

## Notice of Meeting

# Joint Public Protection Committee

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

**Monday, 13th September, 2021 at 7.00 pm**

Venue: Wokingham Borough Council, Shute End,  
Wokingham, RG40 1BN (<https://youtu.be/D2oZoiINdf0>)

**To:** Councillors Hilary Cole (West Berkshire Council), John Harrison (Bracknell Forest Council), Rick Jones (West Berkshire Council), Barrie Patman (Wokingham Borough Council), John Porter (Bracknell Forest Council) and Bill Soane (Wokingham Borough Council)

### Part I

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1 <b>Apologies</b>	1 - 2
2 <b>Minutes</b> To approve as a correct record the Minutes of the meeting of this Committee held on 14 June 2021.	3 - 6
3 <b>Declarations of Interest</b> <i>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.</i>	7 - 8
4 <b>Notice of Public Speaking and Questions</b>	9 - 10

## Public Protection Partnership Agenda - Monday, 13 September 2021 (continued)

To note those agenda items which have received an application for public speaking.

A period of 30 minutes will be allowed for members of the public to ask questions submitted under notice.

The Partnership welcomes questions from members of the public about their work.

Subject to meeting certain timescales, questions can relate to general issues concerned with the work of the Partnership or an item which is on the agenda for this meeting. For full details of the procedure for submitting questions please contact Democratic Services.

- 5 **Forward Plan** 11 - 14  
To detail future items that the Committee will be considering.

### Items to Execute Council Functions

- 6 **PPP Revenue Budget including Fees and Charges 2022/23 (JPPC4066)** 15 - 48  
*Purpose: To 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).*
- 7 **Fee Policy for Relevant Protected Sites under Caravan Sites and Mobile Homes Legislation (JPPC4067)** 49 - 62  
*Purpose: To provide 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 to seek authority from the Committee to implement the proposed Fee Policy.*

### Items to Execute Executive Functions

- 8 **Public Protection Partnership Q1 2021/22 Performance Report** 63 - 84  
*Purpose: To inform the Committee of the current performance of the Public Protection Partnership in line with the operating model and business plan, provide an update setting out the Service's response to the Covid19 pandemic and an update on the work of the Case Management Unit.*
- 9 **JPPC Summary Report Wokingham Exit Sept 2021** 85 - 94

**Public Protection Partnership Agenda - Monday, 13 September 2021** *(continued)*

*Purpose: To provide 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).*

*To clarify the approach being taken on 'Buy-Back', which is 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.*

**Contact Officer:**

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JPPC – 13 September 2021

## **Item 1 – Apologies for absence**

Verbal Item

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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**

**Monday, 14 JUNE 2021**

**Council CHAMBER COUNCIL OFFICES MARKET STREET NEWBURY**

**Present:** Graham Bridgman (Substitute) (In place of Rick Jones), Hilary Cole, John Harrison, Barrie Patman, John Porter and Bill Soane

**Also Present:** Rosalyn Gater (Team Manager - Commercial), Sean Murphy (Public Protection Manager) and Anna Smy (Strategic Manager - Response),

**Apologies for absence:** Councillor Rick Jones

### **PART I**

#### **35 Election of the Chairman for the 2021/22 Municipal Year**

Councillor Cole nominated Councillor Harrison, this was seconded by Councillor Porter. The Committee voted to appoint Councillor Harrison as Chairman for the 2021/22 Municipal Year unanimously.

Departing Chairman Councillor Bath thanked everyone for their support over the previous year.

#### **36 Election of the Vice Chairman for the 2021/22 Municipal Year**

Councillor Harrison nominated Councillor Cole, this was seconded by Councillor Bridgman.

The Committee voted to appoint Councillor Cole as Vice Chairman unanimously.

#### **37 Minutes**

The minutes from the meeting held on 31st March 2021 were accepted and signed as a true and accurate record of the meeting.

#### **38 Declarations of Interest**

There were no declarations of interest declared.

#### **39 Notice of Public Speaking and Questions**

No public questions were received.

#### **40 Forward Plan**

Item 7 JPPC4068 PPP Private Sector Housing Policy to be deleted from the plan.

#### **41 Public Protection Partnership Q4 Performance Report 2020/21 and Covid-19 Response Update (JPPC4061)**

## JOINT PUBLIC PROTECTION COMMITTEE - 14 JUNE 2021 - MINUTES

Sean Murphy presented an annual performance summary of the Public Protection Service as well as providing an update setting out the Service's response to the Covid-19 pandemic.

Councillor Bridgman noted the stated uses for the overspend being carried forward i.e. covering possible shortfalls in income and funding Covid recovery staffing and queried:

- 1- What efforts had been made to bid for government income shortfall grants? Officers responded by noting that some had been claimed the previous year; but as the lost income for the current year was not yet known bids had not as yet been submitted.
- 2- Sought assurance that the increased spend was subject to the proper checks and balances. It was explained that this role was delegated to the Joint Management Board which was accountable to this committee. This issue was regularly reviewed.

Councillor Soane asked whether there was a breakdown of the shortfall on food inspections by borough. *Sean Murphy said that there was and it can be supplied if required. The shortfall/ backlog was fairly uniform across all three local authority areas.*

The Committee **NOTED** the role the Public Protection Service played across the Councils with respect to Covid19 response.

The Committee **NOTED** the 2020/21 Q4 update and 2021/22 performance outturn for the Public Protection Service.

The Committee **RESOLVED** to receive a further update at its September 2021 meeting on progress on both the Covid19 response and associated 2021/22 performance.

The Committee **RESOLVED** that the 2020/21 revenue budget underspend be carried forward into the 2021/22 Financial Year.

### 42 **Public Protection Partnership Priorities 2021 to 2023 (JPPC4062)**

Sean Murphy presented the proposed priorities for the Public Protection Service for 2021 to 2023 and sought agreement that the priorities identified in this report form the basis of our Covid recovery plan.

It was recommended that the Committee consider the 2021/23 Priorities Document and **RESOLVED** that:

- The overarching themes identified in the Inter Authority Agreement (IAA) and set out at Appendix C remain relevant and should be retained;
- The functional priorities and cross cutting priorities set out at Appendix D inform service delivery for the years 2021/22 and 2022/23 (excluding Wokingham in year 2);
- That the Public Protection Manager presents the Committee with an updated Control Strategy at its meeting in September 2021; and
- That delivery against the priorities be reported to the Committee as part of the regular reporting cycle and be reviewed and updated no later than June 2022.

### 43 **Fit and Proper test for Mobile Home Sites**

Rosalyn Gater presented an update to the legislation requiring owners or those in charge of mobile home sites to apply to the Local Authority to be placed on a Fit and Proper Register under The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020.



## JOINT PUBLIC PROTECTION COMMITTEE - 14 JUNE 2021 - MINUTES

Councillor Cole queried whether this requirement would apply to traveller communities. Ms Gater confirmed that it would be provided that the site was licenced. Councillor Cole asked that this be clarified in the report.

Councillor Cole queried if there was similar legislation regarding associates of landlords of permanent buildings. Officers stated that this was not the case as it was derived from different legislation. Councillor Cole was concerned by the inconsistency.

Councillor Bridgman felt the report was not clear about what sites would be covered and what types of site the regulations would not apply to.

Councillor Bridgman queried the PPP's authority to set fees or whether they needed to be set by individual Councils. Officers noted that the *report* was referring to the methodology of the hourly charge rather than suggesting the PPP set the rates. Councillor Bridgman suggested that it would be beneficial in that case to amend the wording of the second recommendation to include the word "methodology" after the word "setting" to make it clearer. This change was agreed.

The Committee **NOTED** the role PPP have in determining the Fit and Proper test for mobile home site owners/managers.

The Committee **APPROVED** the fee setting methodology which is based on the existing framework of Fees and Charges within PPP (hourly rate).

### 44 **Communications Strategy 2021-2023**

Anna Smy presented the review and update of the previously agreed Communications Strategy April 2018 - March 2020.

The report addressed communications for the operation of the service. It acknowledged that the Public Protection Partnership would need to have consideration of the impact of Wokingham Borough Council leaving the partnership, however, it did not cover the communications around the exit plan or development of the remaining Public Protection Service. This would be addressed through a separate communications strategy.

The report detailed how the Strategy would put in place or maintain areas of ongoing improvements of the service, in particular the lessons learnt from Covid and developments in ICT provisions.

Councillor Cole asked about rebranding. This needed to be looked at as a priority in the wake of Wokingham leaving the partnership. The branding was part of the Inter-Authority Agreement and that had to be decided by committee decision; this would most likely be in the November meeting.

Councillor Bridgman looked for data on licensing permissions and noted the report referred to public registers. Was there a link to the licenced premises register and would it be made easily locatable on the council websites going forward? It was noted that there had been periods when it was unavailable but that it should now be visible on the West Berkshire website and portal.

The committee **APPROVED** the updated Communications Strategy for 2021-2023.

The committee **NOTED** the range of activities and subjects to be covered by the communications plan.

### 45 **Terms of Reference**

The committee noted that the terms of reference had been updated to show that the Joint Committee was a public meeting.

**JOINT PUBLIC PROTECTION COMMITTEE - 14 JUNE 2021 - MINUTES**

*(The meeting commenced at 7.00 pm and closed at 7.50 pm)*

**CHAIRMAN** .....

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

JPPC – 13 September 2021

## **Item 3 – Declarations of Interest**

Verbal Item

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JPPC – 13 September 2021

## **Item 4 – Public Speaking and Questions**

Verbal Item

There were no questions submitted in relation to items not included on the agenda.

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## PPP Forward Plan November 2021 to September 2022

No.	Ref No	Item	Purpose	Lead Officer	Lead Member
<b>SPECIAL JPPC 01 November 2021 (West Berkshire)</b>					
1.	LC4043	Fireworks Operational Approach	To consider the approach that will be presented to West Berkshire Council's Licensing Committee on the 21 June 2021.	Anna Amy	Councillor Hilary Cole
2.	JPPC4064	Annual Air Quality Report	For information to the Committee to update on the PPP Position for 2020 with Air Quality across all 3 areas	Anna Smy	For Information Only
3.	JPPC4132	Update on the Reconfiguration of the Service including Governance Arrangements and Progress with the Withdrawal of Wokingham from the PPP	To provide members with an update on progress being made with these two projects and to consider any changes needed to the governance arrangements.	Sean Murphy	
4.	JPPC4136	Updated Control Strategy	To consider the updated strategy.	Sean Murphy	
5.	JPPC4065	Vehicle Emissions Policy	To agree a policy.	Anna Smy	
6.	JPPC4060	Public Protection Partnership - Food and Feed Plan	To agree the PPP Food and Feed Plan	Rosalynd Gater	
<b>JPPC 13 December 2021</b>					
7.	JPPC4070	Public Protection Partnership Q2 2021/22 Performance Report	To consider the Quarter 2 Performance Report	Sean Murphy/Moira Fraser/Anna Smy	
8.	JPPC4071	RIPA Policy	To agree a policy following on from the recent audit of these processes.	Sean Murphy	
9.	JPPC4139	Training and Development Plan	To agree the plan for the forthcoming year.	Toby Green	
10.	JPPC4072	CCTV Policy	To agree a policy.	Sean Murphy	

No.	Ref No	Item	Purpose	Lead Officer	Lead Member
11.	JPPC4063	Noise Policy - Annual Review	To note any changes to the Policy	Anna Smy	
12.	JPPC4131	Review of the Contaminated Land Strategies	To consider and where appropriate update the Contaminated Land Strategies for all three authorities.	Suzanne McLaughlin	
<b>JPPC 14 March 2022</b>					
13.	JPPC4073	Public Protection Partnership Q3 2021/22 Performance Report	To consider the Quarter 3 Performance Report		
<b>JPPC June 2022</b>					
14.	JPPC4087	Public Protection Partnership Q4 Performance Report	To consider the Quarter 4 Performance Report	Anna Smy/ Moirra Fraser	
15.	JPPC4088	Noise Policy - Annual Review	To note any changes to the Policy	Anna Smy	
16.	JPPC4062	Strategic Assessment and 2022/23 recovery work plan		Sean Murphy	
17.	JPPC4138	Communications Strategy 2022-2024	To consider and if appropriate agree the Strategy.	Anna Smy	
<b>September 2022</b>					
18.	JPPC4068	PPP Private Sector Housing Policy		Rosalynd Gater	
19.	JPPC4088	Noise Policy - Annual Review	To note any changes to the Policy	Anna Smy	
20.	JPPC4064	Annual Air Quality Report	For information to the Committee to update on the PPP Position for 2021 with Air Quality across the PPP areas.	Anna Smy	
21.	JPPC4134	Public Protection Partnership - Food and Feed Plan	To agree the PPP Food and Feed Plan	Rosalynd Gater	
22.	JPPC4070	Public Protection Partnership Q1 2022/23 Performance Report	To consider the Quarter 1 Performance Report.	Moirra Fraser	



No.	Ref No	Item	Purpose	Lead Officer	Lead Member
23.	JPPC4133	PPP list of Fees and Charges 2023/24	To consider the PPP list of Fees and Charges to be submitted to Bracknell Forest Council and West Berkshire Council budget setting cycle for consultation.	Sean Murphy	

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## Revenue Budget 2022/23 Including Proposed Fees and Charges Schedule

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<b>Committee considering report:</b>	Joint Public Protection Committee
<b>Date of Committee:</b>	13 September 2021
<b>Chair of Committee:</b>	Councillor John Harrison
<b>Date JMB agreed report:</b>	23 August 2021
<b>Report Author:</b>	Sean Murphy
<b>Forward Plan Ref:</b>	JPPC4066

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### 1. Purpose of the Report

- 1.1 To 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).

### 2. Recommendations

#### That the Committee:

- 2.1 **CONSIDERS** the draft revenue budget including the fees and charges set out in this report.
- 2.2 **AGREES** the new percentage split set out in Column 3 of the table at Paragraph 5.7 to this report.
- 2.3 **RECOMMENDS** to partner Councils the contributions set out in paragraph 5.7 (total net revenue budget of £2.642M) below along with the fees and charges set out in **Appendix A**.
- 2.4 **RECOMMENDS** to partner Councils that they consider the growth bids identified in paragraph 5.6 below.
- 2.5 **APPROVES** that the policy position in relation to monies received under the Asset Recovery Incentivisation Scheme (ARIS) approved at its meeting on the 14<sup>th</sup> March 2017 remains the policy to be applied to spend / allocation of any monies received under the scheme.

### 3. Implications and Impact Assessment

Implication	Commentary
<b>Financial:</b>	<p>The net revenue budget for the PPP service in 2021/22 was set at £3.876M which included the contribution from Wokingham. Without the contribution from Wokingham the net contribution would have been £2.550M</p> <p>The recommendation by Joint Management Board (JMB) is for an amended base budget, of £2.642M which takes account of changes to the salary base.</p> <p>In addition the new two authority service is seeking an increase in revenue contribution of £418K per annum. This consists of £268K contribution to maintain management capacity and £150K contribution to manage increased demand in respect of private sector housing and commercial nuisance and planning work.</p> <p>The fees and charges proposed are set out in <b>Appendix A</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.</p> <p>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.</p> <p>The PPP continues to receive additional Covid funding in 2021/22. It is estimated that the full year effect of this will be in the order of £250K. This funding is being provided by all three PPP partner authorities.</p>
<b>Human Resource:</b>	<p>If the addition investment sought in this report is approved it would result in the recruitment of an additional three officers with specialist backgrounds in housing and environmental protection. It would also mean that the service would be able to largely keep intact the current management structural arrangements in the short to medium term. Much however will depend on the disaggregation of the service as a result of Wokingham's move to an in-house service.</p>
<b>Legal:</b>	<p>The IAA that set up the Partnership effectively delegates responsibility for the strategic direction of the PPP to the Committee. The responsibilities of the committee are set out in Schedule 1 to the agreement.</p> <p>Included is the responsibility to propose a fee structure, annual budget to the Councils and agree any variations to the budget.</p>

	<p>It also has the responsibility to set out a proposal for the agreed percentage figures. The agreement requires that these should be submitted by 30<sup>th</sup> 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.</p>			
<b>Risk Management:</b>	<p>At previous meetings the Committee has been updated on risks to PPP income. The Covid19 pandemic has significantly impacted many businesses that are currently licenced by the Councils. There does now seem to be some evidence of recovery but it is too early to say what the long term effect will be PPP income levels.</p> <p>The most significant risk arises from the decision by Wokingham Borough Council to leave the shared service arrangement. These risks are being managed by the parties as part of the disaggregation process and the Committee will receive a report at the special meeting arranged for the 1<sup>st</sup> November 2021 on progress.</p> <p>The other area of significant risk relates to service recovery should we see a third wave that requires the re-imposition of business restrictions following the Step 4 easing on the 19<sup>th</sup> July 2021.</p>			
<b>Property:</b>	<p>There are no direct property implications arising from this report.</p>			
<b>Policy:</b>	<p>The Committee has responsibility for setting the strategic direction and policy of the PPP. 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.</p>			
	<b>Positive</b>	<b>Neutral</b>	<b>Negative</b>	<b>Commentary</b>
<b>Equalities Impact:</b>				
<b>A</b> Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		x		Where any decisions are made to change service provision individual impact assessments will be undertaken. There are currently no proposals to disinvest from any services already provided.

<b>B</b> Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		x		None
<b>Environmental Impact:</b>			X	The service plays a significant role in the protection of the environment including air quality, land contamination, planning considerations and enforcement of green energy claims. The proposals in this report if accepted will increase capacity in this area as will the £259K two year DEFRA grant funded project on air quality.
<b>Health Impact:</b>			X	The previous meeting of the Committee set the priorities for the service for the next two years. A significant number of these related to protecting and improving health. These included food safety and standards, health and safety, talking fraud, air quality and private sector housing. The increased resource for private sector housing if adopted would further this objective.
<b>ICT or Digital Services Impact:</b>				None
<b>PPP Priorities :</b>				Community Protection; Protection and Improving Health; Protection of the Environment; Supporting Prosperity and Economic Growth The Delivery of Effective and Improving Service Business as Usual
<b>Data Impact:</b>				None

<b>Consultation and Engagement:</b>	The fees for Taxis and Private Hire Vehicles and Private Hire operators will be subject to statutory consultation.
<b>Other Options Considered:</b>	The Councils are currently still considering their wider revenue budgets for 2022/23. Budget setting is being conducted at a time of ongoing uncertainty caused by a number of factors arising from the Covid19 Pandemic. At the time of writing neither of the Councils have indicated savings for 2022/23 for public protection related services but should any council wish to do so the approved methodology is set out at <b>Appendix B</b> to this report. The ability for this Committee to recommend a base budget for 2022/23 is not therefore impaired.

## 4. Executive Summary

- 4.1 The Inter-Authority Agreement (IAA) between the Councils sets out the functions that are delegated to the Joint Public Protection Committee (the 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.
- 4.2 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.
- 4.3 In order to deliver these functions for the Councils they are requested on an annual basis to allocate a budget to the Committee. That budget is proposed by the 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.

## 5. Preparation of the 2022/23 Budget

- 5.1 As Wokingham Borough Council have determined to exit the Partnership on the 31<sup>st</sup> March 2022 they do not form part of the 2022/23 net revenue budget. Any 'buy-back' of services by Wokingham will be treated as income and balanced against expenditure in the same way as any other income from services delivered to other parties.
- 5.2 The IAA sets the budget requirements of each authority based on the principle of 'agreed percentages'. In previous years those percentages have represented a three way split between authorities as set out in Column 2 at 5.7 below. For the purpose of the 2022/23 these have been adjusted to a two authority split set out in Column 3 of the same table. These will be kept under review as required by the IAA.
- 5.3 The proposed net revenue budget for 2022/23 is £2.441M and the agreed percentages as set out in Column 3 of Paragraph 5.7 below.
- 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 time;
- Development and impact of any efficiencies that could lead to reduced costs; and
- Consider any investment required to realise these efficiencies

5.5 The net revenue budget for 2022/23 has been calculated taking into account:

- The annual cost of living rise based on the assumption of 1.5% in 2021/21 (pay award pending) and 2% in 2022/23
- Estimated salary increases effective from the 1st April 2022
- Any pension and NI adjustments

## 5.6 Emerging Risks and Proposed Mitigation

As part of ongoing discussions at JMB, the PPP have evaluated the risks to successfully delivering the required level of service to the partner Councils. A recurring theme is the lack of management capacity and how this impacts on governance, performance and customer service. A second recurring theme is the increasing demand levels placed upon the PPP during and after the Covid response and recovery. At this stage it is important to highlight the level of investment required to ensure adequate controls are in place to minimise these risks.

The PPP has identified two areas of risk that merit a request for investment. These are as follows:

**Management Capacity:** The Committee have previously received updates on the way the PPP structure has had to adapt to the new demand profile. This has required high levels of flexibility on behalf of all the staff and has been considered a success by both the JMB and Committee.

The impact of Wokingham's termination is a loss of 34% contribution to the management team costs. It is the assessment of the JMB that reducing management by that level would have an unacceptable impact on the ability of the PPP to manage service risks. This equates to a loss of £268k per year.

Based on this assessment a growth bid of **£268k** is being submitted through the appropriate governance groups in both Bracknell and West Berkshire (split 40/60 respectively).

There are additional mitigation measures being negotiated which includes Wokingham deciding to commission some functions and services from the PPP, should this be confirmed the bid could be reduced by 1/3<sup>rd</sup> which equates to £88k, leaving £180k.



If this bid is not supported, the PPP will evaluate service risks and will make the necessary changes to the operational team structures and produce an updated service plan. The most likely outcome will be a reduction in the ability of the PPP to deliver proactive, non-fee earning, programmes in food and feed safety, planning support and reduced business support initiatives.

**Private Sector Housing and Environmental Quality:** There has been a significant increase in both the volume and complexity of work in the Private Sector Housing and Environmental Quality functions of the service. The JMB have received updates on the changing housing market and specifically the volume and nature of development leading to complex investigations. The conversion of industrial and office space to residential which then creates advice and complaint workloads for the PPP through tenants and landlords in the private lettings market. Assessment has also shown that complexity of planning related matters is increasing, due to more developer challenges, Committee decisions and how nuisance (noise, odour, light etc.) from commercial sectors have required significantly more officer time.

Based on current trends and an assessment that these issues are not a short term, the JMB propose a service investment which equates to 3 posts (exact grading and scope to be confirmed) which would cost **£150K** per annum recurring.

If this bid is not supported, the PPP will evaluate service risks and will make the necessary changes to the operational team structures and produce an updated service plan. The most likely outcome will be a reduction in the ability of the PPP to deliver a range of investigations and interventions to deal with poor standards of housing, community nuisance and subsequent increases in service complaints which require management time to respond. Support to planning matters will be affected and the level of automation in complaint investigation will have to increase i.e. standard letters and templates instead of contact with named officers.

5.7 The proposed net revenue contributions for 2022/23 are as follows:

<b>Proposed Budget 2022/23</b>				
<b>Authority</b>	<b>21/22 Budget</b>	<b>22/23 Percentage</b>	<b>Proposed Budget</b>	<b>Proposed Pressure Bid</b>
<b>Bracknell Forest</b>	£1,001,000	39.25%	£1,037,320	£170,000
<b>West Berkshire</b>	£1,549,110	60.75%	£1,605,390	£248,000
<b>Wokingham</b>	£1,326,470	0%		
<b>Total Budget</b>	£3,876,580	100%	£2,642,710	£418,000

5.8 This means that with inflation and adjustments the budget has increased by £93K (excluding pressure bids) 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

- 5.9 At the Committee meeting on the 7<sup>th</sup> 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 B.

## 6. Fees and Charges

- 6.1 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 recharges (as per Council budget build processes) and the current establishment lists were updated which resulted in a new rate of £59 p/h. Given the uncertainty of the staffing changes for 2022/23 it is proposed to maintain the hourly rate at £59p/h for 2022/23 and conduct a full review once the structure is settled.
- 6.2 Existing discretionary fees and charges have been reviewed and are now largely aligned across the Bracknell and West Berkshire with a few exceptions, the most notable of which is street trading consents which reflects the fact that Bracknell Town Centre is notably a different profile to West Berkshire.
- 6.3 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.
- 6.4 The most significant issue this year has been the introduction of the new single system for premises and licences. This will be in place by the 1<sup>st</sup> April 2022 and will improve efficiency in the licensing administration process by allowing on-line applications and automated reminders at key times. It will also allow for on-line payments at the time of application which will significantly reduce the amount of invoicing. The cost recovery aspect of the fees has been considered in this context and consequently a number of discretionary fees have been reduced.
- 6.5 The PPP has also sought to review some of the additional fees that the taxi and private hire trade asked the PPP to consider through the liaison meetings. Having reviewed the fees for drivers a reduction for drivers has been proposed, based on the efficiency gains from the single system efficiency. This has enabled the incorporation of the fees for safeguarding and disability awareness training into the driver licence fee for only a small increase in overall cost. The plan is to deliver this training in house.
- 6.6 The total lost revenue budget from these adjustments will be in the order of £60K per annum. This is a saving that will be passed on directly to the licence holders. This loss of income will be managed through the reconfiguration process for the new two authority Public Protection Service.

- 6.7 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 for the Licensing Committees to determine as these are local matters. Statutory consultations for taxi and private hire vehicles and private hire operator fees would be conducted as a matter of course

## 7. Capital Investment

- 7.1 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. The repayment amounts £5,800 p.a. for Theale and £37,150 p.a. for the single system.

## 8. Concluding Observations

- 8.1 It is a key responsibility for the 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.
- 8.2 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 PPP 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 paragraph 5.7.
- 8.3 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.
- 8.4 The recommendations aim to meet the requirements of the IAA, the approved priorities plan and current indicated budget position of the partners.

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## 9. Appendices

- 9.1 Appendix A – Draft Fees and Charges 2022/23
- 9.2 Appendix B - Agreed Methodology for Localised Service Disinvestment

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## 10. Background Papers:

- 10.1 PPP Priorities 2021/23 [Report Format for Select Committee Meetings \(westberks.gov.uk\)](https://www.westberks.gov.uk)
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**Is the Report Subject to Call-In:**

Yes:      No: X

The item is due to be referred to Council for final approval

Delays in implementation could have serious financial implications for the Council

Delays in implementation could compromise the Council's position

Considered or reviewed by Overview and Scrutiny Management Committee or associated Task Groups within preceding six months

Item is Urgent Key Decision

Report is to note only

**Wards affected:** All Wards

**Officer details:**

Name:            Sean Murphy  
Job Title:        Public Protection Manager  
Tel No:           01635 519840  
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# PROPOSED FEES AND CHARGES 2022/2023

The Public Protection Partnership (PPP) provides chargeable services on behalf of two authorities, Bracknell Forest Council and West Berkshire Council.

Fees effective from 1 April 2022

Please Note:

- All Statutory Fees and those linked to national schemes are based on fees published on 16th August 2021 and may be subject to change by Central Government or the management of the schemes.
- The Hourly rate is **£59ph** for 2022/23, if there is a minimum number of hours or it is capped it is indicated in the text below.
- Class A Statutory Fees are marked with **Pale Gold** and Class B Discretionary Fees are headed **Blue**
- There are some additional fees which will be due when making an application, these listed separately (if known) and with a note if varied amounts
- If you have any questions regarding the fee amount please complete

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## LICENCES, REGISTRATIONS AND CONSENTS

### Pre Application Advice

We provide chargeable pre-application advice for the following licenses and consents:

License/Consents	Published 2021/22 Fee	Proposed 2022/23
Gambling Act	£59ph	£59ph
Licensed Premises Notifications	£59ph	£59ph
Licensing Act 2003	£59ph	£59ph
Scrap Metal	£59ph	£59ph
Sex Establishments	£59ph	£59ph
Skin Piercing & Dermal Treatments	£59ph	£59ph
Street Trading Consents	£59ph	£59ph

### Animal Licences

Animal Licences – (Class A – Fee Discretionary)			
*The granting fee includes initial inspection and mid-term inspection totalling 4 hours (unless stated differently). Inspections required beyond this due to additional visits, aborted visits will be charged at an additional fee **Additional vets fee payable		Published 2021/22 Fee	Proposed 2022/23
NEW - Animal Boarding Establishment - combined (dogs and cats)	Application Fee	£236	£177
	Granting Fee	£354	Minimum 4 hours at £236*
	Total Fee (minimum)	£590	<b>£413 minimum</b>
RENEWAL - Animal Boarding Establishment - combined (dogs and cats)	Application Fee	£177	£148
	Granting Fee	£354	Minimum 4 hours at £236*
	Total Fee (minimum)	£531	<b>£384 minimum</b>

NEW - Animal Boarding Establishment - single species (dogs or cats))	Application Fee	£177	£118
	Granting Fee	£295	Minimum 4 hours at £236*
	Total Fee (minimum)	£472	<b>£354 minimum</b>
RENEWAL - Animal Boarding Establishment - single species (dogs or cats))	Application Fee	£177	£89
	Granting Fee	£295	Minimum 4 hours at £236*
	Total Fee (minimum)	£472	<b>£325 minimum</b>
NEW - Home boarder (midterm inspections to be charged in addition to revisits and aborted visit charges)	Application Fee	£118	£118
	Granting Fee	£153.85	Minimum 2 hours at £118*
	Total Fee (minimum)	£271.85	<b>£236 minimum</b>
RENEWAL - Home boarder (midterm inspections to be charged in addition to revisits and aborted visit charges)	Application Fee	£118	£89
	Granting Fee	£123.85	Minimum 2 hours at £118*
	Total Fee (minimum)	£241.85	<b>£207 minimum</b>
NEW - Home Boarder - Franchisee arrangers licence (excludes inspection fee per host)	Application Fee	£147.50	£118
	Granting Fee	£59	Per inspection at hourly rate
	Total Fee (minimum)	£206.50	<b>£118 + host inspection fee</b>
RENEWAL - Home Boarder - Franchisee arrangers licence (excludes inspection fee per host)	Application Fee	£118	£89
	Granting Fee	£59	Per inspection at hourly rate
	Total Fee (minimum)	£177	<b>£89 + host inspection fee</b>
Assessment of hobby host as part of a franchisee licence	Host inspection fee	£118	£118
NEW - Dog Day Care	Application Fee	£236	£177
	Granting Fee	£354	Minimum 4 hours at £236*
	Total Fee (minimum)	£590	<b>£413 minimum</b>
RENEWAL - Dog Day Care	Application Fee	£177	£148
	Granting Fee	£354	Minimum 4 hours at £236*
	Total Fee (minimum)	£531	<b>£384 minimum</b>

NEW - Dog Breeding Establishment (**excluding vet fee)	Application Fee	£236	£177
	Granting Fee	£354	Minimum 4 hours at £236*
	Total Fee (minimum)	£590	<b>£413 minimum</b>
RENEWAL - Dog Breeding Establishment	Application Fee	£177	£148
	Granting Fee	£354	Minimum 4 hours at £236*
	Total Fee (minimum)	£531	<b>£384 minimum</b>
NEW - Dog Breeding Establishment (in domestic dwelling)(**excluding vet fee)	Application Fee	£177	£118
	Granting Fee	£295	Minimum 4 hours at £236*
	Total Fee (minimum)	£472	<b>£354 minimum**</b>
RENEWAL - Dog Breeding Establishment (in domestic dwelling)	Application Fee	£118	£89
	Granting Fee	£295	Minimum 4 hours at £236*
	Total Fee (minimum)	£413	<b>£325 minimum</b>
NEW - Pet Vending / Sale of pets	Application Fee	£177	£118
	Granting Fee	£295	Minimum 4 hours at £236*
	Total Fee (minimum)	£472	<b>£354 minimum</b>
RENEWAL - Pet Vending / Sale of pets	Application Fee	£118	£89
	Granting Fee	£295	Minimum 4 hours at £236*
	Total Fee (minimum)	£413	<b>£325 minimum</b>
NEW - Animal for Exhibition	Application Fee	£236	£177
	Granting Fee	£354	Minimum 4 hours at £236*
	Total Fee (minimum)	£590	<b>£413 minimum</b>
RENEWAL - Animal for Exhibition	Application Fee	£177	£148
	Granting Fee	£354	Minimum 4 hours at £236*
		£531	<b>£384 minimum</b>



Riding Establishment - Inspections are carried out annually, regardless of the star rating or length of licence, by a qualified Veterinarian Officer. <b>**Vets fees will be recharged separately.</b>			
NEW - Main inspection fee, plus fee per horse ( <b>**excluding vets fee</b> )	Application Fee	£177	£118
	Renewal Fee	£295	Minimum 4 hours at £236*
	Total Fee (minimum)	£472	<b>£354 minimum**</b>
RENEWAL - Main inspection fee, plus fee per horse ( <b>**excluding vets fee</b> )	Application Fee	£118	£89
	Renewal Fee	£295	Minimum 4 hours at £236*
	Total Fee (minimum)	£413	<b>£325 minimum**</b>
Fee per horse, for the first 10 horses		£15	£15
Fee per horse, for next 11-50 horses		£10	£10
Fee per horse, for every horse 51 & over		£8	£8
<b>Other Fees</b>			
Additional mid licence visit			£118
Variation to the licence fee (inclusive of one visit)		£224	£177
Replacement licence fee (lost or stolen paperwork, change of name, etc.)		£59	£30
Re-evaluation of star rating (inclusive of one visit)		£112	£118
Transfer due to death of licensee	Admin cost	£56	£30

## Wild Animals and Zoos

Wild Animals & Zoos	Duration	Published 2021/22 Fee	Bracknell Forest Proposed 2022/23	Published 2021/22 Fee	West Berkshire Proposed 2022/23
<b>Dangerous Wild Animal Consent</b>	2 years	N/A	N/A	£460.00	N/A
<b>Dangerous Wild Animal Consent – New (** excluding vets fee)</b>	2 years	£489.00	£472	N/A	£472
<b>Dangerous Wild Animal Consent - Renewal</b>	2 years	£284.00	£295	N/A	£295
<b>Zoo Licences (new &amp; renewals) Periodical inspections (** excluding Vets Fees)</b>	Up to 6 years	£2,066.00	£2065	£2,066.00	£206588

## Explosives Licences – Statutory

Description	Duration	All Council Areas
New licence for explosives below 250kg Net Explosive Content (NEC)	1 year	£111.00
	2 years	£144.00
	3 years	£177.00
	4 years	£211.00
	5 years	£243.00
Renewal of licence for explosives below 250kg Net Explosive Content (NEC)	1 year	£55.00
	2 years	£88.00
	3 years	£123.00
	4 years	£155.00
	5 years	£189.00
New licence for explosives above 250kg Net Explosive Content (NEC)	1 year	£189.00
	2 years	£248.00
	3 years	£311.00
	4 years	£382.00
	5 years	£432.00
Renewal of licence for explosives above 250kg Net Explosive Content (NEC)	1 year	£88.00
	2 years	£150.00
	3 years	£211.00
	4 years	£272.00
	5 years	£333.00
Varying the name of licensee or address of site		£37.00
Any other kind of variation		Cost Recovery
Transfer of licence		£37.00
Replacement Licence		£37.00
Full year registration for sale of fireworks (capped fee)		£500.00

## Gambling Act 2005 – Statutory

Description	Type	All Council Areas
<b>Casinos (regional)</b>	New Application	£15,000
	Provisional Statement	£15,000
	Application with Provisional Statement	£8,000
	Variation	£7,500
	Transfer/Reinstatement	£6,500
	Annual Fee	£15,000
<b>Casinos (large)</b>	New Application	£10,000
	Provisional Statement	£10,000
	Application with Provisional Statement	£5,000
	Variation	£5,000
	Transfer/Reinstatement	£2,150
	Annual Fee	£10,000
<b>Casinos (small)</b>	New Application	£8,000
	Provisional Statement	£8,000

	Application with Provisional Statement	£3,000
	Variation	£4,000
	Transfer/Reinstatement	£1,800
	Annual Fee	£5,000
<b>Bingo Clubs</b>	New Application	£3,500
	Provisional Statement	£3,500
	Application with Provisional Statement	£1,200
	Variation	£1,750
	Transfer/Reinstatement	£1,200
	Annual Fee	£1,000
<b>Betting Premises</b>	New Application	£3,000
	Provisional Statement	£3,000
	Application with Provisional Statement	£1,200
	Variation	£1,500
	Transfer/Reinstatement	£1,200
	Annual Fee	£600
<b>Tracks</b>	New Application	£2,500
	Provisional Statement	£2,500
	Application with Provisional Statement	£950
	Variation	£1,250
	Transfer/Reinstatement	£950
	Annual Fee	£1,000
<b>Family Entertainment Centres</b>	New Application	£2,000
	Provisional Statement	£2,000
	Application with Provisional Statement	£950
	Variation	£1,000
	Transfer/Reinstatement	£950
	Annual Fee	£750
<b>Adult Gaming Centres</b>	New Application	£2,000
	Provisional Statement	£2,000
	Application with Provisional Statement	£1,200
	Variation	£1,000
	Transfer/Reinstatement	£1,200
	Annual Fee	£1,000
<b>Lotteries &amp; Amusements</b>	New Application	£40
	Annual Fee	£20
<b>All licences</b>	Notification of change	£50
	Copy of licence	£25
<b>Club gaming or machine permit</b>	New Application	£200
	Existing holder	£100
	Renewal	£200
	Annual Fee	£50
	Variation	£100
	Copy of licence	£15
<b>Club Gaming or Machine Permit (holds a club Premises Certificate under Licensing Act 2003)</b>	New Application	£100
	Renewal	£100

Licensed Premises Notifications		All Council Areas
<b>To make available up to 2 gaming machines on premises which hold on-premises alcohol licence</b>	Notification of intention	£50
<b>Gaming Machine Permit (more than 2 machines) on-premises which hold on premises alcohol licence</b>	Application (existing holder)	£100
	New Application	£150
	Annual Fee	£50
	First Annual Fee (payable within 30 days of date permit takes effect)	£50
	Variation	£100
	Transfer	£25
	Change of name	£25
	Copy of permit	£15

## Hackney Carriage and Private Hire Licences

Vehicle Licences		Bracknell Published 2021/22 Fee	West Berkshire Published 2021/22 Fee	Proposed 2022/23 Fee
Hackney Carriage Vehicle – New		£290	£288	£266
Hackney Carriage Vehicle – Renewal		£290	£288	£236
Private Hire Vehicle – New		£290	£288	£266
Private Hire Vehicle – Renewal				£236
Home to school – New and renewal		£148	N/A	£148
Private Hire Vehicle with Dispensation		£290	£288	£266
Temporary Vehicle Licence	Up to 3 months	£232	£232	£236
<b>Driver Licences</b>				
Driver – New	3 year Includes initial tests, safeguarding and disability trainings	£271	£271	£301
Driver – Renewal		£271	£271	£272
Home to school – New & Renewal	3 year Includes initial tests, safeguarding	£186	N/A	£207

	and disability trainings			
Conversion of driver licence to another type	1.5hrs (inc retaking tests)	£80	£80	£89

## Private Hire Operators (PHO)

Private Hire Operator	Number of Vehicles	Published 2021/22 Fee	Proposed 2022/23 Fee
<b>NEW</b>  Per vehicle calculation of 3.5 hours (at £59.00 hourly rate) plus an hour per year (years 2-5) for first vehicle, plus 15 minutes per additional vehicle per years (years 1-5) up to a maximum of 20 vehicles (2021/22 based on 4 hours initial vehicle)	1	£472.00	£443.00
	2	£545.75	£516.00
	3	£619.50	£590.00
	4	£693.25	£664.00
	5	£767.00	£738.00
	6	£840.75	£811.00
	7	£914.50	£885.00
	8	£988.25	£959.00
	9	£1,062.00	£1,033.00
	10	£1,135.75	£1,106.00
	11	£1,209.50	£1,180.00
	12	£1,283.25	£1,254.00
	13	£1,357.00	£1,328.00
	14	£1,430.75	£1,401.00
	15	£1,504.50	£1,475.00
	16	£1,578.25	£1,549.00
	17	£1,652.00	£1,623.00
	18	£1,725.75	£1,696.00
	19	£1,799.50	£1,770.00
	20	£1,873.25	£1,844.00
20+	£1,873.25	£1,844.00	
Private Hire Operator	Number of Vehicles	Published 2021/22 Fee	Proposed 2022/23 Fee
<b>RENEWAL</b>  Per vehicle calculation of 1.5 hours (at £59.00 hourly rate) plus an hour per year (years 2-5) for first vehicle, plus 15 minutes per additional vehicle per years (years 1-5) up to a maximum of 20 vehicles (2021/22 based on 2 hours initial vehicle)	1	£342.00	£325.00
	2	£413.25	£398.00
	3	£484.50	£472.00
	4	£555.75	£546.00
	5	£627.00	£620.00
	6	£698.25	£693.00
	7	£769.50	£767.00
	8	£840.75	£841.00
	9	£912.00	£915.00
	10	£983.25	£988.00
	11	£1,054.50	£1,062.00
	12	£1,125.75	£1,136.00
	13	£1,197.00	£1,210.00
	14	£1,268.25	£1,283.00
	15	£1,339.50	£1,357.00
	16	£1,410.75	£1,431.00

	17	£1,482.00	£1,505.00
	18	£1,553.25	£1,578.00
	19	£1,624.50	£1,652.00
	20	£1,695.75	£1,726.00
	20+	£1,695.75	£1,726.00

## Other Private Hire & Hackney Carriage Charges

Other charges		Published 2021/22 Fee	All Council Areas – where applicable
Variation to PHO licence	To include reissue of licence with additional vehicle registration added plus extra fees for these for length of licence	£59	£59
Transfer of vehicle to new owner		£118	£118
Change of vehicle		£74	£74
Replacement Licence		£41	£30
Replacement Badge		£41	£30 + Badge Costs
Replacement Vehicle Licence Plate		£59	£30 + Plate Costs (£26)
Knowledge Test		£74	£74
Missed Appointment		£37	£30
Disclosure and Barring Service Check (DBS)		£67 (Bracknell Forest) £89.50 (West Berks)	£94
Advertising on a Hackney carriage - New	Bracknell Only	£47	£59
Advertising on a Hackney Carriage - Renewal	Bracknell Only	£32	£30
Change of address (PH & HC)		£14	£10.50
Backing Plate		£26	£26 at cost
Medical Exemption		£22	£30
Refund Processing Fee		£59	£30
Change of vehicle registration	Including	£57	£30 + sticker and licence costs
Age of vehicle Inspection – initial & renewal	Bracknell Only	£59	£59
Pre-application advice, hourly rate	Min 1 hour	£59	£59
Disability Awareness Training		POA	Included in driver application fee
Safeguarding Training		POA	Included in driver application fee

First aid Training	Bracknell Only	POA	
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## Hairdresser Registration (Bracknell Forest Only)

Description	Published 2021/22 Fee	Bracknell Forest Only Proposed 2022/23 Fee
Hairdresser/barber registration	£43	£30

## Licensing Act 2003 - Statutory

Premises Licence – “one off” fees set by statute based upon rateable value (RV) of premises (Class B – Statutory Fee)	PPP Areas
Band A – RV up to 4,300	£100
Band B – RV 4,300 to 33,000	£190
Band C – RV 33,001 to 87,000	£315
Band D – RV 87,001 to 125,000	£450
Band E – RV 125,001 and above	£635
Pre-application advice, hourly rate	£59
Premises Licence – Annual Fee (Class B – Statutory Fee)	
Band A	£70
Band B	£180
Band C	£295
Band D	£320
Band E	£350
Personal Licence - (Class B – Statutory Fee)	£37
Temporary Event Notices (TENS) - (Class B – Statutory Fee)	£21
Application for copy licence	£10.50
Application to vary DPS/transfer licence/interim notice	£23
Application for making a provisional statement	£315
Minor variation	£89
Application to disapply mandatory DPS condition	£23
Pre-application work, hourly rate	£59

## Petroleum Licences - Statutory

Petroleum Licences	All Council Areas
Not exceeding 2,500 litres	£45
Not exceeding 50,000 litres	£61
Exceeding 50,000 litres	£128

## Scrap Metal

Description		Published 2021/22 Fee	Proposed 2022/23 Fee
Scrap Metal site –New	3 Years	£501	£472
Scrap Metal site - Renewal	3 Years	£501	£443

Scrap Metal mobile collector - new	3 Years	£267	£236
Scrap Metal mobile collector - renewal	3 Years	£267	£207
Scrap Metal - Variation of Licence		£368	£236
Scrap Metal - change of site manager		£68	£59
Scrap Metal - copy of licence		£11	£11
Scrap Metal - Change of Name		£36	£30

## Sex Establishments - Statutory

Description	Type	All Council Areas
Sex Establishments - (Class A – Fee Discretionary)	Cinema	min £3,100 to max £5,150
	Shop	min £3,100 to max £5,150
	Entertainment Venue	min £3,100 to max £5,150

## Skin Piercing & Dermal Treatments

Description	Type	Published 2021/22 Fee	Proposed 2022/23 Fee
Skin piercing Registrations (one off registration) - (Class A – Fee Discretionary)	Individual (4hrs)	£180	£236
	Premises (5hrs)	£282	£295
	Joint application (7hrs)	£451	£423
Pre-application work, hourly rate	Min. 1 hour	£59	£59

## Street Trading Consents

Description	Type	Published 2021/22 Fee	Bracknell Forest Proposed 2022/23	Published 2021/22 Fee	West Berkshire Proposed 2022/23
Street Trading Consents - (Class A – Fee Discretionary)	Annual Fee	N/A		£1,378	£1,378
	6 months	£1,433	£1,433	£805	£805
	3 months	£876	£876	N/A	N/A
	Monthly Rate	£372	£372	£228	£228
	1 Week	£139	£139	N/A	N/A
	6 months max. 2 trading days a week incl. Fri, Sat & Sun	£859	£859	N/A	N/A
	6 months max. 2 trading days a week Mon-Thurs only	£572	£572	N/A	N/A



	Ice cream van (per van) 6 month	£717	£717	N/A	N/A
	Ice cream van (per van) 1 month	£186	£186	N/A	N/A
<b>Variation fee</b>		£91	£89	£91	£89
<b>Refund for Street Traders</b>	If application withdrawn	N/A		£116	£118
<b>Pre-application work, hourly rate</b>	Min. 1 hour	£59	£59	£59	£59

# ENVIRONMENTAL PROTECTION

## Abandoned vehicles – Statutory

Description		Bracknell Forrest Only
Removal (prescribed fee)	Less than 3.5 tonnes	£150
Daily Storage (prescribed fee)	Less than 3.5 tonnes	£20
Enforcement Disposal costs (prescribed fee)	Less than 3.5 tonnes	£75
Fixed Penalty Notice	Reduced to £120.00 if paid within 7 days	£200
Enforcement invoice costs		£77

## Anti-Social Behaviour Act

Description		Published 2021/22 Fee	Proposed 2022/23 Fee
Anti-Social Behaviour Act	High Hedges Fee (Class A – Fee Discretionary)	£1,206	£1,206

## Dog Warden Services

Description	Published 2021/22 Fee	Proposed 2022/23 Fee
Stray Dogs – not taken to kennel	£73	£73
Stray Dogs – taken to kennel	Fees based on charges & cost recovery. Vet fees separate as applicable	£73 plus Cost recovery and Vets fees separate.
Kennels cost	Recharge based on cost	Recharge based on cost
Dog fouling fixed penalty charge	£75	£75
Miscellaneous stray dog activities e.g. taxi, relocating, microchipping	Cost recovery charged at £59	Cost recovery charged at £59

## Environmental Permitting Regulations 2016 - Statutory

Scheduled Processes – (Class B – statutory Fee)		All Council Areas
Standard Process		£1,650
Service Stations (PVI & PVII)		£257
Dry Cleaners		£155
Vehicle Refinishers		£362
Mobile Screening & Crushing Plant		£1,650
Mobile Screening & Crushing Plant for the 3 <sup>rd</sup> to 7 <sup>th</sup> applications		£985
Mobile Screening & Crushing Plant for the 8 <sup>th</sup> and subsequent applications		£498
<b>Substantial changes</b>		
Standard Process		£1,050
Reduced Activities		£102
<b>Annual Subsistence Charge (Statutory)</b>		

Standard Process	Low	£772
	Medium	£1,161
	High	£1,747
Service stations PVR2	Low	£113
	Medium	£226
	High	£341
VR and other reduced fees	Low	£228
	Medium	£365
	High	£548
Dry cleaners/PVR1	Low	£79
	Medium	£158
	High	£237
Mobile Screening & Crushing Plant	Low	£646
	Medium	£1,034
	High	£1,506
Mobile Screening & Crushing Plant for 2 <sup>nd</sup> permit	Low	£646
	Medium	£1,034
	High	£1,506
Mobile Screening & Crushing Plant for 3 <sup>rd</sup> to 7 <sup>th</sup> permit	Low	£385
	Medium	£617
	High	£924
Mobile Screening & Crushing Plant for the 8 <sup>th</sup> and subsequent permits	Low	£198
	Medium	£316
	High	£473
Late payment charge	If invoice issued & not paid within 8 weeks	£52
<b>Transfer and Surrender</b>		
Transfer		£169
Partial Transfer		£497
Surrender		£0
Transfer Reduced fees		£0
Partial Transfer Reduced Fees		£47

## Private Sector Housing

Description	Published 2021/22 Fee	Proposed 2022/23 Fee
Inspection of Housing Premises for Immigration purposes (Class A – Fee Discretionary)	£402	£404
Enforcement Notices served under Housing Act 2004	£116	£118
HMO Licence NEW - assisted application	£1,204	£1180
HMO Licence RENEWAL	£805	£797
<b>Caravan Site Licences</b>		
Site licence new (plus additional fee per pitch)	£440	£443
New licence additional fee per pitch	£14	£16
Transfer of licence	£186	£187
Alteration of conditions	£341	Hrly Rate
Annual inspection fee	£14	Hrly Rate
Enforcement action -per hour	£59	£59
Deposit, vary or deleting site rules	£117	£118
<b>Mobile Homes Regulations 2020</b>		
Application Fee – Fit and Proper Test (any application taking more than two hours to process will be charged at an additional hourly rate of £59/ph or part thereof)	£118	£118
Annual Check Fee – Fit and Proper Test	£59.00/hour	£59.00/hour
Where the authority has to assist with appointing a site manager the costs will be specified in the agreement between the parties		

## Private Water Supplies (Statutory Cap)

Description		Published 2021/22 Fee	Proposed 2022/23 Fee
Risk assessment	Every 5 years. Min. charge 1 hour, simple risk assessment and report typically 5 hours	£59/hour	£59 hourly rate
Sampling	Charge for a visit, taking a sample and delivery to the laboratory. Typically 2.5 hours	£59/hour	£59 hourly rate
Private water and pool samples	Includes cost of testing	£60	£59
Investigation	Carried out in the event of a test failure, can be substituted by the risk assessment - this does not include any required analysis costs.	£109	£118
Analysis – Regulation 10	Where a supply provides <10m <sup>3</sup> /day or serves <50	£28	£28

	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.	Hourly Rate + Laboratory Costs
Analysis of Group B Parameters		Additional parameters sampled less often to ensure the water complies with all safety standards - Hourly rate applies	Hourly Rate + Laboratory Costs
Hourly charge		£59	

## Other Fees

	Hourly rate applies minimum of 2 hours	Published 2021/22 Fee	Proposed 2022/23 Fee
Environmental Information Request - Individual, Non-Commercial	Hourly rate applies minimum of 2 hours	£118	£118 minimum
Environmental Information Request - Commercial and Government	Hourly rate applies minimum of 2 hours	£118	£118 minimum
Civil Actions (Class A – Fee Discretionary)		£118	£118 minimum
Safety Certification and administration	Hourly rate applies minimum of 2 hours	£118	£118 minimum
Pre-Application Advice, hourly charge		£59	£59

# TRADING STANDARDS

## Buy with confidence

Description	Employee numbers	Published 2021/22 Fee	Proposed 2022/23 Fee
Application Fee (set nationally by Buy with Confidence scheme)	1-5 employees	£125	£125
	6-20 employees	£167	£167
	21-49 employees	£208	£208
	50+ employees	POA	POA
Annual fee (set nationally by Buy with Confidence scheme)	1-5 employees	£250	£250
	6-20 employees	£375	£375
	21-49 employees	£500	£500
	50+ employees	POA	POA
Members before 2017/18 Annual Fee (Bracknell Forest legacy members only)	1-5 employees	£125	£125
	6-20 employees	£189	£189
	21-49 employees	£252	£252

\* West Berkshire & Wokingham schemes administered by Hampshire County Council

## Primary Authority

Description	Published 2021/22 Fee	Proposed 2022/23 Fee
Primary Authority Work hourly chargeable rate	£59	£59 Hrly Rate
Annual charge - previous year usage 10 hours or less	£516	£531
Annual charge - previous year usage 20 hours	£1031	£1062
Anything likely to be in excess of 20 hours	Full recovery of costs - Individually assessed	Individually assessed

## Support with Confidence

Description	Employee numbers	Published 2021/22 Fee	Proposed 2022/23 Fee
Application fee	1-5 employees	£59	£59
	6-20 employees	£120	£120
	21+ employees	£300	£300

## Weights and Measures

Description		Published 2021/22 Fee	Proposed 2022/23 Fee
Weights and Measures Fees	Includes the cost of maintaining calibration of equipment annually (Based on ACTSO guidance)	£64	£64

## Other Fees

Description		Published 2021/22 Fee	Proposed 2022/23 Fee

Food export certificates	Full cost recovery based on hourly rate	£59	£59 minimum
Food Hygiene Rating Scheme rescore	2 hours	£118	£118
General Business Advice (Non-Primary Authority)	Hourly rate (first 30 minutes free)	£57	£59
Resident Request for Advice	Hourly rate	£57	£59

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## **APPENDIX B - Agreed Methodology for Localised Service Disinvestment**

### **1. Background**

- 1.1 The Inter-Authority Agreement (IAA) of the 6<sup>th</sup> 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.

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## FEE POLICY FOR RELEVANT PROTECTED SITES UNDER CARAVAN SITES & MOBILE HOMES LEGISLATION

<b>Committee considering report:</b>	Joint Public Protection Committee
<b>Date of Committee:</b>	13 <sup>th</sup> September 2021
<b>Chair of Committee:</b>	Councillor John Harrison
<b>Date JMB agreed report:</b>	23 August 2021
<b>Report Author:</b>	Rosalynd Gater
<b>Forward Plan Ref:</b>	JPPC4067

### Purpose of the Report

- 1.1 To provide 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 to seek authority from the Committee to implement the proposed Fee Policy.

### Recommendations

- 1.1 The Committee **NOTES** the consultation response.
- 1.2 The Committee **NOTES** the inclusion of the Fit and Proper Person fee in the fee policy for Relevant Protected Sites.
- 1.3 The Committee **APPROVES** the fee policy for Relevant Protected Sites, with a view to implementing the fee structure from 1 April 2022;

The Committee **NOTES** that this fee structure is reflected in the Fees and Charges policy to be presented at the Sept 2021 JPPC.

### Implications and Impact Assessment

Implication	Commentary
<b>Financial:</b>	<p>Annual Fee – This is no change from the current fee structure.</p> <p>Fee payable for New License - This is no change from the current fee structure; with exception of a cap put on where unit number are above 200.</p> <p>Alteration Fee - The fee for Alterations has changed from a set fee to a fee based on actual hours taken.</p>

<b>Human Resource:</b>	The continued resource required to inspect such sites, and to ensure invoicing and follow up of the fees.			
<b>Legal:</b>	In the Fee Policy we have reiterated that should annual fee not paid as required, the Council may apply to the First Tier Tribunal (Property Chamber) for an order requiring the licence holder to pay the amount due by the date specified in the order; and the order may make provision about the manner in which the payment is to be made. Where a licence holder fails to comply with an order made by the First Tier Tribunal within the period of three months beginning with the date specified in the order, the local authority may apply to the First Tier Tribunal for an order revoking the site licence.			
<b>Risk Management:</b>	Financial risk is managed elsewhere.  JMB will be kept informed of any service changes and adjustments and any consequences arising from these will be notified.			
<b>Property:</b>	Not applicable			
<b>Policy:</b>	Following the presentation of the policy in Dec 2020 JPPC it has gone out to consultation; this policy is the revision following the consultation.			
	<b>Positive</b>	<b>Neutral</b>	<b>Negative</b>	<b>Commentary</b>
<b>Equalities Impact:</b>				
<b>A</b> Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?	x			It is essential for premises who operate sites to have a level playing field and as such we will ensure that non-payment is acted on.  We have carried out a review in 2020 to ensure that the information we are using to determine the annual renewal is correct with regard to unit numbers.
<b>B</b> Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?	x			By its nature, this policy will effect on the vulnerable groups in society. By PPP targeting non-compliance in this sector we can improve living conditions and lives.  By risk rating sites and concentrating inspections on the higher risk sites we can drive compliance up.

<b>Environmental Impact:</b>		x		
<b>Health Impact:</b>	x			The proposals create no direct health impacts on staff. They do however set out community based health protection measures.
<b>ICT or Digital Services Impact:</b>		x		
<b>PPP Priorities :</b>	x			The Policy is in line with the priorities of PPP
<b>Data Impact:</b>		x		None
<b>Consultation and Engagement:</b>	Carried out in January 2021 with licensees.			

## Summary

- 1.1 The Fee policy (dated August 2021) is essentially the same that was presented to JPPC in Dec 2020, prior to going out for consultation. There is one minor change in the wording of the Alteration fee. The Policy is included as **Appendix A**.
- 1.2 There was limited response received to the consultation with licenced holder– and this is detailed below.
- 1.3 Following consultation the wording for the Alteration fee has changed slightly to make it clear that it is all reasonable costs that the licensing authority have in determination of the alteration. This had been changed from a fixed fee to an hourly rate cost recovery to be fairer, bearing in mind the wide range of complexities that can be presented as part of an alteration.
- 1.4 The policy taken to JPPC in June 2021 regarding the fee structure for Fit and Proper Person, which has subsequently gone through the decision making process at each LA has been included in this Fee Policy for completeness and transparency.
- 1.5 All other areas in the policy presented to JPPC in Dec 2020 remain the same.
- 1.6 The PPP Fees and Charges for 2022 23 is being presented also to this JPPC and this paper aligns with the proposed PPP Fees and Charges
- 1.7 The Proposed Fees for 2022 23 have been included as **Appendix B**

## 2.0 Consultation responses and feedback

- 2.1 On the subject of the Alteration fee changing to hourly rate we were asked if an indication could be provided beforehand of an estimation of the time, and that the subsequent invoice be detailed for transparency. In addition could delays and time taken to deal with matters outside of the alteration with our consultees be recognised in the policy. This has been reflected in the Policy

## **Appendices**

**Appendix A** - PPP Fee Policy for Relevant Protected Sites August 2021

**Appendix B** – Proposed Fees for 2022/23

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**Public Protection Partnership**

**Fee Policy for Relevant Protect Sites**

**Caravan Sites and Control of Development Act 1960 & Mobile Homes Act 2013**

Date: August 2021

Version: 24 8 21

Classification: Internal, public

Authors

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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
13/8/21	13 8 21	complete for JMB
24 8 21	24 8 21	RG update

## Contents

- 1) Executive Summary
- 2) Introduction
- 3) Fee Structure
- 4) Application for a new licence
- 5) Transfer of an existing licence
- 6) Alteration of Conditions on an existing licence
- 7) Programmed Site Visits and Fee
- 8) Enforcement action
- 9) Depositing site rules
- 10) Revising the fee
- 11) Elements included in fee setting
- 12) Current fees and charges

## Appendix 1 Definitions

### **1. Executive Summary**

This policy sets out the licensing process under the Caravan Sites and Control of Development Act 1960. These fees have been arrived at in accordance with guidance issued under the Mobile Homes Act 2013 and will be reviewed regularly as part of the Councils' annual review of its fees and charges.

### **2. Introduction**

The Caravan Sites and Control of Development Act 1960 (CSCDA60) introduced a licensing system to regulate the establishment and operation of caravan sites.

The Mobile Homes Act 2013 (MHA 13) was introduced in order to provide greater protection to occupiers of residential park homes and caravans as the enforcement provisions had received no significant update since the original legislation. This Act also introduced some important changes to the buying, selling or gifting of a park home and the pitch fee review process which enhances the civil law provisions pertaining to the contract between the site owner and home owner.

There is an expectation that councils will inspect sites regularly in line with risk based assessment and use the additional powers to ensure compliance with the site licence conditions. The council can also charge a fee for different licensing functions. The

legislation also allows the council to serve compliance notices upon the site owner, take on works in default and require the council to satisfy itself on the legitimacy of and publish any site rules relating to a site.

The charges introduced by the MHA 13 only apply to relevant protected sites.

A relevant protected site is defined in section 5A (5) and (6) of CSCDA60 (as amended), and further guidance has also been issued by the Department for Communities and Local Government (DCLG) entitled 'Park Homes: Site Licensing, Definition of relevant protected sites (January 2014), and lists the types of sites which fall within the definition. In summary:

'Any licensable caravan site is a 'relevant protected site' unless it is specifically exempted from being so. A site is exempted if:

- It has planning permission or a site licence for exclusive holiday use
- Sites where conditions require that there are times of the year when no caravan may be stationed on the land for human habitation
- Sites are occupied only by the site owner and his/her family or by persons employed by the site owner except where under an agreement to which the Mobile Homes Act 1983 applies.

Section 10 (2) of CSCDA60 (as amended) requires a local authority to prepare and publish a Fee Policy where they propose to charge for functions associated with the regulation of relevant protected sites.

Sites which do not fall within the definition of 'relevant protected sites' are still subject to the licensing requirements contained within the CSCDA60, but the provisions relating to payment of fees do not apply.

### **3. Fee Structure**

The Council has calculated fees in accordance with the provisions of MHA 2013, which allows a local authority to include all reasonable costs and this includes administrative costs, officer visits to the site, travel costs, consultations, meetings undertakings and informal advice.

It is based on the guidance issued by the Department for Communities and Local Government (DCLG) 'A Guide Local Authorities on setting site licensing fees'.

The fees in this policy are based on the Public Protection Partnership (PPP) hourly rate which is reviewed annually and presented to Council as part of the Fees and Charges, and is published on Council websites.

The number of caravans taken for the calculations are from the number of caravans applied for within the caravan site licensing application; or on the actual number of caravans on site deemed safe if not explicit on the licence

### **4. Application for a new licence**

All sites (subject to exemptions contained within the Act) requires a site licence to operate; failure to apply for a licence is an offence under Section 1 (2) of CSCDA 60. Section 3 (2A) of the amended Act allows the local authority to require a fee to

accompany applications for licences, and this should accompany any new application. The council may only issue a licence for a site with a valid and correct planning permission for the use.

The fee reflects the costs which would apply to any new licence application plus an amount to reflect the variation in the cost of processing the application according to the size of the site. This amount per unit additional cost will be capped at 200 units as reflects the Government charging regime.

## **5. Transfer of an existing licence**

Where a licence holder wishes to transfer the licence an application must be made to the council. An application form produced by Public Protection Partnership (PPP) is available for this purpose. The fee must accompany the application.

## **6. Alteration of conditions on an existing licence (also known as a variation of site licence conditions)**

Where a site owner requests an alteration to the site licence conditions the council will charge a fee.

Applications can be made by licence holders to alter or cancel conditions. An application form produced by PPP is available for this purpose.

If the council instigates the process to alter the conditions, no fee is payable. The fee will be based on the direct work involved when considering the alterations.

As this fee is based on cost recovery an indication will be given in advance of an estimation of the time taken, this will be subject to change should subsequent matters that require consideration arise. The officers will attempt to keep the applicant aware of such issues. Areas of work that arise as a result of the application, but which are not relevant to the application for alteration, will not be included in the fee determination. The fee determination will relate to hours worked by officers of Public Protection Partnership.

## **7. Annual fees**

All relevant protected sites must pay an annual fee to the council (subject to any exemptions stated in this policy). The process will begin on 1<sup>st</sup> April each year.

Public Protection Partnership have adopted the DCLG (Ministry of Housing, Communities and Local Government) guidance in calculating the annual fee as it is considered to offer transparency and fairness to both residents and site owners.

The annual fee covers the costs associated with site inspections and reviews to ensure compliance with the site licence conditions and any follow up visit to ensure compliance with any informal schedule of works identified.

The fee takes into account the variation in size of the sites as it is based on the number of units on the site.

If there is still a breach in site licence conditions at the point of the follow up visit further charges may be payable to cover the cost of any enforcement action which may be taken. Further details can be found in section 8 – Enforcement Action.

The council is not permitted to make surplus from this function.

Exemption from annual fees; sites where there is only 1 unit and or 1 pitch are excluded from the annual fee. This category of site is exempt from the annual licensing fee as the council do not intend to carry out annual inspections of these sites, however, any complaints or enquiries would be dealt with as appropriate. This is in line with the DCLG guidance.

Charging arrangements; the calculation is based on the number of caravans stated within the caravan site licensing application; or on the actual number of caravans on site deemed safe if not explicit on the licence, (this is in line with the DCLG guidance option 1).

Where an amended licence is issued part way through the year (which included either additional units or a reduction in units), the change in annual fee will be calculated on a pro-rata basis for the remainder of the year.

In the event an annual fee is not paid as required, the Council may apply to the First Tier Tribunal (Property Chamber) for an order requiring the licence holder to pay the amount due by the date specified in the order; and the order may make provision about the manner in which the payment is to be made. Where a licence holder fails to comply with an order made by the First Tier Tribunal within the period of three months beginning with the date specified in the order for the purposes of that subsection, the local authority may apply to the First Tier Tribunal for an order revoking the site licence.

## **8. Enforcement Action**

Where there has been a breach in a site licence condition the Council may serve a compliance notice. Section 9C of the CSCDA 60 (as amended) details the elements which a local authority may include when imposing a charge for enforcement action. A detailed breakdown of the relevant expenses would be provided with the compliance notice. Charges would be based on the hourly rate for the relevant officers.

If any works in the compliance notice are not carried out the licence holder commits an offence and the local authority may consider taking legal proceedings. Any costs associated with this process would be at the discretion of the court.

## **9. Fees for depositing, varying or deleting site rules**

Site rules are put in place by the owner of a site to ensure acceptable standards which benefit residents and promote and maintain community cohesion on the site.

The Mobile Home Act 2013 (MHA 13) changes the way site rules must be agreed between both parties. The Council must keep an up to date register of site rules in relevant protected sites and publish the register on line.

Before publishing the site rules the Council will ensure the rules deposited have been made in accordance with the statutory procedure.

The Council can charge a fee for depositing, varying or deleting site rules.

Any site rules deposited with the local authority for the first time or applications to vary or delete existing site rules must be accompanied by the appropriate fee. The fee is the same for either a first deposit or for a subsequent variation or deletion as the process is very similar for all three types of deposits.

## **10. Revising the Fee**

The fees detailed in this policy have been determined based on full recovery of costs.

Fees will be reviewed as part of the annual review of Council fees and charges.

The fee policy for relevant protected sites will be reviewed as part of the wider review of the Public Protection Partnership Private Sector Housing Policy.

## **11. Elements included in fee setting**

The DCLG guidance sets out the activities that the Council can and cannot include when calculating its annual fee. A local authority can include:

- Letter writing/calls etc. to make appointments and request documents or other information from the site owner or any third party in connection with the licensing process;
- Handling enquiries and complaints;
- Updating hard files/computer systems;
- Processing the licensing fee;
- Land registry searches;
- Time for reviewing necessary documents and certificates;
- Downloading photographs;
- Preparing reports on contraventions;
- Preparing draft and final licences;
- Review by manager or lawyers;
- Review any consultation responses from third parties;
- Updating public register;
- Carrying out any risk assessment process considered necessary;
- Reviews of decisions or in defending appeals;
- A pre-programmed full site inspection;
- A follow-up inspection to check compliance following programmed inspection.

A local authority cannot take into account when setting fee costs incurred in exercising their functions under:

- Section 9A-9I Caravan Sites and Control of Development Act 1960 (the Act) (relating to enforcement due to breach of licence conditions);
- Section 23 of the Act (prohibiting the siting of caravans on common land); or
- Section 24 of the Act (the provision of caravan sites by local authorities).

In addition, section 10A (4) (b) of the Act prohibits a local authority from taking into account when setting fee costs it incurs under the Act, other than those relating to a relevant protected site.

No fees can be charged for holiday or other non-permanent residential sites. Sites which are in mixed use i.e. partly holiday with some residential homes which fall within the definition of relevant protected site fees can therefore be charged.

A local authority cannot make a profit. Any charges must be limited to recovering the costs of exercising their licensing function as it relates to relevant protected sites.

## 12. Fit and Proper Person Register

For new and existing Caravan sites that fall into the scope of the Fit and Proper Person Register the application fee is set at a 2 hour fee based on existing hourly rate, plus hourly rate for each hour or part thereof should the application determination go over the 2 hours.

The fee for annual checking is directly cost recovery, based on the hourly rates and time taken.

## 13. Current Fees and Charges

Available on request, and on the Public Protection Partnership website. Please contact Public Protection Partnership on 01635 519912 or email [EHadvice@westberks.gov.uk](mailto:EHadvice@westberks.gov.uk) for a current list of fees and charges.

### Appendix 1

#### Definitions

For full interpretation/definition of terms please refer to:

The Caravan Sites and Control of Development Act 1960 (as amended)

The Mobile Homes Act 2013

The Mobile Homes Act 1983

The Mobile Homes (Site Rules) (England) Regulations 2014

A). “**caravan site**” has the meaning assigned to it by subsection (4) of section one of the Caravan Sites and Control of Development Act 1960.

B). **Pitch** is defined in Part 1 Chapter 1 of the Schedule 1 to the 1983 Act as meaning: the land, forming part of a protected site and including any garden area, on which an occupier is entitled to station a mobile home in terms of the agreement.

C). The term ‘**caravan**’ refers to all caravans, mobile homes and park homes that do not fall under the definition of a ‘dwelling’ in the Housing Act 2004, but that meet the definition of a caravan in the Caravan Sites and Control of Development Act 1960 (CSCDA).

D). **Alteration or variation** of site licences are deemed as having the same meaning for the purpose of setting fees.



Appendix B

<b>Caravan Site Licence</b>			
Option 1 of DCLG Guide for Charging	2021 22	2022 23	
Site licence new (in addition to fee per unit)	£440.00	£443.00	
New licence per Unit	£16.00	£16.00	New licence per Unit
Transfer of licence	£186.00	£187.00	
Alteration of licence	£341.00	£59.00 per hour	Hourly rate for activity as prescribed
Annual fee	£14 .00 per pitch	£14 .00 per pitch	
Enforcement action -per hour	£59.00 per hour	£59.00 per hour	Hourly rate for activity as prescribed.
Deposit, vary or deleting site rules	£117.00	£118.00	
Variation of licence			Line Deleted as alteration and variation have been amalgamated
Fit and Proper Person Registration (any application taking more than two hours to process will be charged at an additional hourly rate of £59/ph or part thereof)	£118.00	£118.00	Added as new fees mid 21 22
Fit and Proper Person Annual Check	£59.00 per hour	£59.00 per hour	Added as new fees mid 21 22

Number of pitches	Worked examples using 20 21 fee of £14 per pitch; based on option 1 of DCLG guidance
1-5	£16 - £80
6-24	£96 - £384
25-99	£400 - £1,584
100-199	£1,600 - £3,184
200+	£3,200

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

<b>Committee considering report:</b>	Joint Public Protection Committee
<b>Date of Committee:</b>	13 September 2021
<b>Chair of Committee:</b>	John Harrison
<b>Date JMB agreed report:</b>	16 August 2021
<b>Report Author:</b>	Sean Murphy
<b>Forward Plan Ref:</b>	JPPC4069

### 1. Purpose of the Report

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

### 2. Recommendations

The Committee:

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

### 3. Implications and Impact Assessment

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

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

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

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

## 4. Executive Summary

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

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

## 5. Covid19 Response

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

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

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

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

### Finance

6.2 At the 14 June 2021 meeting Members agreed to carry forward the £198K underspend identified at year end into the 2021/22 financial year. It was envisaged this will be used to assist with additional staff for recovery in 2021/22 and to provide a buffer for any income shortfall around licensing.

6.3 With respect to the Covid19 response for 2021/22 grant support has been secured in the order of £250K to cover compliance, outbreaks, local contact tracing and events and gatherings assessment and compliance.

### Human Resources:

6.4 The key staffing updates are:

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

## **ICT**

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

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

## **Property**

6.6 The key property highlights are as follows:

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

## **Legal**

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

## **Risk Management**

6.8 The Committee is asked to note that:

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



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

## **Q1 Performance Update**

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

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

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

### **Community and Trading Standards (including Customer Services)**

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

## **Commercial (Food Safety and Health and Safety)**

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

## **Licensing (Including Applications and Licensing Governance)**

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

## **Private Sector Housing**

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

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

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

### **Environmental Quality**

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

### **Joint Case Management Unit**

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

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

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

## 7. Concluding Observations

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

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

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

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### APPENDIX A – 2021/22 Performance Summary

### APPENDIX C – PPP Digital Update up until July 2021

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Title	Target 2020/21	2020/21 Year End	Q1	RAG status	Comments
% of Public Protection (excluding Trading Standards) service requests and complaints reported via online methods. (2020/21 was MOV - Number of Public Protection service requests and complaints reported via online methods)	30% by March 2022	1418	15.6%	G	
Number of small businesses that have received direct support regarding food, health and safety and licensing by attending or accessing a PPP business advice session	180	165	90	G	Due to changes in regulations with easing of lockdown, 4 webinars were held in April then further sessions for businesses including Parish Councils were held in June
Number of page views, social media hits and followers of business advice content on the PPP website	123,00	154,855	40,452	G	
*Page views	-	153,822	40,407		
*Facebook page likes	-	886	25		This is something we are looking at improving
*Twitter likes	-	147	20		

Title	Target 2021/2022	2020/21 Year End	Q1	RAG status	
% of service users satisfied with the Public Protection Partnership	75%	78.9%	94.4%	G	
% of service users satisfied with the Public Protection Partnership business webinars	75%	100%	100%	G	

1920-075	Quarter 1	Year End Prediction	Comments
Management of budget to within 1% of baseline		Green	
1920-076	Quarter 1	Year End Prediction	Comments
Management of income to within 5% of budget		Green	

	Q1 2020/21	Q1 2021/22	%increase/ decrease	Comments
Covid – Advice	155	131	-15%	Reflects opening up process in 2021 compared to new lockdown position in 2020
Covid - Enforcement	230	89	-61%	
Bonfire	543	142	-74%	Unprecedented number of complaints in 2020
Dogs	113	90	-20%	
Envirocrime (Inc abandoned vehicles)	62	89	44%	
Food Related	193	316	73%	Reflects premises reopening and increase in customers
Health and Safety	51	52		
Housing	117	267	128%	
Licensing	206	312	51%	Inquiries about reopening, regulations and new businesses
Noise	630	560	-11%	% of commercial and domestic has changed
Other	334	286	-14%	
Pest	144	199	38%	
Planning	187	226	21%	Consistent with increase in planning work across 3 authorities
Public Health Funeral	6	7	17%	
Fly Tipping	33	27	-18%	
Animal Health	27	23	-15%	
Door Step/Scam/No cold calling zones	66	57	-14%	
Food Standards	10	29	190%	% difference not significant as such low numbers
Misleading Description	20	7	-65%	
Other	56	29	-48%	
Unsafe goods	20	11		
What are my rights? (Business)	17	35	106%	% difference not significant as such low numbers
What are my rights? (Consumer)	213	292	37%	
Trading Standards Notifications of civil issues	1099	1271	16%	
Weight Restrictions	90	68	-24%	
<b>Grand Total (Inc Covid)</b>	4626	4694	1%	Although similar figures the nature and complexity of cases has changed considerably
Grand Total (Without Civil Notifications)	3527	3423	-3%	

Key Performance Indicator	End of Year	Q1 2021/22	Notes/Comments
% of reported food safety incidents appropriately responded to in 10 working days	98.6%	98.1%	
% of reported Covid incidents appropriately responded to in 10 working days	98.9%	98.5%	
% of reported envirocrime incidents appropriately responded to in 10 working days	85%	81.4%	Some repeat issues reported concerning abandoned vehicle, anything of imminent risk dealt within timescales
% of reported private sector housing concerns appropriately responded to in 10 working days	95.4%	96.1%	
% of reported air quality concerns appropriately responded to in 10 working days	97.7%	95.5%	
% of reported noise incidents appropriately responded to in 10 working days (Domestic and Commercial)	86.7%	97.9%	As businesses have opened up increased commercial complaints have been received. Resource issues in EQ team.
	88.5%	84.3%	
% of reported health and safety at work concerns appropriately responded to in 10 working days	98.4%	100%	
% of reported other incidents/concerns appropriately responded to in 10 working days	96.8%	97.7%	
% of reported door step crime incidents appropriately responded to in 1 working day	100%	100%	
% of reported product safety concerns appropriately responded to in 10 working days	100%	100%	
% of general Trading Standards requests responded to within 10 days	99.1%	99.5%	
% of licensing complaints/requests for advice dealt with appropriately within 10 working days	94.7%	95.3%	Volume and complexity has increased.
% of Planning Applications appropriately responded to within consultation period	96.8%	97.8%	
% of whole service response within appropriate times	97.7%	98%	

FOI's, Service Complaints and Member / MP enquiries

Authority	Quarter 1		
	FOI	Service Complaints	Clr/MP/ Board
Bracknell Forest	41	6	7
West Berkshire	38	7	25
Wokingham	16	4	10
Total	95	17	42





## PPP Digital Media Update July 2021



Number of new 'Likes'

10

Number of Posts

46

Total Reach

41,980



Number of new 'Followers'

4

Number of Tweets

38

Total Impressions

8,130



Number of Visitors'

6253

Number of Articles

9

Number of Page Views

15,284

## Total combined reach for July 65,394

	<b>New Likes</b>	<b>Reach</b>	<b>No. Posts</b>
<b>May</b>	<b>43</b>	<b>65,409</b>	<b>49</b>
<b>June</b>	<b>21</b>	<b>51,461</b>	<b>63</b>
<b>July</b>	<b>9</b>	<b>19,789</b>	<b>43</b>
<b>Aug</b>	<b>32</b>	<b>30,546</b>	<b>37</b>
<b>Sept</b>	<b>144</b>	<b>75,521</b>	<b>52</b>
<b>Oct</b>	<b>83</b>	<b>116,261</b>	<b>52</b>
<b>Nov</b>	<b>82</b>	<b>106,252</b>	<b>65</b>
<b>Dec</b>	<b>56</b>	<b>97,872</b>	<b>65</b>
<b>Jan 2021</b>	<b>184</b>	<b>189,269</b>	<b>80</b>
<b>Feb</b>	<b>68</b>	<b>158,271</b>	<b>49</b>
<b>March</b>	<b>68</b>	<b>66,093</b>	<b>60</b>
<b>April</b>	<b>3</b>	<b>24,627</b>	<b>45</b>
<b>May</b>	<b>11</b>	<b>62,269</b>	<b>39</b>
<b>June</b>	<b>11</b>	<b>26,763</b>	<b>39</b>
<b>July</b>	<b>10</b>	<b>41,980</b>	<b>46</b>

Organic likes seem to be consistent over the past few months. Engagement was up on previous month, partly because of the popular 'Meet the Animal Warden' posts.

## Top 3 Facebook July Posts

Meet the Animal Wardens - Summer 2021 🐾

Our Animal Warden Officers will be out and about at the following locations, on the dates shown, to talk to members of the public about the role the wardens play in the community. The wardens can also check your dogs microchip details are correct and that the microchip is still in place. We're giving away free dog 'poop' bags and would be happy to talk to you about the welfare of your dog or dog(s) you might be concerned about.

We've ke... See more



**MEET THE ANIMAL WARDENS - SUMMER 2021**

- 🐾 Check your dogs microchip details
- 🐾 Collect some free dog 'poop' bags
- 🐾 Ask the team for any help and advice, or just come and have a chat about your dog
- 🐾 Check website for dates and locations

**Community Protection - Animal Wardens**

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

## Meet the Animal Wardens Post - Reach 9,736



PPP ★ Favourites · 16 July · 🌐

As the weather starts to warm up this weekend here's some top tips on keeping your animals cool in hot weather:

- ✅ NEVER leave animals in cars, caravans or conservatories
- ✅ Use a pet safe sun cream on exposed areas of skin... See more

**Top Tips for Keeping Pets Cool in Hot Weather**

- Never leave animals in conservatories, hot cars, outhouses or caravans.
- Use a pet safe sun cream on exposed parts of skin.
- Find access to shade and water. You can add ice cubes to water bowl. Also use a damp towel for them to lie on.
- Avoid walks during hottest part of the day.

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

## Keep Your Animals Cool - Reach 2,851

FFF ★ Favourites · 27 July · 🌐

Having a clear out over the summer?

Make sure you find a licensed waste carrier or you could end up paying. If you are a householder you must ensure that all your household waste is properly disposed of. This applies to all domestic properties, caravans and residential homes. This is referred to in law as a Duty of Care and means that you must ensure that waste removed from your property is disposed of lawfully. If you don't you could face a fine of up to £400... See more



**Community Protection**

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

## Having a Summer clear out? - Reach 1,353



	<b>New Followers</b>	<b>Impressions</b>	<b>No. Tweets</b>
<b>Mar</b>	<b>19</b>	<b>30,100</b>	<b>50</b>
<b>Apr</b>	<b>19</b>	<b>25,000</b>	<b>59</b>
<b>May</b>	<b>6</b>	<b>16,200</b>	<b>47</b>
<b>June</b>	<b>49</b>	<b>13,600</b>	<b>59</b>
<b>July</b>	<b>19</b>	<b>9,429</b>	<b>39</b>
<b>Aug</b>	<b>6</b>	<b>9,708</b>	<b>29</b>
<b>Sept</b>	<b>5</b>	<b>6,917</b>	<b>28</b>
<b>Oct</b>	<b>4</b>	<b>11,503</b>	<b>41</b>
<b>Nov</b>	<b>5</b>	<b>10,000</b>	<b>67</b>
<b>Dec</b>	<b>7</b>	<b>9,653</b>	<b>48</b>
<b>Jan 2021</b>	<b>13</b>	<b>13,200</b>	<b>76</b>
<b>Feb</b>	<b>3</b>	<b>6,939</b>	<b>42</b>
<b>March</b>	<b>15</b>	<b>6,030</b>	<b>48</b>
<b>April</b>	<b>10</b>	<b>7,440</b>	<b>38</b>
<b>May</b>	<b>5</b>	<b>9,479</b>	<b>34</b>
<b>June</b>	<b>5</b>	<b>6,480</b>	<b>35</b>
<b>July</b>	<b>4</b>	<b>8,130</b>	<b>38</b>



## Top 3 Twitter posts for July 2021

### Water Safety Tweet - 876



**Public Protection Partnership**

@PublicPP\_UK

As the school holidays have started make sure children take care around water and stay away from rivers and lakes. One of the main risks is cold-water shock. See link below for more details:

<http://ow.ly/CJ5N50FxK9s>  
<pic.twitter.com/JBDTExtofK>

### Food Labelling Webinar - reach 684



**Public Protection Partnership**

@PublicPP\_UK

The @foodgov is running a free food labelling webinar for food businesses on 4th Aug, re changes that take place in Oct.

New labelling requirements will help protect consumers by providing potentially life-saving allergen information on the packaging.

<http://ow.ly/FNdi50FxD7q>  
<pic.twitter.com/vrABsGGc>

### Meet the Animal Wardens - Reach 431



**Public Protection Partnership**

@PublicPP\_UK

Meet the Animal Wardens today around Wokingham - see link below for timings and locations.

The wardens will be on hand to check your dogs microchip details are up to date and answer any doggy related questions you might have. 🐕

@WokinghamBC

<https://publicprotectionpartnership.org.uk/news-articles/meet-the-animal-wardens-summer-2021/> ... <pic.twitter.com/yG7y6YIJxG>

Month	Visitors	Page Views	Articles Published
June	7,638	16,344	21
July	6,218	13,942	9
Aug	5,416	12,568	10
Sept	5,925	12,337	13
Oct	9,669	16,410	15
Nov	5,830	12,165	15
Dec	5,071	9,726	6
Jan 2021	6,685	12,802	20
Feb	5,592	11,373	9
March	7,362	14,105	9
April	6,712	13,013	16
May	6,786	13,030	13
June	7,676	14,364	8
July	6,253	15,284	9

## Social Platforms Traffic

Number of page views to website from social media posts.

	Facebook	Twitter
Feb	528	272
March	423	282
April	331	169
May	230	33
June	548	165
July	445	65

During July 2021 the website had had 6253 visits with 15,284 page views.

In July there were 9 articles published to the website as follows (with links):

1st July - [Meet the Animal Wardens](#)

2nd July - [Warm Weather and Distraction Burglary Advice from Thames Valley Police](#)

12th July - [Free Webinar for Tobacco Retailers](#)

13th July 2021 - [Summer Roadmap Step 4](#)

13th July 2021 - [Court Results from July, for Traffic Weight Restrictions Breaches](#)

15th July 2021 - [Updated Guidance on Wedding and civil partnership ceremonies, reception and celebrations under Step 4](#)

16th July 2021 - [Looking for a new puppy to welcome into your home and lives?](#)

16th July 2021 - [Children and Water Safety During School Holidays](#)

The most viewed pages, excluding home page and contact us, on the website during July were:

919 Page Views - [Meet the Animal Wardens - Summer Events](#)

455 Page Views - [Neighbourhood issues - what we can and cannot consider](#)

319 Page Views - [Neighbour Concerns](#)

# Other Media Coverage

Number of press enquiries direct to PPP in July were 2.

Official Press Releases from PPP during July were 1 - 9 articles published on website.

Radio Coverage:

None

Press Coverage:

22nd July- Bracknell residents angry over fly tipping at Winkfield woodland area.

<https://www.bracknellnews.co.uk/news/19461020.bracknell-residents-angry-fly-tipping-winkfield-woodland-area/>

7th July- Bracknell MP backs Doggy DNA bill that could end microchips

<https://www.bracknellnews.co.uk/news/19426207.bracknell-mp-backs-doggy-dna-bill-end-microchips/>

5th July- Bracknell Jubilee gardens to close following rat infestation concerns

<https://www.bracknellnews.co.uk/news/19420892.bracknell-jubilee-gardens-close-following-rat-infestation-concerns/>

1st July - Flytippers dump building waste and gas bottles in Bracknell

<https://www.bracknellnews.co.uk/news/19412060.flytippers-dump-building-waste-gas-bottles-bracknell/>

22nd July - The Public Protection Partnership and why Woky don't want it

<https://www.bracknellnews.co.uk/news/19462259.public-protection-partnership-woky-dont-want/>

30th July - Newbury Real Ale Festival set for return to Northcroft Park

<https://www.newburytoday.co.uk/news/newbury-real-ale-festival-set-for-return-9209628/>



# Update on Wokingham BC Exit from the PPP

<b>Committee considering report:</b>	JPPC
<b>Date of Committee:</b>	13 <sup>th</sup> September 2021
<b>Portfolio Member:</b>	Councillor Hilary Cole
<b>Date Portfolio Member agreed report:</b>	1 <sup>st</sup> September 2021
<b>Report Author:</b>	Paul Anstey
<b>Forward Plan Ref:</b>	N/a

## 1 Purpose of the Report

- 1.1 To provide 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).
- 1.2 To clarify the approach being taken on 'Buy-Back', which is 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.

## 2 Recommendation

- 2.1 To support principles of 'Buy-Back' and recommend that each partner authority approves the draft heads of terms through their most appropriate governance route.

## 3 Implications and Impact Assessment

Implication	Commentary
<b>Financial:</b>	<p>A series of worst case scenarios have been developed to manage financial risks and all partners are working together to maximise mitigation measures.</p> <p>The cost of the project is being managed separately through each partner authority and do not form part of the PPP budget.</p> <p>The total value of the Buy-Back is £439k in year 1. In broad terms the successful conclusion of a Buy-Back agreement reduces the financial liabilities (redundancy and pension strain)</p>

	<p>for all parties by an estimated third and supports the two Authority model in future service delivery.</p> <p>The PPP has identified vacant posts and the Joint Management Board is evaluating the ability to utilise them as a way to further reduce financial risk i.e. early recruitment into Wokingham's new structure.</p>
<b>Human Resource:</b>	<p>Step 1 of the organisational change process has been concluded, this asks for feedback on the process itself. The next step will be to engage with individuals who have been categorised according to criteria agreed by all partners.</p>
<b>Legal:</b>	<p>The draft Heads of Terms are being prepared.</p> <p>The Exit Plan is due to be agreed by 15<sup>th</sup> September.</p>
<b>Risk Management:</b>	<p>The partners have identified the following risks that will require mitigation measures (in no particular order):</p> <ul style="list-style-type: none"> <li>- Management capacity</li> <li>- Staff morale</li> <li>- Operational response to Covid matters</li> <li>- TUPE (interpretation dispute and operational disruption)</li> <li>- Media communication/coverage</li> <li>- Financial liabilities</li> <li>- Contracts with suppliers</li> <li>- Single Case Management System project</li> <li>- Inter Authority Agreement interpretation dispute</li> </ul>
<b>Property:</b>	<p>There are no direct property implications from this report. Consideration will need to be given to the use of Theale Gateway as part of future PPP operations but this is not a short term issue.</p>
<b>Policy:</b>	<p>Consideration will need to be given to the PPP policy framework as part of the process. At this stage nothing has been identified.</p>

	Positive	Neutral	Negative	Commentary
<b>Equalities Impact:</b>				
<b>A</b> Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		
<b>B</b> Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		X		
<b>Environmental Impact:</b>		X		
<b>Health Impact:</b>		X		
<b>ICT Impact:</b>		X		Plans have been put in place to mitigate disruption from data migration projects and operational requirements for case management systems.
<b>Digital Services Impact:</b>		X		Plans have been put in place to support website redesign.
<b>Council Strategy Priorities:</b>		X		With careful planning and mitigation measures the PPP should be able to continue delivering a sustainable service.
<b>Core Business:</b>			X	It is inevitable that there will be some management capacity issues to deal with

				the implications of the report, this will impact on Covid response and other BAU.
<b>Data Impact:</b>		X		
<b>Consultation and Engagement:</b>	Damian James – Bracknell Forest Council Stephen Brown – Wokingham Borough Council Sean Murphy – PPP Manager			

## 4 Executive Summary

- 4.1 There has been progress since the last update report was considered by the Committee and all negotiations have been conducted positively and constructively. Inevitably there are some key areas which remain unresolved.
- 4.2 Initial estimates on cost liabilities appear to be higher than first feared with a range of effective mitigation measures being agreed.
- 4.3 Of those cost mitigation measures, 'Buy-Back' has demonstrable benefits and is broadly supported by officers.

## 5 Supporting Information

### Introduction

- 5.1 The Committee considered a report on 'The Future of the PPP' in March 2021. The report explained how the PPP would approach the process, what the key legal, financial and operational considerations were and the next steps.
- 5.2 This report updates the Committee on progress since that time and explains what actions have been taken to deal with those key risks.

### Background

- 5.3 Governance arrangements have been put in place to ensure the smooth running of the project.
- 5.4 An Operational Group (OG) has been established:

<b>Council</b>	<b>Name</b>	<b>Role</b>
WBerks/Bracknell (PPP)	Paul Anstey	Head of Public Protection & Culture (West Berks)
Wokingham	David Thrale	Interim Public Protection Consultant

## Update on Wokingham BC Exit from the PPP

5.5 A Governance Group (GG) has been established:

<b>Council</b>	<b>Name</b>	<b>Role</b>
Bracknell	Kevin Gibbs	Executive Director
WBerks	Sue Halliwell	Executive Director
Wokingham	Steve Moore	Executive Director

5.6 A Disputes Group (DG) has been established:

<b>Council</b>	<b>Name</b>	<b>Role</b>
Bracknell	Tim Wheadon	Chief Executive
WBerks	Sue Halliwell	Chief Executive (Acting)
Wokingham	Susan Parsonage	Chief Executive

5.7 On a day to day basis the OG have been collating information, negotiating on key areas and reporting back to their respective authorities to ensure effective lines of communication. A range of Council staff have been engaged at various stages to address the key risks and design appropriate mitigation plans.

### **Costs Liabilities**

5.8 These break down as follows:

- Redundancy and pension strain (for staff in the PPP who are 55 years old or over);
- Any termination compensation;
- Organisational change challenge risk (Employment Tribunal);
- Project costs; and
- Capital repayments.

5.9 The extent to which any of these liabilities apply to any partner are being explored through detailed negotiations with the support of legal teams.

5.10 There are a range of mitigation measures which are available to the negotiation teams and the general view is this will be concluded amicably. Dispute resolution is considered a last resort but a framework is being agreed for contingency purposes.

### **'Buy-Back'**

5.11 Heads of Terms have been drafted and agreement should be reached September.

5.12 The key elements of buy back are limited to the following services:

- Trading Standards:
  - Food Standards including quality, labelling and food fraud;
  - Animal Health and Welfare – on farm and establishments including contingency planning;
  - Fair Trading including: travel, estate agency, lettings;

## Update on Wokingham BC Exit from the PPP

- Fraud, theft and money laundering including doorstep crime;
- Intellectual property crime;
- Metrology (weights and measures);
- Product safety;
- Age restricted products;
- Road traffic – weight restrictions, overloads;
- Support with confidence; and
- Tobacco and alcohol harm reduction programme.
  
- Intelligence:
  - Assessment of Client data to provide day to day operational support in effective investigation and resource planning; and
  - Contribution towards Client strategic and tactical assessment.
  
- Case Management:
  - Case management and legal advice from beginning to end of case for all public protection cases in-house or contracted;
  - Court file preparation;
  - Court Work;
  - Trial work (if not instructed to external Counsel);
  - First Tier and Employment Tribunal Input;
  - Financial Investigator;
  - Advice and checking of procedural applications;
  - Checking notices and expert instructions; and
  - Senior Appropriate Officer provision for Proceeds of Crime.
  
- Air Quality:
  - Changing and maintenance of air quality monitoring stations and diffusion tubes;
  - Keeping under review action areas:
  - Appropriate liaison Client internal services to enable effective co-ordination of air quality data for Client decision making;
  - Analysis of data and drafting and submission of annual status reports; and
  - Management of the DEFRA funded particulate project on behalf of the Client.
  
- General Service Development; a commitment to support Wokingham in implementing Microsoft PowerBI for the listed Functions and Services.

### 5.13 Cost Benefit Analysis of Buy-Back

The PPP has always and continues to have a range of successful traded and grant funded services. This activity accounts for a good proportion of income and the management team are well accustomed to managing client relationships. In financial terms it is worth £439k (A third of Wokingham's current payment for Services under the IAA) in year 1 revenue and has a positive impact of between £30k and £180k on the PPP's overall redundancy liability (accounting for different levels of recruitment into the new Wokingham structure). It would

## Update on Wokingham BC Exit from the PPP

also mean retaining approximately 6.5FTE within the service which assists with overall service capacity.

Service/Function	Future Service Levels without Buy-Back	Future Service Levels with Buy-Back	Redundancy Costs RAG Rating	Resilience RAG Rating
Trading Standards	R	G	R	A
Intelligence	R	G	A	R
Case Management	A	G	A	R
Air Quality	R	G	A	A
Management	A	G	A	R

### 5.14 Risks associated with no Buy-Back (applicable to all three Authorities)

- Reduced ability to seek and succeed in attracting external funding.
- Loss of specialisms across the profession.
- Reduced resilience in the following areas:
  - Online investigations;
  - Vulnerable witness support;
  - Victim support;
  - Accredited financial investigations;
  - Directed surveillance and Covert Human Intelligence;
  - Investigation procedure and oversight;
  - Links with partner organisations e.g. Thames Valley Police;
  - Data analysis for developing strategic and tactical assessments;
  - Court file preparation;
  - Advocacy at Magistrates and Crown Court;
  - Trial and tribunal work; and
  - Proceeds of Crime arrangements.

5.15 The key area requiring clarification and the most likely topic of disagreement is the termination liabilities. All parties agree that 'Buy-Back' should be designed in such a way that it protects the IAA's principles of acting in good faith, reasonable endeavour and fairness in relation to cost liability.

### Organisational Change

5.16 There has been ongoing dialogue with HR colleagues to establish the approach to organisational change. The Step 1 consultation started on 13<sup>th</sup> August and closed on 27<sup>th</sup> August 2021 and the results have been considered and staff have been responded too. The Step 2 consultation will commence the week commencing the 6<sup>th</sup> September.

## Update on Wokingham BC Exit from the PPP

- 5.17 Feedback was collated and the report published on 2<sup>nd</sup> September detailing any amendments to the process, along with a collation of question and answers for staff.
- 5.18 All parties have been working together to minimise any redundancy risk.

### ICT

- 5.19 The Councils have agreed a way forward. Wokingham will operate their data using their current supplier Civica. PPP will continue on their project to migrate all data to Tascomi. Should 'Buy-Back' be agreed, all commissioned services will operate on PPP systems.

### Exit Plan

- 5.20 This document brings together all the elements of the withdrawal process, as laid out in the IAA.
- 5.21 The negotiations are ongoing about liabilities and the dispute resolution process to be followed. This document must be finalised by the 27<sup>th</sup> September 2021.

### Next Steps

- 5.22 The negotiation teams will resolve the Exit Plan, Organisational Change Process and 'Buy-Back'.
- 5.23 Should the recommendation be accepted in each of the 3 partner authorities, service plans can be drafted to reflect the new arrangements ready for 2022/23.

### Proposals

- 5.24 To support principles of 'Buy-Back' and recommend that each partner authority approves the draft heads of terms through their most appropriate governance route.

## 6 Other options considered

- 6.1 Joint Management Board have evaluated the impact of not proceeding with 'Buy-Back' as a part of the overall cost mitigation activity and determined that the financial impact is unacceptable and that future service resilience would be compromised.

## 7 Conclusion

- 7.1 There has been much progress made since the Committee last considered this issue. There is an improved understanding of the legal, HR and financial risks and the relationship between partners remains productive.
- 7.2 Every effort should be made to conclude the important Exit Plan document by the deadline and the importance of 'Buy-Back' in cost mitigation should be recognised.

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### Background Papers:

None

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**Subject to Call-In:**

Yes:  No:

- The item is due to be referred to Council for final approval
- Delays in implementation could have serious financial implications for the Council
- Delays in implementation could compromise the Council's position
- Considered or reviewed by Overview and Scrutiny Management Committee or associated Task Groups within preceding six months
- Item is Urgent Key Decision
- Report is to note only

**Wards affected:** All

**Officer details:**

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