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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, 31 MARCH 2021

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), Susan Halliwell (Executive Director - Place), George Lawrence (Residential Team Leader), Sean Murphy (Public Protection Manager), Anna Smy (Strategic Manager - Response), Councillor Paul Bettison (Bracknell Forest Council), Stephen Chard (Principal Policy Officer), Moira Fraser (Policy and Governance Officer), Kevin Gibbs (Executive Director for Delivery, Bracknell Forest Council), Councillor Dorothy Hayes (Bracknell Forest Council), Damian James (Assistant Director for Contract Services, Bracknell Forest Council), Clare Lawrence (Assistant Director for Place, Wokingham Borough Council) and Councillor Chris Turrell (Bracknell Forest Council)

PART I

28 Minutes

(Vice-Chairman in the Chair)

The Minutes of the previous meeting held on 15 December 2020 were approved as a true and correct record and signed by the Chairman.

29 Declarations of Interest

(Chairman in the Chair)

There were no declarations of interest received.

30 Notice of Public Speaking and Questions

No public questions were submitted to the meeting.

31 Forward Plan

RESOLVED that the Forward Plan be noted.

32 PPP Covid-19 Response and Service Update 3

The Committee considered the report (Agenda item 6). The report provided an update on the service response to Covid-19 as well as an update on other service delivery matters including performance and an update on the work of the Case Management Unit.

Sean Murphy, Public Protection Manager, introduced the report and informed the Committee that within the terms of the agreement there was a clear accountability for Members to keep under review the performance and work of the service. He noted that this was not a full performance report. The yearend performance report would be brought to the June 2021 meeting.

Mr Murphy asked Members to note the impact in terms of lost income for the period April 2020 to February 2021 from licence receipts was lower than previously thought and was estimated to be around £70K. This loss was primarily from taxi and private hire sectors.

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and the closure of some licenced premises and other establishments and businesses. In terms of staffing the report showed that the service had around 18 agency and casual or temporary staff though the number of FTE was substantially less than that. The service was now fully staffed with the recent recruitment of Moira Fraser to the role of Principal Officer for Policy and Governance.

Local Covid 19 Response

It was noted that the service had received 11,155 substantive service requests for support together with a further 4,500 plus referrals that came from the national system that related to trading standards. Of the 11,155 service requests, over 1,700 of them related directly to Covid 19 and included requests for advice from businesses or referrals from members of the public raising concerns about the way a business was operating. There had been a significant increase in relation to service requests around bonfires, licencing, nuisance and fly-tipping.

In relation to Covid-19, each local authority had been required to update its local outbreak control plan and the Public Protection Partnership had contributed to that work. The work fell into four areas, firstly business compliance, the investigation of out breaks, contact tracing and finally targeted work in specific settings.

- The period from December to January and early February saw a significant number of reports of outbreaks coming into the service and the investigation of those reports led to a significant increase in work for the service.
- Weekday local contact tracing for West Berkshire was carried out as well as weekend contact tracing for West Berkshire and Wokingham which had since been extended to include Bracknell. The service was also working with all three local authorities to look at how the enhancement of the local contact tracing role would be delivered going forward.
- Some of the targeted work included work carried out in care settings in West Berkshire at the request of the Council and also in relation to early years and learning disability settings where work was carried out across all three local authorities. Retail and other workplace settings remained under constant review to see what tailored advice could be offered in response to incidences of outbreaks.
- Through the December period, several hundred proactive and reactive daytime and evening compliance visits to businesses were undertaken every week to ensure compliance with Tier 2 restrictions across all three boroughs. This was in addition to checks to ensure compliance with licenses around closing times etc. Officers also had to deal with the additional complexities of moving through three tiers in the space of a few days, ending in Tier 4 at the end of December.
- The service had continued to visit those premises still open to carry out compliance checks across all three local authorities. Visits were concentrated on those premises that had been identified as common exposure points or where they were getting large volumes of people, such as supermarkets. Approximately 100 visits per week had been undertaken since the January period.
- The service continued to work closely with Covid-19 Marshalls in Wokingham and Covid Ambassadors in Bracknell and the recently introduced marshalls in West Berkshire who were managed directly by the PPP.
- Work also took place around events and gatherings in the run-up to Christmas, including the Lapland event in Bracknell and the service continued to provide advice and support to businesses when they had sought it.

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Business as Usual

The Environmental Quality Team continued to be proactive in their work around air quality monitoring, sampling, testing private water supplies, inspections relating to environmental permits and other matters related to planning and commercial uses. Work had also been done with Bracknell on vehicle idling and a report was produced for their Executive.

The Community and Trading Standards Team had dealt with the bulk of service requests in relation to domestic nuisance and public health/pest complaints and animal warden work and continued to carry out work in relation to food standards but also fraud work as mentioned in the report.

The Food and Health and Safety Team had mainly concentrated on Covid compliance work as well as some food work particularly in relation to new start-up businesses and the service would report back in June as to how it intended to move into the recovery phase around food inspections. This would take into account the backlog caused by premises being closed or inspections unable to take place due to the Covid risk.

The first Housing Team bulletin had been produced and was included in the report (Appendix C). It set out the work undertaken as a result of decisions taken in September which included licensing related matters relating to houses of multiple occupation and caravan sites and investigations into housing and caravan site standards breaches.

The Licencing Team continued their normal work in relation to service requests and supporting the trade through what had been a very difficult time for them. The team were now working with all three local Councils to review and update their Statements of Gambling Policy. These would be presented to the various Licensing Committee as they fell outside of the remit of this Committee.

The report also set out the work that had been undertaken by the Legal Team including the fraud work.

The report presented a summary of the 77 Freedom of Information (FoI) enquiries received in the last quarter as well as 27 MP/Councillor enquiries and 19 service complaints.

Communications

The report provided information about the many methods used to communicate which included visits to businesses and residents, press releases, website and social media. The website continued to be a popular source of information. Further details were included in the Members Bulletins (No 7) at Appendix B, PPP website / Social Media at Appendix D, Housing Bulletin at Appendix C and in the Air Quality Update Bulletin.

Looking Ahead

The key priority for the service was to concentrate on reopening businesses and the easing of restrictions. A plan was in place to set up webinars across all three authorities to provide advice to hospitality, non-essential retail and other businesses in the coming period and gearing up for a whole quarter's worth of work in terms of compliance checks, enforcement matters and business advice more generally. A key challenge would be around responding to the large number of notification of events coming into the service. All of the events under the current rules and regulations would have to be risk assessed for health and safety as well as adherence to Covid restrictions by the Safety Advisory Groups in due course.

Councillor Parry Batth thanked Mr Murphy for his very comprehensive update.

Councillor James Cole thanked Officers for the positive report. He asked what the overall financial picture was likely to be given the estimated income loss of income of circa £70K

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but with the extra income of £169K. Mr Murphy said there had been some Government Grant relief around lost income and the overall picture and outturn at the end of the year was likely to be an underspend, the scale of which had not yet been finalised but would be circulated to the Committee as soon as it was known and formally reported on in June. Mr Murphy added that in normal circumstances any underspend would be permitted to be carried forward given the nature of the shared service. It was hoped that this would assist with providing a cushion against the lost income issue for the 2021/22 financial year. The underspend had arisen in part because some of the resources had been diverted into Covid work and due to the effects of Covid, for example, less spend on travel.

Councillor James Cole queried whether there would continue to be a reduction in travel due to new ways of working. Mr Murphy advised that Officers had continued to serve the communities throughout the period as normal but what had reduced was the travel between offices as a result of new ways of working by being able to benefit from the technologies in place. This new, efficient way of working was expected to extend beyond Covid and whilst it did not entirely replace the need for people to get together, it would provide some savings in the long-term.

Councillor James Cole asked how local businesses had responded to support and advice provided by the PPP. Mr Murphy said the approach taken with the support and advice provided had been understood by the many businesses seeking advice. Whilst a small number of enforcement actions in terms of prohibition notices had been carried out, it was known from surveys of businesses that were undertaken that the support given had been very welcomed. Mr Murphy advised he would present feedback from those surveys in his end of year report.

As the work carried out by the Food and Health and Safety Team had primarily been focused on Covid compliance, Councillor Chris Turrell asked to what extent had it been possible for the Team to carry out other visits, what other more normal issues had arisen, and how proactive had it been possible to be in these circumstances. Mr Murphy advised that in relation to health and safety the service had worked with the Health and Safety Executive (HSE) to look at specific and targeted areas based on audits and an intelligence-led footing. However, during this period that programme had not been in place and would be reintroduced in due course with the HSE as a key partner. The service had continued to deal with the normal health and safety accident notifications that had come in and investigated them appropriately. In many ways more health and safety visits had been undertaken than ever, particularly in relation to Covid because although the Covid advice was there and rooted in public health controls, much of it was around the protection of staff and the investigation of outbreaks in work places as well. In relation to the food safety element, monitoring continued, in particular for new businesses opening up and enquiries that had come in had continued to be dealt with. Mr Murphy added that he hoped to report back in June as to how the recovery process would be started for both food and health and safety.

Councillor John Porter asked how the health and wellbeing of Officers had been monitored during Covid especially with the increased workload. Mr Murphy said the issue of health and wellbeing overall in all organisations had been more challenging with so many people working at home. A constant routine of trying to keep staff updated had been undertaken with explanations, staff bulletins and briefings and team meetings to explain some of the decisions that had been made and the process around priorities. It had been an extremely busy time and a lot of work had fallen to particular groups, for example in relation to groups dealing with compliance work. Volunteers had been sought from across the service to make sure that a lot of the out of hours and weekend work was on a rota so that no-one was working too many days or too many hours throughout a particular period. The issue of health and safety as people looked towards a new way of

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working in the future and how support was provided to staff would be kept under constant review.

Councillor John Harrison said it was worth noting that staff working for the Councils through the PPP had risen to the challenge over the past year with a huge amount of Covid related work on top of usual business and he expressed his thanks on behalf of Bracknell Forest Council and asked for those thanks to be passed on to all staff in the Partnership.

Councillor James Cole echoed the thanks to the team on behalf of West Berkshire Council. He asked whether the demand levels on the PPP were expected to drop at the end of the Government's road map. Mr Murphy said there had been a cycle of lockdown related enquiries over the past 12 months but these had stabilised in January but at each stage there had been a cause and effect. For example, in March 2020 when tips had been forced to close, there had been a number of bonfire complaints, domestic noise nuisance complaints and enquiries from businesses for whom all of this was unfamiliar territory. Then came periods of lower numbers of enquiries. However when rule changes were introduced later in the year this had led to an increase again in enquiries. The service was now anticipating another significant rise in enquiries and the need for risk assessments as restrictions eased in May and June, similar to when in December the 'substantial meal' debate had led to an increase in enquiries. The service had seen around a 30% increase in enquiries during these periods which had fortunately coincided with a decrease in enquiries in other areas. Mr Murphy stated that he could not answer the question with a great deal of certainty but he suspected that there would be more rule and guidance changes for the foreseeable future. There could be resource issues when the Councils moved into the full recovery phase and potentially funding could dry up.

Councillor James Cole requested more detail on feedback from the victims of fraud that the PPP had been able to help. He also commented that initially there had been some issues with engaging on social media but that this seemed to have been resolved and social media communication now appeared to be having an impact on awareness around fraudulent behaviour. In relation to the service response to fraud, Mr Murphy said that a few years ago a Support Officer had been introduced for victims of fraud which was funded by the Proceeds of Crime monies. That role had developed over time and become successful in support of fraud victims by helping them recover some of their losses and in preventing further losses. This related to traditional scam mailings as well as online fraud and telephone frauds by for example fitting call blockers. In addition, the service had recently been awarded doorbell cameras that could be fitted as part of the response to doorstep fraud. Some substantial sums had been recovered, for example £10K and £19.6K had been recovered for residents.

The lessons learnt around the serious impact of financial fraud and financial abuse meant that a lot of work was now undertaken with social services safeguarding teams and other providers to try and get support for victims. Mr Murphy added that the service would be teaming up with the police to do pro-active patrol work to try and identify potential perpetrators as well as to protect the interest of local businesses who were also victims of fraud. In relation to social media, Mr Murphy said that the PPP had put out a lot of information which had also been picked up by local media, including local radio by way of interviews and campaigns, more of which detail was contained in the report.

Councillor John Porter commented that Covid 19 had put many pressures on society as a whole and many residents and business had relied on the PPP to give correct advice and take appropriate action where breaches had occurred. The PPP had shown great resilience during Covid and Officers had shown great adaptability and had provided a mighty machine that Members, residents and business should be very proud of.

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Councillor Porter asked Mr Murphy to thank Officers on behalf of Members, residents and business within Bracknell Forest Council for their dedication and hard work.

Councillor Parry Bath added his personal thanks to Mr Murphy and the team for their hard work and forbearance in challenging times.

RESOLVED that:

- **The role PPP are playing across the Councils with respect to Covid-19 response be noted.**
- **The status of non-Covid related service delivery including the Q3 performance report be noted.**
- **A further update be received at the June 2021 meeting on progress and priorities for 2021/22 including recovery.**

33 PPP DEFRA Grant Funded Air Quality Project

The Committee considered the report (Agenda item 7). The report set out the details of the Air Quality Project proposed by the PPP for which West Berkshire Council (on behalf of the Partnership) had been awarded £259,406 from the Department of Environment, Food and Rural Affairs.

Anna Smy, Strategic Manager, West Berkshire, presented the report which included a copy of the air quality newsletter which set out the work the team were doing, which they had continued to deliver during lockdown. Lockdown had presented an opportunity to look at the impact that changes in traffic levels had during this time. The team were looking to reflect on what lessons could be learned from this by liaising with Highways Officers around traffic flow. The team were currently expanding the details of the project plan and looking to submit a report to the West Berkshire Procurement Board before looking at a supplier for the monitoring equipment which made up about 50% of the budget that had been awarded. In addition, there was funding for an Officer to support the service in delivering significant elements of the work. The Officer would be supported by colleagues in the Environmental Quality Team. The Joint Management Board would be updated on progress and there would be a Project Board with input from each authority.

Ms Smy advised Members that air quality across all three areas was generally good though there were localised areas where the pollutant nitrogen dioxide had been identified as above the Government's air quality objective and it had been necessary to declare air quality management areas. The action plans which had resulted from this provided cross-Council solutions to improve the local air quality and due to their locations, they were also focused on traffic and vehicle related measures. The grant would enable the group to look beyond the existing scope and monitoring to contribute to the wider national strategy as well as local issues.

Ms Smy advised that the purpose of the project was to understand the true picture of the pollutant PM2.5 which included tyre debris and brake dust and which was 200 times smaller than a grain of sand. Ms Smy added that PM2.5 could be breathed in and get lodged in the lungs as well as travel to other organs in the body. Pollutant levels nationally had been relatively stable since 2009, e.g. nitrogen dioxide had naturally decreased due to improved vehicles and greener fleets but PM2.5 had plateaued.

Currently, only indicative maps were available to help assess the implications across the area which suggested the highest levels of exposure were between 11 and 12 micrograms per metre cubed compared to the WHO goal of 10 micrograms as an exposure level. Ms Smy clarified that the purpose of the grant as stated by DEFRA was to provide support to develop and/or implement measures that delivered air quality benefits in the near future (one to two years). The project would focus on developing

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solutions over the longer term by increasing awareness to encourage behavioural changes. Specifically, projects should contribute to reductions in air pollutant emissions and/or concentrations in areas in current and projected volumes. Appendix B further outlined the areas the project would cover including competitions in schools, building on work that was already in place for anti-idling, promotional work and information and idling projects. The project presented an opportunity to tackle air quality issues before required to do so by the Environment Bill and gave a clear baseline position which could support Transport Planning Teams, Public Health and other teams to approve the appropriate services to protect residents and businesses in the area.

Councillor Parry Bath thanked Ms Smy for the report.

Councillor Chris Bowring asked what effect on levels of pollution electric vehicles would have as they became more available and replaced petrol and diesel vehicles. Ms Smy said that with regard to nitrogen dioxide it was predicted that as more electric vehicles were in use the levels would start to drop off, but pollutants such as PM2.5 would remain an issue as there were a lot of other contributing sources such as sea salt which were not traffic related. Councillor Bowring also asked whether it would be a useful statistic to have as to how many electric vehicles were being used. Ms Smy said traffic breakdown was only looked at in terms of HGV's, cars and motorbikes but there were companies that estimated nationally what percentage of the fleet was electric and that figure could be applied locally to give a rough estimate but there was no specific data.

Councillor Hilary Cole commented that the more work that could be done in schools with children would help to effect the behavioural change that the project was seeking to achieve.

Councillor John Harrison asked for clarification in the report that the health impact of the project was considered a 'neutral area'. Ms Smy said this was a neutral area because there would be some health benefits hopefully arising from improvements made as a result of the project but there might also be a negative impact if it was identified that it was PM2.5 affecting the health of some people for which improvements could not be made. The negative aspect might come from identifying that levels were above the national objective and the project was unable to affect change, particularly if the pollutants were naturally occurring and beyond the project's control.

Councillor John Porter praised the Officers for securing the grant which would hopefully see an improvement in air quality and thanked the Officers for their hard work.

Councillor Chris Turrell noted that the Downshire Way monitoring equipment had been turned off due to roadworks and asked whether all other monitoring had continued uninterrupted throughout 2020/the pandemic giving a clear picture of NO2 levels. Ms Smy confirmed that the four NO2 data graphs related to the continuous monitoring units which were in place in addition to around 120 other locations where levels were monitored for monthly data which backed up the data from the continuous monitoring units.

Councillor James Cole said his understanding of the report was that it felt like a success to the benefit of all three Councils. Ms Smy agreed and said the project would work with schools across all three areas, obtain data across all areas and work together with the one air quality team across each area. There were separate Highways Teams and Transport Teams but learning and best practice would be drawn from all of these to learn what worked well in support of the work undertaken by the Air Quality Project Team.

RESOLVED that the report be noted.

34 The Future of the Public Protection Partnership - Outline response to Wokingham Borough Council's Executive Decision

The Committee considered the report (Agenda item 8). The report was presented by Paul Anstey, Head of Public Protection and Culture, and outlined the response of West Berkshire Council and Bracknell Forest Council to the paper presented by the Chief Executive of Wokingham Borough Council recommending that all functions currently governed through the Joint Public Protection Committee (JPPC) and delivered by the Public Protection Partnership (PPP) would be brought back in-house to Wokingham.

The report set out the work that needed to be done and provided some context and scale as to the financial implications. Mr Anstey said the three Councils were working in partnership to make this a positive experience though it was inevitable there would be discussions in the future where there might be slight differences of opinion. There were risks associated within the process and the timescales for this were important to adhere to in order to cause minimum disruption to all parties and hopefully minimise all risks that had been identified as a result of the decision. The outcome of the process would be to define the terms of how Wokingham wanted to operate their service and to make sure West Berkshire and Bracknell were clear in their position about how they wished the Partnership to move forward beyond the time at which Wokingham exited.

The report aimed to clarify that communications and relationships in managing the process were strong and clear and that communication to the staff was going to be imperative to the success of the service in the longer term. Mr Anstey said that further papers would be circulated in relation to project planning, the staff involved in the project and also to make sure that the project managed and mitigated any of the 'business as usual' risks in due course.

Councillor John Harrison commented that from the perspective of Bracknell Forest Council the decision was not unexpected and that Bracknell had full confidence in the staff of the PPP and in the common sense of having the Partnership structure. Councillor Harrison added that it was unfortunate staff would have to go through a period of uncertainty but common sense and goodwill on all sides would lead to a resolution of any issues.

Councillor Hilary Cole said West Berkshire were disappointed that Wokingham were leaving the Partnership but understood the reasons why and agreed the need to work together to make the transition as smooth as possible for all three Councils and believed the six month transition period was sufficient to enable this to happen.

Councillor James Cole noted there was a lack of detail in Wokingham's budget of £500K in terms of actual cost and asked whether that figure was likely to be adequate. Mr Anstey said the process as mapped out in the agreement, was to establish what were termed as direct losses and the management of the costs from staffing levels, equipment and accommodation through to any organisational change in project support and sought to identify costs that could be reduced or mitigated now to prevent future or increased losses further down the line. In addition there was a need to identify if there were sensible ways of manoeuvring in terms of organisational change as staffing was a fairly significant cost in the overall balance of the budget for PPP. Flexibility was needed as to where there were staff that could be reasonably redeployed across the three authorities based on the requirements that Wokingham put forward in terms of what kind of service they choose to offer in the future. Mr Anstey said the report gave an indicative cost based on similar projects. The working assumption was that the project could proceed in the six month period but as has been demonstrated in other complex projects sometimes the timeframe was exceeded which might influence costs.

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Councillor John Porter also felt it was a shame Wokingham had decided to leave the PPP and added that Bracknell Forest believed in the PPP which provided a great efficiency to all residents and businesses and remained fully behind the Partnership and looked forward to continued working with West Berkshire to maintain that great service.

RESOLVED that the report be noted.

(The meeting commenced at 4.00pm and closed at 5.06pm)

CHAIRMAN

Date of Signature