

# JOINT PUBLIC PROTECTION COMMITTEE

## Minutes of the meeting held on Monday, 13 SEPTEMBER 2021

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

**Present:** Hilary Cole, John Harrison, Rick Jones, John Porter and Bill Soane

**Also Present:** Paul Anstey (Head of Public Protection and Culture), Rosalynd Gater (Team Manager - Commercial), Sean Murphy (Public Protection Manager), Eric Owens (Service Director - Development & Regulation) and Anna Smy (Strategic Manager - Response), Stephen Brown (Wokingham Borough Council), Stephen Chard (Democratic Services Manager), Kevin Gibbs (Bracknell Forest Council) and Damian James (Chair of the PPP Joint Management Board)

**Apologies for absence:** Councillor Barrie Patman (Wokingham Borough Council)

**Absent:**

## PART I

### 1 Minutes

The minutes from the 14<sup>th</sup> June 2021 were approved as a true and accurate record and signed by the Chairman.

### 2 Declarations of Interest

There were no declarations of interest received.

### 3 Notice of Public Speaking and Questions

No public questions were received.

### 4 Forward Plan

**RESOLVED** that the Forward Plan be noted without alterations.

### 5 PPP Revenue Budget including Fees and Charges 2022/23 (JPPC4066)

Sean Murphy, Public Protection Manager, introduced the report which set out the draft revenue budget for 2022/23 including fees and charges and to seek approval for the draft budget and draft fees and charges schedule prior to submission to Bracknell and West Berkshire Councils in accordance with the Inter-Authority Agreement (IAA).

The report was based on the arrangements after Wokingham leaving and an assumption of a 1.5% cost of living rise this year and 2% year after.

The report included a proposed budget increase for Environmental Health as the workload had increased in this area significantly; three additional staff posts were requested.

Since the paper was written, the government had announced a National Insurance increase. This was estimated to translate to £30,000 of funding to be included in future budgets.

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The implementation of the new database covering all areas of fees and charges, which was scheduled to go live in April 2022, should bring efficiencies for the licencing applications process.

Over the last year, there had been an increased number of taxi liaison meetings and the team had taken on board comments such as the suggestion to absorb some costs into the licencing costs, rather than charging extra fees.

Councillor John Porter asked for clarification on the reasoning behind the private hire fees. He had been expecting a greater reduction in fees although he was glad to see that some training would be included in the fees. It was clarified that the fees took account of the fact that the trade mostly wanted the fee to be inclusive. While the fee had not gone down, there were minimal additional fees. A few were not included e.g. first aid training, as it was arranged through an external provider, but this might change in the future. Overall, it was confirmed that drivers would pay less.

Councillor Porter queried whether a similar overhaul would be carried out for street traders. It was explained that the team had not had an opportunity to have a public consultation as yet. The plan was to conduct consultations over the next year with a view to changes coming in 2023-24.

Councillor John Porter pointed out that the difference between authorities in the report was significant (West Berkshire charged just under £1400 per year but Bracknell Forest charged £14000+ for 6 months). Could any changes be brought in for the coming year?

Sean agreed that it would be possible to have a look at these charges before they went before Licensing Committees but the higher fee for Bracknell was historically tied to the town centre arrangements; apart from that fee, the others were all roughly equivalent.

Councillor Hilary Cole queried the need for public consultation on fees. Anna Smy (Strategic Manager – Response) clarified that the consultation was regarding the policies rather than the fees themselves.

### **RESOLVED that:**

2.1 **Consideration had been given to** the draft revenue budget including the fees and charges set out in the report.

2.2 the new percentage split be agreed as set out in Column 3 of the table at Paragraph 5.7 to the report.

2.3 a recommendation would be made to partner Councils that the contributions set out in paragraph 5.7 (total net revenue budget of £2.642M) be approved along with the fees and charges set out in **Appendix A**.

2.4 a recommendation would be made to partner Councils that they consider the growth bids identified in paragraph 5.6 below.

2.5 the policy position in relation to monies received under the Asset Recovery Incentivisation Scheme (ARIS), approved at its meeting on the 14th March 2017, remains the policy to be applied to spend / allocation of any monies received under the scheme.

## **6 Fee Policy for Relevant Protected Sites under Caravan Sites and Mobile Homes Legislation (JPPC4067)**

Rosalyn Gater, PPP Strategic Manager, provided the Joint Public Protection Committee with an update to the Fee Policy for Relevant Protected sites, following on from the presentation of the Relevant Protected Sites Fee Policy at the December 2020 JPPC and the subsequent consultation with Licensees, and sought authority from the Committee to implement the proposed Fee Policy.

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It was clarified that “Relevant sites” were those that required licences. The council did not charge for sites with just one unit as annual inspections were not carried out on these. However, the council could conduct enforcement on unlicensed sites on ad hoc basis.

If approved, the recommendations would come in to effect in April 2022.

There was one response to the consultation regarding the switch from the fixed alteration fee to hourly rates. Based on this feedback, the policy was altered to make it easier to understand what was required.

Otherwise the policy remained the same as in December with some changes of wording for clarification and the addition of fit and proper person fees.

Councillor Hilary Cole asked for clarification of whether traveller sites were included. It was explained that the policy was for all relevant protected sites and GRT sites are included in this definition, sites that are exempt from licensing under caravan site legislation, due to their ownership, will not be included. Councillor Cole suggested that this should be explicitly clarified in the report.

Councillor Rick Jones asked for clarification for the reasons for changing from a fixed fee to an hourly fee. It was explained that the charges were being changed from a fixed fee as it was felt an hourly fee meant that the charge reflected the scale of the alteration.

### **RESOLVED that:**

1 the consultation response be noted.

2 the inclusion of the Fit and Proper Person fee in the fee policy for Relevant Protected Sites be noted.

3 the fee policy for Relevant Protected Sites be approved, with a view to implementing the fee structure from 1 April 2022;

4 The reflection of this fee structure in the Fees and Charges policy to be presented at the Sept 2021 JPPC be noted.

## **7 Public Protection Partnership Q1 2021/22 Performance Report**

Sean Murphy, Public Protection Manager, informed the Committee of the current performance of the Public Protection Partnership in line with the operating model and business plan; provided an update setting out the Service’s response to the Covid19 pandemic and an update on the work of the Case Management Unit.

It was noted that since the last meeting the country had gone in to a lower level of restrictions so less work was required in that area, but there were still some aspects of Covid measures to be managed such as quarantine hotels.

Anna Smy (Strategic Manager – Response) noted that complaint levels had remained steady although the type had varied as regulations changed. Social media interactions and use of the website to report issues had increased.

Staffing represented a potential risk; additional Covid money was being used to bring in staff to catch up on areas which took a hit during the pandemic e.g. food safety inspections. At the time, between three and five members of staff were being used for Covid recovery work and this put a strain on the department as the normal workload was being handled by less people.

Councillor Hilary Cole asked about the web form and the problems of duplicate reporting. Did people get a reference number and updates on complaints once submitted?

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In response it was explained that customers did get a reference number to quote in all correspondence. Some cases came through alternative routes or multiple individuals might have complained about a single incident e.g. noise from a pub and this could make it difficult to track who required updates. Most processes did expect officers to communicate the outcome; where it was found that this did not happen it was followed up with the officers responsible.

Councillor Cole asked for reassurance that the Partnership was providing a consistently high level of customer service.

The Chairman said that he felt the service was good but there were occasionally people dissatisfied by a lack of feedback. Improving processes to ensure duplicates were identified and followed up in future was an area for future development, perhaps by looking at technologies available for tracking issues. He recognised the service had been heavily burdened during Covid.

Councillor Rick Jones asked how pre-Covid levels of licensing applications compared to current levels? Officers explained that there was a drop in the number of license holders last year and the corresponding income those fees brought in, but there had recently been a number of people returning to the taxi industry plus several new entrants. Performance rates were holding up well; temporary support had been brought in. The team was anticipating that the Q2 figures would give some clear indications of recovery at the next JPPC.

Councillor Porter asked Sean Murphy to pass on his thanks to all the officers for their work under difficult circumstances and offered his congratulations to the officer who recently completed their MSc Environmental Health. This was seconded by the Chairman.

Qualifications was an area where the JPPC was doing well but did not always report on fully. The team had been growing their own talent through qualifications support.

### **RESOLVED that:**

1. the role the Public Protection Service was playing across the Councils with respect to Covid19 response be noted.
2. the ongoing effect of additional Covid19 related workload on the ability to perform certain functions be noted.
3. the 2021/22 Q1 performance for the Public Protection Service be noted.
4. Consideration have been given to any actions or areas of improvement for the service.

## **8 JPPC Summary Report Wokingham Exit Sept 2021**

Paul Anstey, Head of Public Protection and Culture, provided an update on the progress of the project detailing the withdrawal of Wokingham BC from the partnership in line with the requirements of the Inter Authority Agreement (IAA). He also clarified the approach being taken on 'Buy-Back', which was essentially the agreement between the Council and Wokingham to maintain a contractual relationship for elements of the public protection service and reduce the overall financial risks for all parties.

The report focused on risks to all partners involved and the putting in place of mitigation measures.

The timetable for the process was working towards 27<sup>th</sup> September for finalisation of the exit plan. Representatives from all sides had been continuing to meet to manage the transition and the team were confident of being ready to go for the new financial year.

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The Chairman emphasised the need for an arrangement that was fair to all parties to facilitate working together with neighbouring authorities on an ongoing, mutually beneficial basis.

Councillor Bill Soane thanked the partnership for their work over the years and recognised that there would be areas where it was still beneficial for boroughs to work together.

Councillor Hilary Cole thanked Paul Anstey for his work facilitating the exit process.

Councillor John Porter asked if the Buy-back arrangements would be permanent or ad hoc? It was explained that the agreement being sought would align Wokingham with the JPPC for the remainder of the term, approximately six years.

Councillor Porter asked if there were any penalty clauses if the JPPC did not meet expectations? Officers advised that the nature of the negotiations has been respectful of Wokingham’s wishes to be able to hold the JPPC to account as a contracted service with minimal organisational change. Discussions could be escalated if issues arose with the meeting of KPIs. The aim was to maintain a consistent service across all three areas.

Councillor Porter sought clarification that the priority would be given to Bracknell and West Berkshire i.e. there were no penalties for failing to meet Wokingham’s KPIs which might motivate priorities to focus there. Reassurance was given that checks and balances would be built in to ensure everyone’s needs were met.

**RESOLVED that:** the principles of ‘Buy-Back’ be supported and that it would be recommended that each partner authority approves the draft heads of terms through their most appropriate governance route.

*(The meeting commenced at 7.00 pm and closed at 8.20 pm)*

**CHAIRMAN** .....

**Date of Signature** .....