

JOINT PUBLIC PROTECTION COMMITTEE

Minutes of the meeting held on Monday, 14 MARCH 2022

Councillors Present: Graham Bridgman (Substitute) (In place of Hilary Cole), John Harrison (Chairman), John Porter and Bill Soane

Councillors Present Remotely: Councillor Rick Jones and Councillor Barrie Patman

Also Present: Rosalynd Gater (Team Manager - Commercial), Sean Murphy (Public Protection Manager), Eric Owens (Service Director - Development & Regulation) and Jon Winstanley (Service Director (Environment)), Stephen Brown (Wokingham Borough Council), Stephen Chard (Democratic Services Manager), Moira Fraser (Public Protection Partnership), Damian James (Chair of the PPP Joint Management Board), Councillor Rick Jones and Councillor Barrie Patman (Wokingham Borough Council) (Wokingham Borough Council)

Apologies for absence: Councillor Hilary Cole

PART I

20 Minutes and Matters Arising

The Minutes of the previous meeting held on 13 December 2021 were approved as a true and correct record and signed by the Chairman.

Matters Arising – Training and Development Plan

It was noted that, post Wokingham leaving the Partnership, the service would continue to co-operate, under a contract, across many aspects of the Public Protection spectrum and this could include officer training. Where appropriate joint training would take place. Training was already carried out with other local authorities.

21 Declarations of Interest

There were no declarations of interest received.

22 Notice of Public Speaking and Questions

No public questions were received.

23 Forward Plan

Councillor Graham Bridgman sought clarification in regard to the June 2022 item 'Annual Review of the Noise Policy'. A review was also scheduled for June 2023 and he queried whether this policy needed to be reviewed on an annual basis. Sean Murphy, Public Protection Manager, said he would need to check this with the relevant Officer. It was the first time the Noise Policy had come before this Committee and he would confirm whether it had to be on the Forward Plan every year when it was unlikely there would be any change to the policy.

Post meeting note: The report would be included on the forward plan every two years unless any significant changes were required sooner than that.

Councillor Graham Bridgman sought clarification on how the list of fees and charges went through the decision making cycle in Bracknell Forest and West Berkshire Councils (item scheduled for the JPPC in September 2022). Sean Murphy advised that the start of

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the cycle was the JPPC. He explained that it was a requirement of the Authority Agreement for the JPPC to propose a budget which included a proposed set of fees and charges which were brought to the September meeting annually.

Relevant fees were also taken to the Licensing Committees of Bracknell Forest and West Berkshire in October and November. The private hire operator, and hackney carriage and private hire vehicle licence fees were then subjected to a statutory consultation process. The consultation responses were then reported back to the January and February Licensing Committee meetings prior to a recommendation being made to the Executive and Full Council. The remainder of the fees were taken through the partner council's budget setting process.

RESOLVED that:

- **The Forward Plan be noted.**
- **Sean Murphy would ascertain whether the Noise Policy needed to be reviewed on an annual basis.**

24 West Berkshire Water Safety Partnership Annual report 2021/22

Jon Winstanley, West Berkshire Service Director for Environment, introduced the Annual Report (Agenda Item 6) which had been brought to the JPPC at the request of West Berkshire Council's Executive. This provided an opportunity to look at what was happening and to explore if this could also be adopted by Bracknell Forest Council.

Jon Winstanley said the group had come together following the very tragic incident that had occurred in Victoria Park in Newbury in which a young child fell into the canal and sadly passed away.

The report focused on water safety and what else the Council and emergency services could jointly do to reduce accidental death or injury as a result of taking part in activities in or near water. Initial work had focused around where the incident had taken place but the group had also looked at how best to utilise the combined activity and educational offerings to make the environment safer in relation to activities around water. The report summarised the work undertaken over the last year and outlined planned work for the coming year including a range of physical measures in and around Newbury as well as looking at where those could be rolled out in other parts of the District.

Councillor Graham Bridgman said he had spoken with Sean Murphy about the safety features that had been proposed across West Berkshire and whether there was an opportunity to install defibrillators on canal and river sides. Councillor Bridgman suggested this safety measure might also be of interest to Bracknell Forest. Jon Winstanley said he would take this point back to the Partnership for discussion before feeding back to the Committee with the response.

Councillor Harrison asked for details of the physical and educational measures planned by the Water Safety Partnership. Mr Winstanley said in terms of physical measures, the Partnership and Royal Berkshire Fire and Rescue Service had created an incident database in order to identify hot spots. The first area of concentration was the canal through Newbury with colleagues from the Fire & Rescue Service and the Council's Countryside Service who carried out an audit to identify where barriers could be erected, looked at throw ropes, access to the canal by boaters and generally looked at what physical safety measures could practicably be adopted. In terms of education, Mr Winstanley said the Fire & Rescue Service had a very comprehensive educational programme they took into schools which the Partnership intended to help them promote. In addition, the Partnership would target Water Safety Week and specific user groups that used the canal and who might be at risk of accidental injury in and around the area.

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Mr Winstanley said he would welcome representation from Bracknell Forest Council in the Partnership and would happily extend an invitation to them.

Councillor Rick Jones asked whether the scope of the work of the Partnership extended to all waterways flowing through the District, in particular the Thames tributaries. Mr Winstanley confirmed that the scope of the work did include all waterways, including the Thames, and would be supported by the involvement of the Environment Agency.

Sean Murphy added that there was a synergy in terms of some of the educational work and public engagement work between the two authorities in that the JPPC's communications team had been doing a lot of work with the Royal Berkshire Fire & Rescue Service Assessor for community engagement events. Mr Murphy said if colleagues in Bracknell wished to engage with the Partnership it would be very transferable to bring some of those events to Bracknell. Councillor Harrison suggested that Officers in West Berkshire and Bracknell Forest Councils meet to discuss what would be involved if Bracknell joined the Partnership given there were a large number of bodies of water in Bracknell Forest.

RESOLVED that:

- **The Annual Report be noted.**
- **Jon Winstanley would discuss with the Water Safety Partnership the potential to install defibrillators on canal and river sides before feeding back to the Committee with the response.**
- **Officers in West Berkshire and Bracknell Forest Councils would meet to discuss representation on the Partnership from Bracknell.**

25 Air Quality Status Reports 2020 - Bracknell Forest Council

Sean Murphy introduced the report (Agenda Item 7). He explained that the report had been submitted to DEFRA within the required timescale of the end of June 2021. However, whilst the response from West Berkshire and Wokingham had been returned and come to the JPCC in the Autumn of 2021, for an unknown reason, the report from Bracknell had been delayed.

There were a couple of minor errors in the monitoring data which had been corrected and the Council's evaluation of the report had now been received which had been largely positive and was set out in section 7 of the report.

The report updated on the DEFRA funded Air Quality Project for the three boroughs which centred on PM2.5 monitoring, engagement with schools and wider public engagement which would continue with Wokingham.

As the report author, Suzanne McLaughlin, had been unable to attend the meeting, Sean Murphy said he might have to return to the Committee with answers to any technical questions but was happy to try and answer any general questions from Members.

Councillor John Harrison said that 2020 had been an unusual year which saw people working from home during the height of the pandemic resulting in much fewer journeys being taken by car or by public transport and asked whether this had affected air pollution measurements to any degree or whether that had been compensated for. Mr Murphy confirmed that there had been a reduction in air pollution at that time and a decision had been taken during the various lockdowns and restrictions in 2021 to continue monitoring. This gave interesting background data as to what things could look like based on a reduction in traffic. The report for 2021 was being pulled together ready for submission to DEFRA and Mr Murphy said he would update at the next JPPC meeting on the differences between the 2020 and the 2021 reports.

RESOLVED that:

- **The contents of the report be noted.**
- **The feedback received on the report from DEFRA be noted.**
- **Progress on the measures to improve air quality be noted.**
- **The ongoing and planned future measures to improve air quality be approved as set out in the report.**

26 Wokingham Exit Closure Report

Sean Murphy introduced the report (Agenda Item 8) which set out the final arrangements for Wokingham Borough Council to exit the Public Protection Partnership (PPP). This included the governance arrangements for agreeing the exit, the arrangements that would be put in place with Wokingham around traded services and other outstanding issues arising from the decision by Wokingham to exit the PPP in March 2021.

Mr Murphy said a project team had been set up working across Wokingham, Bracknell and West Berkshire covering matters including IT, legal issues and a range of operational transfer issues. Mr Murphy said there was still work to be done in order to implement a transfer of operational matters to the new service and he was working closely with his colleagues in Wokingham to achieve this.

The report included a proposal around the rebranding of the service for Bracknell Forest and West Berkshire and the potential commissioned services from Wokingham such as Trading Standards, Case Management, Intelligence, Financial Investigations and Food Standards. The rebranding would have to reflect that the Trading Standards element would be three-Authority as set out in the report.

The report also set out future governance arrangements for the elements of the commissioned services which would be through the Joint Management Board (JMB). These arrangements included the fact that today's meeting was the last as a three-Authority Committee with a move to a two-Authority Committee of Bracknell Forest and West Berkshire from April 2022. From April 2022, one of the two weekly JMB meetings each month would have a two-part agenda with one part dealing with areas of commonality across the three Authorities.

The report dealt with Food Standards and Food Hygiene inspections which had been put on hold due to Covid response work taking priority over the last two years. It was proposed that any outstanding work not completed by the end of March 2022 would be finalised in Q1 of 2022/23.

Mr Murphy advised that the primary piece of work to be dealt with over the next few weeks would be the transfer of staff, a smooth operational handover to Wokingham of assets such as equipment and data, and the sign-off of the legal agreements to bring the old Partnership to a close.

Councillor Graham Bridgman reflected on the goodwill that had been shown during the negotiations and thanked everyone involved for reaching an amicable resolution.

Stephen Brown said he wanted to put on record his thanks to Sean Murphy and other Officers who had worked hard over the last year to effect the transfer to the new service.

RESOLVED that:

- **The report be noted.**
- **The proposed branding, as set out at Section 7 of the report, be approved. Councillor Bill Soane abstained from the vote as Wokingham would have no part in this. However, Councillor Graham Bridgman pointed out there was an element of branding relating to all three local authorities in relation to Trading Standards.**

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- A report would be received on the implementation of PPP MK2 at its meeting in June 2022.
- The outstanding Wokingham food standards unrated inspection work would be concluded in Q1 of 2022/23.

27 **Public Protection Partnership Q3 of 2021/22 Performance and Service Update**

Sean Murphy introduced the Quarter Three performance and service update report (Agenda Item 9). This was the summary report received by the Committee every quarter. The report outlined the work undertaken in relation to Covid until the point at which all measures had been revoked in recent weeks.

He explained that the period between December 2021 and March 2022 saw a significant increase in infections due to the Omicron variant which led to a rise in contact tracing, outbreak work and the implementation of Plan B measures.

The intention of the report was to provide a combination of data and performance indicators, including customer service which saw very high levels of satisfaction. Team updates showed the work being undertaken around Housing, Food, Health and Safety, Trading Standards, Licensing and Environmental Quality. The report summarised some of the prosecution cases that had been taken forward since the report last came to Committee, five of which were from the Public Protection area. Mr Murphy pointed out that the report now included some of the Service compliments that had been received which, if Members found helpful, would be included in all future reports. The report also outlined some of the issues faced by Finance, HR and IT.

Councillor Bill Soane wished to record his thanks to all Officers involved in the work undertaken over the previous 12 months which he described as first-class.

Councillor John Harrison proposed that the Committee note the report. He gave thanks to the Partnership for the work undertaken over the past year which had been challenging and ever-changing, not only due to Covid but also due to negotiating the change in relationship with Wokingham Borough Council which had been dealt with in a very mature and calm way.

RESOLVED that:

- **The 2021/22 Q3 data for the Public Protection Service be noted.**
- **The update on service delivery be noted.**
- **The continued role the Public Protection Service were playing across the Councils with respect to Covid19 response be noted.**
- **Adjustments would be made to service priorities for the coming period.**

28 **Revised Performance Management Framework**

Moira Fraser, Principal Officer – Policy & Governance, introduced the report (Agenda Item 10) which was brought before Members as agreed at the December meeting. The report asked the Committee to consider a revised set of Key Performance Indicators and Measures of Volume for inclusion in the Performance Monitoring Framework for the 2022/23 Financial Year. The report also gave assurance that the priorities set out in the Public Protection Service Delivery Plan 2021 to 2023 were being managed effectively and that strong performance was maintained for business as usual activity.

Moira Fraser said that the two measures required under the Inter-Authority Agreement relating to Finance and Customer Satisfaction had been retained and it was also agreed

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that the Performance Monitoring Framework would be reviewed to ensure that it supported the revised Delivery Plan and the PPP Strategic Assessment which was agreed by the JPPC in June 2021.

The Joint Management Board considered the data on a monthly basis and quarterly reports would continue to be brought to this meeting. Members were asked to consider if they thought the framework covered all the aspects they would wish to see included or if there were any additional areas, measures or targets they would like to see.

Councillor Graham Bridgman said some key performance indicators were straightforward, such as the timeframe in which to submit a report. However, there were a number of percentage parameters and Councillor Bridgman asked how it would be possible to obtain KPIs around those without first understanding the amount that was targeted to achieve. Councillor Bridgman said that the large number of measures of volume needed to be meaningful by showing their percentage against a specific target.

Sean Murphy advised that officers had sought to cover this off and used food inspections as an example of where the percentage showed the number of food inspections that had been completed in the year in which they were due. However, from looking at the report, it did appear that the KPIs needed to tie-up with measures of volume. He therefore agreed to this at this further as suggested by Councillor Bridgman.

Mr Murphy said the other key question was which of the KPIs from the extensive list did the Committee particularly want to see and suggested this could be re-visited in the June meeting. Councillor John Harrison said if KPIs were going to be set, more discussion was needed to decide whether to look at a certain percentage or to look at a particular volume of something and what the intended target was. For example, in relation to fly-tipping, how many had led to the identification of the perpetrator or how many had led to a prosecution. Councillor Harrison suggested Officers could look at this over the coming months for further discussion at the June meeting. Moira Fraser suggested holding a workshop with Members outside of the meeting before bringing the results back to the June Committee. Councillor Harrison agreed and stated it was important for colleagues in Bracknell Forest and West Berkshire to collaborate to decide which KPIs were important to focus on. Sean Murphy said the purpose of the KPIs was to see year-on-year improvement in the different areas, for example, test purchases for alcohol which had showed low levels of compliance when first carried out many years ago but which saw much higher levels of compliance now.

Councillor Harrison recommended that the Committee continued to review this issue and undertake further work prior to the next meeting. The motion was carried.

Councillor Harrison concluded the meeting by thanking Members for their attendance and noting that this was the last meeting that Wokingham Members and Officers would be attending in a formal capacity. He thanked them for their work and collaboration over the years. Wokingham Members would be invited to attend future meetings to discuss relevant items albeit that they would not be attending in a voting capacity.

Councillor Harrison added that this was his last meeting in the Chair and thanked everyone for their help and support over the past year. The next meeting would be held on 13 June 2022.

(The meeting commenced at 7.00 pm and closed at 7.48 pm)

CHAIRMAN

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Date of Signature