal Fee		£413.00	£413.00		
Pet Vending / Sale of pets	New Application	£570.00	£472.00	£472.00	-17%	Application Fee - 3 hours and Grant Fee 5 hours = 8 hrs total
	Renewal Fee		£413.00	£413.00		
Animal for Exhibition	New Application	£684.00	£590.00	£590.00	-14%	Application Fee - 4 hours and Grant Fee 6 hours = 10 hrs total
	Renewal Fee		£531.00	£531.00		
Riding Establishment (excluding vet fee)*						
Main inspection fee, plus fee per horse	New Application	£570.00	£472.00	£472.00	-17%	Application Fee - 3 hours and Grant Fee 5 hours = 8 hrs total
	Renewal Fee		£413.00	£413.00		
Fee per horse, for the first 10 horses		£15.00	£15.00	£15.00	0%	
Fee per horse, for next 11-50 horses		£10.00	£10.00	£10.00	0%	
Fee per horse, for every horse 51 & over		£8.00	£8.00	£8.00	0%	
* Inspections are carried out annually, regardless of the star rating or length of licence, by a vet and officer. Vets fees will be recharged separately.						
Example of charge per horse in a yard with 60 horses						
1- 10 horses @ £15 = £150.00						

Description		Wokingham / West Berks / Bracknell 2020/2021 (Excluding VAT)	Proposed Wokingham/West Berkshire/Bracknell 1 2021/2022 (Excluding VAT) + 0.6 % (CPI 30 June 2020 rate)	Wokingham / West Berks / Bracknell 2021/2022 (Excluding VAT) Fees Rounded Off	%increase/decrease for committee	Notes
horses 11-50 @ £10 = £400.00						
horses 51 - 60 @ £8 = £80.00						
Other fees 2020/2021						
Variation to the licence fee (inclusive of one visit)		£224.00		£224.00		
Replacement licence fee (lost or stolen paperwork, change of name, etc.)		£56.00		£56.00		
Re-evaluation of star rating (inclusive of one visit)		£112.00		£112.00		
Transfer due to death of licensee		£56.00		£56.00		
Dangerous Wild Animal Consent*	2 years	£457.00	£459.74	£460.00	1%	WB & WOK only Cost recovery
Dangerous Wild Animal Consent - New*	2 years	£486.00	£488.92	£489.00	1%	Bracknell only Cost recovery
Dangerous Wild Animal Consent - Renewal*	2 years	£282.00	£283.69	£284.00	1%	Bracknell only Cost recovery
Zoo Licenses (new and renewals)*	Up to 6 Years	£2,054.00	£2,066.32	£2,066.00	1%	Cost recovery
Hairdresser Registration		£43.00	£43.26	£43.00	0%	Bracknell only
Scrap Metal						Discretionary
Scrap Metal Site - New	3 Years	£498.00	£500.99	£501.00	1%	Cost recovery
Scrap Metal Site - Renewal	3 Years	£498.00	£500.99	£501.00	1%	Cost recovery
Scrap Metal Mobile Collector - New	3 Years	£265.00	£266.59	£267.00	1%	Cost recovery
Scrap Metal Mobile Collector - Renewal	3 Years	£265.00	£266.59	£267.00	1%	Cost recovery
Scrap Metal -Variation of Licence		£366.00	£368.20	£368.00	1%	Cost recovery
Scrap Metal-Change of Site Manager		£68.00	£68.41	£68.00	0%	Cost recovery
Scrap Metal- Copy of licence		£11.00	£11.07	£11.00	0%	Cost recovery
Scrap Metal- Change of Name		£36.00	£36.22	£36.00	0%	Cost recovery
Pre-Application Advice, hrly charge		£57.00	£59.00	£59.00	4%	
Private Water Supplies (Statutory Maximums stated)						
Risk Assessment	Carried out every 5 years	£57.00	£59.00	£59.00	4%	Minimum charge 1 Hr, simple risk assessment and report typically 5 hours
Sampling		£57.00	£59.00	£59.00	4%	Cost recovery charge for a visit, taking a sample and delivering it to the laboratory. Typically 2.5 hours
Private water and pool samples	includes cost of testing	£60.00	£60.36	£60.00	0%	
Investigation		£108.00	£108.65	£109.00	1%	Carried out in the event of a test failure, can be substituted by the risk assessment - this does not include any required analysis costs
Analysis - Regulation 10		£28.00	£28.17	£28.00	0%	Where a supply provides <10m ³ /day or serves <50 people and is used for domestic purposes
Analysis of Group A Parameters						Cost of laboratory analysis will be recovered and will depend on type of suite being analysed. Customer will be advised of cost.
Analysis of Group B Parameters						Additional parameters sampled less often to ensure the water complies with all safety standards - Hrly rate applies
Environmental Permitting (Eng&W) Regulations 2016						
Scheduled Processes - (Class B – Statutory Fee)						
Standard Process		£1,650.00		£1,650.00		Statutory-no increase
Service Stations (PVI &PVII)		£257.00		£257.00		Statutory-no increase
Dry Cleaners		£155.00		£155.00		Statutory-no increase
Vehicle Refinishers		£362.00		£362.00		Statutory-no increase

Description		Wokingham / West Berks / Bracknell 2020/2021 (Excluding VAT)	Proposed Wokingham/West Berkshire/Bracknell 2021/2022 (Excluding VAT) + 0.6 % (CPI 30 June 2020 rate)	Wokingham / West Berks / Bracknell 2021/2022 (Excluding VAT) Fees Rounded Off	%increase/decrease for committee	Notes
Mobile screening & crushing plant		£1,650.00		£1,650.00		Statutory-no increase
for the third to seventh applications		£985.00		£985.00		Statutory-no increase
for the eighth and subsequent applications		£498.00		£498.00		Statutory-no increase
Substantial Changes						
Standard Process		£1,050.00		£1,050.00		Statutory-no increase
Reduced Activities		£102.00		£102.00		Statutory-no increase
Annual Subsistence Charge						
Standard Process	LOW	£772.00		£772.00		Statutory-no increase
	MEDIUM	£1,161.00		£1,161.00		Statutory-no increase
	HIGH	£1,747.00		£1,747.00		Statutory-no increase
Service Stations PVR2	LOW	£113.00		£113.00		Statutory-no increase
	MEDIUM	£226.00		£226.00		Statutory-no increase
	HIGH	£341.00		£341.00		Statutory-no increase
VRs and other reduced fees	LOW	£228.00		£228.00		Statutory-no increase
	MEDIUM	£365.00		£365.00		Statutory-no increase
	HIGH	£548.00		£548.00		Statutory-no increase
Dry Cleaners /PVR1	LOW	£79.00		£79.00		Statutory-no increase
	MEDIUM	£158.00		£158.00		Statutory-no increase
	HIGH	£237.00		£237.00		Statutory-no increase
Mobile Screening & Crushing Plant	LOW	£646.00		£646.00		Statutory-no increase
	MEDIUM	£1,034.00		£1,034.00		Statutory-no increase
	HIGH	£1,506.00		£1,506.00		Statutory-no increase
For the second permit	LOW	£646.00		£646.00		Statutory-no increase
	MEDIUM	£1,034.00		£1,034.00		Statutory-no increase
	HIGH	£1,506.00		£1,506.00		Statutory-no increase
For the third to seventh permit	LOW	£385.00		£385.00		Statutory-no increase
	MEDIUM	£617.00		£617.00		Statutory-no increase
	HIGH	£924.00		£924.00		Statutory-no increase
For the eighth & subsequent applications	LOW	£198.00		£198.00		Statutory-no increase
	MEDIUM	£316.00		£316.00		Statutory-no increase
	HIGH	£473.00		£473.00		Statutory-no increase
Late payment charge	When invoice issued & not paid in 8 weeks	£52.00		£52.00		Statutory-no increase
Transfer & Surrender						
Transfer		£169.00		£169.00		Statutory-no increase
Partial Transfer		£497.00		£497.00		Statutory-no increase
Surrender		£0.00		£0.00		Statutory-no increase
Transfer Reduced fees		£0.00		£0.00		Statutory-no increase
Partial Transfer Reduced fees		£47.00		£47.00		Statutory-no increase
Private Sector Housing						
Inspection of housing premises for immigration purposes (Class A - Fee Discretionary)		£400.00	£402.40	£402.00	0%	
Enforcement Notices served under Housing Act 2004		£115.00	£115.69	£116.00	1%	Activities as prescribed
HMO Licence NEW - assisted application		£1,197.00	£1,204.18	£1,204.00	1%	
HMO Licence RENEWAL		£800.00	£804.80	£805.00	1%	
Civil Penalties housing offences						Up to £30,000.00
Caravan Site Licence						(Option 2 of DCLG Guide for Charging)
Site licence new		£437.00	£439.62	£440.00	1%	
New licence per pitch		£16.00	£16.10	£16.00	0%	
Transfer of licence		£185.00	£186.11	£186.00	1%	
Alteration of conditions		£339.00	£341.03	£341.00	1%	
Annual fee per pitch		£14.00	£14.08	£14.00	0%	
Enforcement action -per hour		£57.00	£59.00	£59.00	4%	Hourly rate as for activity as prescribed.
Deposit, vary or deleting site rules		£116.00	£116.70	£117.00	1%	
Variation of licence		£115.00	£115.69	£116.00	1%	

Description	Wokingham / West Berks / Bracknell 2020/2021 (Excluding VAT)	Proposed Wokingham/West Berkshire/Bracknell 1 2021/2022 (Excluding VAT) + 0.6 % (CPI 30 june 2020 rate)	Wokingham / West Berks / Bracknell 2021/2022 (Excluding VAT) Fees Rounded Off	%increase/decrease for committee	Notes
Other Fees					Hourly rate applies minimum for 2 hours
Environmental Info Individual or Non Commercial	£115.00	£118.00	£118.00	3%	Cost recovery
Environmental Info Commercial and Government	£115.00	£118.00	£118.00	3%	Cost recovery
Civil Actions (Class A – Fee Discretionary)	£115.00	£118.00	£118.00	3%	Cost recovery
Safety Certification and administration	Minimum 2 hours	£115.00	£118.00	3%	Cost recovery
Pre-Application Advice, hourly charge		£57.00	£59.00	4%	
Resident and Business Advice					Hourly rate applies
General Business Advice (non-primary authority)	Per hour - free for first 30 minutes	£57.00	£59.00	4%	
Request for Advice		£57.00	£59.00	4%	
Hackney Carriage / Private Hire Licensing					
Vehicle Licences					
Hackney Carriage Vehicle New / Renewal	£288.00	£289.73	£290.00	1%	cost recovery
Private Hire Vehicle New / Renewal	£288.00	£289.73	£290.00	1%	cost recovery
Home to School New / Renewal	£147.00	£147.88	£148.00	1%	Bracknell only
Private Hire Vehicle with Dispensation	£288.00	£289.73	£290.00	1%	Included in operator fees
Temporary Vehicle licence	Issue up to 3 months maximum	£231.00	£232.39	0%	cost recovery
Private Hire Operators - NEW					NEW from 2020-2021 LICENCE FEE SCHEDULE BASED ON PER VEHICLE for 5 YEARS: per vehicle calculation of 4 hours at hourly rate plus an hour per year (for years 2-5) for first vehicle, plus 15 minutes per additional vehicle per year (years 1-5) up to a maximum of 20 vehicles (2021-2022 hourly rate £59.00)
1 vehicle	£456.00	£472.00	£472.00	4%	
2 vehicles	£527.25	£545.75	£545.75	4%	
3 vehicles	£598.50	£619.50	£619.50	4%	
4 vehicles	£669.75	£693.25	£693.25	4%	
5 vehicles	£741.00	£767.00	£767.00	4%	
6 vehicles	£812.25	£840.75	£840.75	4%	
7 vehicles	£883.50	£914.50	£914.50	4%	
8 vehicles	£954.75	£988.25	£988.25	4%	
9 vehicles	£1,026.00	£1,062.00	£1,062.00	4%	
10 vehicles	£1,097.25	£1,135.75	£1,135.75	4%	
11 vehicles	£1,168.50	£1,209.50	£1,209.50	4%	
12 vehicles	£1,239.75	£1,283.25	£1,283.25	4%	
13 vehicles	£1,311.00	£1,357.00	£1,357.00	4%	
14 vehicles	£1,382.25	£1,430.75	£1,430.75	4%	
15 vehicles	£1,453.50	£1,504.50	£1,504.50	4%	
16 vehicles	£1,524.75	£1,578.25	£1,578.25	4%	
17 vehicles	£1,596.00	£1,652.00	£1,652.00	4%	
18 vehicles	£1,667.25	£1,725.75	£1,725.75	4%	
19 vehicles	£1,738.50	£1,799.50	£1,799.50	4%	
20 vehicles	£1,809.75	£1,873.25	£1,873.25	4%	
20+ vehicles	£1,809.75	£1,873.25	£1,873.25	4%	
Private Hire Operators - RENEWAL					NEW from 2020-2021 LICENCE FEE SCHEDULE BASED ON PER VEHICLE for 5 YEARS: per vehicle calculation of 2 hours at hourly rate plus an hour per year (for years 2-5) for first vehicle, plus 15 minutes per additional vehicle per year (years 1-5) up to a maximum of 20 vehicles (2020-2021 hourly rate £59.00)
1 vehicle	£342.00	£354.00	£354.00	4%	
2 vehicles	£413.25	£427.75	£427.75	4%	
3 vehicles	£484.50	£501.50	£501.50	4%	
4 vehicles	£555.75	£575.25	£575.25	4%	
5 vehicles	£627.00	£649.00	£649.00	4%	
6 vehicles	£698.25	£722.75	£722.75	4%	
7 vehicles	£769.50	£796.50	£796.50	4%	
8 vehicles	£840.75	£870.25	£870.25	4%	
9 vehicles	£912.00	£944.00	£944.00	4%	

Description		Wokingham / West Berks / Bracknell 2020/2021 (Excluding VAT)	Proposed Wokingham/West Berkshire/Bracknell 2021/2022 (Excluding VAT) + 0.6 % (CPI 30 june 2020 rate)	Wokingham / West Berks / Bracknell 2021/2022 (Excluding VAT) Fees Rounded Off	%increase/decrease for committee	Notes
10 vehicles		£983.25	£1,017.75	£1,017.75	4%	
11 vehicles		£1,054.50	£1,091.50	£1,091.50	4%	
12 vehicles		£1,125.75	£1,165.25	£1,165.25	4%	
13 vehicles		£1,197.00	£1,239.00	£1,239.00	4%	
14 vehicles		£1,268.25	£1,312.75	£1,312.75	4%	
15 vehicles		£1,339.50	£1,386.50	£1,386.50	4%	
16 vehicles		£1,410.75	£1,460.25	£1,460.25	4%	
17 vehicles		£1,482.00	£1,534.00	£1,534.00	4%	
18 vehicles		£1,553.25	£1,607.75	£1,607.75	4%	
19 vehicles		£1,624.50	£1,681.50	£1,681.50	4%	
20 vehicles		£1,695.75	£1,755.25	£1,755.25	4%	
20+ vehicles		£1,695.75	£1,755.25	£1,755.25	4%	
Variation to licence		£57.00	£59.00	£59.00	4%	to include reissue of licence with additional vehicle registration added plus extra fees for these for length of licence
Driver Licences						
Driver – New / Renewal	3 years	£269.00	£270.61	£271.00	1%	
Home to School New / Renewal	3 years	£185.00	£186.11	£186.00	1%	Bracknell only
Conversion of driver licence to another type		£80.00	£80.48	£80.00	0%	
Other Private Hire and Hackney Carriage Charges						
Transfer of vehicle to new owner		£114.00	£118.00	£118.00	4%	2 hours
Change of vehicle		£74.00	£74.44	£74.00	0%	
Replacement licence		£41.00	£41.25	£41.00	0%	
Replacement badge		£41.00	£41.25	£41.00	0%	
Replacement vehicle licence plate		£57.00	£59.00	£59.00	4%	
Meter test - retest after failure	Bracknell Forest and Wokingham	£32.00	£32.19	£32.00	0%	Not West Berks
Knowledge Test		£74.00	£74.44	£74.00	0%	
Missed Appointment		£37.00	£37.22	£37.00	0%	
Disclosure and Barring Service Check (DBS)	Bracknell Forest	£67.00	£67.40	£67.00	0%	
Disclosure and Barring Service Check (DBS)	West Berkshire and Wokingham	£92.50	£93.50	£94.00	2%	Capita cost + half an hour at hourly charge (£64+£29.50)
Advertising on a Hackney Carriage Initial	Bracknell Forest and Wokingham	£47.00	£47.28	£47.00	0%	Not West Berks
Advertising on a Hackney Carriage Renewal	Bracknell Forest	£32.00	£32.19	£32.00	0%	Bracknell only
Change of Address (PH & HC)		£14.00	£14.08	£14.00	0%	
Backing Plate		£26.00	£26.16	£26.00	0%	
Medical Exemption from carrying assistant dog		£22.00	£22.13	£22.00	0%	
Refund processing fee		£57.00	£59.00	£59.00	4%	
Change of vehicle registration		£57.00	£57.34	£57.00	0%	
Pre-Application Advice, hourly charge	Min 1 Hr	£57.00	£59.00	£59.00	4%	
Age of vehicle inspection initial/reinspection		£56.00	£59.00	£59.00	5%	
Disability Awareness Training Course				POA		
Safeguarding Training				POA		
First Aid training for drivers	Bracknell Forest and Wokingham			POA		Not West Berks

This page is intentionally left blank

APPENDIX C - Proposals for fees - Animal Welfare Regulations 2018 and Housing Act 2004

Animal Welfare Key Issues:

1. This is new legislation and the PPP have reviewed the impact of the changes over the last 12mths. There is a better understanding of the risks posed by this area of business.
2. The new legislation was brought in to improve animal welfare.
3. The governments assessment of impact on both local authorities and businesses was defined by the level of compliance expected i.e. there will be a reduced financial burden on both if business comply with the new model conditions.
4. The PPP has reviewed its hourly rate this year and at £59 per hr compares favourably with other LA's.

1. Background

- 1.1. The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 sets out the duties of local authorities in England to license activities involving animals and the relevant establishments relating to this. The implementation of this new regime by the PPP has happened incrementally over the last 2 years and we have worked with licensees taking a light touch approach to support them in reaching compliance.
- 1.2. The aim of the Animal Welfare Act is to improve the welfare of animals, promote greater responsibility of their carers and provide greater investigation and entry powers for police and local authority to deal with offences. These aims were supported by the introduction of a legal requirement for the PPP to carry out 2 inspections during the lifetime of the licence.
- 1.3. In the governments assessment of why the law needed to change it was noted in their explanatory memorandum that there was a strong public expectation that animal welfare standards would be robustly enforced by local authorities. The changes were supported by the vast majority of respondents to the public consultation and it was fully acknowledged that small businesses would be affected but through 'earned recognition' fees could be set in a way that reflected risk.

2. Setting of Fees

- 2.1. PPP discretionary fees are based on a full cost recovery model. This has been agreed by all committees covering the Public Protection Partnership.
- 2.2. The fees for 2020/21 were also agreed by the full council. Regard was had to [Open for business: LGA guidance on locally set licence fees](#), the guidance for the Regulations also advises having regard to BEIS Guidance for Business on the Provision of Services Regulations, however this is now withdrawn.

2.3. Regulation 13 of the Regulations set out what a local authority may charge fees for:

- a) The costs of consideration of an application, including any inspection relating to that consideration;
- b) The reasonable anticipated costs of consideration of a licence holder's compliance with the Regulations and the licence conditions to which a licence holder is subject. This includes the costs of any further inspections related to compliance;
- c) The reasonable anticipated costs of enforcement in relation to any licensable activity of an unlicensed operator; and
- d) The reasonable anticipated costs of the local authority compiling and submitting the data required by regulation 29 to the Secretary of State.

3. Previous Committee Considerations

3.1. [Annex D](#) of Joint Public Protection Committee 7th November 2019 report on Fees and Charges set out how the Animal Welfare fees were calculated and set out an example using Dog Boarding fees.

3.2. The new regulations contain more detailed requirements than those under the previous licensing regime and the licensing parameters are substantial. The 2018 regulations require premises to be awarded star ratings in much the same way as food premises are risk assessed. Those premises deemed as low risk being awarded a higher star rating resulting in a longer term licence being issued.

4. Relevant Factors for Setting a Fee

4.1. Last year (2020/21) the fee of £570 was based on an overall time taken of 10 hour at £57 hourly rate. This was based on a data that was available at the time.

4.1.1. Administration - checking of applications, data imputing, liaising with internal/external officers, preparation of the licence for issue, renewal notifications, maintenance of data base, processing appeals where applicable. **2 hours** of officer time has been allowed for this work.

4.1.2. Inspections – these include pre visit checks - licence holders compliance history/previous inspection report/complaints prior to new/renewal. Inspections (x2 announced and unannounced, including time for aborted unannounced visits), travel time (x 2 announced and unannounced) on site premise inspection (x 2 announced and unannounced), report preparation, risk rating score determination, ongoing compliance costs. **8 hours** of officer's time had been allowed for this work in 2019/20.

4.2. We have reviewed our time recording and have determined that for 2021/22 a reduction of 2 hours per licence can be provided for all animal welfare licences where 2 inspections by a competent officer is required (with a minimum of 2hours for any licence). This is now appropriate as efficiencies have been developed in the last year with processing of licences, understanding and

building relationships with existing premises and a greater understanding by all involved in the application of the regulations.

- 4.3. The regulations allow for the Licensing Authority to include reasonable anticipated costs of enforcement in relation to any licensable activity of an unlicensed operator; and the reasonable anticipated costs of the local authority compiling and submitting the data required by regulation 29 to the Secretary of State. Officer's chargeable hourly rate has been set at **£59.00ph** for 2021/2022 (as detailed in the main report). It is appropriate to use this figure as it already takes into account that during the issuing of a licence or permit a number of levels of staff are involved from administrative, professional and management. The fee has been divided into two categories application and grant fee this decision came about because there are two areas of licensing work involved that of administration and inspections/compliance and complaint work.
- 4.4. A licensing regime is not allowed to generate a surplus and the PPP discretionary fees are therefore based on a cost recovery basis. The fee set is for the period of the licence so a licence holder who satisfies all the requirements of the highest standard will be able to obtain a 3 year licence.
- 4.5. Where other local authorities have stated their hourly rate the PPP compares favourably (ranges between £100 and £60 on a recent google search for 20/21 published fees and charges).

5. Financial Impact of the Legislative Changes

- 5.1. When implementing significant legislative changes that impact on business costs it is common to receive a level of negative response. The COVID-19 incident has placed significant pressures on a variety of businesses and this is clearly impacting on the businesses operating in this sector. The PPP has no desire to create further financial hardship but must operate in a way that avoids any legitimate business costs being covered by the general taxpayer. Where inspections haven't been able to be carried out we have extended existing licences for three months and we have been happy to discuss phased payment options with any licence holders' on a case by case basis.
- 5.2. Fees set for 2020/21 did lead to an increase in costs for Home Boarders. It should be noted that many businesses required multiple visits, repeated advice and support to adapt to the new framework and these costs needed to be recovered. This is all legitimate work to be incorporated in the costs of compliance as per the Local Government Associations guidance and findings from relevant case law.
- 5.3. The most affected were businesses operating within the Bracknell Forest Council area who were previously paying an initial fee of £142 then an annual renewal of £119 (£380 over 3 years). These fees were not set on a cost recovery basis.

5.4. Based on the PPP's current assessment of time and resources spent managing this process it has been possible, through a number of efficiencies (generally as a result of improved familiarity with the legislation by both the businesses and the PPP), to reduce the overall amount of time required to manage the system.

5.5. This review has led to the reduction of 17% from 20/21 fees. The vast majority of businesses will benefit from these changes.

5.6. To quantify the worst case scenario for business (those operating in the Bracknell Forest Council area) this means that a business classed as low risk will see an increase of 24%. The proposed fee of £472 would provide a 3 year licence (annual cost of £157.30p).

5.7. There is generally a high level of compliance of businesses within the PPP area and a commitment to animal welfare. Currently the risk profile is as follows:

Current licences issued within the PPP (at September 2020)

Type	Licence Length				Total
	1yr (1 or 2 star)	2yr (3 or 4 star)	3yr (5 stars)	6yr (Zoo licence)	
Animal Boarding	11	1	2		14
Home Boarding	13	23	7		43
Performing Animals			3		3
Selling Animals as Pets	1	4	2		7
Riding Establishment		3	2		5
Grand Total	25	31	16	0	72
% of total in Star Categories	35%	43%	22%	0%	

Type	Licence Length				Total
	1yr (1 or 2 star)	2yr (3 or 4 star)	3yr (5 stars)	6yr (Zoo licence)	
Animal Boarding	4	6	2		12
Home Boarding	9	17	4		30
Animal Breeding	1	5	2		8
Performing Animals			4		4
Selling Animals as Pets		1	2		3
Riding Establishment		1	5		6
Dangerous Wild Animal		1			1
Zoo Licence	1			1	2
Grand Total	15	31	19	1	69
% of total in Star Categories	23%	47%	29%	2%	

Wokingham	Licence Length				Total
Type	1yr (1 or 2 star)	2yr (3 or 4 star)	3yr (5 stars)	6yr (Zoo licence)	
Animal Boarding	1	4	2		7
Home Boarding	16	22	2		40
Dog Breeding	3	1			4
Performing Animals			3		3
Selling Animals as Pets	3	7	4		14
Riding Establishment		1	3		4
Dangerous Wild Animal		1			1
Grand Total	23	36	14		73
% of total in Star Categories	32%	49%	19%	0%	

PPP Service	Licence Length				Total
Type	1yr (1 or 2 star)	2yr (3 or 4 star)	3yr (5 stars)	6yr (Zoo licence)	
Total	63	98	49	1	211
% in each licence length/Star rating group	30%	46%	23%	0%	

6. Penalties for Non-Compliance

6.1. In part 3 Regulation 20 of The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 it sets out the following:

'(1) It is an offence for a person, without lawful authority or excuse—

(a) to breach a licence condition;

(b) to fail to comply with regulation 7 or 19.

(2) A person who commits an offence under paragraph (1) is liable on summary conviction to a fine.'

6.2. The procedural guidance note for local authorities identifies the offence for anyone who carries on any of the licensable activities without a licence:

'is liable to imprisonment for a term of up to six months, a fine or both, section 30 of the Animal Welfare Act 2006 allows for local authorities to prosecute for any offences under that Act.'

6.3. Section 32 of the Animal Welfare Act also identifies that the fine is not to exceed level 5 on the standard scale i.e. up to £5,000.

7. Options for Animal Welfare Fees and Charges

7.1. There are 3 options for fees in 2021/22:

7.1.1. Option 1: Do nothing other than add the CPI of 0.6% to last year's fee.
Home Boarding Fee = £456

7.1.2. Option 2: Use the generic hourly rate and not include the additional work identified as part of the review. Home Boarding Fee = £478 (rounded up)

7.1.3. Option 3: implement the fees as per the briefing note for public questions i.e. breakdown each activity following the LGA Guidance, reflect the different rates and add it all together. Home Boarding Fee = £685 (round up)

8. Recommendation for Animal Welfare Fees and Charges

8.1. **Option 2** is recommended by officers as it reflects the greater understanding of risk, with more data to refer to in the overall impact of managing the system. It also reduces the overall costs to the majority of licensees if they operate a compliant business.

9. Options for Houses in Multiple Occupation

9.1. There are 3 options:

9.1.1. **Option 1:** Do nothing other than add the CPI of 0.6% to last year's fee. HMO Licence Fee = £1,197

9.1.2. **Option 2:** Apply the new generic hourly rate and stick to the original time allocation. HMO Licence Fee = £1,204

9.1.3. **Option 3:** Implement the fees as per the briefing note for public questions i.e. breakdown each activity following the LGA Guidance, reflect the different rates and add it all together. HMO Licence Fee = £1,098

10. Recommendation for Houses in Multiple Occupation

10.1. **Option 3** is recommended by officers as it reflects the greater understanding of risk, with more data to refer to in the overall impact of managing the system.

Note 1

The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018

Scoring Matrix		Welfare Standards		
		Minor Failings (existing business that are failing to meet minimum standards)	Minimum Standards (as laid down in the schedules and guidance)	Higher Standards (as laid down in the guidance)
Risk	Low Risk	1 Star 1yr licence Min 1 unannounced visit within 12 month period	3 Star 2yr licence Min 1 unannounced visit within 24 month period	5 Star 3yr licence Min 1 unannounced visit within 36 month period
	Higher Risk	1 Star 1yr licence Min 1 unannounced visit within 12 month period	2 Star 1yr licence Min 1 unannounced visit within 12 month period	4 Star 2yr licence Min 1 unannounced visit within 24 month period

This page is intentionally left blank

APPENDIX D - Agreed Methodology for Localised Service Disinvestment

1. Background

- 1.1 The Inter-Authority Agreement (IAA) of the 6th January 2017 was developed to reflect the principles underlying the shared service ethos namely, one level of service, regardless of geography tailored to meet common and local needs.
- 1.2 The funding formula in the IAA was based upon the principle of 'agreed percentages' i.e. that each authority contribute in accordance with local demand to the common service aims. Some local arrangements exist for additional services and these are paid for outside of the scope of the IAA core funding formula. Examples, amongst many, include contract management for Legal Work (BFC), Fly-Tipping enforcement (WOK), Tobacco Control Schools work (West Berks). This funding is over and above the core funding formula and is accounted for separately.
- 1.3 One of the benefits of the shared service was to allow the PPP to develop the fundamental elements that were needed to deliver a modern intelligence led regulatory and enforcement service. This allowed for the development of specialist units covering such areas as Intelligence and Systems, Case Management and Governance, Financial Investigations and Partnership Support. These can be described as the 'core offer' of the service.
- 1.4 At the time the IAA was drafted the issue of local service disinvestment was raised. It was always acknowledged that whilst this was possible it had to be done in a way that did not unfairly disadvantage the other parties to the agreement. For the first three years of the agreements operation no party has proposed such a move. We now have a situation where local disinvestment is being considered and therefore a methodology is required.

2.0 Overarching Principles

- 2.1 The 'agreed percentage' methodology of service contributions is core to the entire agreement. By its nature any unilateral reduction in core funding would significantly alter the 'agreed percentages'. This is significant on two levels. Firstly it skews the reality of proportionate local service delivery. Secondly it alters the partners liabilities in that 'agreed percentages' are used to not only calculate contributions for delivery but for example contributions relating to redundancies or even the liability should the agreement come to an end. For this reason it is proposed that in any local service disinvestment these must be preserved.
- 2.2 The second over-arching principle relates to self-funded elements (ring-fenced) of the service. Licensing is the key element of the service that falls into this category. Strict rules around cost recovery mean that licensing funding cannot be used to effectively cross-subsidise other elements of the service. To this extent any proposals must be based around the budget net of licensing income and spend. In this licensing is not alone. Other elements such as contributions

to the shared case management unit, grant funding for investigations, ring-fenced public health work need to also be removed from any considerations.

3.0 Proposed Methodology

3.1 Based on the principle of preservation of the concept of 'agreed percentages' and the need to exclude licensing and other directly funded elements of the service it is proposed that the methodology is as follows:

Remove high level elements of the 'management' namely salaries of:

1. PPM
2. Strategic Management Team (4 x Strategic Managers)
3. Management Support Officer
4. Operational Management Team (7x Principle Officers)

Remove the cost of the 'core-offer', namely:

1. Intelligence and Systems (3 officers)
2. Partnership Support (Including Finance and Customer Services)
3. Joint Case Management Unit (shared arrangement with Oxfordshire County Council and RBFRS)
4. Financial Investigation Officers (2 x officers)
5. Governance (1 x Officer)
6. Safeguarding Lead
7. Training and Development Lead

Remove Contractual Commitments and core supplies and consultancy, namely:

1. Stray dog collection and kennelling
2. Air quality monitoring contractual arrangements
3. Public Analyst fees
4. Forensics and other expert fees
5. Vehicle fleet re-charges
6. Core subscriptions e.g. law databases, PNLD, TSSEL
7. Systems costs (e.g. premise databases)

3.2 Based on the following assumptions:

- all the above costs are removed and the net budget forms the basis for local disinvestment and,
- that the Committee approves the recommendation for a core stand-still budget for 2020/21

The available net amount for local disinvestment service available for 20/21 would be circa £1.7M. Applying the agreed percentages this would breakdown as follows:

Bracknell Forest: £450K

West Berkshire: £680K

Wokingham: £570K

3.3 Within this identified budget allocation are the following areas of work (not exclusive):

- Service Requests
- Consumer Complaints
- Food safety
- Food Standards
- Agricultural Standards
- Animal health and welfare
- Human and animal disease control measures
- Health and Safety at Work
- Energy performance
- Product Safety
- Estate Agency and Lettings
- Intellectual Property
- Unfair Trading
- Investigations including Fraud
- Private Sector Housing standards
- Houses in Multiple Occupation
- Air Quality
- Planning consultations and condition discharge
- Pest related matters
- Statutory nuisance
- Sales of age restricted products e.g. alcohol, tobacco and knives
- Weights and Measures
- Dog control (not strays – dangerous dogs etc.)

3.4 Many of these are demand led and all are statutory duties with the exception of support for planning matters. Many are matters of significant social policy (housing, alcohol and tobacco) or local concern (air quality, nuisance etc.). Nevertheless these remain local political decisions and Board and Service Manager will put together any package of proposals requested by any partner authority.

This page is intentionally left blank

PPP Private Sector Housing Policy

Committee considering report:	Joint Public Protection Committee
Date of Committee:	28 th September 2020
Report Author:	Rosalynd Gater

1. Purpose of the Report

- 1.1 To provide the Joint Public Protection Committee with an update on the work of PPP within Private Sector Housing and to highlight the high level priorities which we will undertake over the next 2 years.

2. Recommendations

- 2.1 The Committee NOTES the role PPP role in relation to Private Sector Housing.
- 2.2 The Committee APPROVES the direction that PPP are taking in Private Sector Housing
- 2.3 The Committee APPROVES the issue of civil penalties notices as an additional tool to prosecution for relevant offences under the Housing Act 2004
- 2.4 The Committee DELEGATES to the Joint Management Board the development and sign off of an internal appeals process with respect to civil penalty notices.

3. Implications and Impact Assessment

Implication	Commentary
Financial:	<p>In order to ensure that the priorities are met PPP have recently recruited 3 additional officers to carry out housing work (one of these is an internal promotion); they will be starting with PPP within the next 1 - 2 months dependant on length of notice period.</p> <p>Penalties from the issue of Civil Penalty notices will come into PPP. This ensures that those who disregard the law contribute to its enforcement.</p>
Human Resource:	<p>As previously noted 3 officers (1 internal) have been appointed to the private sector housing function as this continues to develop as a priority for the Councils.</p>
Legal:	<p>One of the growth areas in the Policy is in enforcement in areas of non-compliance. This will have an implication on the Case Management Unit of PPP and on the legal teams in the LAs.</p>
Risk Management:	<p>Financial risk is managed elsewhere.</p>

	<p>To date we have recognised that, although we prioritised the work in housing, we did not have the staffing capacity to carry out the work. With the recent recruitment we hope to mitigate this risk. However, we also need to acknowledge that in pursuing these priorities there will be an increase in enforcement action, which will bring its own risks in terms of the staffing level needed both in Housing Officers but also in the Case Management Unit.</p> <p>JMB will be kept informed of any service changes and adjustments and any consequences arising from these will be notified.</p>			
Property:	There are no direct implications arising from these proposals.			
Policy:	The role of the Joint Committee includes consideration of reports relating to service delivery matters. This report addresses that requirement by setting out the approach to service recovery.			
	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			<p>This is not a decision report.</p> <p>The report does however set out the steps taken to protect the vulnerable and address community need.</p>
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?	x			The Private Sector Housing Policy, by its nature, will have a positive effect on the vulnerable groups in society. By PPP targeting non-compliance in this sector we can improve living conditions and lives.
Environmental Impact:		x		
Health Impact:	x			<p>The proposals create no direct health impacts on staff.</p> <p>They do however set out community based health protection measures.</p>

ICT or Digital Services Impact:	x			With the current situation much more emphasis has been put on alternative methods of communication. The use of digital meetings and conferences will assist us in our communication work identified in this policy.
PPP Priorities :	x			The Policy is in line with the priorities of PPP and indeed it sets out the priorities for Private Sector Housing
Data Impact:		✓		None
Consultation and Engagement:	Meetings have been held with the LA Housing Leads for West Berks and Bracknell where we have been exploring joint working; communication has been had with Housing Lead in Wokingham. All 3 LA leads have been sighted on this policy.			

4. Summary

- 4.1 The Policy sets out the context of the PPP role in Private Sector Housing and where this fits with the PPP Vision and priorities.
- 4.2 The Policy gives a summary of the areas of work which PPP will priorities in the coming 2 years; and gives a direction on the approach of compliance is gained through enforcement as we are finding that an approach of communication and informal action is not working in a number of cases.
- 4.3 The Policy gives information on Civil Penalties. These can be used as an alternative to Prosecution. The maximum penalty is £30,000, the amount of penalty is to be determined by the local housing authority in each case. In PPP this will be based on the level of culpability, the level of harm (potential or actual), it will take account of aggravating factors and mitigating factors. The Service is currently considering options for an internal appeals process with respect to Civil Penalty Notices. It is proposed that the process be approved by Joint Management once finalised.
- 4.4 We recognise the important of ensuring that the priority of private sector housing is increased as this affects a large number of residents and businesses across the Boroughs. It is for this reason that we are developing a dedicated team of officers (and a recruitment drive for new officers) and a Lead Principal Officer in Housing; and is why we are ensuring that our Private Sector Housing Policy is updated and presented to JPPC.
- 4.5 In PPP we are committed to working with our partners in LA Housing and to that end we have started a series of liaison meetings which we hope will ensure leads to a more cohesive, efficient and effective housing service.

5. Appendices

- 5.6 Appendix A – PPP Private Sector Housing Policy 2020 - 2022

This page is intentionally left blank

Public Protection Partnership
PRIVATE SECTOR HOUSING POLICY
2020- 2022

Date: August 2020
Version: 3
Classification: Internal, public

Authors
Mary Glomé Principal EHO Lead Officer Housing;
Rosalynd Gater Strategic Manager Compliance and Programme

Quality Assurance: Sean Murphy PPP Manager

A shared service provided by
Bracknell Forest Council,
West Berkshire Council and
Wokingham Borough Council



Document Control Information

Version	DATE	DESCRIPTION
1	June - July 2020	Initial drafting by Mary Glomé
2	August 2020	Mary Glomé
3	August 2020	Rosalynd Gater and Mary Glomé

SECTION 1 INTRODUCTION TO THE SERVICE

Public Protection Partnership

On 9th January 2017 Public Protection Partnership (PPP) was formed, this is a shared service covering environmental health, Licensing and Trading Standards provided by Bracknell Forest Council, West Berkshire Council and Wokingham Borough Council. As such this plan will cover the work of the 3 Council areas.

Scope of the Programme and Compliance Team.

Private Sector Housing sits within the Compliance and Programme Team in PPP.

In addition the team enforces all aspects of food from food hygiene, food standards to feed and farm; Health & Safety in all Local Authority enforced premises and deal with a range of Covid related enforcement and activity. The team also licenses petroleum sites and issue explosive licenses.

Scope of the Private Sector Housing Plan

This Private Sector Housing policy applies specifically to each Council's private sector housing enforcement functions and duties and includes the following:

- Regulating standards of repair, amenity and safety in the private rented sector and dealing with housing hazards.
- Carrying out investigations relating to vacant dwellings and bringing them back into occupation in line with each Council's Empty Homes Policy' where one exists
- Regulating standards of management, repair, amenity and safety in houses in multiple occupation (HMOs)
- Administration of the Council's Houses in Multiple Occupation mandatory Licensing Scheme
- Inspection of bed and breakfast establishments and any private accommodation used for the temporary housing of homeless people and asylum seekers as appropriate
- Investigation and abatement of public health nuisances relating to housing
- Investigation and elimination of pests and vermin infesting land, premises and persons as may be appropriate
- The licensing of Caravan Sites and park home sites
- Administration of each Council's Landlord Accreditation Scheme where one exists
- Regulating standards in the private rented sector in relation to immigration inspections.
- Inspection of properties that fall into the Allocating Social Housing Banding System as appropriate for each council based on interventions detailed in the Housing Act 2004 and HHSRS

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/5918/2171391.pdf

Public Protection Partnership Vision

To protect and support residents and legitimate business through the successful use of information and intelligence, delivering safe and healthy neighbourhoods.

Public Protection Partnership Mission

The purpose of the service is to: -

- Give people information so they can make informed decisions and understand their rights and responsibilities.
- Create an atmosphere where legitimate and compliant businesses can thrive and not have their interests undermined by those who choose not to comply.
- Preserve the health, wellbeing and safety of the communities we serve.

Public Protection Partnership Strategic Priorities

- Community Protection
- Protecting and Improving Health
- Protection of the Environment
- Supporting Prosperity and Economic Growth
- Effective and Improving Service Delivery

Areas not deemed as the Strategic Priorities will be carried out but will not be given priority

SECTION 2 HOUSING PRIORITIES

The Role of the Compliance and Programme Team with regard to the Strategic Priorities – Private Sector Housing

Community Protection	The main role of the team is to ensure that premises for which we are the enforcing authority for private sector housing, including caravan and park homes sites are compliant with the legislation; the purpose of this legislation is to protect residents' health and safety, many of whom are vulnerable, from living in poor conditions. We provide safeguards to the community through an effective licensing service and will act as champions for the local area. We will deal with anti-social behaviour in identified problem areas and with aggressive and unreasonable landlords
----------------------	---

<p>Protecting and Improving Health</p>	<p>We enforce Private Sector Housing legislation. Our role within this meets the requirement to protect health safety and wellbeing of private sector residents within PPP irrespective of tenure, in doing so we will tackle the causes of health inequalities, both physical and mental.</p> <p>We will develop and deliver initiatives designed to improve and enhance health and wellbeing of individuals.</p>
<p>Protection of the Environment</p>	<p>Enforcing within residential properties in connection with waste disposal and drainage, and ensuring sources of contaminants are secure.</p> <p>We will ensure Private Sector Housing and Park Homes are energy efficient, through adequate heating and repair.</p>
<p>Supporting Prosperity and Economic Growth</p>	<p>By enforcing the legislation consistently in all residential premises ensuring that landlords are not economically advantaged by non-compliance. We will supporting compliant local businesses to thrive through the provision of advice and guidance.</p>
<p>Effective and Improving Service Delivery</p>	<p>Working on Quality Management Systems to ensure the service is consistent and streamlines; feedback from landlord and residents ethos of continuous improvement.</p> <p>We will continue to developing PPP staff, to ensure a competent workforce that are committed to delivering and improving.</p> <p>We will work on improving PPP communication with the housing sector</p> <p>By the implementation of the national intelligence model we identify and effectively tackle priority areas</p> <p>We will build effective working relationships with key partners within the Councils to deliver the key objectives of the Service and the Councils</p> <p>Building effective relationships with key external partners including Thames Valley Police, Royal Berkshire Fire and Rescue Service, housing providers, other local authorities, Immigration Service</p>

Cross Cutting PPP Issues with links to Housing

PPP have a number of cross cutting priorities, which sit over all of the work we do. In terms of Housing, the cross cutting priorities are as follows;

Protecting Vulnerable Adults and Children	The number and complexity of investigations involving people from recognised vulnerable groups has driven the PPP to adapt its risk management approach. Skills in communication, safeguarding and partnership working have never been more important in the workloads of officers and managers. This will be a key consideration in any priorities and projects initiated.
Modern Day Slavery	There has been a 35% increase in referrals in 2017 across the UK and Thames Valley Police continue to run a number of operations looking at the issue of exploitation where people are being kept in poor conditions and forced to work for limited financial reward. An anti-slavery network has been set up across the Thames Valley. The PPP must be alive to this risk and all priorities and projects should be evaluated to consider how it may be able to improve the intelligence picture.

SECTION 3 PRIVATE SECTOR HOUSING WORKPLAN

Housing Projects and Work plan

In order to translate the service priorities into a workplan , PPP use the following as a framework;

- Prevention – What action can PPP take that would stop a problem occurring
- Intelligence – What information can the PPP gather to help make better decisions
- Enforcement – what action can the PPP take to ensure those breaking the law are taken to task.

In keeping with this, a summary of the work which will be progressed by the Compliance and Programme team in relation to Private Sector Housing is as follows;

PREVENTION	To carry out each Council's statutory duties in relation to Private Sector Housing Standards through the PPP Private Sector Housing Policy (PSHP)
	To assist in implementing each Council's Housing Strategy
	Work with LA Housing Partners to carry out House Condition Surveys; address the needs demonstrated by the Local House Condition Survey
	To review existing Park Home licences to ensure fit for purpose; to work on unlicensed sites to bring them to compliance
	To ensure unlicensed HMOs are brought to compliance; and that licenced HMOs maintain the required standard
	We will investigate complaints from private rented sector tenants about overcrowded living conditions, from other parties where they are concerned about children or vulnerable adults living in overcrowded conditions or where overcrowded conditions are legitimately impacting on a neighbours health, safety or welfare
	To respond to requests for service
INTELLIGENCE	Active media campaigns on high risk areas
	Introduce a Landlord Accreditation Scheme
	Hold Landlord Forums in partnership with the LA Housing Departments and the Royal Berkshire Fire and Rescue Service RBFRS
	Work with landlords to raise standards; Landlord Forums
	Liaise with RBFRS to understand high risk areas and target work in these areas
ENFORCEMENT	Develop staff to undertake complex housing and licensing investigations and knowledge about property tribunals
	We have dedicated case management support for housing and site licence investigations
	Training in private sector housing topics and legislation so we can determine breaches and ensure competency in line with relevant legislation and associate regulations

	Training of officers in private sector housing investigation, evidence gathering, decision making and production of case file and Court proceedings to optimise success rates
	Ensuring competency of Authorised Officers using a competency assessment toolkit to ensure that the action taken by Authorised Officers is correct and does not cause unlawful economic implications to the businesses or put the public at risk
	Clear inspection program of targeted residential properties, including mobile home and caravan sites, and ensure non compliance is actioned

SECTION 4 STRUCTURE AND PARTNERS

<i>Service Structure</i>			
<i>Compliance and Programme Private Sector Housing Team Staffing (August 2020)</i>			
Category of staff	Acceptable Housing Related Qualification such as the HHSRS	Number of Officers in post August 2020	Full Time Equivalent for carrying out PSH work
Strategic Manager	BSc in Environmental Health MSc in Environmental Health Diploma in Environmental Health	0.81	0.1 Strategic Management
Principal Environmental Health Officer	BSc in Environmental Health MSc in Environmental Health Diploma in Environmental Health	1	0.8 operational management
Senior/Environmental Health Officers	BSc in Environmental Health MSc in Environmental Health Diploma in Environmental Health	1	1
Senior Environmental Control Officers	HHSRS certificate BTec – housing or equivalent	1	1
Environmental Control Officer	Holds HHSRS certificate	1	1
Total		4.81 FTE	3.9 FTE

Staff Development Plan

- All staff are subject to a formal appraisal each year with interim monthly review meetings.
- Part of this appraisal process is the development of a training needs analysis for staff.
- Housing Officers must complete a competency matrix
- A matrix of the training needs of the team is compiled.
- 20 Hrs of 'Continuing Professional Development' (CPD) training is provided for all staff operating under the CIEH Membership
- Each officer is responsible for keeping a record of training undertaken and maintaining their own CPD records.

At PPP we are aware of the importance of Private Sector Hosing, and appreciate that there is a deficit in the number of FTE available and in the level of work required. To address this we are currently recruitment 3 more officers to deal will moving the housing agenda forward.

Key Service Partners and Partnerships

- LA Housing Departments; Bracknell Forest, West Berkshire and Wokingham
- Royal Berkshire Fire and Rescue Service
- HM Immigration Service

SECTION 5 SECURING COMPLIANCE

Securing Action by Relevant Duty Holders

All of our inspection activity and enforcement action is carried out in accordance with our Enforcement Policy; and associated procedural guidelines.

The purpose of the intervention programmes we carry out is to improve housing outcomes by;

- Securing actions by relevant duty holders
- Targeting those that influence risk reduction
- Dealing with serious risk and least controlled hazards
- Enforcing on those that seek economic advantage from non-compliance

We are committed to ensuring compliance and will make this a focus over the coming years, to tackle non-compliance.

Relevant legislation and Guidance

The list of legislation and guidance to standards in private sector housing is attached as **Appendix 1.**

Regulators' Code 2014 Better Regulation Delivery Office

This applies to all the work mentioned in the plan – details can be found at <https://www.gov.uk/government/publications/regulators-code>

Statement on Enforcement Options – Housing Act 2004

The list of enforcement options are contained in **Appendix 2**

Civil Penalties

Certain legislation enables the PPP to serve a Penalty Charge Notice or Monetary Penalty Notice. – details can be found at **appendix 3**

Rent Repayment Orders

Rent Repayment Orders (RRO) can be made by the First Tier Tribunal where they are satisfied beyond reasonable doubt that a landlord has committed certain offences (whether a landlord has been convicted of that offence or not) – details can be found at **Appendix 4**

Rogue Landlord Data Base

The majority of landlords in the private rented sector provide decent and well managed accommodation, but there are a small number of rogue landlords and property agents who knowingly flout their legal obligations and rent out accommodation which is substandard, frequently to vulnerable tenants. Details can be found at **Appendix 5**

Banning Orders

A “banning order” means an order, made by the First-tier Tribunal, banning a person from:

- letting housing in England,
- engaging in English letting agency work,
- engaging in English property management work, or
- doing two or more of those things

See also section 18 of the Act which enables a banning order to include a ban on involvement in certain bodies corporate – details can be found at **Appendix 6**

Empty Homes

Where necessary we will investigate and take action to deal with the symptoms that arise when a property is left empty – details can be found at **Appendix 7**

Minimum Energy Efficiency Standards

There is a requirement for any property rented out in the private rented sector to have a minimum energy rating of E on an Energy Performance Certificate (EPC). The Regulations cover new lets and renewals – details can be found at **Appendix 8**

SECTION 6 NEW LEGISLATION

The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020

The Regulations came into force on 1 June 2020 and aim to improve safety in all residential premises - and particularly in the private rented sector.

Existing legislation already requires landlords to keep their properties free from electrical hazards. It has previously been best practice for landlords to organise periodic inspection and testing and to provide an electrical safety report to the tenant.

These Regulations put best practice on a statutory footing. All landlords in the private rented sector now must do what good landlords already do: make sure the electrical installations in their rented properties are safe – details can be found at **Appendix 9**

APPENDIX 1

Relevant legislation and Guidance

The following is a list of legislation and guidance to standards in private sector housing:

- Housing Act 2004 and associated orders and regulations
- The Management of Houses in Multiple Occupation (England) Regulations 2006
- Housing Act 1985 (as amended)
- Housing Act 1996 and Housing (HMO) Order 1997
- Housing (Fitness Enforcement Procedures) Order 1996
- Private Sector Renewal – DoE Guidance
- Local Government Miscellaneous Provisions Act 1936
- Public Health Act 1961
- The Housing (Maximum Charge for Enforcement Actions) Order 1996
- Housing Health and Safety Rating System (HHSRS) Operating Guidance
- Local Authority Coordination of Regulatory Services (LACORS)
- Environmental Protection Act 1990
- Public Health Act 1936 (as amended)
- Building Act 1984
- Caravan Site Act 1960
- Prevention of Damage by Pests Act 1949
- Mobile Homes Act 2013
- The Mobile Homes (Site Licensing) (England) Regulations 2014
- The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020
- CIEH Fire Safety for Houses in Multiple Occupation – LACORS Housing – Fire Safety Guidance Temporary Exemption Notices (TENS) Smoke and Carbon Monoxide Alarms (England) Regulations 2015 Carbon Monoxide
- Rogue Landlords Data Base
- MEES
- Housing and Planning Act 2016 – Civil Penalties
- Rent Repayment Orders

APPENDIX 2 ENFORCEMENT OPTIONS

Housing Health and Safety Rating System (HHSRS) Category 1 Hazards

The Housing Act 2004 puts authorities under a duty to take appropriate action in relation to a Category 1 hazard found under the Housing Health and Safety Rating System (HHSRS). A 'Category 1' hazard arises when a hazard reaches a score of 1000, or more, under the HHSRS. In such cases the Authority *must* take the most appropriate of the following courses of action:

- to serve an Improvement Notice in accordance with section 11
- to make a Prohibition Order in accordance with section 20
- to serve a Hazard Awareness Notice in accordance with section 28
- to make a Demolition Order in accordance with s265 of the Housing Act 1985 (as amended)
- to declare a clearance area in accordance with s289 of the 1985 Act (as amended)

- to serve an Emergency Remedial Action notice in accordance with section 40
- to make an Emergency Prohibition Order in accordance with section 43.

Only one of these courses of action can be taken at any one time (except for emergency measures). It is for the local authority to decide which course of action is the most appropriate in all the circumstances. The explanation for this decision will be provided with each notice served in the format of a “Statement of Reasons”. The views of the manager and occupier of the property will if possible, be considered in the decision making process.

Housing Health and Safety Rating System Category 2 Hazards

The Council has similar powers to deal with Category 2 hazards as those listed above, however they cannot use the emergency measures, make a Demolition Order or declare a clearance area unless permitted by circumstances prescribed in Regulations. In deciding whether to take action to address Category 2 hazards (where action is discretionary) the following factors will be considered:

- Where the owner is being asked to deal with ‘Category 1’ hazards the ‘Category 2’ hazards should be dealt with at the same time where they materially affect the comfort of the occupying tenant or they cause the property to be in serious disrepair
- Multiple hazards may be found which on their own are not too serious but in combination present a more serious situation than one single ‘Category 1’ hazard
- If the hazard relates to fire safety the Fire Authority should be consulted and the appropriate action taken based on their recommendations
- If the hazard or combination of hazards materially affects the comfort of the occupying tenant or cause property to be in serious disrepair appropriate enforcement action should be taken.

A ‘Category 2’ hazard arises when a hazard reaches a “significant” score of up to 999 under the HHSRS; the Authority *may* take enforcement action in these circumstances.

Where there are concerns about a vulnerable person the appropriate agencies should be consulted to help make a decision regarding the appropriate enforcement action.

The Fire Authority must be consulted where a fire hazard exists in an HMO or in any common parts of a building containing one or more flats. As such officers will have regards to:

- National Guidance on Fire Safety Standards in Existing Residential Accommodation
- The Regulatory Reform (Fire Safety) Order 2005 (PRO) and
- The Protocol between Housing Authorities and Fire Authorities to improve fire safety
- The current Building Regulations, supporting Approved Documents and relevant standards and Codes of Practice to determine the Ideal.

Formal Enforcement Tools

- 1) Hazard Awareness Notices

Hazard Awareness Notices can be used in the following circumstances:

- In relation to Category 1 and 2 Hazards under section 28 and 29 Housing Act 2004
- Where the hazard is remote or minor
- Where the property is in owner occupation (unless there are concerns about the owner's ability to look after them. In such cases the appropriate agencies should be consulted prior to making a decision regarding enforcement action)
- Where the circumstances of the occupier weighed up against the risk presented result in a decision that the occupier cannot tolerate the works
- If the property is vacant.

2) Improvement Notices

An improvement notice under section 11 or 12 of the Act is a possible response to a category 1 or a category 2 hazard. Under section 11, action must as a minimum remove the category 1 hazard. The Council should ensure that any works required to mitigate a hazard are carried out to a standard that prevents building elements deteriorating.

An improvement notice may relate to more than one category 1 hazard. Where there are multiple hazards including category 2 hazards, the same notice can require action to deal with both categories 1 and 2 hazards.

3) Prohibition Orders

A prohibition order is a possible response to a category 1 or category 2 hazard. The order may prohibit the use of part or all of the premises for some or all purposes, or occupation by particular numbers or descriptions of people.

The Council can approve a use of a premise, and that approval should not be unreasonable withheld. Any such refusal must be notified to the applicant within 7 days of the date of the decision to refuse.

An order becomes operative 28 days after it is made, unless the order is repealed. Copies of the order will be served on everyone who, to the Council's knowledge, is an owner, occupier, is authorised to permit occupation, or a mortgage lender in relation to the whole or part of the premises. Copies will be served within 7 days of the making of the order. The requirement in respect of the occupiers may be met by fixing a copy of the order to a conspicuous part of the premises.

A prohibition in relation to a category 1 hazard must be revoked if the Council is satisfied that the hazard in respect of a category 1 hazard no longer exists. An order can also be revoked if the Council are satisfied that special circumstances exist making it appropriate to do so. An order in relation to a category 2 hazard may also be revoked or varied where appropriate.

An appeal can be made to the Residential Property Tribunal (RPT) against an order by an owner, occupier, a person authorised to permit occupation or a mortgage lender in relation to the whole or part of the premises, on the grounds that:

- an order is not the most appropriate option, or on general grounds
- against an decision on the revocation or variation of an order
- the Council's refusal to permit the use of the premises for any purpose while the prohibition order is in operation within 28 days of the date the decision was made.

Follow Up Enforcement Action

- A revisit will be made to a premise as soon as practicable after expiry of a Notice
- Where appropriate, the officer will inform all interested bodies and copies of notices will be sent to all parties as required under legislation

Works in Default

Where a notice, order or licence has not been complied with this Council will consider where the legislation makes provision, carrying out works to secure compliance with the notice. Except in urgent cases the owner/person responsible must be served with:

- I. The relevant notice of intention; and
- II. Information which clearly states the effect of the proposed action and its subsequent costs including administration charges and details of how such sums may be recovered or made a charge on the property. Immediate action: this includes the power to take emergency action by entry to premises, if necessary, and make safe areas or articles which are causes of imminent danger of serious harm under section 40 and 43 of the Housing Act 2004. See Appendix 2

Charging for Enforcement Action

Section 49 of the Housing Act 2004 gives the Council's the power to make a reasonable charge as a means of recovering certain expenses incurred in:

- serving an improvement notice;
- making a prohibition order;
- serving a hazard awareness notice;
- taking emergency remedial action;
- making an emergency prohibition order;
- making a demolition order

The expenses are in connection with inspection of the premises, subsequent consideration of action and the service of notices. A charge will be made for all eligible enforcement action where works are not commenced by the specified date, unless there are extenuating circumstances. This charge will reflect the costs incurred by the authority.

Additional Actions for Dealing with Houses of Multiple Occupancy HMOs

In addition to all of the above the following action may be taken in order to deal with HMO premises.

1) Interim and Final Management Orders

Legislation applicable

Housing Act 2004, Part 4 Chapter 1 (sections 101 & (131),

- Schedule 6 (procedure and appeals), and
- Section 232 (Registers of Management Orders).

Where a Licence for an HMO is refused, the authority *must* consider whether there is any

prospect of it being licensed in the near future or whether 'health and safety' is at risk. The Council is under a duty to make an Interim Management Order (IMO) where either of these applies.

Interim Management Order

Interim Management Orders (IMO) transfer management of the HMO to the Council and empower it to do whatever is required to protect the health and safety and welfare of tenants, people in the vicinity and sort out the management of the house.

IMOs allow authorities to:

- Transfer management of the HMO to the Council and empower it to:
- Do whatever is required to protect the health and safety of tenants and people in the vicinity
- Sort out the management of the house
- IMOs run for 12 months, and
- apply to the whole house (but the Council can exclude a part occupied by a landlord where necessary), and
- are made by the Council (in the case of Part 2 Licensable HMOs) and by Residential Property Tribunals (RPT) on application from the Council (all other cases).

Factors to be taken into consideration when deciding whether to make an IMO

HMO Condition

- How bad the conditions are
- Whether other effective remedies exist i.e. prosecution or enforcement

History

- Including complaints from tenants, from people living in the area, past involvement by the LA, Landlord and Tenant Law, EH Issues and past involvement by other agencies such as Social Services, Police etc.

Landlord track record

- Including performance on other properties, quality of supervision and management, responsiveness to notices/requests to act, treatment of tenants, scope for alternative management arrangements and their consequences.

The health and safety condition is that:

- The 'Health, Safety or Welfare of:
 - occupiers of the HMO; or
 - persons occupying/having an estate or interest in premises in the vicinity is at risk
- The Condition: cannot be applied to Licensable HMOs (whether Licensed or not) where:
 - the defect(s) are Cat 1 H&S hazards; AND
 - USING Part 1 enforcement powers would 'adequately protect health and safety'
- A threat to evict occupants in order to avoid Part 2 Licensing which can constitute a threat to welfare.

At the earliest possible stage the Council must also look at the time when the IMO will expire (12

months) and decide if the dwelling is handed back to the landlord or whether a Final Management Order (FMO) will have to be made.

Final Management Order

An FMO is made when:

- The Council considers it unable to grant a Licence (Part 2 Licensed HMO)
- The Council is satisfied an FMO is needed to protect the Health and Safety of occupiers of people in vicinity (non-Licensed HMO).
- It: Supersedes as IMO
- Runs for 5 years
- In practical terms, extends an IMO and increases the Council's power's and responsibilities towards the HMO
- Can itself be superseded by an FMO.

The decision to make Orders will only be taken when the Council has a legal obligation to do so having regards to sections 113 and 114 and schedule 6 of the Housing Act 2004.

Appendix 3 Civil Penalties

Private Sector Housing Team is responsible for enforcing the following requirements which can be subject to a civil penalty:

- Failure to comply with a notice requiring the provision of smoke or carbon monoxide detector (£5000 maximum)
- Failure to have a valid Energy Performance Certificate (EPC) for a rented property (£200 maximum).
- Failure to comply with the Energy Efficiency Requirements for rented properties (£5000 maximum).
- Failure to display details of the Government's approved redress scheme that businesses are a member of (5000 maximum).
- Failure to display fees that apply to landlords' agents and tenants (£5000 maximum).
- Failure to be a member of a Government approved residential lettings or management redress scheme when required to do so. (£5000 penalty is considered the norm).

Each case will be considered on its own merits and the relevant statutory appeal rights are to be provided with any notice served.

Simple Caution

Simple cautions will be considered for first offences and where they have assisted officers in remedying the situation but ensuring adequate warning is given should further offences be committed.

Recovery of Costs including Proceeds of Crime

Officers will provide the Governance Team with all the relevant information to enable recovery of costs to be sought at Court. Any costs application made is likely to include the time officers have spent investigating a case and the legal costs involved.

As verdicts and sentences in a criminal case are given in open court and are a matter of public record the PPP will publish sentences following prosecution on a case by case basis.

Work in Default

In addition to appendix 2 where the PPP has legally required someone to do works but they have failed to do so, powers are available to carry out works in default. The powers are provided in the legislation being used in relation to a specific case.

In most cases a person will be given notice of the PPP's intention to carry out works in default. It will be an offence if that person tries to obstruct the PPP or any contractors working on behalf of the PPP once works have started.

The complete costs will be recovered in accordance with the relevant statutory provisions. **It should also be noted that carrying out works in default does not prevent prosecution which may also be appropriate.**

Appendix 4 Rent Repayment Orders

INTRODUCTION

Under the Housing and Planning Act 2016 (The Act) a Rent Repayment Order occurs when a tribunal orders a landlord or agent to repay rent to tenant(s) because they have broken the law. This is usually between 6 months and 1 year of rent.

Officers should refer to guidance before applying this tool.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/606654/Rent_Repayment_Orders_guidance.pdf

THE HOUSING and PLANNING ACT 2016 (The Act)

Rent Repayment Order

The same Act also introduces the option of applying for a Rent Repayment Order (RRO) in respect of the following offences:

- Failure to comply with an Improvement Notice
- Failure to comply with a Prohibition Order
- Breaching of a Banning Order
- Using violence to secure entry to a property
- Illegal eviction or harassment of the occupiers of a property
- Having control of an unlicensed house in multiple occupation
- Having control of an unlicensed property

The only offences committed before 6th April 2017 for which an RRO can be sought are the licensing offences above.

Where rent is paid by the Council, an RRO award is retained by the Council, whilst an award to tenants paying their own rent is due to the tenant considering using RRO's as a sanction, or responding to a tenant who wishes to utilise this route should first discuss this with their line manager as this course of action seeks to recover a monetary value that sits with the host authority (namely the housing services).

Similarly, tenants paying their own rent could apply to the (First Tier Property Tribunal) FTPT for an RRO, once an offence has been secured by the Local Authority.

PPP officers should support this course of actions by assisting the tenant accordingly.

Appendix 5 Rogue Landlord Data Base

The measures introduced by the Government to tackle rogue landlords include the Rogue Landlord Database. Officers must discuss the matter with their line manager prior to any consideration of entering details on the register.

Officers should use the register as part of their usual checks regarding 'fit and proper' tests. Chapter 3 of the Housing and Planning Act 2016 - Rogue Landlords Database

Local Authorities will be responsible for entering names on the database and maintaining the contents which includes adding details if a banning order has been imposed.

All local authorities have access to the database for the purposes of identifying landlords, agents and owners with properties in more than one borough. This national database has been set up by Housing Communities & Local Government (HCLG) using a DELTA platform for the purpose of listing rogue landlords and property agents convicted of certain offences, including immigration offences.

This tool will keep track of known rogues. Officers should refer to appendices on how to use the database. Registration can be arranged via your line manager.

Local authorities must have regard to the guidance published by the Secretary of State in accordance with section 30 (7) of the Act.

Content of Database

Local authorities must make an entry on the database for a person or organisation who have received a Banning Order (see QMS RES LLB 001).

Section 30 of the Act allows authorities to make entries for a person who has been convicted of a banning order offence that was committed at a time when the person was a residential landlord or property agent; and/or received two or more financial penalties in respect of a banning order within a period of 12 months committed at a time when a person was a residential landlord or a property agent.

Making an Entry in the Database

Local authorities must consider the following before making a database entry:-

- Severity of offence
- Mitigating factors
- Culpability and serial offending
- Deter the offender from repeating the offence
- Deter others from committing a similar offence

Entries into the database are subject to variation or removal, by a local housing authority.

Decision Notice

A decision notice must be issued to the offender stating the date of issue, the authority serving the notice, specify a period on the notice, offences applicable to the notice and appeal details. The First-Tier Tribunal may allow an appeal to be made to it after the end of the notice period if they are satisfied that there is a good reason for failing to appeal within the notice period. If the appeal is successful the First-Tier Tribunal may confirm, vary or cancel the decision notice.

Appendix 6 Banning Orders

THE HOUSING and PLANNING ACT 2016 (The Act)

A Relevant Housing Offence includes:

- Illegally evicting or harassing a residential occupier in contravention of the Protection from Eviction Act 1977 or the Criminal Law Act 1977 or:
- Any of the following offences with an Improvement Notice (section 30);
- Offences in relation to Licensing of Housing in Multiple Occupation (HMOs) (section 72);
- Offences in relation to licensing of houses under Part 3 of the Act (section 95);
- Allowing a HMO that is not subject to licensing become overcrowded;
- Failure to comply with management regulations in respect of HMOs (section 234)

A relevant offence also includes:

- An offence under section 36 of the Gas Safety (Installation and Use) Regulations 1998;
 - Failure to comply with a Prohibition or Emergency Order under sections 20, 21, and 32 of the Regulatory Reform (Fire Safety) Order 2005 provided it relates to a property that is being rented out or managed by a landlord or property agent.
- NB: Banning Order offences also apply to Immigration Offences, Serious Criminal offences, and Other Criminal offences.

Regulations under subsection (3) may, in particular, describe an offence by reference to:

- the nature of the offence,
- the characteristics of the offender,
- the place where the offence is committed,

- the circumstances in which it is committed,
- the court sentencing a person for the offence, or
- The sentence imposed.

Imposition of banning orders - Application and notice of intended proceedings

A local housing authority in England may apply for a banning order against a person who has been convicted of a banning order offence.

If a local housing authority in England applies for a banning order against a body corporate that has been convicted of a banning order offence, it must also apply for a banning order against any officer who has been convicted of the same offence in respect of the same conduct.

Before applying for a banning order under subsection (1), the authority must give the person a notice of intended proceedings (TP1):

- informing the person that the authority is proposing to apply for a banning order and explaining why,
- stating the length of each proposed ban, and
- Inviting the person to make representations within a period specified in the notice of not less than 28 days (“the notice period”).
- The authority must consider any representations made during the notice period.
- The authority must wait until the notice period has ended before applying for a banning order.
- A notice of intended proceedings may not be given after the end of the period of 6 months beginning with the day on which the person was convicted of the offence to which the notice relates

The making of a banning order

The First-tier Tribunal may make a banning order against a person who:

- has been convicted of a banning order offence, and
- Was a residential landlord or a property agent at the time the offence was committed (but see subsection (3) of the Act).
- A banning order may only be made on an application by a local housing authority in England that has complied with section 15.
- Where an application is made under section 15(1) against an officer of a body corporate, the First-tier Tribunal may make a banning order against the officer even if the condition in subsection (1)(b) of the Act of this section is not met.

In deciding whether to make a banning order against a person, and in deciding what order to make, the Tribunal must consider:

- the seriousness of the offence of which the person has been convicted,
- any previous convictions that the person has for a banning order offence,
- whether the person is or has at any time been included in the database of rogue landlords and property agents, and
- The likely effect of the banning order on the person and anyone else who may be affected by the order.

- Duration and effect of banning order
- A banning order must specify the length of each ban imposed by the order.
- A ban must last at least 12 months.
- A banning order may contain exceptions to a ban for some or all of the period to which the ban relates and the exceptions may be subject to conditions.

A banning order may, for example, contain exceptions:

- To deal with cases where there are existing tenancies and the landlord does not have the power to bring them to an immediate end, or low letting agents to wind down current business.

Content of banning order: involvement in bodies corporate

- A banning order may include provision banning the person against whom it is made from being involved in any body corporate that carries out an activity that the person is banned by the order from carrying out.
- For this purpose a person is “involved” in a body corporate if the person acts as an officer of the body corporate or directly or indirectly takes part in or is concerned in the management of the body corporate.

Power to require information

A local housing authority may require a person to provide specified information for the purpose of enabling the authority to decide whether to apply for a banning order against the person.

It is an offence for the person to fail to comply with a requirement, unless the person has a reasonable excuse for the failure.

It is an offence for the person to provide information that is false or misleading if the person knows that the information is false or misleading or is reckless as to whether it is false or misleading.

A person who commits an offence under this section is liable on summary conviction to a fine.

Revocation or variation of banning orders

A person against whom a banning order is made may apply to the First-tier Tribunal for an order under this section revoking or varying the order.

If the banning order was made on the basis of one or more convictions all of which are overturned on appeal, the First-tier Tribunal must revoke the banning order.

If the banning order was made on the basis of more than one conviction and some of them (but not all) have been overturned on appeal, the First-tier Tribunal may:

- vary the banning order, or
- revoke the banning order.

If the banning order was made on the basis of one or more convictions that have become spent, the First-tier Tribunal may:

- vary the banning order, or
- Revoke the banning order.

The power to vary a banning order under subsection (3)(a) or (4)(a) may be used to add new exceptions to a ban or to vary:

- the banned activities,
- the length of a ban, or
- Existing exceptions to a ban.

“spent”, in relation to a conviction, means spent for the purposes of the Rehabilitation of Offenders Act 1974.

Consequences of banning order, including consequences of breach

Offence of breach of banning order

- A person who breaches a banning order commits an offence.
- A person guilty of an offence under subsection (1) is liable on summary conviction to imprisonment for a period not exceeding 51 weeks or to a fine or to both.
- If a financial penalty under section 23 has been imposed in respect of the breach, the person may not be convicted of an offence under this section.
- Where a person is convicted under subsection (1) of breaching a banning order and the breach continues after conviction, the person commits a further offence and is liable on summary conviction to a fine not exceeding one-tenth of level 2 on the standard scale for each day or part of a day on which the breach continues.
- In proceedings for an offence under subsection (4) it is a defence to show that the person had a reasonable excuse for the continued breach.
- In relation to an offence committed before section 281(5) of the Criminal Justice Act 2003 comes into force, the reference in subsection (2) to 51 weeks is to be read as a reference to 6 months.

Offences by bodies corporate

Where an offence under section 21 committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, an officer of a body corporate, the officer as well as the body corporate commits the offence and is liable to be proceeded against and punished accordingly.

Where the affairs of a body corporate are managed by its members, subsection (1) applies in relation to the acts and defaults of a member in connection with the member's functions of management as if the member were an officer of the body corporate.

Financial penalty for breach of banning order

The responsible local housing authority may impose a financial penalty on a person if satisfied, beyond reasonable doubt that the person's conduct amounts to an offence under section 21(1).

In this section “responsible local housing authority” means the local housing authority for the area in which the housing to which the conduct relates is situated.

Only one financial penalty under this section may be imposed in respect of the same conduct unless subsection (4) allows another penalty to be imposed.

If a breach continues for more than 6 months, a financial penalty may be imposed for each additional 6 month period for the whole or part of which the breach continues.

The amount of a financial penalty imposed under this section is to be determined by the authority imposing it, but must not be more than £30,000 (see Civil Penalties).

The responsible local housing authority may not impose a financial penalty in respect of any conduct amounting to an offence under section 21(1) if—

- The person has been convicted of an offence under that section in respect of the conduct, or
- Criminal proceedings for the offence have been instituted against the person in respect of the conduct and the proceedings have not been concluded.

Schedule 1 deals with:

- the procedure for imposing financial penalties,
- appeals against financial penalties, and
- Enforcement of financial penalties.

The Secretary of State may by regulations make provision about how local housing authorities are to deal with financial penalties recovered.

The Secretary of State may by regulations amend the amount specified in subsection (5) to reflect changes in the value of money.

A local housing authority must have regard to any guidance given by the Secretary of State about the exercise of its functions under this section or Schedule 1

Saving for illegal contracts

A breach of a banning order does not affect the validity or enforceability of any provision of a tenancy or other contract entered into by a person despite any rule of law relating to the validity or enforceability of contracts in circumstances involving illegality.

Banned person may not hold HMO licence etc.

Schedule 2 changes the rules about granting and revoking licences under Parts 2 and 3 of the Housing Act 2004 where a banning order has been made.

Management orders following banning order

Schedule 3 amends the Housing Act 2004 to allow interim and final management orders to be made in cases where a banning order has been made.

Anti-avoidance

Prohibition on certain disposals

- A person who is subject to a banning order that includes a ban on letting may not make an unauthorised transfer of an estate in land to a prohibited person.
- A disposal in breach of the prohibition imposed by subsection (1) is void.
- A transfer is “unauthorised” for the purposes of subsection (1) unless it is authorised by the First-tier Tribunal on an application by the person who is subject to the banning order.

In subsection (1) “prohibited person” means:

- a person associated with the landlord
- a business partner of the landlord
- a person associated with a business partner of the landlord,
- a business partner of a person associated with the landlord,
- a body corporate of which the landlord or a person mentioned in paragraph (a) to (d) is an officer,
- a body corporate in which the landlord has a shareholding or other financial interest, or
- in a case where the landlord is a body corporate, any body corporate that has an officer in common with the landlord.

In section (4): “associated person” is to be read in accordance with section 178 of the Housing Act 1996; and “business partner” is to be read in accordance with section 34(5) of the Deregulation Act 2015.

Appendix 7 Empty Homes Policy

Empty properties will be investigated where such properties are brought to the attention of PPP in terms of complaints relating to the state of the property affecting the community in terms of nuisance for example verminous. Where possible officers will work with owners to bring the property back into use.

Where empty properties are assessed to be a public health and safety concern officers will use The Local Government (Miscellaneous Provisions) Act 1982 Section 29 which gives powers to serve a Notice of intended works for the prevention of unauthorised entry or danger to public health. This is usually by way of boarding up to prevent unauthorised access.

Appendix 8 Minimum Energy efficiency Standards

It will be unlawful to rent a property which breaches the requirement for a minimum E rating, unless there is an applicable exemption.

A civil penalty will be imposed for breaches. All existing tenancies will need to comply on the 1st April 2020. Officers should always consider the availability of wider grant-funded aid when dealing with properties not achieving the required standard and support households accordingly.

The Domestic Private Rented Property Minimum Standard

There are several ways in which a property can be classed under these Regulations:

- A new assured tenancy or a shorthold tenancy is granted
- Renewal or extension of an existing assured or shorthold tenancy, by agreement with the tenant, is granted
- A statutory periodic tenancy comes into existence following the ending of a fixed term assured tenancy (shorthold or non-shorthold). At that point the law imposes a new tenancy on the parties where the tenant stays after the fixed term has run out. This is treated as a new letting for these purposes.
- A new assured tenancy by succession comes into existence when a family member takes over a Rent Act protected tenancy
- A new tenancy is granted to a Rent Act protected tenant of the same or a different property owned by the same landlord
- An agricultural occupancy or similar tenancy period is granted, renewed or extended but does not cover agricultural dwellings.

The requirement to have an EPC is not just looked at in respect of the property itself which is being let out. It also applies where there has been a requirement for the building, of which the property itself being let is part, to also have an EPC. This is particularly relevant to non-self-contained units such as bedsits and the position regarding these is explained further.

It should be noted that if the letting is not legally an assured tenancy (shorthold or not) or one of the other tenancy types within the scope of the Regulations then the MEES does not apply.

Where a landlord obtains an EPC, but is not legally required to have one, the landlord will not be required to meet the MEES. A voluntary MEES of this type may be registered on the official EPC database but there is no requirement to do so.

This voluntary measure may be considered as meeting the Silver or Gold standard applied as part of the Public Protection Partnership (PPP) Rent with Confidence Scheme. See separate note.

Flats and Bedsits

Flats and houses are subject the Regulations. Flats within the meaning of 'self-contained' units require their own individual EPC at the point of letting or sale.

If a bedsit is within a property that does have an EPC, then the Regulations will need to be complied with before the bedsit can be rented out if its F or G (or an exemption is registered). Although normally bedsits do not need an EPC, where the house containing the bedsit has been sold the whole property needs to have an EPC. In those cases the Regulations will apply.

Improvements which can be required

Improvement work which can be required is any energy efficiency improvement work which qualifies for Green Deal and installation of gas for an off-gas property so long as the mains are within 23 metres from the property. The landlord can choose what work

needs to be carried out as long as the minimum E rating is obtained. A higher rating can also be achieved where the landlord choose to carry out additional works.

Prohibition on Letting

A domestic private rented property is substandard if the EPC rating is F or G, unless an exemption applies. The legislation prohibits a landlord from letting out a substandard property. Where F or G properties are let the landlord is liable to penalties.

Registration of Exceptions

All exemptions (including temporary exemptions) will be required to be notified to the PRS Exemption Register. It is a database of exemptions and is open to public inspection. Failure to register the exemption will render the exemption ineffective and will amount to non-compliance with the Regulations.

The Enforcement Authority will be entitled to require landlords to furnish them with evidence supporting a claim for an exemption. Landlords will be in breach of the Regulations if they claim an exemption to which they are not entitled.

Enforcement

Local authorities will enforce compliance with the Regulations. Where a local authority suspects non-compliance the local authority can serve a compliance notice on the landlord requesting further information it considers necessary to confirm compliance. If provided but insufficient to provide compliance the local authority may proceed to issuing a penalty notice.

Penalties for a single offence may be cumulative, up to a maximum of £5,000. Further penalties may be awarded for non-compliance with the original penalty notice where a landlord continues to rent out a non-compliant property. Penalties are again cumulative up to a maximum of £5,000.

Appeals

Appeals are heard at the First-Tier Tribunal (General Regulatory Chamber).

Any notices served by the tenant, landlord or a third party must be in writing. Email is not considered an acceptable form of communication.

DECISION POINTS:-

Is the property let on a relevant tenancy & is it required to have an EPC? If NO to both points the landlord may let the property.

If YES does the EPC for the property demonstrate an energy efficiency rating of E or above? If YES the landlord may let the property. If NO the landlord must carry out all 'relevant energy efficiency improvements' that can be installed at no cost to the landlord. The landlord may then let out the property. Where the property remains below E the landlord must register this on the PRS Exemptions Register.

Where the 'relevant' improvement cannot be installed the landlord registers an exemption and may then let the property.

The landlord MAY NOT let the property if the landlord does not register the exemption.

Appendix 9 The Electrical Safety Standards in the Private Rented Sector (England)

The regulations came into force on 1 June 2020, they apply to new tenancies from 1 July 2020 and existing tenancies from 1 April 2021. The relevant date for determining when the new requirements apply is the date on which the tenancy is granted. A new tenancy is one that was granted on or after 1 June 2020.

If a private tenant has a right to occupy a property as their only or main residence and pays rent, then the Regulations apply. This includes assured shorthold tenancies and licences to occupy. Exceptions are set out in Schedule 1 of the Regulations. <https://www.gov.uk/government/publications/electrical-safety-standards-in-the-private-rented-sector-guidance-for-landlords-tenants-and-local-authorities/guide-for-local-authorities-electrical-safety-standards-in-the-private-rented-sector>

The landlord's duties are contained within the Regulations and apply national standards for electrical safety. These are set out in the 18th edition of the 'Wiring Regulations', which are published as British Standard 7671.

PPP may wish to request reports following inspections of properties to ascertain the condition of the electrical installation and confirm the landlord is complying with the Regulations.

Officers will use the following classification codes to indicate where a landlord must undertake remedial work. More information can be found in the 18th edition of the Wiring Regulations.

- Code 1 (C1): Danger present. Risk of injury.
- Code 2 (C2): Potentially dangerous.
- Further Investigation (FI): Further investigation required without delay.
- Code 3 (C3): Improvement recommended. Further remedial work is not required for the report to be deemed satisfactory.

If the report contains a code C1, C2 or FI, then the landlord must ensure that further investigative or remedial work is carried out by a qualified person within 28 days, or less if specified in the report.

The C3 classification code does not indicate remedial work is required, only that improvement is recommended.

Enforcement

PPPs duties and powers

A remedial notice must be served where the local housing authority is satisfied on the balance of probabilities that a landlord has not complied with one or more of their duties under the Regulations. The notice must be served within 21 days of the decision that the landlord has not complied with their duties.

If the PPP has reasonable grounds to believe a landlord is in breach of one or more of the duties in the Regulations and the report indicates urgent remedial action is required, the PPP may, with the consent of the tenant or tenants, arrange for a qualified person to take the urgent remedial action and recover their costs.

Otherwise, we must serve a remedial notice requiring the landlord to take remedial action within 28 days. Should a landlord not comply with the notice the PPP may, with the tenant's consent, arrange for any remedial action to be taken themselves.

Landlords have rights to make written representation and appeal against remedial action. The PPP can recover the costs of taking the action from the landlord and may also impose a financial penalty of up to £30,000 on landlords who are in breach of their duties.

PPP will consult guidance produced on financial penalties under the Housing and Planning Act 2016 and have regard to **Appendix 2 & 3 above**.

Remedial notice

The remedial notice should:

- specify the premises to which the notice relates
- specify what the local housing authority believes the landlord has failed to do
- specify what needs to be done
- require the landlord to take action within 28 days from the day the notice is served
- explain the landlord's entitlement to make written representations within 21 days
- specify the person and address, or email address, that representations can be sent to
- explain provisions about financial penalties and rights of appeal

Landlords who aren't able to comply with a remedial notice

A landlord is not in breach of the duty to comply with a remedial notice if the landlord can show they have taken all reasonable steps to comply.

A landlord could show reasonable steps by keeping copies of all communications they have had with their tenants and with electricians as they tried to arrange to carry out the work, including any replies they have had. Landlords may also want to provide other evidence they have that the electrical installation is in a good condition while they attempt to arrange works. This could include the servicing record and previous condition reports.

A landlord who has been prevented from accessing the premises will not be required to begin legal proceedings against their tenant in order to show that all reasonable steps have been taken to comply with their duties.

Remedial action

PPP may, with the consent of the tenant, arrange to carry out remedial work in the following circumstances: if a landlord does not comply with a remedial notice and if the report indicates that urgent remedial action is required and the landlord has not carried this out within the period specified in the report.

PPP must authorise a qualified and competent person in writing to undertake the remedial action.

The Regulations require that the authorised person must give at least 48 hours' notice to the tenant. They may be asked by the tenant and the landlord to produce evidence of their identity and a letter from the local housing authority confirming their authority to carry out the required works.

PPP can recover the costs incurred see Appendix 2 & 3 above.

Remedial action following non-compliance with a remedial notice

Before arranging remedial action following non-compliance with a remedial notice, PPP must give the landlord notice that they are going to do work. This notice must specify:

- the address of the property where the work will be undertaken
- the power under which the remedial action is to be taken
- the date when the remedial action will be undertaken (at least 28 days from the date served)

The right of appeal against this decision

PPP must arrange for an authorised person to take the remedial action within 28 days of the end of the notice period. Where there is an appeal, remedial action must be arranged within 28 days of the appeal decision confirming or varying the decision of the local housing authority.

As set out above, a landlord is not in breach of the duty to comply with a remedial notice if served, if the landlord can show they have taken all reasonable steps to comply.

A landlord could show reasonable steps by keeping copies of all communications they have had with their tenants and with electricians as they tried to arrange the work, including any replies they have had. Landlords may also want to provide other evidence they have that the installation is in a good condition while they attempt to arrange works. This could include the servicing record and previous safety reports.

Urgent remedial action

Within 7 days of the authorised person starting to take the urgent remedial action the PPP will either:

- serve a notice on the landlord and all occupiers of the premises in relation to which the authorised person is taking urgent remedial action; or
- fix a notice to the premises

The notice must specify:

- what action is going to be undertaken
- the address of the property where the action will be undertaken
- the legal power

- the date when that urgent remedial action was or will be started
- rights of appeal and the period of time within which an appeal may be made
- details of any financial penalty and the right of appeal against the financial penalty

Financial penalties

Following failure to comply with the Regulations, PPP can impose a financial penalty of up to £30,000 on a landlord. Proceeds of financial penalties can be used to carry out private rented sector enforcement. Any amount that is not used in this way must be paid into the Consolidated Fund, the government's general bank account at the Bank of England.

PPP WILL develop their own policy on how we determine appropriate financial penalty levels. Generally, we would expect the maximum amount to be reserved for the very worst offenders. The actual amount levied in any particular case should reflect the severity of the offence as well as taking account of the landlord's previous record of offending.

When developing our policy PPP will consider civil penalties under the Housing and Planning Act 2016 and the guidance published by the government (**see Appendix 3**).

Appeals

Representations

In the first instance, landlords can make written representations to PPP within:

- 21 days, against a remedial notice
- 28 days, against the intention to impose a financial penalty

PPP will have 7 days to respond to the representations.

Landlords then have the following rights of appeal to the First-tier Tribunal. The Tribunal may confirm, quash or vary notices served by the PPP.

Appeals against remedial action

An appeal must be made to the First-Tier Tribunal within 28 days from the day on which a remedial notice is served. The Tribunal may allow an appeal to be made after this date if it is satisfied there are good reasons for the failure to appeal on time.

Landlords can appeal on the grounds that all reasonable steps had been taken to comply or reasonable progress had been made towards compliance when the notice was served. If a landlord appeals, the remedial notice is suspended until the appeal is finally determined or withdrawn.

Appeals against urgent remedial action

An appeal to the First-Tier Tribunal must be made within 28 days from the date the urgent remedial action was, or was to be, started.

Landlords can appeal on the grounds that all reasonable steps had been taken to comply or reasonable progress had been made towards compliance when the urgent remedial action started.

Appeals against demands for the recovery of costs

An appeal must be made with 21 days from the day on which the demand is served.

Landlords can appeal on the grounds that all reasonable steps had been taken to comply or reasonable progress had been made towards compliance with the notice when the PPP gave notice of their intention to enter and take the remedial action.

Appeals against a financial penalty

An appeal must be made within 28 days beginning with the day after that on which a final notice to impose a financial penalty was served.

Landlords can appeal the decision to impose the penalty or the amount of the penalty. On appeal the final notice is suspended until the appeal is determined or withdrawn.

END

PPP Covid19 Response and Recovery Update

Committee considering report:	Joint Public Protection Committee
Date of Committee:	28 th September 2020
Report Author:	Sean Murphy

1. Purpose of the Report

- 1.1 To provide the Joint Public Protection Committee with an update on the service response to Covid19 as well as an update on interim service delivery arrangements.

2. Recommendations

- 2.1 The Committee NOTES the role PPP are playing across the Councils with respect to Covid19 response.
- 2.2 The Committee NOTES the status of ongoing service recovery / delivery arrangements.
- 2.3 The Committee NOTES the effect of additional Covid related workload on the ability to perform certain functions.
- 2.4 The Committee RESOLVES to receive a further update at its December 2020 meeting on progress.

3. Implications and Impact Assessment

Implication	Commentary
Financial:	<p>The Covid19 pandemic has presented a number of financial challenges for the service particularly with respect to income from licensing. Many sectors of the licence trade including hospitality, taxi and private hire, street trading and licensed animal establishments have been significantly hit by the combination of the Covid19 business restrictions and the restrictions around essential travel. This has resulted in a number of licences being surrendered or not renewed.</p> <p>At the time of writing the impact in terms of lost income from licence receipts is estimated to be around £36K for the period April – August 2020. The matter of emerging financial pressures is dealt with elsewhere on this agenda.</p> <p>In relation to the new duties the PPP has obtained has accessed a total £169K of the local outbreak response grant. The commitment to this has been shared across the three PPP Councils.</p>

Human Resource:

As stated in the report the new service delivery arrangements too effect at the beginning of August 2020. This includes some recruitment which has also now taken place. Three people (1 internal) have been appointed to the private sector housing function as this continues to develop as a priority for the Councils.

We are planning to start two more (existing) staff on the Regulatory Service Officer Apprenticeship scheme in the coming weeks and in due course intend to recruit one further entry level trainee. The two existing trainees (Apprentices) should qualify in the next six months.

The service has put itself forward to be a 'trailblazer' authority for the level six trading standards apprenticeship and we are playing our role in the development of the standard.

Since the last meeting of the Committee we have appointed a permanent Lead Officer – Training and Development (part time combined with another professional role) having seen the value over the last eighteen months. We will be looking to appoint to the Lead Officer – Safeguarding role on a permanent p/t basis in the next few weeks.

There are three vacant posts within the service being held open to manage risk around licensing income. We have a number of temporary staff in partnership support, local outbreak and environmental quality work. These are either covering vacancies, new duties or long term absence including maternity leave.

There are also a number of temporary staff involved in investigations. These are grant funded.

Legal:

The service is the primary enforcement body for all three councils with respect to Covid legal controls.

At the moment these controls fall into two categories. The first deals with business restrictions of which very few still exist. These can be re-introduced as a result of so-called local lockdowns.

The second category relates to controls on Premises, Events (gatherings) and Public Spaces where the Councils have powers to issue directions and prohibitions.

These are enforced on delegate authority from the secretary of state or through the existing delegations to officers.

It is a statutory duty to enforce many of the provisions in place to tackle Covid19 at local level.

Risk Management:	<p>We will continue to manage risk in line with the prevailing situation and corporate policies.</p> <p>Financial risk is managed elsewhere within this report and the budget report on this agenda.</p> <p>Other risks around staffing are subsiding with recent ability to recruit significantly improved.</p> <p>The major risk is around the balance of existing statutory duties with new workloads arising from Covid19 and other risk areas such as Brexit.</p> <p>JMB will be kept informed of any service changes and adjustments and any consequences arising from these will be notified.</p>			
Property:	<p>There are no direct implications arising from these proposals. Each Council is taking its own approach to property issues.</p> <p>The service will also need access to physical property for a variety of functions including licensing, investigations and legal case management work. Where we can this is being managed through the PPP office at Theale.</p> <p>In due course we need to return to the issue of reducing our property footprint. There are many things we have learnt around remote working that will be employed when the time comes to deliver services locally without necessarily having the need for a fixed local delivery set arrangement.</p>			
Policy:	<p>The role of the Joint Committee includes consideration of reports relating to service delivery matters. This report addresses that requirement by setting out the approach to 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		<p>This is not a decision report.</p> <p>The report does however set out the steps taken to protect vulnerable staff and address community need during this period.</p>

B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		x		The level of service will be improved with competent and appropriately qualified staff delivering to our customers, from initial contact through to enforcement action. Staff will also have the opportunity for personal development and self-worth.
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			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 in the delivery of democratic decision making. Staff have engaged in planning meetings remotely and all three PPP authorities have held virtual licensing panels where the technology has delivered effectively.
PPP Priorities :	x			The proposed to maximise 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:	Managers and JMB have been involved in the development of the service recovery proposals. Discussions will take place with staff to ensure their competences and knowledge will be employed to deliver the best outcome for residents, businesses and the partner Councils.			

4. Executive Summary

- 4.1 In June 2020 the JPPC received two reports. The first set out the role PPP had served in the local response to Covid19. The second set out the proposals around recovery. The Committee resolved at that time to receive an update report to this meeting.
- 4.2 The report before Committee sets out our ongoing involvement in local the response (including any new duties); the return to 'business-as-usual' and the challenges this presents and finally looks at an update on two specific areas namely the work of the Case Management Team and the communications elements of our response.

5. Service Structure Update

- 5.1 As indicated at the meeting in June 2020 there was an intention to move to the new interim structure from the 1st August to meet the conflicting demands of response (reactive) workload, specialist service delivery areas and new and emerging duties primarily relating to Covid19.
- 5.2 As of the 1st August the new service took effect which is a combination of a traditional regulatory service function and the specialist units that PPP has developed to manage demand and local priorities. The structure is appended to this report at Appendix A.
- 5.3 The following summarises the functions of each of the new teams:

Team	Functions
Trading Standards and Community Response	<p>Trading Standards including – product safety, fair trading, second hand cars, package travel, estate agents and letting agents, intellectual property, scams and fraud, tobacco and alcohol control, road traffic (overloading and weight restrictions), Covid business control enforcement, Support with Confidence, Buy with Confidence, weights and measures, consumer and business advice.</p> <p>Community response including – domestic nuisance, non-complex housing matters, animal warden service, pests, fly-tipping, abandoned vehicles (BFC).</p> <p>The team also delivers the fraud victim support functions as well as the youth tobacco, alcohol and nutrition public health work in schools and Community Alcohol Partnerships.</p>
Partnership Support	<p>This includes three areas of work crucial to supporting the wider service:</p> <p>Customer services: first line response</p> <p>Applications: all licensing applications</p> <p>Finance: orders, invoicing and reconciliation</p>

Private Sector Housing	This team deals with all inspection work relating to private sector housing as well as Housing in Multiple Occupations (HMOs) and caravan sites. Oversight of private sector housing and enforcement strategy and all associated licensing matters. Investigation of complex housing matters.
Environmental Quality	This team delivers: Planning application review / responses / discharge of conditions. Commercial nuisance Air quality including action plans, monitoring and annual status report. Private water supplies Environmental permitting
Commercial	This team delivers: Food safety enforcement Food standards On farm animal health and welfare Animal feed controls – also for Oxon, Hants and others Health and safety enforcement Primary Authority / business advice Metrology in commercial premises Petroleum and Explosives Licensed treatments e.g. piercings etc. In addition this team also manages: Food borne infectious disease control Covid local outbreak investigations Covid compliance checks at commercial premise Enforcement – Covid (No3) Regulations
Licensing	Enforcement function relating to licensing and events including: Taxi and private hire Animal welfare establishments Licensing Act 2003 / Gambling Act 2005 Street trading Charity collections / lotteries Scrap metal dealers Safety Advisory Group
Investigations	This team delivers: Complex investigations Intelligence functions
Case Management	This team delivers: Case management functions for PPP, Oxfordshire TS and Fire and Royal Berkshire Fire and Rescue Service.

	Financial investigation functions – also for Reading BC.
--	--

Certain cross cutting functions are delivered from within this team structure including communications, safeguarding and training and development.

6. Local Covid19 Response

6.1 **Service Requests:** Since that last report we have continued to receive a high volume of service requests. These were around 40% higher in quarter than the same period in 2019/20. This dropped to around 15% higher in July but rose again to 35% higher in August. Key points include:

- (a) 690 enquiries relating to Covid
- (b) 688 service request relating to bonfires (312% increase)
- (c) 349 Licensing enquiries (18% increase)
- (d) 1049 noise complaints (16% increase)

Other significant areas of increase included pest complaints 239 (up 23%), fly tipping referrals for investigation at 74 (up 236%); animal health 62 (up 107%).

Areas such as food safety referrals fell as many businesses in the hospitality sector were closed for the first quarter.

6.2 Since the last report there has been a shift in the nature of requests. In the early start of Covid response there were significantly increased numbers relating to enforcement of Covid business closures, fly-tipping as well as domestic nuisance including bonfires. As businesses have re-opened there has been a return to normal levels in other areas like trading standards and food controls whilst we are now seeing a big increase in enquiries relating to business re-opening and alleged breaches of safe operations requirements.

6.3 **Outbreak Planning and Local Outbreak Investigation:** Each Public Health Authority (all three Councils) were required to deliver a local outbreak plan by the end of June 2020. The service contributed significantly to both the development of the plan including:

- Advisory visits to Care Homes (West Berkshire)
- Monitoring and review of all Covid notifications from PHE as well as 'soft intelligence' notifications from businesses, employees and members of the public.
- Being 'Subject Matter Experts' with respect to commercial premises as well as advising in other subject areas
- Monitoring of compliance at commercial premises including provision of advice, advisory and compliance visits and following up public concerns.

- Develop enforcement procedures for new local powers relating to premises, events and public spaces and providing training for relevant staff within authorities and the Police. Liaison with the police and public health on implementation.
- Investigation of outbreaks in workplaces and advising public health teams, liaising with PHE and advising businesses on areas for improvement.

6.3 **Events and Gatherings:** The current regulations that permit gatherings require organisers to produce both Health and Safety and Covid risk assessments. This is in addition to any other requirements pre-existing around licensing, noise management etc.

6.4 In July 2020 local authorities were given powers to issue directions with respect to premises, events and public spaces. The reality of this has meant that we now find ourselves reviewing all events and gatherings in our areas to ensure adequate assessments are in place. This is a significant increase in workload as everything from running events to festivals, fairs to parades have to be reviewed. We are also currently working through assessments with public health colleagues with respect to other types of premises and gathering such as amateur sports settings and Newbury Racecourse.

6.3 Once an event has been assessed there is also the policing of the event / gathering to ensure risk assessments are being complied with but also to provide confidence to attendees and residents as well as to get a picture of the event delivery to aid any outbreak investigation should one be needed. We are working very closely with partners in public health as well as other long-standing partners such as police and fire safety officers.

6.4 **Support for the Economy:** Supporting businesses and local economic recovery is a significant priority for all three Councils. We continue to respond to request for advice from businesses. Prior to re-opening none essential retail in June and hospitality in July we participated in video advice sessions and responded to individual requests for advice including pre-opening visits. This continued as other sectors re-opened for business and was backed up by pro-active advisory / re-assurance visits designed to create business and consumer confidence. Where non compliances are identified by members of the public or through spot checks these are followed up with advice in the first instance. Serious or persistent breaches could ultimately lead to directions or prohibitions on trading.

7. Business as Usual

7.1 Some aspects of the service never stopped even through lock-down. These included enforcement of Covid businesses restrictions, enforcement of environmental protection measures, private water supplies, animal health and welfare on farms, investigations, licensing and licensing service requests, doorstep crime matters, scam investigations and victim support, public health response and pro-active work, air quality monitoring, planning advice, animal warden service etc. Other work was curtailed or stopped e.g. food premise inspections, health and safety audits etc. The staff from these areas were put into Covid response work or business and community support. More recently this has included local outbreak investigation and event planning and policing.

7.2 At this time most remaining aspects of the service are now running at or close to pre-lockdown levels. There are however significant challenges ahead. Food inspections to

high risk and low compliance premises re-commence this month as do some none reactive farm visits. This is against a backdrop of continuing high levels of service requests and other high demand areas such as local outbreak investigation and assessing and monitoring gatherings and events. It is clear that within current resource we will not be able to return to pre-Covid inspection rates whilst maintaining the Covid response at current levels. We will always be guided on national advice on risk based approach to prioritisation and we will use the additional funding provided by the Councils for outbreak control to best effect with additional staffing and resource.

- 7.3 Meanwhile other areas of work are also on the increase. The number of fly-tipping investigations has risen significantly and we are also seeing a return of trading related crime including doorstep crime and fraud related matters. Another area of the service that is facing particular challenges at the moment is the Joint Case Management Unit.
- 7.4 **Case Management Unit:** In March all non-urgent Crown and Magistrate Court hearings were adjourned. In terms of the Magistrates Court all matters were adjourned until 30th June and all new matters listed after this date. We continued to have hearings in the Crown Court for matters like case management and POCA but all substantive hearings and sentencing matters were adjourned.
- 7.5 As has been previously explained the Case Management Unit is hosted by PPP but shared with Oxfordshire CC – Trading Standards and Fire and Rescue and Royal Berkshire Fire and Rescue. It therefore attends three Magistrates and two Crown Courts for hearings. At the time of writing the unit is dealing with some 48 cases already within the Court system. There are a further 37 investigations and some 50 road traffic cases (overloading and weight restrictions) at any one time. This is a significant workload given the complexity of some of the matters. Many are serious and are matters before the Crown Court.
- 7.6 In addition the unit manager also manages the Financial Investigations function under the Proceeds of Crime Act which deal with both money laundering and confiscation matters. We also provide this function to Reading BC and Wokingham BC planning enforcement through a shared arrangement.
- 7.7 In order to manage the workload we are recruiting temporary support resource to free up lawyer time for case management and court work. Since courts started to ease restrictions we have managed to get a number of matters through court to sentencing including:
- Wokingham Based Rouge Trader sentenced to 66 weeks custody in relation to 4 offences under the Fraud Act and 2 Consumer Protection from Unfair Trading Regulations offences. £33,432 recovered in compensation for the 6 victims.
 - Bracknell IP case – 2 defendants convicted of one count of applying trademarks to unbranded goods; one count of having in their possession over 7600 counterfeit branded items and one count of money laundering namely the possession of criminal property of £30,940.03. In addition, one defendant found guilty of 5 further counts of money laundering namely being in possession or transferring criminal property relating to funds totalling £324,102.05. One defendant handed a 9 month prison sentence suspended for 24 months. This is conditional on him doing 30 days of Rehabilitation Activity Requirement, and 80 hours of unpaid work. Second defendant was

sentenced to a 24 month community order based on 25 days of Rehabilitation Activity Requirement. All financial orders have been adjourned to be dealt with in Confiscation proceedings under the Proceeds of Crime Act 2002.

- Bracknell IP Case – trader convicted in relation to the possession, offer and sale of counterfeit goods. Sentenced to 80 hours unpaid work and 20 days Rehabilitation activity requirement days. Confiscation proceedings are ongoing under the Proceeds of Crime Act.
- West Berkshire rogue trader case - guilty pleas to 2 x professional diligence offences and failure to provide cancellation rights. Sentenced at Reading Crown Court to 6 Months Custody, Suspended for 12 Months, 100 Hours Unpaid Work, 15 RAR Days, Compensation of £1500.

7.8 It is proposed to report all cases of note relating to the PPP authorities to this Committee on a six monthly basis.

7.9 CMU have also played a significant role in reviewing procedures in the face of new Covid related legislation as well as advising officer on matters such as notices and directions.

7.10 **Communications:** Communication is a key element of the service response. This is delivered in two ways. Firstly by the service to identified key audiences namely:

- Businesses
- Residents
- Elected Members and Parish Councils
- Other Council Services
- Delivery partners
- Staff

Secondly we have sought work with Council communications teams to deliver on key corporate messages around public health, community protection and business support issues.

7.11 A range of communication channels have been deployed since the last update. These have included:

- Further staff briefing notes and whole staff briefings
- 2 further Members Bulletins (No4 and No5) – Appendix B
- Materials for businesses and residents distributed directly to businesses or corporate communication channels
- PPP website – Update at Appendix C
- Social Media – Update at Appendix C
- News releases – available on PPP website
www.publicprotectionpartnership.org.uk/news

7.12 **In Conclusion:** This continues to be a challenging period for the service. We continue to meet a broad range of requirements placed up on the service but as Covid related work streams increase and combine with high levels of service requests then the ability to carry out routine inspection work will inevitably prove challenging and almost certainly not at pre-Covid levels.

- 7.13 There is significant uncertainty around workload and income and this will be monitored and mitigated where at all possible. There are however significant risks in terms of workload namely:
1. Local Outbreak Investigations – at the time of writing outbreaks / numbers of reported cases nationally and locally are rising.
 2. Impact of new legislation
 3. Consideration and policing of events and gatherings
 4. The impact of increased community infection on our ability to deliver ‘business as usual services’
 5. Brexit
- 7.14 The main areas currently affected by staff redeployment onto Covid related duties are those relating to food and health and safety enforcement. These areas are significantly impacted and it is highly likely food inspection programmes will not be completed. Serious accidents, food related infections and outbreaks, allegations of food or health and safety risk will continue to be investigated.

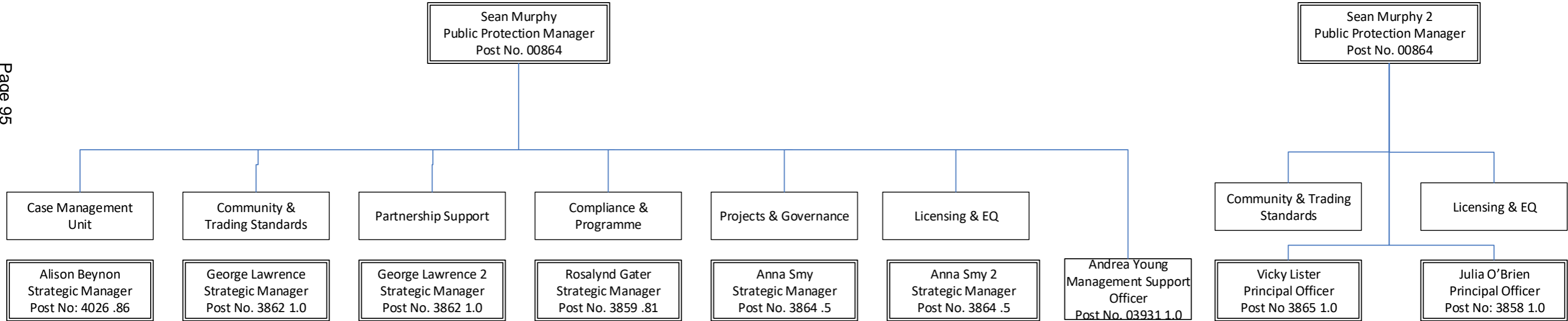
8. Appendices

Appendix A – Service Structure

Appendix B – Members Update Bulletins 4 & 5

Appendix C – Website / Social Media Update

This page is intentionally left blank



Community & Trading Standards

George Lawrence
Strategic Manager
Post No. 3862 1.0

Kevin Thompson
Principal Officer
Post No. 2595 1.0

Theresa Bashford
Principal Officer
Post No. 02594 .81

Sean Murphy
Public Protection Manager
Post No. 0864

Vicky Lister
Principal Officer
Post No. 3865 1.0

Martin Woodley
Senior TSO
Post No. 03686 1.0

Mark Grave
Enforcement Officer
Post No. 4512 1.0

Rob Charlton
Trading Standards Officer
Post No. 04392 1.0

Jacqui Turner
Fair Trading Officer
Post No. 02610 1.0

Derek Lake
Intelligence Officer
Post No. 2239 1.0

Lizzy Kingshott
Intelligence Analyst
Post No.04729 1.0

Teg Agency
TSO

Caroline Grey
Senior ECO
Post No. 03698 1.0

Briony Smith
Regulatory Services
Trainee
Post No. 04614 1.0

Nick Pringle
Animal Warden
Post No. 03692 1.0

Kira Fraser-Powell
Animal Warden
Post No. 03692 1.0

Malcolm Phillips
Fraud Victim Support
Officer
Post No. 04204 1.0

Glenda Cameron-Lloyd
Snr Enforcement Officer
Post No. 04391 .61

Elizabeth Brewster
Fair Trading Officer
Post No. 03519 1.0

Philip Shepherd
Senior TSO
Post No. 2179 1.0

Heather Parsons
Trading Standards
Officer
Post No. 3521 1.0

Laura Morris
Enforcement Officer
Post No. 04623 1.0

Nicola Burch
Senior ECO
Post No. 03488 1.0

Georgina Rosso
Regulatory Services
Officer
Post No. 04385 .81

Caroline Klee
ECO
Post No. 04655 1.0

Jason Hagerty
ECO
Post No. 04182 1.0

Mick Quelch
Technical Officer
Post No. 00855 .61

Heather Fleming
Senior TSO
Post No. tbc 1.0

Kirsten Goodfield
Enforcement Officer
(RTA)
Post No. 02196 .81

Jaswant Brar
ECO
Post No. 04175 1.0

Clive Robinson
Agency TSO)

Caroline Stevenson
Senior Community &
Protection Officer
Post No.04769 1.0

Philippa Collings
Community Support
Officer
Post No. 04025 1.0

Victoria Roseblade
Community Support
Officer
Post No. 4587 .68

Richard Hewitt
EHO (lead)
Post No. 00849 1.0

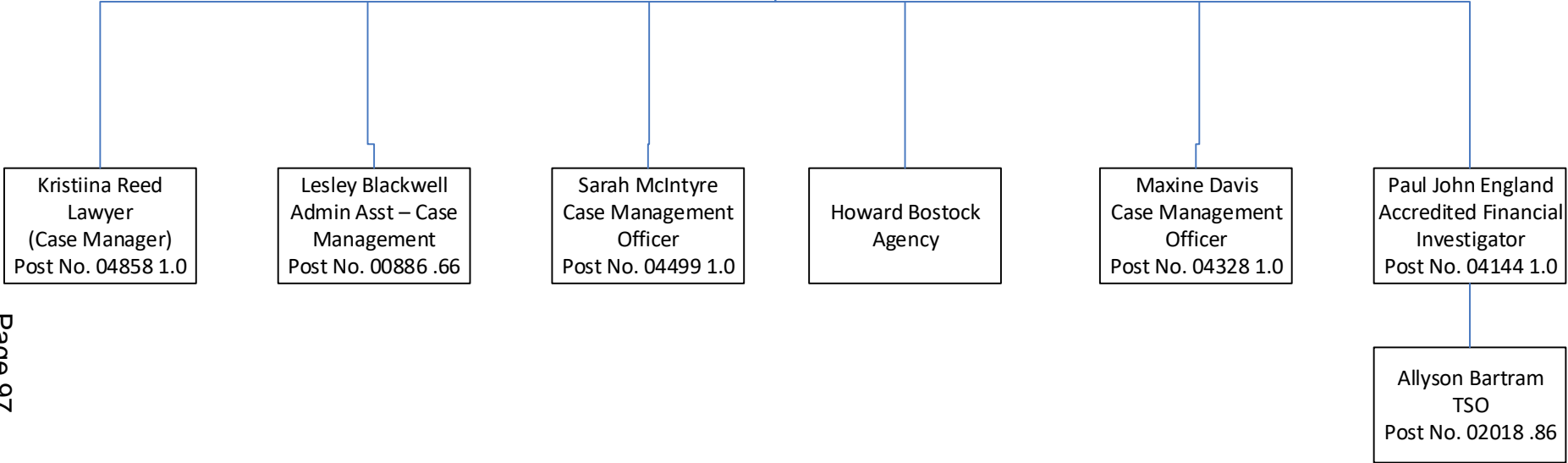
Phumzile Mahlanya
EHO
Post No.tbc 1.0

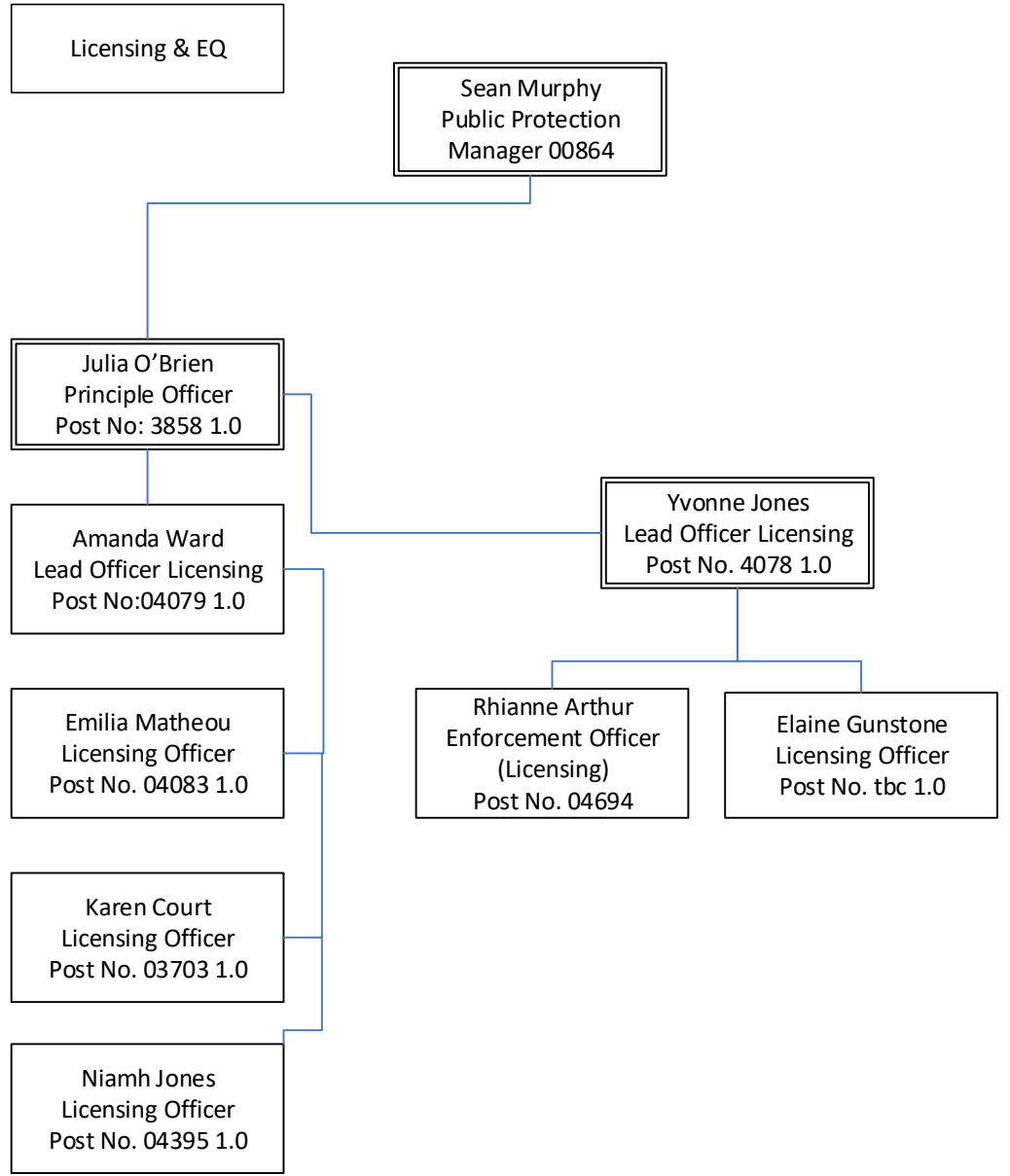
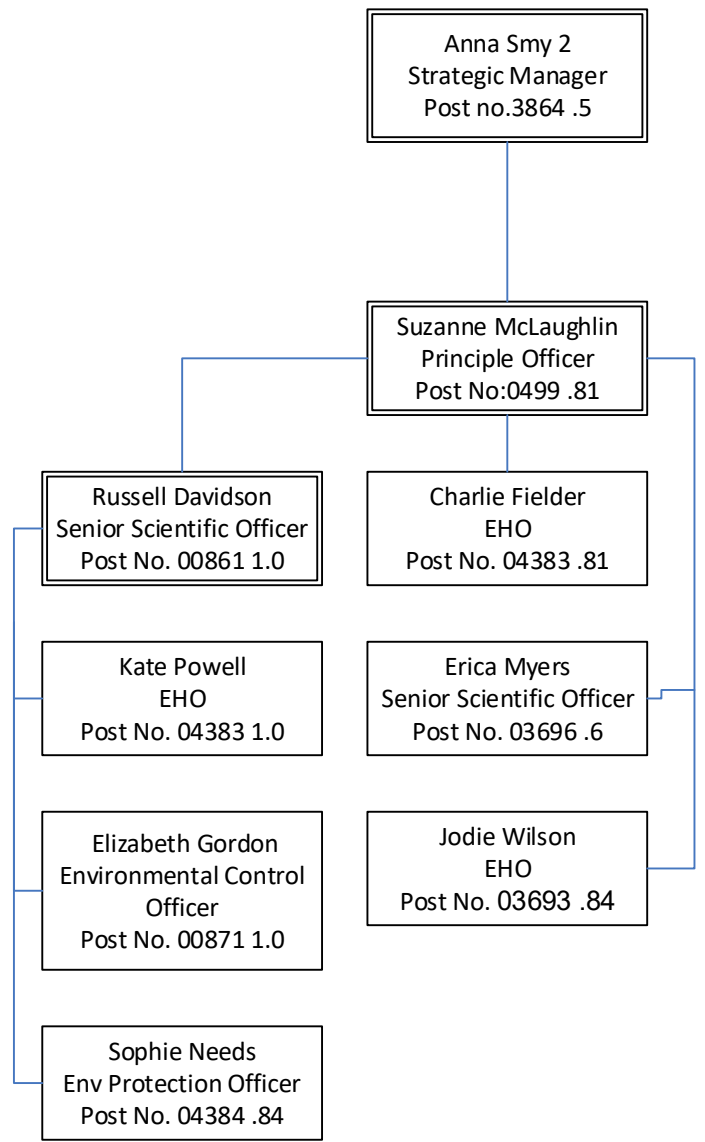
James Phillips
Regulatory Services
Trainee
Post No. 04515 1.0

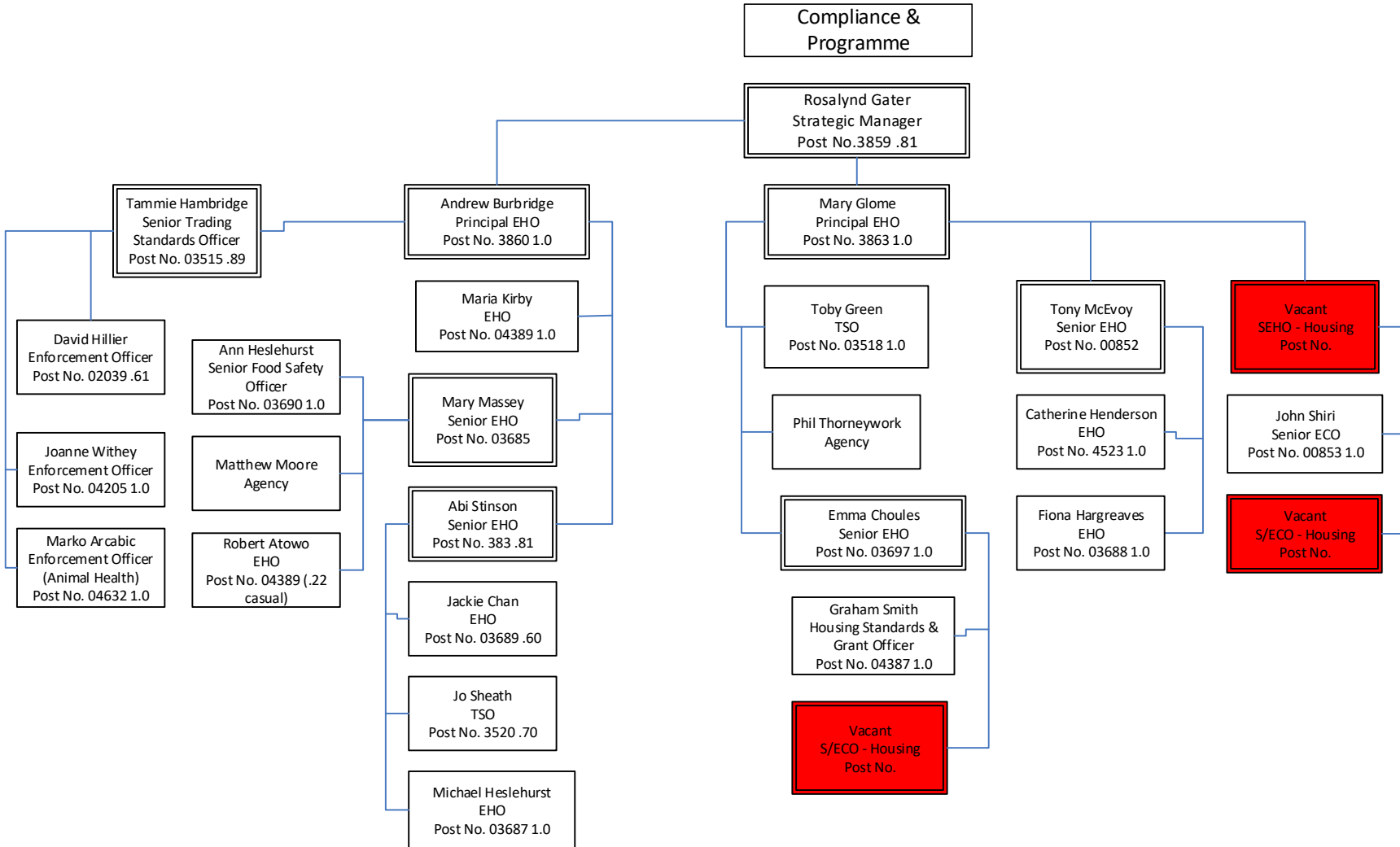
Lauren Buckell
Food Safety Officer
Post No. 02396 .81

Case Management
Unit

Alison Beynon
Strategic Manager
Post No. 04026 .86







Compliance & Programme

Rosalynd Gater
Strategic Manager
Post No.3859 .81

Mary Glome
Principal EHO
Post No. 3863 1.0

Toby Green
TSO
Post No. 03518 1.0

Phil Thorneywork
Agency

Emma Choules
Senior EHO
Post No. 03697 1.0

Graham Smith
Housing Standards &
Grant Officer
Post No. 04387 1.0

Vacant
S/ECO - Housing
Post No.

Tammie Hambridge
Senior Trading
Standards Officer
Post No. 03515 .89

David Hillier
Enforcement Officer
Post No. 02039 .61

Joanne Withey
Enforcement Officer
Post No. 04205 1.0

Marko Arcabic
Enforcement Officer
(Animal Health)
Post No. 04632 1.0

Ann Heslehurst
Senior Food Safety
Officer
Post No. 03690 1.0

Matthew Moore
Agency

Robert Atowo
EHO
Post No. 04389 (.22
casual)

Andrew Burbridge
Principal EHO
Post No. 3860 1.0

Maria Kirby
EHO
Post No. 04389 1.0

Mary Massey
Senior EHO
Post No. 03685

Abi Stinson
Senior EHO
Post No. 383 .81

Jackie Chan
EHO
Post No. 03689 .60

Jo Sheath
TSO
Post No. 3520 .70

Michael Heslehurst
EHO
Post No. 03687 1.0

Tony McEvoy
Senior EHO
Post No. 00852

Catherine Henderson
EHO
Post No. 4523 1.0

Fiona Hargreaves
EHO
Post No. 03688 1.0

Vacant
SEHO - Housing
Post No.

John Shiri
Senior ECO
Post No. 00853 1.0

Vacant
S/ECO - Housing
Post No.

Projects & Governance

Anna Smy
Strategic Manager
Post No. 3864 .5

Suzanne McLaughlin
Principle Officer
Post No:0499 .81

Lisa Norgate-Barnes
Communications Officer
Post No. tbc

Kim Bridger
Regulatory Information
Analyst
Post No. 4147 1.0

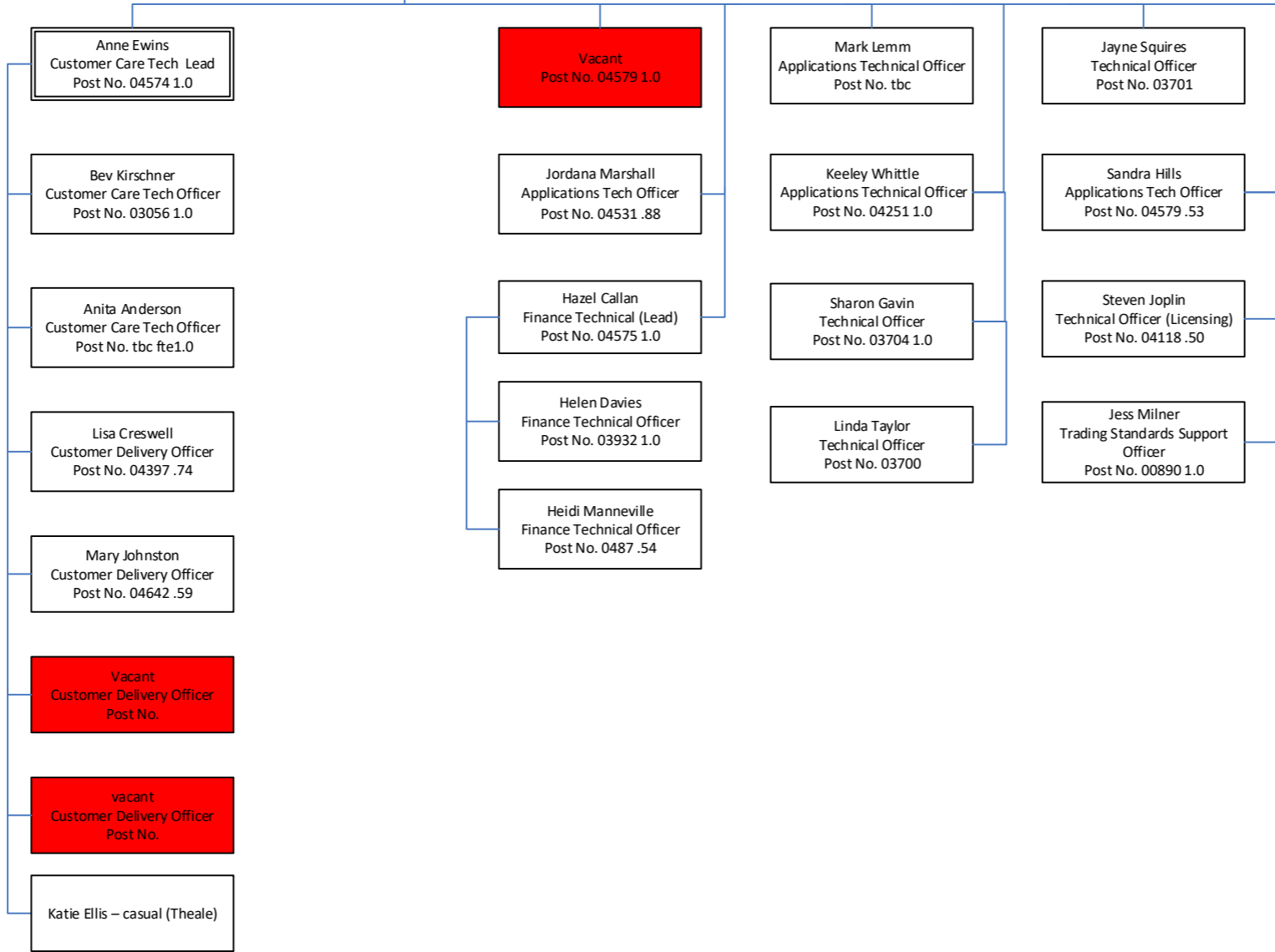
Vacant
Business Manager
Post No.

Lorraine Slattery
Regulatory Information
Analyst
Post No. 3306 1.0

Mandy Bates
Project Officer (systems)
Post No. tbc

Partnership Support

Emma Coles
Team Manager – Partnership Support
Post No. 04396 1.0



This page is intentionally left blank

PPP Members Briefing Bulletin #4

Public Protection Partnership

Bracknell Forest
West Berkshire
Wokingham

Introduction

Covid 19 and non-Covid 19 related service requests and enquiries continue to rise but as a result of the unlocking of some previously suspended activities, we have now entered Recovery phase.

We are providing advice based on guidance published by the Government, so as different business sectors reopen we are able to give appropriate advice whilst keeping our website relevant and up to date. It is evident that each transitional phase brings different challenges.

Response

Service requests for advice received during June included the following:

- An increase in fly tipping cases in Bracknell Forest possibly due to the targeted project work.
- An increase in general enquiries to Trading Standards from consumers asking about their rights; a 219% increase compared to June 2019.
- 24% of the notifications to Trading Standards related to the travel sector

- 9% of all service requests/enquiries related to Covid 19
- The highest proportion of service requests (20%) were noise related, with an increase from commercial sources and little reduction in domestic sources. With many residents still at home, and children on school holidays, this is understandable.

Our Q1 data (April – June) has shown a 40% increase in service requests compared to the same period in 2019, of which 12% are Covid 19 related. Bonfires represent 16% of those requests, higher than 2019 although the numbers did decrease towards the end of the period.

With the hospitality sector closed until 4th July, we have seen a decrease in the number of commercial service requests with the same time last year.

However there has been an increase in Health and Safety risk assessment enquiries from businesses preparing to re-open and an increase in concerns/queries relating to the lack of clarity with the amended Regulations.

Outbreak Control and the Test and Trace System

When it comes to Infectious Disease Control – Environmental Health have two objectives.

The first (and our priority) is to work with Public Health England and LA Public Health Team to prevent spread (this is under Public Health legislation). This involves using our knowledge of the premises and our experience in investigations and inspections to inform the Incident Team and to audit the premises to determine whether there are non-compliances with Legislation (and in the case of Covid 19, the Government Guidance) and where this may have contributed to the cases.

The second is to look at the outbreak in terms of Health and Safety investigation and to determine whether there are any breaches at those premises where we enforce health and safety under the Health and Safety at Work etc Act 1974.

Environmental Health has been contributing to and commenting on the Covid Outbreak Control Plans and has a representative on both the Daily Test and Trace Catch Up meetings and the Outbreak Management Group. As Subject Matter Experts for a wide range of High Risk Settings EH has been working on preventative projects with those settings and on actions to be taken should suspected or positive cases be reported.

As part of the National Test and Trace System, Environmental Health is the 'front door' for positive case notifications from PHE in relation to high risk settings. Reports are received via our CV19 Notifications inbox which is monitored seven days a week from 09.00 to 17.00 (these times mirror the SE PHE Test and Trace desk). When positive notifications

are received, officers act on the instruction of PHE and coordinate the LA's response to pull together the appropriate officers for an Incident Control Team. This team would include the Consultant in Public Health, the Subject Matter Expert (most likely Environmental Health) and any other appropriate officers depending on the situation. EH would subsequently follow up on any actions required by the Incident Control Team.

High Risk Premises can also report suspected cases directly using the CV19 Notifications inbox. The PPP Covid Duty Team is in place to co-ordinate these notifications, inform PHE to determine whether they are connected to other positive cases in the setting and ensure that both the Consultant in Public Health and the Subject Matter Expert (if different from EH) are also informed. The CD team can advise on testing, infectious disease control and if necessary set up a Local Authority Response Team to ensure that the incident is properly managed and controlled. This team can include officers from other disciplines such as Communications.

Advice for Businesses

All three local authorities have been working with their communications/economic development teams regarding the re-opening of town centres.

In the Wokingham Borough, we held a virtual Hospitality Business Briefing on 30th June with over thirty businesses 'attending'. This came about as the result of a survey being issued asking what support businesses felt they needed. Bracknell Forest also hosted a webinar following a similar survey.

Following these briefings, businesses provided Covid 19 Risk Assessments so that officers from both Health and Safety and Licensing teams could provide feedback and advice as necessary.

Officer Patrols for Re-opening Businesses

On 15th June some non-essential premises were able to re-open and our officers visited several town centres across the area to see how the re-opening went.

In order to help businesses PPP developed a Covid 19 Tool Kit ([see here](#)) and as a result we found that overall the premises were well prepared for their new responsibilities.

On Saturday 4th July, the day premises such as pubs and restaurants were permitted to re-open, officers from Licensing, Trading Standards and Environmental Health carried out patrols in partnership with TVP in Bracknell, Newbury, Wokingham and Woodley town centres.

The officers considered the use of outdoor space, noise from people congregating, any music issues, how social distancing was being managed indoors/out and the logging of contact details for Test and Trace.

Since 6th July, Health and Safety patrols have been carried out for two days a week in each LA. Areas covered include Bracknell town centre, Crowthorne, Sandhurst, Newbury, Thatcham, Hungerford, Kintbury, Theale, Calcot, Twyford, Woodley and Wokingham town centre. Our officers are observing cafes/restaurants/bars/pubs and shops and offering advice as needed. This has been an ideal opportunity to promote our Covid 19 Toolkit and check on Covid 19 Risk Assessments.

Further, these visits to the main retail and hospitality centres in all three areas, have given us the opportunity to check that those premises still meant

to be closed, such as nail bars and tattooists, had remained so.

As of 13th July, hairdressers and barbers have been added to the list of premises being observed on patrol.



Patrol at Open Air Cinema in Mortimer

Recommencement of Routine Food Hygiene Inspections

Previously the Food Standards Agency advised LAs that they were to prioritise urgent reactive work and carry out enforcement revisits as required.

As of mid-July, as a 'medium' priority we may now also proactively inspect higher risk premises that are overdue/due to the end of September 2020.

We will now begin this work and during visits will note any concerns about lack of Covid-19 control measures and deal with these as 'matters arising' under Health and Safety legislation.

The guidance states that where a business is rated 'higher risk' because of vulnerable consumers, officers should carry out a remote assessment in advance to determine whether or not an actual visit is required.

Caravan and Park Home Sites Update

Caravan and Park Home sites are subject to caravan site licensing requirements under the Caravan Sites and Control of Development Act 1960 (The Act). The Mobile Homes Act 2013 amended this Act.

We have a programme of inspection for these sites having regard to risk based approach.

At the start of the Covid 19 lockdown, our routine inspections were not possible, however officers have undertaken visits with Thames Valley Police and Royal Berkshire Fire & Rescue (RBFRS) where issues have been raised.

Where unlicensed plots have been found the owners have been contacted and encouraged to take caravan site applications forward, whereas plots already licensed by PPP are undergoing a review of licence conditions to ensure they reflect the model standards. Where defects have been found, we are achieving compliance using licensing enforcement powers (i.e. DCLG Guidance document 'Mobile Homes Act 2013 – licensing enforcement tools). This work is ongoing.

With the easing of the lockdown PPP is now resuming the risk based inspection programme for caravan and park home sites across our areas.

We are also in the process of updating the Private Sector Housing Policy to align with the Housing Strategy for Wokingham Council and the Housing strategies for Bracknell and West Berkshire Councils. Further, we are developing a joint working strategy with RBFRS colleagues, Central Hub Wokingham with the aim of improving fire safety within the private rented sector, particularly Houses in Multiple Occupation (HMO).

New Legislation - Business & Planning Bill

The Covid-19 pandemic has affected businesses across the economy causing many to cease trading for several months, whilst others have had to significantly modify their operations.

In the hospitality sector, changes to some licensing measures proposed by the Business and Planning Bill announced by the Government on 25th June, provide some much-needed flexibility as businesses seek to re-open under social distancing requirements. The proposals relating to PPP are as follows:

Extension of Construction Site Hours

This is to allow for changes to construction working hours to support safe construction when working in line with the latest social distancing guidance on construction and other outdoor work. This only applies where hours of work conditions already exist.

Local Planning Authorities will need to make a decision on an application within 14 days of receipt and they may choose to engage relevant Ward Councillors, Environmental Health officers and others who they consider will have an interest.

Alcohol Licensing Changes

In order to help the hospitality sector recover from lockdown, temporary changes to Planning Procedures and Alcohol Licensing will make it easier for premises serving food and drink such as bars, restaurants and pubs, to seat and serve customers outdoors. Under the Licensing Act 2003, premises are licensed for the sale of alcohol for consumption either 'on' the premises, 'off' the premises, or both. The measures included in this Bill modify provisions in the Licensing

Act 2003 to provide automatic extensions to the terms of on-sales alcohol licences to allow for off-sales, without making an application or incurring additional fees. This temporary measure aims to boost the economy, with provisions lasting until the end of September 2021.

This change will allow businesses to trade outdoors and maintain social distancing measures indoors.

However, premises which have had an application for an off-sales permission refused, or had their off-sales permission excluded by variation or at review within the last three years, are excluded from this licence extension. This is a safeguard to ensure that where it has been decided that the licensee should not have the off-sales permission, they do not then gain it through this legislation. The default hours in which off-sales will be permitted will be the same as those in which on-sales are permitted. Any premises wishing to open for longer hours must still apply for a licence variation.

The provisions will also apply temporary conditions to licences where there is a pre-existing permission for off-sales. The conditions will set the hours of off-sales to match those for on-sales, allow off-sales of alcohol in open containers and allow deliveries of alcohol to residential or work buildings. Those conditions will suspend the more restrictive existing conditions. So, for example, an existing condition that allowed off-sales only in closed containers would be suspended to allow sales in open containers.

Should there be any issues relating to the licensing objectives (crime and disorder, public nuisance, public safety or the protection of children) arising from how the premises operate using the new permission, any Responsible Authority, including the Police, Environmental Health or Trading Standards, can apply for an off-sales review. The off-sales review process is modelled on the existing summary review process. In

the event that an off-sales review is triggered, it will only relate to off-sales authorised by virtue of these provisions, or conditions which have effect by virtue of these provisions: it cannot be used to revoke the existing licence or modify pre-existing licence conditions.

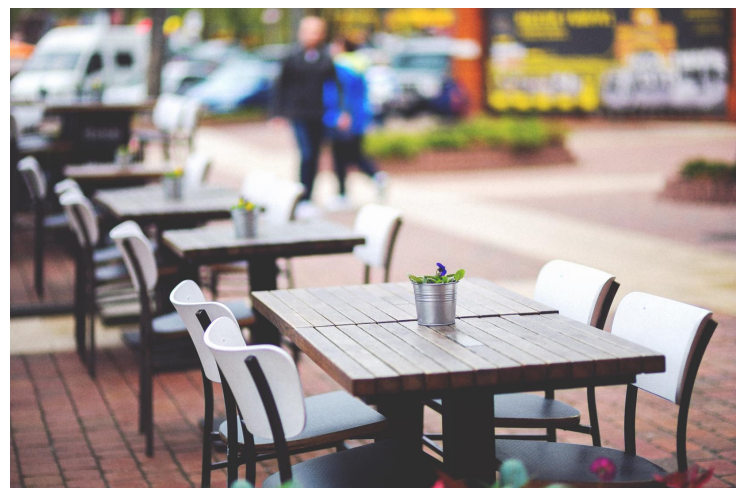
Pavement Licenses - (for information only)

This is an additional measure that is licensed by our Highways colleagues.

These measures provide for the placement of furniture (tables and chairs) on the pavement outside a premises to enable the business to maximise capacity whilst adhering to social distancing guidelines.

The Business and Planning Act 2020 got Royal Assent on 22nd July and the pavement licence and off-sales extension provisions came into force immediately. The government guidance can be found at:

<https://www.gov.uk/government/publications/guidance-for-temporary-alcohol-licensing-provisions-in-the-business-and-planning-bill>



Animal Warden Service

As reported in the last members' bulletin the Animal Warden Team has recruited its newest member. We have also recently recorded some information videos for dog owners and those who find a stray dog.

Video topics and links as below:

- [Dog Fouling](#)
- [Barking Dogs](#)
- [Keeping Dogs Under Control](#)

Statistically, the team has dealt with fewer stray dogs compared with this time last year however, eight more dogs collected during this period have ended up with rescue centres rather than being reunited with their owners.

This information tells us there's still more to be done about informing owners of their responsibilities around microchipping and dog tags.

1st April - 4th July 2019

	Bracknell	West Berks	Wokingham
Handled	11	32	7
To Rescue	3	7	7

1st April - 4th July 2020

	Bracknell	West Berks	Wokingham
Handled	15	13	17
To Rescue	8	4	12

Licensing & Applications

In addition to the influx of service requests relating to Covid 19, the Licensing and Applications officers continue the essential work aligned with the Licensing Act 2003 including New Premises Licence Applications, Licence reviews, Variations, Virtual Licensing Committee Hearings and Annual Fee payments.

Other licence holders like taxi drivers, home dog boarders, dog walkers and dermal licensees are asking for more information than usual and these requests receive a reasoned approach and solid information despite additional pressures from Coronavirus queries.



Air Quality

The 3 Annual Status Reports, for 2019 monitoring data, have all been submitted ahead of the DEFRA deadline. We have already received the positive appraisal for the Wokingham report which agreed with our findings. There were no exceedances of any of the objectives at any of the locations. Our monitoring continues each month and the 2020 results so far are showing a downward trend in nitrogen dioxide annual mean and 1 hour objective and particulate matter (monitored in BF only) levels.

Waste Social Media Operation

The operation has identified 60 businesses advertising on Facebook to collect waste, 78% of those were identified as holding the necessary Waste Carriers Licence issued by the Environment Agency. Following further enquiries and contact with those advertising, 7 businesses have not responded to our request for licence details and will shortly be sent enforcement advice.

One business obtained a licence once advised and a second has blocked his Facebook page.

19 Facebook posts from members of the public looking for waste collections were identified. The vast majority of businesses responding to these requests had Waste Carriers Licences and could legally remove the waste to a licensed waste transfer facility. We have asked a number of these Facebook users for details of who did remove their waste and are awaiting replies. However, it was pleasing to note that many such posts contained references to the need for Waste Carriers Licences, waste notes and the avoidance of fly tipping.

Whilst there is no guarantee that licensed waste carriers will not fly tip it is essential that householders use licensed waste carriers, as a failure to do so can make the householder liable for a fixed penalty notice. There is also no excuse for a licensed waste carrier to fly tip, waste transfer stations have remained open throughout the Covid period so any rubbish collected can easily be legally disposed of.

The operation authorisation expires at the end of July following which a further campaign will be developed.

Pop Up Food Premises

During lockdown we have seen a number of new 'pop-up' food businesses operating via Facebook pages and selling into local Facebook groups. Many of these businesses are difficult to identify as they have no physical premises and are often selling on a very small and local scale through non-traditional means. Most will not even know that they need to register as a food business. Our Environmental Health officers have identified a number of such businesses and although initially some were difficult to contact via phone calls and emails we have been able to contact them successfully via Facebook messenger and they are now submitting their food registrations.

We also posted out a number of social media messages on Facebook and Twitter reminding those who are thinking of starting, or have recently started, a new food business what their obligations are and how to contact Environmental Health to register as a food business. .

Governance & Case Management

The first Joint Public Protection Committee of the municipal calendar was held virtually on 24/06/20. Presentations on the response to Covid 19 by the service and the plan for recovery were included on the agenda. To view the Committee please use this link [here](#).

Although the Case Management Unit has not seen an increase in case work over the last three months the team is expecting a backlog within the courts system as it opens up. The Crown Court has already recommenced hearings but with reduced capacity and the Magistrates put everything on hold to 30/06/20. Formal interviewing is taking place mainly in writing although some are being carried out with TVP at police stations.

Unlicensed Ice Cream Traders

The PPP Licensing Teams received a number of service requests about ice cream vans operating in West Berkshire, Wokingham and Bracknell without a street trading consent. This was particularly worrying as we couldn't be sure they were operating with the relevant food hygiene standards in place. Many of these traders were advertising their location 'last minute' on local Facebook groups.

PPP issued a press release and a number of social media posts were shared within the same local Facebook groups reminding consumers to check that any street food business, including ice cream vans, should be checked regarding their Food Hygiene rating and if they have a street trading license. We also reached out to the businesses we knew didn't have a licence.

Interestingly, Reading Borough Council picked up on our Facebook notifications relating to unlicensed ice cream sellers and in turn the Reading Chronicle created an article warning of the trend and advising caution.



Snapshot of our Social Media Posts

PPP **Public Protection Partnership** @PublicPP_UK · 22h
Please may we remind dog owners to observe the many signs at Dinton Pastures and not let their dog drink from or paddle in the water. ⚠️ Please adhere to the signs to protect the welfare of you and your dogs.



Public Protection Partnership | Bracknell Forest West Berkshire Wokingham | A shared service provided by Bracknell Forest Council, West Berkshire Council and Wokingham Borough Council | Bracknell Forest Council | West Berkshire Council | WOKINGHAM Borough Council

PPP **Public Protection Partnership** @PublicPP_UK · Jul 17
Hosting a BBQ this weekend? 🍔🔥
Ask if your guests have any allergies and make sure that meat is cooked. And don't forget your social distancing. ✅

@foodgov - Food Standards Agency BBQ Tips in link below:
[food.gov.uk/safety-hygiene...](https://www.food.gov.uk/safety-hygiene...)



Public Protection Partnership | Bracknell Forest West Berkshire Wokingham | A shared service provided by Bracknell Forest Council, West Berkshire Council and Wokingham Borough Council | Bracknell Forest Council | West Berkshire Council | WOKINGHAM Borough Council

PPP **Public Protection Partnership**
Published by Lisa Barnes (7) · 13 July · 🌐

Top tips from PPP Animal Warden team on...
BARKING DOGS 🐕

One of the biggest issues we see with dogs at home is excessive or constant barking, which can be a nuisance to neighbours and may result in prosecution. It usually happens when the owner isn't home – this can be due to separation anxiety, boredom, or reactivity to stimuli. ... See more



VIMEO.COM
Animal Warden Video - Barking Dogs
Advice for the PPP Animal Warden team on how to deal with barking dogs...

Snapshot of our Social Media Posts

PPP **Public Protection Partnership** @PublicPP_UK · Jul 15

Fly-tippers beware. We're on to you.

Make sure any waste removal service you use is licensed - or you could be fined if they fly-tip your waste.

#FlyTipping



FIND A LICENSED WASTE CARRIER, OR YOU'LL PAY!

Make sure the waste removal service you use is licensed.

If they fly-tip your waste, you could receive a £400 fixed penalty notice.

FLY-TIPPERS BEWARE. WE'RE ON TO YOU.

Public Protection Partnership | Bracknell Forest West Berkshire Wokingham | A shared service provided by Bracknell Forest Council, West Berkshire Council and Wokingham Borough Council | Bracknell Forest Council | West Berkshire Council | WOKINGHAM BOROUGH COUNCIL

PPP **Public Protection Partnership** @PublicPP_UK · Jul 17

Reminder for #Hairdressers, #Barbers & other close contact services. Gov guidance states that visors should be worn by staff servicing clients and face coverings are not a suitable alternative to a visor.

Full details and guidance in link below:

[publicprotectionpartnership.org.uk/news-articles/...](https://publicprotectionpartnership.org.uk/news-articles/)



PPP **Public Protection Partnership** @PublicPP_UK · Jul 14

Following businesses can reopen from 13 July 2020:

- spas
- nail bars and salons and beauty salons
- tanning booths and salons
- massage therapists
- tattoo studios
- body and skin piercing services

No treatments/services on the face until government advice changes.



Public Protection Partnership | Bracknell Forest West Berkshire Wokingham | A shared service provided by Bracknell Forest Council, West Berkshire Council and Wokingham Borough Council | Bracknell Forest Council | West Berkshire Council | WOKINGHAM BOROUGH COUNCIL

PPP **Public Protection Partnership**

Published by Lisa Barnes [?] · 6 July ·

**** Rogue Trader sentenced to 66 weeks custody ****

Ruben William Reed, a Director of Warm Roof Group Ltd, Warm Systems Group Ltd and FDG Associates Ltd, at the relevant time of the offences with which he was charged, was sentenced at Reading Crown Court on 26th June 2020, after pleading guilty at Reading Crown Court on the 20th August 2019 to six offences between February to November 2018.

The offences consisted of 4 charges under the Fraud Act 2006, and 2 charges under the Con...

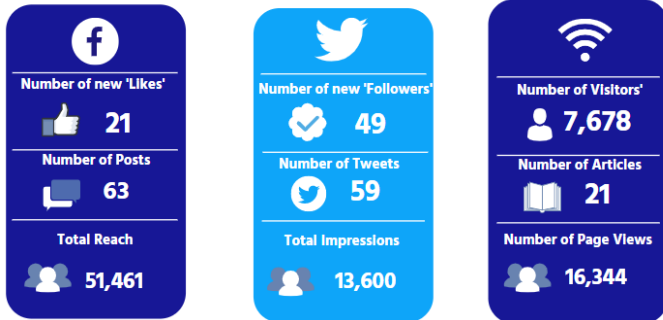
Continue reading



Communication

Social media and website engagement continues to grow. See below for summary of June stats:

PPP Social Media Update 1st June - 30th June '20



Total combined reach for June is 81,405

Facebook Stats:

	New Likes	Reach	No. Posts
Oct	15	7,645	17
Nov	44	9,890	35
Dec	52	12,346	30
Jan	70	19,202	36
Feb	96	107,684	29
Mar	153	38,930	38
Apr	96	103,470	53
May	43	65,409	49
June	21	51,461	63

Like us on Facebook [here](#)

Twitter Stats:

	New Followers	Impressions	No. Tweets
Oct	18	2,160	19
Nov	44	13,100	45
Dec	8	9,241	32
Jan	28	10,500	47
Feb	13	12,500	33
Mar	19	30,100	50
Apr	19	25,000	59
May	6	16,200	47
June	49	13,600	59

Follow us on Twitter [here](#)

Website Stats:

During June 2020 the website has had 7,678 visits with 16,344 page views.

In June 21 articles were published to the website as follows:

- 30 June - [So what can you and can't you do on or after 4th July? Coronavirus outbreak FAQs](#)
- 30 June - [Latest Scam Warnings](#)
- 30 June - [Summary of Support for Business Re-Opening](#)
- 18 June - [Heartless scammers target residents during coronavirus lockdown](#)
- 17 June - [COVID-19 Business Toolkit](#)
- 17 June - [Gambling Act 2005 Licensed Premises FAQ's – COVID 19](#)
- 17 June - [Animal Activity Licensing FAQ's – COVID 19 - Updated](#)
- 16 June - [Licensing Pre-opening Checklist](#)
- 16 June - [What is Cuckooing?](#)
- 15 June - [Do I need to wear a face mask in a taxi?](#)
- 15 June - [HSE Warns of Sub-Standard PPE Face Masks](#)
- 15 June - [Community Alcohol Partnership Retailer Newsletter](#)
- 15 June - [Unlicensed Ice Cream Traders Operating](#)
- 11 June - [Wokingham, Woodley and Twyford Open for Business - Press Release](#)
- 11 June - [Retail / Business Poster Downloads](#)
- 9 June - [Keep Your Workplace Safe Poster](#)
- 8 June - [How to Spot a Scam Email Video](#)
- 3 June - [COVID-19 Test and Trace Scam](#)
- 2 June - [Animal Activity Licensing FAQ's – COVID 19](#)
- 1 June - [Renting update from MHCLG - Ministry of Housing, Communities and Local Government](#)
- 1 June - [MHCLG Guidance on Electrical Safety Standards in Private Rented Sector](#)

The most visited pages, excluding home page, on the website during June were:

- 494 Page visits - [Environmental Health - Nuisance Neighbours](#)
- 429 Page visits - [Environmental Health - Animal Warden](#)
- 341 Page visits - [Bonfires during Coronavirus Outbreak](#)

All news articles can be viewed via the link below:
<https://publicprotectionpartnership.org.uk/news/>

Who to Contact

Reporting of complaints relating to Covid-19 can be made on the website via the Enforcement Form on the front page. [Link here](#).

Trading Standards:

Concerned residents or anybody with information about coronavirus related scams are being asked to contact Trading Standards directly via: TSadvice@westberks.gov.uk

Environmental Health:

Environmental Health matters are to contact us by emailing: ehadvice@westberks.gov.uk

Licensing:

Bracknell Forest Licensing matters are to contact us by emailing: Licence.All@Bracknell-Forest.gov.uk

West Berkshire Licensing matters are to contact us by emailing: Licensing@westberks.gov.uk

Wokingham Licensing matters are to contact us by emailing: Licensing@wokingham.gov.uk

Keeping in Touch With Updates

 [@PublicProtectionPartnershipUK](https://www.facebook.com/PublicProtectionPartnershipUK)

 [@PublicPP_UK](https://twitter.com/PublicPP_UK)

 www.publicprotectionpartnership.org.uk

This page is intentionally left blank

PPP Members Briefing Bulletin #5

Public Protection Partnership

Bracknell Forest
West Berkshire
Wokingham

.....STOP PRESS.....

At the time of going to press 2 new regulations have been announced. It is now a legal obligation for premises (hospitality) to capture contact details for test & trace and to display the new venue Government QR code. Also hospitality businesses will need to restrict size of bookings/ customer sitting together to 6 and prevent mingling outside of these groups. A further briefing from us will be issued shortly.

New Regulations

At the end of July Local authorities were given a variety of new powers relating to managing covid risks relating to certain premises, events or public spaces. The following is a brief summary of these important local powers:

The new Regulations give Local Authorities the powers to issue directions under certain circumstances namely that:

- the direction responds to a serious and imminent threat to public health in their area; and
- the direction is necessary to prevent, protect against, control or provide a public health response to the incidence or spread of infection of coronavirus; and
- the prohibitions, requirements or restrictions imposed by the direction are a proportionate means of achieving that purpose.

Before exercising these powers the LA must take steps to:

- gather sufficient evidence to demonstrate that these tests have been met
- consult with the Director of Public Health and the police
- have due regard to the Public Sector Equality Duty (s.149 of the Equality Act 2010)
- have regard to the need to ensure the public has access to essential public services
- be clear about why they are taking directive action and communicate this clearly to the Secretary of State, the persons to whom the direction applies and, where appropriate, those impacted by the direction

The Secretary of State may direct a Local Authority to issue a direction where he considers the conditions above have been met, and can also direct a Local Authority to revoke an existing direction (with or without a replacement direction) where the above conditions are no longer met.

Premises

In relation to premises local authorities can make directions about individual premises, for the purpose of:

- closing the premises
- restricting entry to the premises
- securing restrictions in relation to the location of persons in the premises

Restrictions on events

Certain events (or types of event) may be prohibited from taking place, e.g. a planned event at which the numbers of people expected to seek to use a space, or the nature of a particular event, would make it unsafe due to coronavirus transmission.

Directions issued by the Council may only have the effect of imposing prohibitions, requirements or restrictions on the owner, occupier or organiser of premises for an event.

Closure of a public outdoor place

Directions can also be issued for the closure of, or restriction of access to, a public outdoor place may be directed, e.g. a planned event, or where past experience indicates a high risk that the numbers of people expected to seek to use a space would make it unsafe, including for example an enclosed square.

Once a direction is made, people will not be allowed to enter or remain in the area, subject to the terms of the direction, without a reasonable excuse. The Regulations provide a non-exhaustive list of reasonable excuses, which include that people may enter the land where it is reasonably necessary for work purposes.

Although all possible uses of the power cannot be known at present, it is expected that it would not be exercised to restrict social interaction between people living in the area and outside.

Directions should not prevent people from travelling within an area if the start and end of their journeys are outside it.

The Role of PPP

The powers to enforce these provisions are delegate to certain officers within PPP. We have been working with colleagues from public health and corporate leadership teams to agree processes to be followed before the powers are exercised. This has included developing internal and corporate procedures, providing briefings on the new legislation, working with partners from TVP on protocols and preparing to enforce the rules in a practical setting.

Enforcement

In terms of enforcement a designated officer may issue a prohibition notice to a person who contravenes a direction. Where the police consider that an event is being held in contravention of a direction, they may direct the event to stop, direct a person to leave the event, or remove a person from the event.

Penalties and Appeals

If over 18 years of age: a £100 Fixed Penalty Notice (reduced to £50 if paid in 14 days) is for first offence. This is doubled for each subsequent offence up to a maximum of £3200. Any appeal is to the Magistrates Court or review by the Secretary of State.

Service Requests

Covid 19 and non-Covid 19 related complaints and enquiries continued to rise during the last two months with an overall increase in 18% of cases in July and 33% increase in August compared to 2019. Covid 19 complaints were to 12% of all reactive work, with 143 in July and 136 in August.

We are still experiencing an increase in bonfire and noise complaints, both higher than in 2019. After a decrease in planning consultations an increase was seen in August.

Consumers knowing my rights have also increased as well as the number of complaints re unsafe goods and scams.

Test & Trace

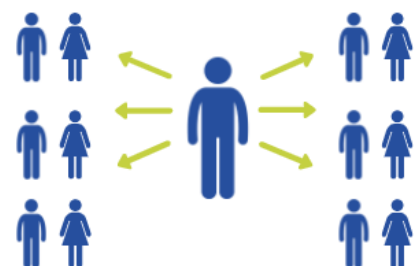
As has previously been reported in these Bulletins, as part of the National Test and Trace System, Environmental Health is the 'front door' for positive case notifications from PHE in relation to high risk settings. Reports are received via our CV19 Notifications inbox which is monitored seven days a week from 09.00 to 17.00. When positive notifications are received, officers act on the instruction of PHE and coordinate the LA's response to pull together the appropriate officers for an Incident Control Team. This team would include the Consultant in Public Health, the Subject Matter Expert (most likely Environmental Health) and any other appropriate officers depending on the situation. EH would subsequently follow up on any actions required by the Incident Control Team.

High Risk Premises can also report suspected cases directly using the CV19 Notifications inbox. The PPP Covid Duty Team is in place to co-ordinate these

notifications, inform PHE to determine whether they are connected to other positive cases in the setting and ensure that both the Consultant in Public Health and the Subject Matter Expert (if different from EH) are also informed. The team can advise on testing, infectious disease control and if necessary set up a Local Authority Response Team to ensure that the incident is properly managed and controlled. This team can include officers from other disciplines such as Communications.

This work commenced in July and there has been a steady increase in the number of notifications, both positive and suspected coming into this inbox. Until the start of September there had been one officer dealing with notifications. This has now been increase to 2 officers due to the high volume of notifications coming through, and their complexity.

We have also seen a sharp increase in notifications this week. There have been approximately 45 high risk settings that notifications have been received from. These range from suspected cases that have gone in to test negative, to complex series of notifications that involve a number of premises where there is possibly links to positive cases. The former are extremely time consuming involving reviewing of the notifications, ensuring the correct people are notified, attending LA Response Meetings and / or Incident Management Teams run by Public Health England, and carrying out site visits and reviewing procedures and risk assessments to ascertain compliance with Covid legislation.



Business & Planning Act - Update

This new legislation is now in force. We have already received a number of consultations requesting extension to construction hours. Highways colleagues have been informing us of new Pavement licenses approved so that the Licensing team can check that Premise licence holders have notified us that they are using the new requirements under the Act and a notice to this effect is displayed on the premises. We have added information on our website for potential premises licence holders and request they advise us via our online form.



Case Management

The Courts are up and running but there are still with significant delays due to the backlog of cases. We have not had many PPP cases concluding during August as it is always a quieter month during normal circumstances in any event. The majority of our Magistrates Court cases were initially given a nominal date of the 30th June during lockdown but have now been allocated new hearing dates between September and December as the Courts start to try and return to some form of normality.

Events



The Safety Advisory Group work along with the impact of events taking place across the PPP area. A SAG meeting has been held virtually. For events which are in the planning stage as well as for those which a formal SAG is not required we are ensuring the events have an event site specific Covid Risk Assessment and full consultation with Public Health is taking place.

Officers have attended a number of events both prior to opening and during the event. Over the Bank Holiday weekend Officers attended the Medicine festival in Wasing, West Berkshire for checks on health and safety, food hygiene, licensing and noise as well as Covid requirements. At the beginning of September Officers also attended The Pub in the Park in Remenham, Wokingham Borough.



Animal Warden Service

As of the 1st September the Bracknell Animal Warden Service has been brought back to have an in house service during normal working hours with Dog Busters continuing to support us for out of hours stray dogs. We have now added our dog fouling (and rat reporting) data onto our internal interactive map. This data will be updated monthly and will show us areas of concern for with dog fouling or reports of rats. The dog fouling data will be used by our wardens to determine what areas need to be patrolled across the three districts and make sure we are a presence in the right areas. Residents can report instances of dog fouling / rat reporting using the links below:
<https://citizen.westberks.gov.uk/dogfouling>
<http://wokingham.westberks.gov.uk/dogfouling>

Stray dog collection continues to be busy, including picking up a heavily pregnant dog that has now had a litter of puppies. The bitch and puppies are all currently with Battersea dogs home.

1st July - 9th September 2019

	Bracknell	West Berks	Wokingham
Handled	13	28	3
To Rescue	4	2	2

1st July - 9th September 2020

	Bracknell	West Berks	Wokingham
Handled	10	14	17
To Rescue	3	5	7

Licensing & Applications

Liaison meetings with the private hire and hackney carriage trade continue virtually. In August the Bracknell Forest Taxi Liaison Group met and Wokingham at the beginning of September. The West Berkshire meeting is to be arranged soon.

The Institute of Licensing are now offering training courses which will be delivered remotely via video conferencing, with the trainers delivering the training live via video conferencing with opportunities for questions from delegates throughout the day.

Unfortunately the next Councillor training day is already fully booked however there are other courses available. Please see their events page for more details at:
<https://www.instituteoflicensing.org/Events>

Air Quality

All 3 appraisal reports have been received and all reports approved. The feedback was very reassuring for each.

Bracknell Forest: "The report is a good source for members of the Public to find out about air quality in their area. The Council should continue their hard work."

West Berkshire: "The report is well structured, detailed, and provides the information specified in the Guidance".

Wokingham: "Overall the report is detailed, concise and satisfies the criteria of relevant standards. The Council should continue their good and thorough work."

Air Quality Monitoring

We now have the April – June continuous monitoring data and can see the effect of lock down on the local air quality within the Air Quality Management Areas. Sites in Twyford Crossroads, Wokingham Town Centre

and Downshire Way Bracknell all showed reductions compared to 2019 however Greenham Road Newbury showed a decrease in April and May but not June. The bias corrected diffusion tube readings will not be available until the Annual Screening Reports 2021, however they are all also showing a downward trend in Nitrogen Dioxide (NO₂).

Fly Tipping Campaign

The Directed Surveillance authorisation expired at the end of July following which a further campaign will be developed.

There were 18 separate social media posts on Facebook and Twitter during the campaign which resulted in a combined reach of 6,241 views. There were also 190 views to the campaign page on the PPP website.



A shared service provided by
 Bracknell Forest Council, West Berkshire Council and Wokingham Borough Council

Public Protection Partnership
 Bracknell Forest Council, West Berkshire Council, Wokingham Borough Council

Protecting the Vulnerable

Since the last bulletin there were two major scams reported in our area. Messages were promptly circulated via press release, social media, website and a radio interview regarding the following:

Fraud Alert in Bradfield Southend and Pangbourne

Both cases reported in August were courier fraud. Courier fraud is where a person receives a call from someone pretending to be from their bank and tells them there is a problem with their bank cards or bank account and they need to handover their cards or some cash to 'their trusted associate' who will be along to your home, or arrange to meet you somewhere to collect cards/cash etc. In both of the cases reported the criminals made a telephone call first and then came to the victims houses to collect the bank cards, they also asked for their card pin numbers.

For full details see link here:

<https://publicprotectionpartnership.org.uk/news-articles/fraud-alert-in-bradfield-southend-and-pangbourne/>

Loft Insulation Scam

Residents in Bracknell, Sandhurst and Crowthorne, particularly those that are retired, were targeted for spray loft works at the cost of several thousand pounds, typically £4,000.

The phone calls were blinding the residents with false information regarding pathogens, glass fibre, condensation and damp problems in the loft potentially affecting the health of those living in there. The company are very persistent and pushy trying to get a survey.

For full details see link here:

<https://publicprotectionpartnership.org.uk/news-articles/loft-insulation-scam/>

As well as the above specific scams we also continued to communicate various messages on all of our channels relating to more generic scams of cyber fraud, romance scams and phishing.

Unlicensed Ice Cream Van Traders

An update from the an article in the last bulletin regarding unlicensed ice cream van traders. Our social media messaging was successful and some traders have now applied and street trading consents have been issued.



Weight Restrictions

In the last two months 89 checks took place. There was also a joint operation with Thames Valley Police in Bracknell at the end of August with regards to checking for overladen vehicles. A total of 8 vehicles were stopped, of which four were taken to the weighbridge with two been overladen.

Our regular traffic surveillance of weight restricted areas also continues. See across for a snapshot of one week's surveillance results:

- The Ridge, Cold Ash - No breach ✓
- Cold Ash Hill - Three breaches ✗
- Slanting Hill, Hermitage - No breach ✓
- Lower Denford, Hungerford - No breach ✓
- Sonning Bridge - No breach ✓
- Duffield Bridge, Woodley - No breach ✓
- Butts Hill Bridge, Woodley - No breach ✓
- Paddock Heights, Twyford - No breach ✓
- Ermin Street, Stockcross - Two breaches ✗
- Mill Lane, Newbury - Five breaches ✗
- Thornford Road, Greenham - No breach ✓



Officer Patrols for Re-opening Businesses

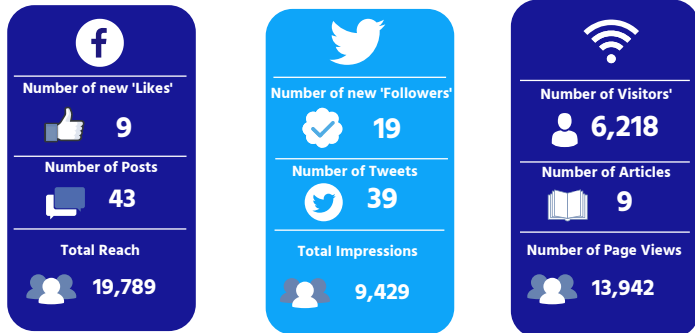
Given that most business reopening guidance has been in place now for some time, the proactive patrols targeting particular business sectors have ceased.

Officers are concentrating on following up intelligence about alleged non-compliance at businesses.

They are however also actively looking for potential non-compliance issues and taking any necessary follow up action when carrying out other work such as complaint investigations and routine food hygiene inspections.

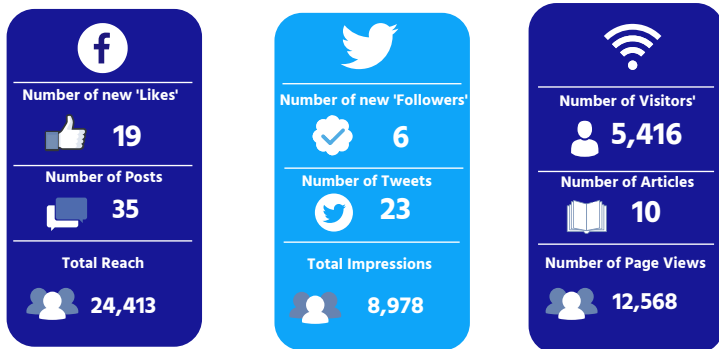
Communication

PPP Social Media Update July '20



Total combined reach for July was 43,160

PPP Social Media Update 1st August - 31st August '20



Total combined reach for August is 45,959

Website www.publicprotectionpartnership.org.uk

Month	Visitors	Page Views	Articles Published
Apr	10,442	18,864	21
May	6,970	13,679	13
June	7,638	16,344	21
July	6,218	13,942	9
Aug	5,819	13,400	10

All news articles can be viewed via the link below:

<https://publicprotectionpartnership.org.uk/news/>

Facebook @PublicProtectionPartnershipUK

	New Likes	Reach	No. Posts
Apr	96	103,470	53
May	43	65,409	49
June	21	51,461	63
July	9	19,789	43
August	69	30,546	38

Like us on Facebook [here](#)

Twitter @PublicPP_UK

	New Followers	Impressions	No. Tweets
Apr	19	25,000	59
May	6	16,200	47
June	49	13,600	59
July	19	9,429	39
August	6	9,708	23

Follow us on Twitter [here](#)

Comms Summary

Social media and website engagement continues to grow. Although July did see a drop off in social media likes/followers. This was expected as lockdown eased and people were out and about more rather than spending so much time in front of their devices. This was also replicated in the number of visitors to the website.

A new Facebook advertising campaign commenced at the end of August to grow the number of likes/followers.

See page below for snapshot of top Social Media posts for August.

Snapshot of our Social Media Posts



Courier Fraud - Reach 3,216

Public Protection Partnership
Published by Lisa Barnes [?] · 10 August · 🌐

⚠️⚠️ Fraud Alert in Bradfield Southend and Pangbourne this month. ⚠️⚠️
Please share this post and talk to others you know who may be vulnerable.
✅ In making more people aware we can stop these criminals targeting vulnerable people in our communities.

Both cases reported this month were courier fraud. Courier fraud is where a person receives a call from someone pretending to be from their bank and tells them there is a problem with their bank cards or bank account and they ne... See more



Unlicensed Puppy Breeders - Reach 2,594

Public Protection Partnership
Published by Lisa Barnes [?] · 20 August · 🌐

** Unlicensed Puppy Breeders **

We'd like to remind residents who are considering purchasing puppies to do their research and make clear and informed decisions about any new addition to your family.

Lucy's Law, introduced in April this year, means that anyone wanting to get a new puppy or kitten in England must now buy direct from a breeder, or consider adopting from a rescue centre instead. ... See more



Updated advice for masks for hairdressers - Reach 542

Public Protection Partnership
Published by Lisa Barnes [?] · 17 August · 🌐

Updated Government guidance for hairdressers, barbers, spas, beauty salons and tattoo and photoshoot studios on protective clothing re Coronavirus.

The updated guidance is that a visor AND a mask must be worn when providing the service.

For full details on the guidance see link below: ... See more



Loft Insulation Scam - Reach 2,338



Public Protection Partnership
@PublicPP_UK
⚠️⚠️ Loft Insulation Scam ⚠️⚠️

We've aware residents in #Bracknell, #Sandhurst & #Crowthorne, particularly those that are retired, are being targeted for a loft work scam.

See link for full details:
<https://publicprotectionpartnership.org.uk/news-articles/loft-insulation-scam/> ...

@BracknellForest @WestBerkshire
@WokinghamBC
[pic.twitter.com/DWHHLxU3Ja](https://twitter.com/DWHHLxU3Ja)

Unlicensed Puppy Breeders - Reach 1,434



Public Protection Partnership
@PublicPP_UK
⚠️⚠️ Unlicensed Puppy Breeders ⚠️⚠️

For those considering purchasing a puppy.

- ➡️ Do your research.
- ➡️ Make clear and informed decisions about any new addition to your family.
- ➡️ Do not purchase puppies from unlicensed breeders.

Full details below:

<https://publicprotectionpartnership.org.uk/news-articles/unlicensed-puppy-breeders/> ...
[pic.twitter.com/q99NxCPqZl](https://twitter.com/q99NxCPqZl)

Courier Fraud - Reach 1,336



Public Protection Partnership
@PublicPP_UK
⚠️ Courier Fraud Alert . Two cases this month in #BradfieldSouthend & #Pangbourne

If you've more information on these attempts or have had similar contact please call @ThamesVP on 101 to report.

@WestBerkshire

See link for full details.

<https://publicprotectionpartnership.org.uk/news-articles/fraud-alert-in-bradfield-southend-and-pangbourne/> ... [pic.twitter.com/I9CdID6vCo](https://twitter.com/I9CdID6vCo)

Who to Contact

Reporting of complaints relating to Covid-19 can be made on the website via the Enforcement Form on the front page. [Link here](#).

Trading Standards:

Concerned residents or anybody with information about coronavirus related scams are being asked to contact Trading Standards directly via: TSadvice@westberks.gov.uk

Environmental Health:

Environmental Health matters are to contact us by emailing: ehadvice@westberks.gov.uk

Licensing:

Bracknell Forest Licensing matters are to contact us by emailing: Licence.All@Bracknell-Forest.gov.uk

West Berkshire Licensing matters are to contact us by emailing: Licensing@westberks.gov.uk

Wokingham Licensing matters are to contact us by emailing: Licensing@wokingham.gov.uk

Keeping in Touch With Updates

 [@PublicProtectionPartnershipUK](https://www.facebook.com/PublicProtectionPartnershipUK)

 [@PublicPP_UK](https://twitter.com/PublicPP_UK)

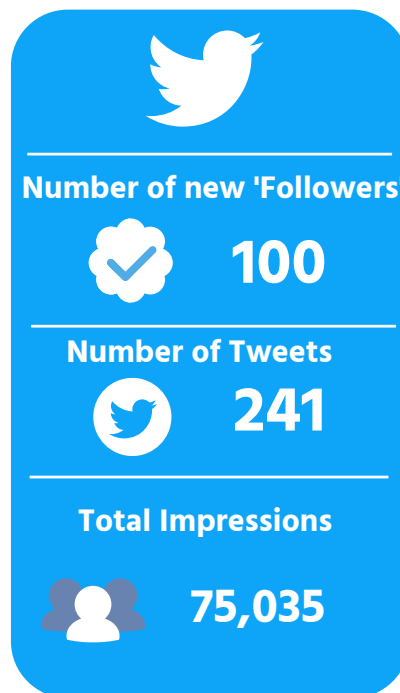
 www.publicprotectionpartnership.org.uk

PPP Social Media Update 1st April - 6th September '20

Since the start of this year PPP have produced the following:

- 5 member bulletins
- 2 parish bulletins
- 5 information videos
- 248 Facebook page likes
- 100 followers on Twitter
- 38,065 website visitors

So far since April our two most visited web pages were the article on bonfires during the pandemic and what we'd consider nuisance neighbours. In the previous six months the two most visited pages were the generic animal warden and licensing pages.



Total combined reach since April is 448,426

Month	Visitors	Page Views	Articles Published
Apr	10,442	18,864	21
May	6,970	13,679	13
June	7,638	16,344	21
July	6,218	13,942	9
Aug	5,819	13,400	10
Sept - to date	978	2,074	0

Social Platforms Traffic

Number of views to website from social media posts.

	Facebook	Twitter
Apr	3,709	140
May	1,069	64
June	775	77
July	339	42
Aug	532	112
Sept	64	86

Facebook @PublicProtectionPartnershipUK

	New Likes	Reach	No. Posts
Apr	96	103,470	53
May	43	65,409	49
June	21	51,461	63
July	9	19,789	43
August	69	30,546	38
Sept - to date	10	24,413	14

Twitter @PublicPP_UK

	New Followers	Impressions	No. Tweets
Apr	19	25,000	59
May	6	16,200	47
June	49	13,600	59
July	19	9,429	39
August	6	9,708	23
Sept to date	1	1,098	14

This page is intentionally left blank

AIR QUALITY STATUS REPORTS - Summary Report

Committee considering report:	Joint Public Protection Committee
Date of Committee:	28 th September 2020
Report Author:	Anna Smy

1. Purpose of the Report

- 1.1** To inform the Joint Public Protection Committee of the submission and results of the annual air quality reports for the 3 local authorities. These reports are for the monitoring data and action plan progress for the calendar year 2019.

2. Recommendations

- 2.1** The JPPC NOTE the contents of the Report and the three separate Air Quality Annual Status Reports;
- 2.2** NOTE the feedback from Defra on the reports, and
- 2.3** NOTE the progress on the measures to improve air quality set out in each report, and
- 2.4** APPROVE the ongoing and planned future measures to improve air quality set in each report.

3. Implications

- 3.1 Financial:** Work relating to Air Quality monitoring and reporting is funded from the general revenue budget allocated to the Public Protection Joint Committee. A number of proposals in the action plans continue to require additional funding to implement whilst others are relatively low cost and are covered from PPP revenue budget. Grant funding from Defra has been available annually, if there is a 2020/21 funding round we will, if appropriate apply.
- 3.2 Policy:** The Inter-Authority Agreement (IAA) identified Environmental Protection as one of the five Strategic Priorities for the Joint Public Protection Committee. Under this heading the Committee in turn identified air quality as a priority for 2019/20. Two authorities (West Berkshire and Wokingham) have both declared climate emergencies. they have embedded Air Quality improvements into their Environment Strategy and Climate Emergency Action Plan.

- 3.3 Personnel:** Staff who conduct this work are a shared resource under the IAA. One benefit of the shared service is the ability to have staff that specialise in areas such as this and the service is fortunate to have a number of officers with significant expertise on environmental matters generally and air quality specifically. In recent months the covid arrangements has reduced our ability to progress this work but we have focussed on submitting the reports and maintaining our monitoring programme. The temporary structure will allow us to maintain this.
- 3.4 Legal:** Under the Local Air Quality Management (LAQM) system local authorities are legally required to assess air quality in their area and designate Air Quality Management Areas (AQMAs) if improvements are necessary. Where an AQMA is designated, local authorities are required to produce an Air Quality Action Plan (AQAP) describing the pollution reduction measures it will put in place.
- 3.5 Risk Management:** This is a legal requirement under the Environment Act 2005. Failure to comply with our statutory obligations could present the risk of challenge to the PPP partner authorities.
- 3.6 Property:** None
- 3.7 Other:** None

4. Other options considered

- 4.1 All options considered are set out in the reports.

5. Executive Summary

- 5.1 Local authorities are required to submit an Annual Status Report (ASR) to the Department for Environment, Food and Rural Affairs each year and a template is provided. The overall aim of this document is to report on progress in achieving reductions in concentrations of emissions relating to relevant pollutants below air quality objective levels. It is also where local authorities identify new or changing sources of emissions.
- 5.2 On completion, local authorities should submit their report to the Secretary of State (DEFRA) for consideration, who will provide comments back in a timely manner and to which the local authorities are expected to have regard.
- 5.3 Core requirements of the ASR:
- To report progress on the implementation of measures in the local air quality action plan and other measures and their impact in reducing concentrations below air quality objectives;

- To provide a summary of monitoring/modelling data (either locally retrieved and/or from the national network) in order to assess the air quality situation in your area and likelihood of air quality breaches, and to provide the necessary evidence base for the impact of air quality measures;
- To report on significant new developments that might affect local air quality; and
- To present information in a public-facing executive summary for the lay reader so that the local public can more easily engage with local air quality issues and measures taken to improve it.

5.4 Annually DEFRA set a deadline for submission and there are implications of late submission in respect of whether air quality grant bids will be favourably received. We again have completed and submitted these within the appropriate timescales.

5.5 The PPP understands the importance of DEFRA approving the reports as the data is used by third parties in planning applications, as well as in-house decisions by Highways and Transport Planning colleagues. This year there is more significance as our identified actions are now intrinsically linked with Climate Emergency plans and Environmental Strategy.

5.6 A summary of the process and Defra response can be found in the supporting information at **Appendix A** to this report.

6. Conclusion

6.1 Air Quality continues to be high profile and the links with the sources of pollutants and health impacts becoming more apparent during the current pandemic. We must continue to not only monitor the levels of pollutants affecting our residents but ensure that we progress actions set out within the action plans.

6.2 The evaluation provided by Defra is positive and the JPPC is asked to both note the reports and the Defra evaluation and endorse the proposals set out in the action plans.

6.3 One area of note is that there appears to be support for the PPP in seeking to undeclare the Air Quality Management Areas within Newbury and Thatcham if levels continue to drop in the same manner they have over the last couple of years. The PPP and the 3 organisations cannot be complacent should this take place as we need to continue to ensure our policies and decision making does not impact on this positive work.

6.4 The duty on local authorities to both monitor and improve air quality is not just a legal requirement but a public demand. The effects on health of poor air quality are indisputable and Councils have been given a range of tools to tackle the causes.

6.5 In simple terms the causes are known but the solutions are wide ranging. The proposals set out in the plans appended to this report seek to address several approaches ranging from raising awareness, changing human behaviour and matters of infrastructure.

Background Papers:

Defra: National Clean Air Strategy 2019

<https://www.gov.uk/government/publications/clean-air-strategy-2019>

PPP Strategic Aims and Priorities Supported:

The proposals will help achieve the following Public Protection Partnership aims as stated in the Inter Authority Agreement:

- X 2 – Protecting and Improving Health**
- X 3 – Protection of the Environment**

Officer details:

Name: Anna Smy

Job Title: Strategic Manager

Tel No: 01635 503257

E-mail Address: anna.smy@westberks.gov.uk

APPENDIX A – Supporting Information and EIA

APPENDIX B – Bracknell Forest AQ Annual Status Report and Defra Response

APPENDIX C – West Berkshire AQ Annual Status Report and Defra Response

APPENDIX D - Wokingham AQ Annual Status Report and Defra Response

Appendix A

Air Quality Annual Status Report - Supporting Information

Reports submission:

Air quality monitoring and improvement contributes to a number of principal priorities of the PPP, and continues to be identified as such in 2020-21 with synergies directly with climate change and environmental protection. In Summer 2019 all PPP local authorities made commitments with respect to climate change, and air quality continues to be regularly in the news, alongside, the cross cutting climate change theme.

The three Annual Status Reports were completed in-house by the deadline (which was not changed due to the pandemic). The reports were submitted as follows;

Bracknell Forest	30 th June 2020
Wokingham	30 th June 2020
West Berkshire	30 th June 2020

The results for the 3 local authorities continue to show trends of a reduction of air pollution levels and a summary can be found in the Executive Summary at the beginning of each report.

The reports are now available on the Public Protection Partnership website. <https://publicprotectionpartnership.org.uk/environmental-health/air-quality/air-quality-monitoring/>

Report appraisals and next steps:

Despite the situation with regards to Covid and the circumstances the companies appraising these reports on behalf of DEFRA there was a swift turn around.

The appraisals were provided as follows;

Bracknell Forest	4 th August 2020
Wokingham	13 th July 2020
West Berkshire	6 th August 2020

The reports and conclusions have been accepted as detailed below – and the full appraisals are attached.

Bracknell Forest

“In the report, the Council has detailed measures and plans to continue to address air quality within its administrative boundaries. The main focus is stated to be within AQMA areas. These include the measures described in the Local Transport plan: aiming to reduce traffic congestion and traffic delays, the reduction of GHGs from local vehicles and the promotion of the sustainable public transportation means available to the Council’s residents.

On the basis of the evidence provided by the local authority the conclusions reached are acceptable for all sources and pollutants. Following the completion of this report, Bracknell Forest Borough Council should submit an Annual Status Report in 2021.”

It is of note that the commentary states that

“The Council has included discussion and review of its AQMAs and monitoring strategy, informed due to the extensive monitoring network and also the additional tubes in place to provide data. This demonstrates the Councils proactive and dedicated approach to improving air quality across the area.”

Wokingham

“In the report, the Council has detailed extensive measures and plans to continue to address air quality within its administrative boundaries. These include a review of encouraging the uptake of electric vehicles and promotion of alternative forms of travel (i.e. public transport, walking or cycling), review of traffic routes to reroute traffic away from AQMAs, consider the feasibility of a Low Emission Zone and implementation of more Low Emission Vehicles in council fleet, creating awareness of poor air quality through cycle training, anti-idling campaigns and workshops, inclusion of electric charging points for electric/hybrid vehicles on new developments and implementing a new local plan to outline measures to target and be effective against air pollution.

On the basis of the evidence provided by the local authority the conclusions reached are acceptable for all sources and pollutants. Following the completion of this report, Wokingham District Council should submit an Annual Status Report in 2021.

It is of note that the commentary concludes that

“Overall the report is detailed, concise and satisfies the criteria of relevant standards. The Council should continue their good and thorough work.”

West Berkshire

“The Council has outlined measures implemented to tackle air quality in West Berkshire and commented on their progress in 2019. These measures include improvement works at Bear Lane, A339 to improve traffic flows, the installation of 31 electric vehicle charge points and the National Cycle Network 422 expansion. The Council have also identified key priorities and challenges for 2020.

On the basis of the evidence provided by the local authority, the conclusion reached are acceptable for all sources and pollutants. Following the completion of this report, West Berkshire Council should submit an Annual Status Report in 2021.”

Most significantly the commentary makes note that;

“The Council have stated they will consider revocation of both the Newbury and Thatcham AQMAs following the results of the 2021 ASR. This decision is supported.

Other air quality related matters of note

A motion was passed by Wokingham Borough Council recently regarding the monitoring of PM_{2.5}. A proposal considering the location, costs and how the information can inform the authority and public is being drawn up.

Further work on Idling is being developed and the PPP will be progressing with the legal requirements to be followed in order to allow the implementation with the Wokingham Borough Council area. Work in Twyford on innovative measures is continuing.

The Downshire Way (AQMA) new traffic layout is having a positive effect on the traffic movement and there are less tails backs, the 2021 results (2022 ASR) will show a true reflection of its success. Crowthorne Parish Council is also working with “alternative companies” to trial new and innovating ways to reduce the NO₂.

We are starting to look at the impact of Covid lockdown on local air quality. We have continued to monitor (which included officers changing the air quality monitoring tubes on a monthly basis. Whilst the measurements have not be ratified (we require an annual adjustment figure for this) indications are that every unit (Downshire Way Bracknell, A339 Newbury, Twyford Crossroads and Peach Street Wokingham) saw at least a 35% reduction in measured NO₂ during Q2 (April-June).

Equality Impact Assessment – Stage One

Please complete the following questions to determine whether a full Stage Two, Equality Impact Assessment is required.

What is the proposed decision that you are asking the Committee to make:	Air Quality Annual Status Reports
Summary of relevant legislation:	
Does the proposed decision conflict with any of the partnerships key objectives?	No
Name of assessor:	Anna Smy
Date of assessment:	25/08/2020

Is this a:		Is this:	
Policy		New or proposed	
Strategy		Already exists and is being reviewed	✓
Function	✓	Is changing	
Service			

1. What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?	
Aims:	To supply the Joint Public Protection Committee with information that would allow for a policy decision on air quality matters and to inform the Joint Public Protection Committee of the submission of the annual air quality reports for the 3 local authorities. These reports are for the monitoring data and action plan progress for the calendar year 2019.
Objectives:	As set out in the report
Outcomes:	As set out in the report

Benefits:	<p>The delivery of the key PPP priorities of:</p> <p>Community Protection and in particular the protection of the vulnerable</p> <p>Protecting and Improving Health</p> <p>Protection of the Environment</p>
------------------	--

2. Note which groups may be affected by the proposed decision. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this.

(Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)

Group Affected	What might be the effect?	Information to support this
Age		
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		

Further Comments relating to the item:

No specific groups are affected by the contents of the proposals as there are no decisions being made. Air quality can be particularly harmful to the young, elderly, pregnant and those suffering ill health. Consideration to all these matters are given in this report and appendices and / or the national clean air strategy.

3. Result

Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?	No
--	-----------

Please provide an explanation for your answer: The premises are accessibility compliant.

Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?	No
---	-----------

4. Identify next steps as appropriate:

Stage Two required	No
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	

Name: Anna Smy

Date: 25/08/2020



Department
for Environment
Food & Rural Affairs

North East
Seacole Block
2 Marsham Street
London
SW1P 4DF

T: 03459 335577
helpline@defra.gsi.gov.uk
www.gov.uk/defra

04 August 2020

Dear Bracknell Forest Borough Council,

LOCAL AIR QUALITY MANAGEMENT: 2020 ANNUAL STATUS REPORT

Thank you for consulting the Department for Environment, Food and Rural Affairs on Bracknell Forest Borough Council's 2020 Air Quality Annual Status Report (ASR).

Defra's response is contained in the appraisal report, which you can now access on the Report Submission Website.

Defra understands that the Covid-19 outbreak means you may need to prioritise work depending on local circumstances over the coming weeks. These appraisal comments have been issued to inform your next steps at a time when you are able to take them.

The Local Air Quality Management Helpdesk is available to help with queries about the LAQM Framework:

<https://laqm.defra.gov.uk/>
Telephone: 0800 0327 953
Email: LAQMHelpdesk@uk.bureauveritas.com

Yours sincerely,

Defra Local Air Quality Team
Defra Air Quality
WEB: <http://uk-air.defra.gov.uk>
TWITTER: @defraukair

This page is intentionally left blank

Local Authority:	Bracknell Forest Borough Council
Reference:	ASR20-0491
Date of issue	July 2020

Annual Status Report Appraisal Report

The Report sets out the Annual Status Report, which forms part of the Review & Assessment process required under the Environment Act 1995 and subsequent Regulations.

There are 2 Air Quality Management Areas (AQMAs) declared across Bracknell Forest Borough Council. AQMA: “Area 1: The Bagshot Road (A322) Horse and Groom Roundabout Downshire Way AQMA” and “AQMA: “Area 2: The Bracknell Road (B3348) and Crowthorne High Street, Crowthorne AQMA”.

The Council undertook automatic monitoring of NO₂ at 1 location during 2019, Downshire Way. The annualised annual mean was 33.6 µg/m³ and there were no exceedances of the 1-hour air quality objective. Passive monitoring of NO₂ took place via diffusion tube monitoring at 21 locations. During 2019, there was 1 exceedance across the passive monitoring network, tube 58xyz at Pine View Bracknell Road, where the NO₂ concentrations rose to 41.5 µg/m³ (36.9 µg/m³ after distance correction). This site is located within AQMA Area 2.

The Council also measures PM₁₀ at 1 location in the Crowthorne AQMA. The annual mean concentration was 17.8 µg/m³ and there were 6 occasions where the 24-hour mean objective.

The Council has robust QA/QC procedures, which were applied appropriately and accurately to the 2019 monitoring data, outlining the information clearly with respect to the laboratory used for analysis of the diffusion tubes. Both national and local bias adjustment factor have been determined and the higher factor was applied to be conservative. Annualisation was carried in accordance with LAQM.TG16 and distance-correction was conducted for 1 diffusion tube location. All calculations were clearly outlined and justified.

In the report, the Council has detailed measures and plans to continue to address air quality within its administrative boundaries. The main focus is stated to be within AQMA areas. These include the measures described in the Local Transport plan: aiming to reduce traffic congestion and traffic delays, the reduction of GHGs from local vehicles and the promotion of the sustainable public transportation means available to the Council’s residents.

On the basis of the evidence provided by the local authority the conclusions reached are acceptable for all sources and pollutants. Following the completion of this report, Bracknell Forest Borough Council should submit an Annual Status Report in 2021.

Local Authority:	Bracknell Forest Borough Council
Reference:	ASR20-0491
Date of issue	July 2020

Commentary

The report is well structured, detailed, and provides the information specified in the Guidance. The following comments are designed to help inform future reports.

1. Robust and accurate QA/QC procedures were applied. Distance correction calculations could be provided in future.
2. Annualisation for the diffusion tube site (124 - #229 Yorktown Road) and the automatic site on Bracknell Downshire Way (NO₂ and PM₁₀) was carried out in line with TG(16) guidance, all calculations provided.
3. The Council has included discussion and presented the NO₂ trends observed in both of the AQMAs located within the Council's boundaries.
4. The local monitoring strategy has been updated during the present year and justifications have been given. The movement of monitoring locations is welcomed, allowing the Council to prioritise other areas of higher air pollution as concentrations surrounding the AQMA have been below the Air Quality Objective. This demonstrates the Councils proactive and dedicated approach to improving air quality across Bracknell.
5. The comments from last year's ASR have been addressed.
6. The Council has multiple measures in place that will help to tackle PM_{2.5}. The Public Health Outcomes Frameworks were referred to, and this is encouraged to continue.
7. The report is a good source for members of the Public to find out about air quality in their area. The Council should continue their hard work.

This commentary is not designed to deal with every aspect of the report. It highlights a number of issues that should help the local authority either in completing the Status Report adequately (if required) or in carrying out future Review & Assessment work.

Issues specifically related to this appraisal can be followed up by returning the attached comment form to Defra, Welsh Assembly Government, Scottish Government or DOE.

For any other queries please contact the Local Air Quality Management Helpdesk:
 Telephone: 0800 0327 953
 Email: LAQMHelpdesk@uk.bureauveritas.com

Local Authority:	Bracknell Forest Borough Council
Reference:	ASR20-0491
Date of issue	July 2020

Appraisal Response Comment Form

Contact Name:	
Contact Telephone number:	
Contact email address:	UKLAQMAppraisals@aecom.com

Comments on appraisal/Further information:

This page is intentionally left blank



Department
for Environment
Food & Rural Affairs

North East
Seacole Block
2 Marsham Street
London
SW1P 4DF

T: 03459 335577
helpline@defra.gsi.gov.uk
www.gov.uk/defra

06 August 2020

Dear West Berkshire Council,

LOCAL AIR QUALITY MANAGEMENT: 2020 ANNUAL STATUS REPORT

Thank you for consulting the Department for Environment, Food and Rural Affairs on West Berkshire Council's 2020 Air Quality Annual Status Report (ASR).

Defra's response is contained in the appraisal report, which you can now access on the Report Submission Website.

Defra understands that the Covid-19 outbreak means you may need to prioritise work depending on local circumstances over the coming weeks. These appraisal comments have been issued to inform your next steps at a time when you are able to take them.

The Local Air Quality Management Helpdesk is available to help with queries about the LAQM Framework:

<https://laqm.defra.gov.uk/>
Telephone: 0800 0327 953
Email: LAQMHelpdesk@uk.bureauveritas.com

Yours sincerely,

Defra Local Air Quality Team
Defra Air Quality
WEB: <http://uk-air.defra.gov.uk>
TWITTER: @defraukair

This page is intentionally left blank

Local Authority:	West Berkshire Council
Reference:	ASR20-0542
Date of issue	August 2020

Annual Status Report Appraisal Report

The Report sets out the Annual Status Report, which forms part of the Review & Assessment process required under the Environment Act 1995 and subsequent Regulations.

West Berkshire Council have two Air Quality Management Areas (AQMAs) declared within their administrative boundaries: Newbury AQMA for exceedances in annual mean and 1-hour mean NO₂ objectives; and Thatcham AQMA for exceedances in the annual mean NO₂ objective. There is currently only an Air Quality Action Plan published for the Newbury AQMA; as Thatcham AQMA has not seen exceedances in recent years, the Council have not yet produced an AQAP here. The Council have stated they will consider revocation of both AQMAs following the results of the 2021 ASR.

The Council have conducted automatic monitoring of NO₂ at one site during 2019: CM1 Newbury. The annual mean NO₂ concentration at this site was 35.9 µg/m³ during 2019, remaining below the air quality objective. There were two instances of concentrations surpassing the 1-hour mean objective threshold, with a 99.8th percentile of 145.63 µg/m³, indicating there is no exceedance of the 1-hour mean objective.

Non-automatic (passive) diffusion tube monitoring of NO₂ was undertaken at 36 sites across West Berkshire during 2019. There were no exceedances of the annual mean NO₂ objective in 2019. The highest annual mean concentration was 33.9 µg/m³, recorded at the triplicates co-located with the automatic monitor. There were no sites within 10% of the objective. Data capture was good (at least 75%) at all monitoring locations in 2019, thus annualisation was not required.

The Council have detailed QA/QC procedures applied to monitoring data. A national bias adjustment factor was selected as the automatic monitor had a data capture of less than 90%. Whilst some monitoring locations are not located at relevant exposure, no recorded concentrations were within 10% of the objective thus distance correction was not required. Data capture at all passive diffusion tubes were good, and annualisation was not required here. However, data capture for the automatic monitor CM1 WAS 70.3%, and annualisation was performed for this monitoring location.

The Council has outlined measures implements to tackle air quality in West Berkshire and commented on their progress in 2019. These measures include improvement works at Bear

Local Authority:	West Berkshire Council
Reference:	ASR20-0542
Date of issue	August 2020

Lane, A339 to improve traffic flows, the installation of 31 electric vehicle charge points and the National Cycle Network 422 expansion. The Council have also identified key priorities and challenges for 2020.

On the basis of the evidence provided by the local authority, the conclusion reached are acceptable for all sources and pollutants. Following the completion of this report, West Berkshire Council should submit an Annual Status Report in 2021.

Local Authority:	West Berkshire Council
Reference:	ASR20-0542
Date of issue	August 2020

Commentary

The report is well structured, detailed, and provides the information specified in the Guidance. The following comments are designed to inform future reports.

1. Trends are clearly presented and discussed and a robust comparison with air quality objectives is provided.
2. The diffusion tube and AQMA mapping is comprehensive and clearly demonstrates the monitoring network.
3. The Council have stated they will consider revocation of both the Newbury and Thatcham AQMAs following the results of the 2021 ASR. This decision is supported.
4. QA/QC procedures were largely applied appropriately, with detailed information provided regarding the decision between local and national bias adjustment factors.
5. The Council have included some mentions of the Public Health Outcomes Framework. In future ASRs, the Council is suggested to include a reference to indicator D01 - Fraction of mortality attributable to particulate air pollution, and how it compares regionally / nationally. This information can be found at: <https://fingertips.phe.org.uk/profile/public-health-outcomes-framework>

This commentary is not designed to deal with every aspect of the report. It highlights a number of issues that should help the local authority either in completing the Progress Report adequately (if required) or in carrying out future Review & Assessment work.

Issues specifically related to this appraisal can be followed up by returning the attached comment form to Defra, Welsh Assembly Government, Scottish Government or DOE.

For any other queries please contact the Local Air Quality Management Helpdesk:
 Telephone: 0800 0327 953
 Email: LAQMHelpdesk@uk.bureauveritas.com

Local Authority:	West Berkshire Council
Reference:	ASR20-0542
Date of issue	August 2020

Appraisal Response Comment Form

Contact Name:	
Contact Telephone number:	
Contact email address:	UKLAQMAppraisals@aecom.com

Comments on appraisal/Further information:



Department
for Environment
Food & Rural Affairs

North East
Seacole Block
2 Marsham Street
London
SW1P 4DF

T: 03459 335577
helpline@defra.gsi.gov.uk
www.gov.uk/defra

13 July 2020

Dear Wokingham District Council,

LOCAL AIR QUALITY MANAGEMENT: 2020 ANNUAL STATUS REPORT

Thank you for consulting the Department for Environment, Food and Rural Affairs on Wokingham District Council's 2020 Air Quality Annual Status Report (ASR).

Defra's response is contained in the appraisal report, which you can now access on the Report Submission Website.

Defra understands that the Covid-19 outbreak means you may need to prioritise work depending on local circumstances over the coming weeks. These appraisal comments have been issued to inform your next steps at a time when you are able to take them.

The Local Air Quality Management Helpdesk is available to help with queries about the LAQM Framework:

<https://laqm.defra.gov.uk/>
Telephone: 0800 0327 953
Email: LAQMHelpdesk@uk.bureauveritas.com

Yours sincerely,

Defra Local Air Quality Team
Defra Air Quality
WEB: <http://uk-air.defra.gov.uk>
TWITTER: @defraukair

This page is intentionally left blank

Local Authority:	Wokingham District Council
Reference:	ASR20-0501
Date of issue	July 2020

Annual Status Report Appraisal Report

The Report sets out the Annual Status Report, which forms part of the Review & Assessment process required under the Environment Act 1995 and subsequent Regulations.

Wokingham Borough Council has declared three Air Quality Management Areas (AQMAs) for exceedances of the annual mean nitrogen dioxide (NO₂) objective. These are located in Wokingham Town Centre, Twyford Crossroads and 60 metres either side of the M4 throughout the whole of the borough. However, the Council have proposed the revocation of the M4 AQMA as NO₂ concentrations have been more than 10% below the annual mean objective for three consecutive years.

Wokingham Borough undertook automatic (continuous) monitoring at 2 sites during 2019; Peach Street Wokingham and Twyford Crossroads. The automatic monitoring analysers had good data capture in 2019 (>75%). NO₂ was measured by the 2 automatic monitoring sites with the 1-hour mean objective and the annual mean objective meeting the national objectives.

The Council undertook passive diffusion tube monitoring of NO₂ at 46 monitoring locations, with two of these containing triplicates co-located with the two automatic monitors. During 2019, there were two exceedances at passive monitoring sites, WOK838 (in Wokingham Town Centre AQMA) and co-located tubes WOK850/WOK887/WOK888 (in Twyford Crossroads AQMA).

The Council has robust QA/QC procedures, which were applied appropriately and accurately to the 2019 monitoring data; both national and local bias adjustment factors have been determined (the national factor was selected), annualisation was carried out for two diffusion tubes, and distance-correction was conducted for sites exceeding the objectives and not representative of relevant exposure. All calculations were clearly outlined and justified.

In the report, the Council has detailed extensive measures and plans to continue to address air quality within its administrative boundaries. These include a review of encouraging the uptake of electric vehicles and promotion of alternative forms of travel (i.e. public transport, walking or cycling), review of traffic routes to reroute traffic away from AQMAs, consider the feasibility of a Low Emission Zone and implementation of more Low Emission Vehicles in council fleet, creating awareness of poor air quality through cycle training, anti-idling

Local Authority:	Wokingham District Council
Reference:	ASR20-0501
Date of issue	July 2020

campaigns and workshops, inclusion of electric charging points for electric/hybrid vehicles on new developments and implementing a new local plan to outline measures to target and be effective against air pollution.

On the basis of the evidence provided by the local authority the conclusions reached are acceptable for all sources and pollutants. Following the completion of this report, Wokingham District Council should submit an Annual Status Report in 2021.

Local Authority:	Wokingham District Council
Reference:	ASR20-0501
Date of issue	July 2020

Commentary

The report is well structured, detailed, and provides the information specified in the Guidance. The following comments are designed to help inform future reports.

1. Robust and accurate QA/QC procedures were applied. Calculations for bias adjustment, annualisation and distance-correction factors were outlined in detail.
2. The Council has included discussion and review of its AQMAs and monitoring strategy, informed due to the extensive monitoring network and also the additional tubes in place to provide data. This demonstrates the Council's proactive and dedicated approach to improving air quality across the area.
3. Comments from last year's ASR have been mentioned and addressed. This is welcomed, and we encourage this to continue in future ASRs.
4. The Council has an extensive NO₂ monitoring strategy. Monitoring of other pollutants, while not compulsory, could be considered to better inform how to tackle PM_{2.5} pollution.
5. The Public Health Outcomes Frameworks was mentioned, and this is encouraged. The Council considered referring specifically to indicator D01, taking on board comments from the previous appraisal.
6. Council have provided a clear map of the diffusion tube monitoring network; Council have provided discussion on the trend graphs seen in the report.
7. Table B.1 reporting diffusion tube data do not consistently show those sites who are above the Air Quality Objective for NO₂ to be marked in bold with some sites above the threshold shown in bold while others are not. This can be very misleading to the public in reading the results of the monitoring carried out.
8. Overall the report is detailed, concise and satisfies the criteria of relevant standards. The Council should continue their good and thorough work.

This commentary is not designed to deal with every aspect of the report. It highlights a number of issues that should help the local authority either in completing the Progress Report adequately (if required) or in carrying out future Review & Assessment work.

Issues specifically related to this appraisal can be followed up by returning the attached comment form to Defra, Welsh Assembly Government, Scottish Government or DOE.

For any other queries please contact the Local Air Quality Management Helpdesk:
 Telephone: 0800 0327 953
 Email: LAQMHelpdesk@uk.bureauveritas.com

Local Authority:	Wokingham District Council
Reference:	ASR20-0501
Date of issue	July 2020

Appraisal Response Comment Form

Contact Name:	
Contact Telephone number:	
Contact email address:	UKLAQMAppraisals@aecom.com

Comments on appraisal/Further information: