

Notice of Meeting

Joint Public Protection Committee

A shared service provided by Bracknell Forest Council
and West Berkshire Council

Monday 10 June 2024 at 7.00pm

Venue: Bracknell Forest Council, Time Square, Market Street,
Bracknell, RG12 1JD

Note: This meeting will be streamed live here:

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

To: Councillors Iskandar Jefferies (Bracknell Forest Council), Lee Dillon (West Berkshire Council), Nick Allen (Bracknell Forest Council), Jeremy Cottam (West Berkshire Council), Cherise Welch (Bracknell Forest Council) and Howard Woollaston (West Berkshire Council)

Part I

		Page No.
1	Election of the Chairman To elect the Chairman of the Joint Public Protection Committee for the 2024/25 Municipal Year.	1 - 2
2	Apologies To receive any apologies for absence.	3 - 4
3	Appointment of the Vice Chairman To appoint the Vice-Chairman of the Joint Public Protection Committee for the 2024/25 Municipal Year.	5 - 6
4	Minutes To approve as a correct record the Minutes of the meeting of this Committee held on 11 March 2024.	7 - 14
5	Outstanding Items from Previous Meetings To consider any outstanding matters from previous meetings.	15 - 16

Joint Public Protection Partnership Agenda - Monday, 10 June 2024 *(continued)*

- 6 **Declarations of Interest** 17 - 18
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.
- 7 **Notice of Public Speaking and Questions** 19 - 20
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.
- 8 **Forward Plan** 21 - 24
To detail future items that the Committee will be considering.
- 9 **JPPC Terms of Reference (JPPC4370)** 25 - 30
To note the current Terms of Reference of the Committee as this is the first meeting of the new Municipal Year.
- 10 **Public Protection Partnership Service Update and Q4 (Outturn) Report for 2023/24 (JPPC4371)** 31 - 68
To update the Committee on the work of the Service in Q4 and to report the end of year performance outturn.
To seek authority to carry forward the revenue under-spend from 2023/24.
- 11 **Public Protection Partnership Strategic Assessment 2024 - 2027 (JPPC4372)** 69 - 132
To identify the key service functions, activities and priorities, and identify the resource challenges for the Service.
To map the Service against local, regional and national priorities and risks.

Joint Public Protection Partnership Agenda - Monday, 10 June 2024 *(continued)*

12 **Draft Nuisance Policy 2024 - 2027 (JPPC4451)**

133 - 162

There is a high demand from service users to respond to requests for the Public Protection Partnership to resolve nuisance complaints. The purpose of this draft policy is to set a framework that will help the PPP ensure the continuation of a consistent and transparent approach to both reactive and proactive work on nuisance issues.

The Policy, once adopted, will form part of the suite of key policies that we use to deliver the Service.

To provide an opportunity for the Committee to consider and comment on the draft policy and consultation methodology prior to the service seeking the views of our residents, service users and other stakeholders.

Contact Officer:

Stephen Chard, Legal and Democratic Services, West Berkshire Council, Council Offices, Market Street, Newbury RG14 5LD

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JPPC – 10 June 2024

Item 1 – Election of Chairman

Verbal Item

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JPPC – 10 June 2024

Item 2 – Apologies for absence

Verbal Item

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JPPC – 10 June 2024

Item 3 – Appointment of the Vice-Chairman

Verbal Item

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JOINT PUBLIC PROTECTION COMMITTEE

Minutes of the meeting held on

MONDAY 11 MARCH 2024

COUNCIL CHAMBER COUNCIL OFFICES MARKET STREET NEWBURY

Present: Lee Dillon (Chairman), Iskandar Jefferies (Vice-Chairman), Nick Allen, Phil Barnett, Guy Gillbe and Howard Woollaston

Also Present: Rosalynd Gater (Team Manager - Commercial), George Lawrence (Team Manager - Residential), Sean Murphy (Service Lead - Public Protection), Clare Lawrence (Executive Director - Place), Suzanne McLaughlin (Senior Environmental Health Officer) and Jon Winstanley (Service Director (Environment)), Moira Fraser (Public Protection Partnership), Damian James (Assistant Director - Contract Services) and Stephen Chard (Democratic Services Manager)

PART I

30 Minutes

The Minutes of the meeting held on 11 December 2023 were agreed as a true and accurate record and signed by the Chairman.

31 Outstanding actions from previous meetings

The following updates were noted on the outstanding action points from previous meetings:

Item 1 – Hunting Trophies Bill – the impact of the enactment of the legislation would be considered as part of the priority setting process for the Public Protection Partnership.

Item 2 – lobbying the Government on statutory fees – this work continued to be in progress.

32 Declarations of Interest

During discussion of agenda item 8 (Public Protection Partnership Service Update and Q3 Report – Housing update), Councillor Lee Dillon declared a personal interest by virtue of the fact that he worked for a Registered Social Landlord (Sovereign Network Group), they were not however named in the report. As his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate.

33 Notice of Public Speaking and Questions

No public questions were received.

34 Forward Plan

RESOLVED that the Forward Plan be noted.

35 Water Safety Partnership Annual Report 2023/24 (JPPC4335)

Councillor Lee Dillon opened the item with a reflection on the reasons the Water Safety Partnership was formed. On 13 March 2021, three year old Dylan Milsom tragically died after falling into the Kennet and Avon Canal near Victoria Park in Newbury. The Committee gave its heartfelt condolences to Dylan's family and friends.

The Committee considered the annual report detailing the activities of the Bracknell and West Berkshire Water Safety Partnership (the Partnership) (Agenda Item 7).

Jon Winstanley (Service Director, Environment) presented the report. Following the tragedy of March 2021, the Partnership was formed by a number of key partners including West Berkshire Council, the Canal and River Trust, emergency services and Bracknell Forest Council. Meetings were also attended by representatives from Wokingham Borough Council and the Royal Borough of Windsor and Maidenhead.

Key objectives of the Partnership included the sharing of best practice and knowledge across Berkshire, promoting and developing water safety initiatives, promoting awareness of risks, and the provision of a targeted approach to water safety with the ultimate aim of minimising, as far as possible, incidents of accidental drowning across Berkshire.

However, Mr Winstanley reported the further extremely sad news that there had been an accidental drowning in the past year, which occurred along the Kennet and Avon Canal at night time. This was investigated by the Partnership and while they found that no reasonable physical measures could have prevented this incident, conversations were held with street pastors and representatives of the nighttime economy in Newbury to help highlight the dangers of being near the water at night. Physical measures were however being considered in some other areas.

The Partnership had been and would continue to be involved in a number of activities. Future activities were captured in the events calendar which was appended to the report. Examples included educational activity, introducing additional water safety cabinets, adding information to the PPP website, and running events/raising awareness in hot spot areas.

Councillor Guy Gillbe described a near miss he experienced as a seven year old child. Fortunately, he survived, but this was something he still remembered quite vividly. He was pleased to see this being rightly treated as a highly serious matter to prevent the tragedy that had occurred three years ago.

Councillor Gillbe highlighted the importance of following the Water Safety Code. He acknowledged it was extremely difficult to keep a 100% constant eye on children but such incidents could happen in a matter of seconds. The Code highlighted the absolute importance of staying close to children at all times when near the water.

Councillor Iskandar Jefferies was pleased to note the addition of QR codes which gave the ability to access information on water safety. This would help make the information more accessible to young people.

Councillor Gillbe questioned whether it was possible to record near misses. Mr Winstanley acknowledged this was difficult in that there was reliance on receiving reports from members of the public. West Berkshire Council did receive data from the Royal Berkshire Fire and Rescue Service (RBFRS), and Mr Winstanley agreed to query this matter with them.

Councillor Gillbe queried what direct action was being taken to provide advice to families and young people, i.e. within schools. Mr Winstanley explained that awareness raising events were held at locations where there was a level of risk. The RBFRS did some work

JOINT PUBLIC PROTECTION COMMITTEE - 11 MARCH 2024 - MINUTES

within schools and Mr Winstanley agreed to provide further information on that to Councillor Gillbe.

Moira Fraser, Principal Officer – Policy and Governance, added that the Partnership would go out on the road during the summer, which included attendance at parish events.

Councillor Dillon referred to recent incidents of flooding and he queried if communications would be issued in relation to this and the need to exercise caution with flood water and higher water levels. Mr Winstanley advised that this was a topic of discussion at the Partnership meeting held that day. Messages would be issued by the RBFRS and by local authorities.

Councillor Dillon then referred to his own experience as a three year old child when he fell into his next door neighbour's pond. Fortunately, no harm was done but Councillor Dillon queried whether advice was provided to residents with ponds and private swimming pools. Mr Winstanley agreed to take that point away for discussion with the Partnership.

Councillor Dillon concluded the item by giving thanks to Mr Winstanley and the members of the Water Safety Partnership for all their hard work.

RESOLVED that the report be noted.

36 **Public Protection Partnership Service Update and Q3 Report for 2023/24 (JPPC4333)**

The Committee considered the report (Agenda Item 8) which informed Members of the performance of the Public Protection Partnership, in line with the operating model and business plan, during the third quarter of 2023/24. The Committee worked through the different sections of the report.

Finances and Resources

Sean Murphy, Public Protection Service Lead, explained that the Service was reporting a zero outturn which included the management of an estimated £95k income shortfall, predominantly arising from an income shortfall from licensing.

The Service had been managing an underspend in the region of £200k to assist both local authorities with their significant financial pressures. In the main, this came from managing vacancies that had been offered for deletion.

In response to a query from Councillor Iskander Jefferies, Mr Murphy explained that a number of successful grant applications had helped to offset some costs. However, the majority of the underspend was achieved from managing vacancies.

Councillor Nick Allen felt that the report would have benefited from explaining that the income shortfall had been met by not recruiting to some posts.

Mr Murphy noted this point and would reflect on it for future versions of this report.

Damian James, Assistant Director for Contract Services, added that the position would be much clearer for the Quarter Four report.

Customer Satisfaction Rates, FOIs etc

Moira Fraser explained that there had been a decline in the overall satisfaction rate during Quarter 3 to 52%. However, it was still the expectation that the target for the year (75%) would be met as the satisfaction rating was tracking at 72% for the year to date. Moira added that the relatively small number of responses received per quarter meant that small changes in the figures could impact the percentages significantly.

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Only one complaint had been received in the past quarter as well as some compliments, examples of which were contained within the appendix to the report.

Human Resources

Sean Murphy reported that while seven posts were proposed for deletion, recruitment was ongoing in an attempt to fill some vacancies, with interviews to be held shortly.

Recruitment of qualified staff remained a challenge and there was therefore a focus on staff development and succession planning. Level 4 apprentices were anticipated to complete their qualifications in the near future and were being allocated to teams within the service. There were also three apprentices working towards Level 6 qualifications.

Councillor Lee Dillon passed congratulations on behalf of the Committee to the qualifying apprentices.

Councillor Phil Barnett queried if the service remained able to fulfil its mandatory functions when considering the number of vacancies. Mr Murphy confirmed this was the case and was made possible with staff working in areas of highest priority and/or risk. Mr Murphy praised the willingness of staff to work in different teams.

Councillor Guy Gillbe noted the longer term strategy and that the short term held challenges. He therefore gave thanks to officers on behalf of the Committee for their excellent work under challenging circumstances.

ICT

Operational functionality was in place for the new single system with the majority of issues resolved. The next stage was the implementation of the customer portal.

In response to a question from Councillor Dillon, Damian James explained that it was difficult to pinpoint an exact date for the portal to be in place. However, meetings were held on a monthly basis with the supplier to ensure that progress was being made. Councillor Dillon requested further detail on this matter, as a Part II report if necessary. Damian James agreed to provide further updates outside of the meeting.

Councillor Jefferies queried the timeline for testing the portal and training on its use. Moira Fraser explained that training was being rolled out to Customer Service teams in both authorities and the system would be tested as part of that. This would follow for external customers.

Councillor Jefferies then sought assurance that there had been no loss or corruption of data as part of the data transfer. Sean Murphy advised that no such loss had been identified. He added that a significant level of hard work had been put into the data transfer, it had been challenging and time consuming but the data, from three systems, had been transferred.

Councillor Gillbe commended the progress made to date, particularly with the challenges being faced.

Property and Assets

Members noted the progress made in this area.

Operational Delivery – Measures of Volume

Councillor Howard Woollaston pointed out that no envirocrime or fly tipping was shown in the report in West Berkshire in Q3. Sean Murphy explained that the PPP was not responsible for these areas in West Berkshire, they were managed by the Waste Team. However, he offered to include this information for completeness if available.

Councillor Jefferies queried whether data could be captured on hotspot areas, i.e. for fly tipping. Damian James advised that an officer was responsible in Bracknell Forest for fly

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tipping enforcement and held such data. This had resulted in some investigations and the issuing of fixed penalty notices.

Councillor Allen noted that the PPP had been awarded funding by the Police and Crime Commissioner for the purchase of additional CCTV cameras in Bracknell Forest.

Communication, Consultation and Engagement

Moira Fraser confirmed that social media activity had increased (there had been a decrease after the departure of the lead communications officer). Members were invited to suggest areas for wider promotion via social media.

Sean Murphy agreed to look at including readership data in future reports, as requested by Councillor Jefferies.

Officers continued to work in schools as part of the education programme.

Community and Trading Standards (including Customer Services)

George Lawrence, Residential Team Manager, added to the point on education. As well as work with schools, this was undertaken in collaboration with Berkshire Youth and Public Health teams. The focus was on the risks of vaping, tobacco and alcohol.

Enforcement work included on illegal/unsafe products and underage sales.

Anti-fraud and anti-scam work was ongoing. Support was provided to victims of scams in liaison with Thames Valley Police. Officers also worked with residents on issues such as noise nuisance.

The team also held responsibility for stray dog collections. Recent legislative changes relating to XL Bullies had been taken on board and was promoted through the website and social media accounts.

Councillor Phil Barnett requested further detail on how the food sampling programme was implemented. Mr Lawrence advised that this covered a range of different products and settings. Products were tested within a laboratory and results fed back to the service.

Commercial (Food Safety and Health & Safety)

Councillor Allen noted that sickness absence was highlighted as an issue in this team and he queried the length of time it would take to catch up on work such as food inspections.

Rosalynd Gater, Commercial Team Manager, explained the team were getting back on track with this work. It had been necessary to catch up on food inspections following Covid and the focus had been on higher risk/higher category premises. These inspections were due to be completed by year end. The recovery programme in respect of lower risk premises was ongoing and would be rolled forward into 2024/25 for completion.

In terms of staffing, an officer had been on long term sick leave and, as a result, an apprentice had been allocated to provide some support to the team and would be starting training in September to gain the necessary qualifications to undertake food hygiene work. Two casual members of staff had been recruited to help with the catch up work.

A reducing level of compliance had been found for some premises, resulting in extra work to ensure the necessary compliance. Factors behind this included Covid and cost of living pressures.

Sean Murphy agreed to provide, post year-end, a report detailing where catch up work remained to take place.

Licensing (including Applications and Licensing Governance)

Members noted that an updated Hackney Carriage and Private Hire Licensing Policy had been adopted in Bracknell Forest Council. West Berkshire Council had adopted an updated Statement of Licensing Policy.

A number of licensing hearings had been held in Q3, with more scheduled for Q4.

Councillor Barnett noted the high level of preparation required for licensing hearings. However, it was often the case that matters were resolved pre the hearing. With that being the case he queried if there was an alternative approach that could be followed.

Sean Murphy explained that there was a set process to be followed with licensing hearing paperwork. He added a similar issue with the preparation required when a case came to trial, but a guilty plea had come through before the case was heard.

Moira Fraser added that there was a prescribed period for licensing hearings to take place. Hearings were scheduled towards the end of that period to allow time for mediation and if this was successful the hearings would be cancelled.

Councillor Dillon queried if there were any lessons to learn from some hearings. Moira agreed to look into that point but explained that each case was unique, with negotiations possible in some but not all cases.

Environmental Quality

Suzanne McLaughlin, Principal Officer for Environmental Quality, reported that the primary focus had been on air quality (the subject of a separate report on this agenda).

The private water supplies annual return had been submitted on time for West Berkshire Council to the Drinking Water Inspectorate.

Noise/other nuisance complaints had been received and responded to. This included in relation to an industrial premises and this resulted in an abatement notice being served.

Inspections were continuing for pollution prevention control, with the necessary inspections scheduled to be completed on target.

Environmental Health Housing

Rosalynd Gater reported that reports of damp and mould have remained high throughout the year and much reactive work was needed as a result.

The team was working through a high number of licence renewals for Houses of Multiple Occupancy (HMOs). Officers with prior housing experience from other teams were being involved with this work to increase resilience.

Housing related cases had become more complex, often resulting in enforcement action needing to be taken.

Councillor Dillon asked if a list of HMOs could be provided by ward for Members together with a briefing note. Rosalynd advised of the intention to map HMOs and so would provide this information.

Councillor Woollaston queried if a briefing note could also be provided to Members in relation to damp and mould issues. In particular the advice that could be given to concerned residents. Rosalynd agreed to circulate a leaflet on this matter together with a briefing note.

Clare Lawrence, Executive Director for Place, commented that not all HMOs were subject to regulation and not all required planning permission. This information needed to be added to the briefing note.

Investigations and Case Management

Sean Murphy advised that delays were being experienced within the crown court system. He added that the high volume of complex investigations was a challenge for officers.

RESOLVED to note:

- The 2023/24 Q3 performance for the Public Protection Service.
- The Service updates since the last meeting.

37 Crowthorne Air Quality Action Plan and Air Quality Management Area Revocations Update (JPPC4485)

The Committee considered the report (Agenda Item 9) which sought approval for the revised Crowthorne Air Quality Action Plan (AQAP) following the statutory consultation; and for the revocation of the Air Quality Management Area (AQMA) in Bracknell (A322 Downshire Way), Newbury (A339) and Thatcham (A4) following the consultation process.

Suzanne McLaughlin presented the report. She explained that consultation processes had been undertaken as agreed by Committee at its December meeting. Consultation responses were outlined in the report as were next steps. This included the revised AQAP for Crowthorne which was proposed for approval.

It was also proposed that the AQMAs in Bracknell, Newbury and Thatcham be revoked.

Councillor Guy Gillbe advised that this matter had been a key concern for Crowthorne residents. They would be assured that targets were being met and that an AQAP would be in place to maintain this progress.

Councillor Phil Barnett queried the usage of electric vehicles. He noted that pre Covid-19 usage was at 37.1% of vehicles on the road, but this had reduced to 28.2%. However, Councillor Barnett questioned if there had been an overall increase in numbers.

Sean Murphy advised that the number of electric vehicles had increased and there had also been a gradual improvement in emissions from non-electric vehicles.

Suzanne added that improvements reflected changes post Covid-19. As well as those outlined by Mr Murphy, people had been living their lives a little differently in terms of work habits etc. This had helped ease congestion and reduce pollution.

RESOLVED that:

- The Crowthorne AQAP be approved.
- The AQMAs for Bracknell, Newbury and Thatcham be revoked.

38 Young People and Vaping (JPPC4483)

The Committee considered the report (Agenda Item 10) which provided an updated on the work being undertaken by the Public Protection Partnership to reduce the consumption of vaping products by young people across the Partnership area.

George Lawrence outlined that while vaping was substantially less harmful than smoking it was not risk free and vaping by young people was of particular concern. Vapes were an age restricted product and were addictive as they contained nicotine. The number of young people vaping had grown and the marketing of vapes was of concern as this was felt to make vaping appealing to youngsters.

Central Government had looked to take action. Single use vapes were to be banned and tax laws were to be tightened to help fund enforcement action.

Responsible disposal of vapes was also being promoted.

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Work undertaken by the PPP had been successful but areas of non-compliance remained. The PPP would continue to have a role in this area in line with Government legislation. Government funding was being made available for enhanced enforcement work.

Councillor Iskandar Jefferies requested further information on seized products (as outlined in paragraph 3.22 of the report). He queried if they were seized post testing or based on labelling of products.

George Lawrence explained that products were collected on the basis of intelligence gathered, but labelling was also a factor. Sean Murphy added that officers needed to have grounds to seize products on suspicion of non-compliance and labelling was a starting point. The distribution of products to retailers was also looked at to ensure this was legitimate.

Councillor Lee Dillon noted from the report a non-compliance failure rate of 70%. This high percentage was very concerning and he queried whether information would be provided to the public on this.

George Lawrence explained that the products in question had been approved by the regulator and there was therefore concern in relation to quality assurance and control at the manufacturing stage. The PPP was part of a regional approach with other local authorities and relevant organisations working together on this matter.

Councillor Dillon requested that this become an annual item to keep Members informed. It would be useful for future versions of the report to contain, for example, further detail on non-compliance rates.

George Lawrence confirmed that the 70% failure rate concerned the contents of legal products. This was separate to the seized (illegal) vapes referred to earlier in the debate.

Councillor Dillon queried when the public would be made aware of offending premises. Sean Murphy advised of recent publicity after a successful prosecution case, with other cases under review by the Case Management Team. The public could be made aware if there was a conviction, beyond that publicity was restricted.

Councillor Dillon followed this by questioning if publicity was possible should a premises receive a warning. He felt this was important for public protection. Sean Murphy agreed to pursue this with officers in Legal. He added that future reports would include options available in this regard.

Councillor Guy Gillbe sought assurance that the messages being delivered within schools on the risks of vaping were appropriate and served to discourage rather than potentially encourage use of vapes. Sean Murphy described the extensive history of work in educational settings on age restricted products. A key aspect was making young people aware of the risks involved with vaping.

RESOLVED that the report be noted and that this matter become an annual agenda item.

(The meeting commenced at 7.00pm and closed at 8.40pm)

CHAIRMAN

Date of Signature

Joint Public Protection Committee Actions Arising from Previous Meetings

Ref	Meeting Item	Action	Officer	Update
1.	02 October 2023 Revenue Budget 2024/25 Including Proposed Fees and Charges Schedule	Clare Lawrence would speak with the Berkshire Group of Officers to lobby government to uplift the statutory fees. Councillor Lee Dillon would do the same at Berkshire Leaders, Officers would draft a letter to be sent on behalf of the Licensing Chairs to central government about increasing the statutory fees	CL LD JOB/ SM	
2.	11 March 2024 Water Safety Partnership Annual Report 2023/24	Jon Winstanley to include any data on 'near misses' in the 2024/25 report. Jon Winstanley to include any information on work in schools in the 2024/25 report. Comms on activity near canals as well as in private swimming pools and ponds.	JW JW MF	Will be included in the 2024/25 report if available. Will be included in the 2024/25 report Series of posts going out about water safety during late spring and summer. The RBFRS and the Chief Fire Officers who are part of the WSP are generating a lot posts which we are sharing. Also put some signage up in 'hot spots'.
3.	11 March 2024 PPP Service Update and Q3 Performance Report for 2023/24	Sean Murphy asked to provide a table on the activities provided within each partner area in the Q4 Report. Members also asked for some additional detail in the Q4 report or outside of the	SM	Included in the Q4 report as an appendix

Ref	Meeting Item	Action	Officer	Update
		meeting relating to Comms, IT and HMOs.	All Mgrs	
4.	11 March 2024 Young People and Vaping	Future annual reports to include information around failure rates. Articles or social media posts to be produced about what consumers should be looking out for when purchasing vapes in terms of compliance.	GM GM	

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Item 6 – Declarations of Interest

Verbal Item

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JPPC – 10 June 2024

Item 7 – Public Speaking and Questions

Verbal Item

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JPPC Forward Plan October 2024 to October 2025

No.	Ref No	Item	Purpose	Lead Officer	Comments
JPPC - 7 October 2024 – WBC					
1.	Awaiting Reference	Public Protection Partnership Q1 2024/25 Performance Report	To consider the Quarter 1 Update and Performance Report.	Moira Fraser	
2.	Awaiting Reference	Revenue Budget 2025/26 Including Proposed Fees and Charges Schedule	To set out the draft revenue budget for 2025/26 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).	Sean Murphy	
3.	JPPC4334	Service Plan 2024/25 setting out the Public Protection Partnership Priorities 2024/25 to 2026/27.	To identify the relevant details of the Inter Authority Agreement (IAA) and set out how the PPP intends to operate through the delivery of the Service Plan including reviewing the priorities for the Service.	Sean Murphy & Strategic Mgrs	
4.	JPPC4482	Martyn's Law	To provide a further update on the resource implications for the Service following the enactment of the Bill.	Rosalynd Gater	Will be brought to Committee once the legislation is enacted.
5.	JPPC4277	PPP Delivery Plan Update 2023-2025	To set out progress has been made against the PPPs agreed priorities as set out in the 2021 to 2023 Delivery Plan.	Sean Murphy & SMs	
6.	JPPC4451	Nuisance Policy	To consider the comments received during the consultation and adopt the policy.	Suzanne McLaughlin	
JPPC - 16 December 2024 – BFC					
7.		Public Protection Partnership Q2 2024/25 Performance Report	To consider the Quarter 2 Update and Performance Report.	Sean Murphy/Moira Fraser	
8.		Air Quality Status Reports	To set out the response received from DEFRA	Suzanne McLaughlin	

No.	Ref No	Item	Purpose	Lead Officer	Comments
9.		Outcome of the PPP Peer Review	To set out the findings of the peer review of the PPS in terms of input, output, delivery, resources, governance, structure and value for money.	Sean Murphy	
10.	Awaiting Reference	Tackling Fraud and Unfair Trading	To provide the Committee with an update on the work of the Public Protection Service in tackling fraud and financial abuse.	Theresa Bashford	
JPPC - 10 March 2025 – WBC					
11.		Public Protection Partnership Q3 2024/25 Performance Report	To consider the Quarter 3 Update and Performance Report.	Sean Murphy/ Moira Fraser	
12.		Water Safety Partnership	To provide an annual update of the work of the Partnership.	Jon Winstanley	
JPPC - June 2025 – BFC					
13.		Election of the Chairman and Appointment of the Vice-Chairman for the 2025/26 Municipal Year.	To elect a Chairman from West Berkshire Council and a Vice-Chairman from Bracknell Forest Council for the 2025/26 Municipal Year, if necessary	Verbal Item	
14.		JPPC Terms of Reference	To note the terms of reference of the Committee.	Moira Fraser	
15.		Public Protection Partnership Q4 2024/25 Performance Report	To consider the Quarter 4 Update and Performance Report.	Sean Murphy/ Moira Fraser	
16.		Service Plan 2025/26.	To identify the relevant details of the Inter Authority Agreement (IAA) and set out how the PPP intends to operate through the delivery of the Service Plan.	Sean Murphy & Strategic Mgrs	
17.		Communication and Engagement Strategy 2025-2027	To update the existing Strategy and adopt any modifications made to it.	Moira Fraser	

No.	Ref No	Item	Purpose	Lead Officer	Comments
18.		WBC RIPA Powers 2025-2028	To provide Members with an oversight of the measures in place and actions being taken by the Councils including policy and guidance and social media policy	Sean Murphy	
19.		Strategic Assessment 2024-2027	To review the current Strategic Assessment and update it based on intelligence received.	George Lawrence	
JPPC - October 2025 – WBC (Date TBC)					
20.		Public Protection Partnership Q1 2025/26 Performance Report	To consider the Quarter 1 Update and Performance Report.	Moira Fraser	
21.		Revenue Budget 2026/27 Including Proposed Fees and Charges Schedule	To set out the draft revenue budget for 2026/2027 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).	Sean Murphy	
22.		Tackling Fraud and Unfair Trading	To provide the Committee with an update on the work of the Public Protection Service in tackling fraud and financial abuse.	Theresa Bashford	Include section on educating young people and emerging threats in this iteration.
23.		PPP Delivery Plan Update	To set out progress has been made against the PPPs agreed priorities as set out in the Service/Delivery Plan.	Sean Murphy & SMs	
24.		Private Sector Housing Policy 2025 - 2028	To review and where appropriate update the existing Policy.	Rosalynd Gater	

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JPPC Terms of Reference

Committee considering report:	Joint Public Protection Committee
Date of Committee:	10 June 2024
Chair of Committee:	To be appointed at the Meeting
Date JMB agreed report:	20 May 2024
Report Author:	Moira Fraser
Forward Plan Ref:	JPPC4370

1. Purpose of the Report

- 1.1 To note the current Terms of Reference of the Committee as this is the first meeting of the new Municipal Year.

2. Recommendations

The Committee:

- 2.1 **NOTES** the current terms of reference of the Joint Public Protection Committee (JPPC).

3. Implications and Impact Assessment

Implication	Commentary
Financial:	None – although it is noted that the terms of reference do delegate authority to the JPPC to make decisions around budgets, fee setting and dealing with the treatment of trading surpluses or deficits.
Human Resource:	None
Legal:	The terms of reference are set out in West Berkshire Council's Constitution (as the host authority) and should be read in conjunction with the Meeting Procedure Rules which set out the rules and procedures that apply to all of the Council's Bodies and Sub-Bodies. The requirements of the JPPC and the Public Protection Partnership are also included in the Inter Authority Agreement (IAA).
Risk Management:	There is a risk that any decision of the JPPC could be challenged. Having clear rules governing the manner in which meetings will be conducted, should reduce the risk of challenges being successful.
Property:	None
Policy:	None

	Positive	Neutral	Negative	Commentary
Equalities Impact:				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		x		Report is to note only.
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		x		Report is to note only.
Environmental Impact:	x			The Meeting Rules and Procedures do allow some individuals to attend meetings remotely using technology which will reduce their environmental impact.
Health Impact:		x		
ICT or Digital Services Impact:		x		
PPP Priorities:		x		It is anticipated that the work of the JPPC, PPP and therefore the terms of reference will underpin all of the priorities agreed in March 2023. <ol style="list-style-type: none"> 1. Alcohol and Tobacco Harm Reduction 2. Animal Welfare 3. Cost of Living 4. Environmental Protection 5. Food Safety and Standards 6. Health and Safety Enforcement 7. Housing Standards in the Private Rental Sector 8. Impact of Nuisance on Residents and Communities 9. Improved Air Quality 10. Licensing 11. Nutrition and Childhood Obesity 12. Service Improvement 13. Tackling Fraud

				14. Unsafe Consumer Goods
Data Impact:		X		
Consultation and Engagement:	None			
Other Options Considered:	None			

4. Executive Summary

- 4.1 The current Terms of Reference of the JPPC were discussed at the 12 June 2023 Committee meeting. The Committee resolved that a recommendation would be made to West Berkshire's Full Council that the membership should be increased to include a third member from each partner authority.
- 4.2 Although the matter was discussed by both partner authorities as West Berkshire Council is the host authority any constitutional changes need to be adopted by them. The current membership and terms of reference were therefore adopted at the 20 July 2023 West Berkshire Full Council meeting.
- 4.3 It was agreed that the JPPC shall comprise of six Members, three from each of BFC and WBC as follows:
- The Executive/Cabinet Member with responsibility for Public Protection Services (appointed by the Leader of the respective Council);
 - Two additional Members (appointed by each Council at its respective Annual Meeting or in the event of a vacancy) reflecting the political balance of the individual Council.
- 4.4 Officers are not proposing any further changes to the Terms of Reference at the present time. Any governance matters and procedural changes would be considered as part of any changes to the operational conduct or composition of the partnership.
- 4.5 It is considered to be good governance practice for the terms or reference to be presented to the Committee at the first meeting of the Municipal Year annually.

5. Appendices

- 5.1 Appendix A – Terms of Reference

6. Background Papers:

- 6.1 None
-

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 Wards

Officer details:

Name: Moira Fraser
Job Title: Principal Officer Policy and Governance
Tel No: 01635 519045
E-mail: moira.fraser@westberks.gov.uk

Part []

Council Bodies

Appendix: Joint Public Protection Committee

1 Preamble

- 1.1 Part 3 (Meeting Procedure Rules) and Part 6 (Council Bodies) set out the rules and procedures that apply to all of the Council's Bodies and Sub-Bodies.
- 1.2 If there is any conflict between the wording of Parts 3 and 6 and this Appendix, this Appendix will prevail.

2 Introduction

- 2.1 The Joint Public Protection Committee ("JPPC") has been established to oversee the strategic leadership of the Joint Public Protection Partnership ("PPP"), comprising Bracknell Forest Council ("BFC") and West Berkshire District Council ("WBC") (together, "the Councils").
- 2.2 WBC is the host authority for the PPP and, unless otherwise agreed in writing, the WBC Constitution will apply to all procedures and Meetings of the JPPC

3 Scope of Role

- 3.1 The 3.1 The purpose of the JPPC is to:
 - 3.1.1 set the strategic direction for the PPP; and
 - 3.1.2 review:
 - standards of service delivery and performance;
 - fee income and costs (on a cost recovery basis unless a statutory basis applies);
 - the treatment of trading surpluses or deficits;
 - an action plan for business growth and development

4 Membership

- 4.1 The JPPC shall comprise of six Members, three from each of BFC and WBC as follows:
 - 4.1.1 The Executive/Cabinet Member with responsibility for Public Protection Services (appointed by the Leader of the respective council);
 - 4.1.2 Two additional Members (appointed by each Council at its respective Annual Meeting or in the event of a vacancy) reflecting the political balance of the individual Council.
- 4.2 At least one officer representing each partner local authority will attend the JPPC to advise Members. Where possible, the Public Protection Manager for the Service will also attend.

5 Chairman and Vice-Chairman

- 5.1 The JPPC shall appoint one of its Members to be Chairman of the JPPC on an annual basis (or in the event of a vacancy) who shall continue in office until their successor becomes entitled to act.

- 5.2 The Chairmanship and Vice-Chairmanship of the JPPC shall rotate between the Councils on an annual basis, with each post being held by a different Council.

6 Quorum

- 6.1 The quorum of a Meeting shall be two.
- 6.2 At least one Executive Member from each Council must be present for the meeting to be quorate.

7 Frequency of Meetings

- 7.1 The JPPC will meet a minimum of twice per year (on a six monthly basis). Additional meetings may take place with the agreement of the Chairman. Meetings will be held at a venue to be agreed with the Chairman.

8 Significant Decisions

- 8.1 The JPPC shall refer back to the Councils for decision any proposal that it has agreed in principle seeking to:
- 8.1.1 admit an additional party or parties to the PPP;
 - 8.1.2 incur expenditure which requires increased contributions by the Councils; or
 - 8.1.3 make significant changes to the fundamental principles or operation of the PPP.

9 Forward Plan

- 9.1 The JPPC will take Key Decisions on behalf of the two Councils and will give notice of these decisions at least 28 days before they are due to be taken.

10 Administration

- 10.1 10.1 WBC will provide administration for the JPPC.

Public Protection Partnership Service Update and Q4 (Outturn) Report for 2023/24

Committee considering report:	Joint Public Protection Committee
Date of Committee:	10 June 2024
Chair of Committee:	To be confirmed at the meeting
Date JMB agreed report:	22 April 2024
Report Author:	Sean Murphy
Forward Plan Ref:	JPPC4371

1. Purpose of the Report

- 1.1 To update the Committee on the work of the Service in Q4 and to report the end of year performance outturn.
- 1.2 To seek authority to carry forward the revenue under-spend from 2023/24.

2. Recommendations

The Committee:

- 2.1 **NOTES** the 2023/24 Q4 and year end data for the Public Protection Service set out in Appendix A.
- 2.2 **NOTES** the update on service delivery.
- 2.3 **AGREES** that £61.69K of revenue funding be carried forward to the 2024/25 financial year.

3. Implications and Impact Assessment

Implication	Commentary
Financial:	<p>The outturn for PPP is detailed in the report. In the last week of the financial year grant funding was received for the control of offensive weapons provisions relating to trading standards. This combined with some further re-charges to grant funding resulted in an underspend of £61.69K. This is made up of £38K funding for offensive weapons and £23.6K underspend.</p> <p>The service had an income shortfall of £98K in 2023/24. The shortfall is primarily due to falling licensing income. Addressing the licensing income shortfall was identified as a priority for 2023/24 in the Service Plan which was agreed at the January 2023 JPPC meeting. The shortfall was mitigated by vacancies in licensing and other areas of the service combined with reduced spend on agency/casual staff.</p>

	<p>West Berkshire as host currently has financial controls in place where expenditure over £10K is considered by a financial review panel. Recruitment and the engagement of agency staff is also subject to consideration by the panel.</p> <p>Submissions relating to PPP expenditure set out how spend relates to other authority and grant contributions.</p>
<p>Human Resource:</p>	<p>The combination of vacancies, restrictions on the use of agency staff and the removal of 6.7 fte from the establishment as part of the budget setting process for 2024/25 has the risk of increasing pressure on existing staff.</p> <p>There is no doubt in some areas the staff and the service are under significant pressure with increased workload and new duties affecting the service. We are constantly reviewing the service to ensure that resource is targeted in high priority areas and areas where there is greater risk of detriment to residents. The proposed priorities for the coming period are included in another report on this agenda.</p> <p>There is some very limited engagement of agency staff, but this is linked primarily to grant funded areas where there is not the resource to conduct the work e.g., level 3 investigation work and private sector housing and licensing work. None is committed beyond June 2024.</p> <p>A great deal of effort has gone into re-balancing the service through the delivery of a workforce strategy focussed on a 'grow our own' ethos by investing in apprenticeships, post graduate professional qualifications and post-entry training for both new and existing officers. This workforce strategy is underpinned by the Training and Development Plan.</p>
<p>Legal:</p>	<p>There are no direct legal implications arising from this report. The 2017 Inter-Authority Agreement (IAA) charges the Joint Public Protection Committee with the responsibility to oversee service delivery and performance including financial performance. This report discharges this responsibility.</p> <p>The governance arrangements with Wokingham are managed through Joint Management Board as per the current agreement.</p>
<p>Risk Management:</p>	<p>We will continue to manage risk in line with the prevailing situation and corporate policies. The service maintains both a strategic and operational risk register.</p> <p>The strategic 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.</p>

	<p>The operational risk register is routinely monitored by the Principal Policy Officer Group with concerns being escalated to the Joint Management Team.</p> <p>There are now a number of risks around resourcing both in relation to the inability to recruit (which has improved recently), failure to retain key staff and increased workload and new burdens at the time of reduced operational resource (6.7FTE) and income shortfalls.</p> <p>Addressing these risks can only be through increased resource / increased critical mass or adjustment in priorities to match the resource. A number of areas are being examined including exploring further grant opportunities and expansion of the shared service.</p>			
Property:	<p>There are no direct property implications arising from this report although it is to be noted that the 'Transformation Programme' at West Berkshire is looking at rationalising the use of the estate. This may have an impact on the PPP use of Theale Gateway with some sharing of the building.</p>			
Policy:	<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 to maintain oversight of performance. This report addresses that requirement.</p> <p>The revised service priorities were agreed at the March 2023 JPPC meeting. The Strategic Assessment will be discussed at this meeting and will assist with setting new priorities and monitoring progress against them. The revised priorities will be agreed at the October 2024 meeting.</p>			
	Positive	Neutral	Negative	Commentary
Equalities Impact:				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		✓		No implications

B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		✓		No implications
Environmental Impact:	✓			<p>It is anticipated that the revised ways of working will continue to deliver reductions in travel for the team.</p> <p>In addition, one of the aims of the Partnership is to deliver better outcomes for the environment and for residents of Bracknell Forest and West Berkshire</p>
Health Impact:	✓			<p>The proposals create no direct health impacts on staff. They do however set out progress against community-based health protection and improvement measures and initiatives. The Service continues to work closely with colleagues in the Public Health Team across all partner authorities.</p>
ICT or Digital Services Impact:	✓			<p>The use of ICT on service delivery has been transformational. Telephone conferencing, MS Teams and Zoom continue to be employed in the day today running of the service.</p> <p>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.</p> <p>The Service will continue to make use of the website, and social media platforms to improve the customer journey and keep residents and businesses informed.</p>
PPP Priorities:	✓			<p>The report will impact on the following PPP Priorities (delete those that are not appropriate)</p> <ol style="list-style-type: none"> 1. Alcohol and Tobacco Harm Reduction 2. Animal Welfare 3. Cost of Living 4. Environmental Protection 5. Food Safety and Standards

				6. Health and Safety Enforcement 7. Housing Standards in the Private Rental Sector 8. Impact of Nuisance on Residents and Communities 9. Improved Air Quality 10. Licensing 11. Nutrition and Childhood Obesity 12. Service Improvement 13. Tackling Fraud 14. Unsafe Consumer Goods
Data Impact:		✓		None
Consultation and Engagement:	There is regular engagement with staff as well as senior officer and Member briefings in each of the authorities that form the PPP.			
Other Options Considered:	None. It is a requirement of the IAA to report on the performance of the service.			

4. Executive Summary

- 4.1 The Joint Public Protection Committee is mandated by the Inter-Authority Agreement (IAA) to keep under review the performance and activity of the Public Protection Service including the financial performance and outputs of the service. Throughout the year the Committee receives updates on aspects of performance and any emerging issues, achievements, and priorities. This report also sets out progress and risks in key strategic areas of the business i.e., Finance, HR, ICT, Property and Legal.
- 4.2 The key outturn measures of volume and data for Quarter 4 (January to March) is set out in **Appendix A** to the report. At the March 2024 meeting Members requested that the activity by authority be included in the report and this information is set out in **Appendix C**.
- 4.3 The narrative in this report sets out the steps and interventions that the service performs across all partner authority areas to protect both residents and businesses.

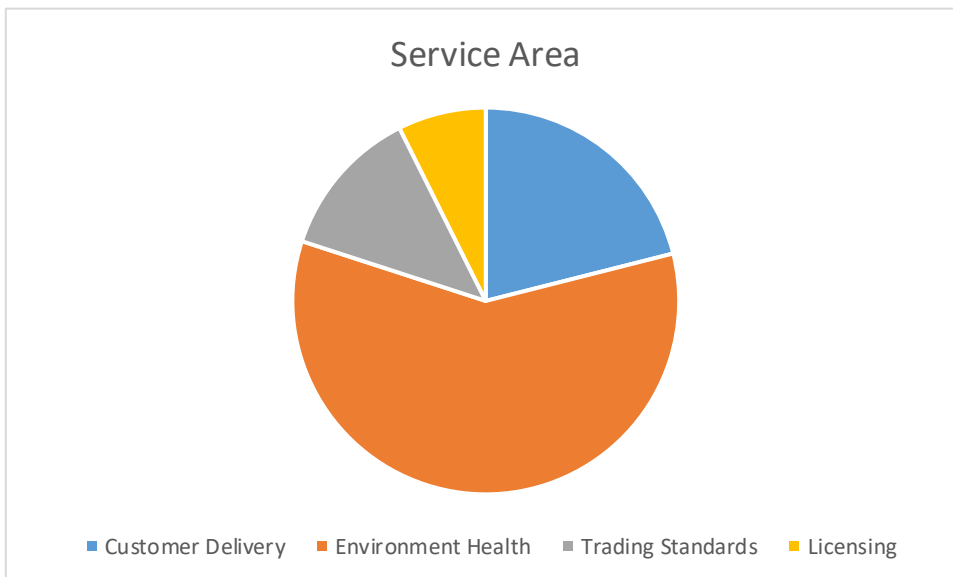
5. Finances and Resources

- 5.1 At year end the Service is reporting an underpend of £61.69K which includes management of an estimated £98K shortfall in income which has arisen primarily in the licensing service. This money largely comprises earmarked New Burdens Funding for offensive weapons work which was distributed by Central Government in late March 2024 for work to be conducted in 2024/25.
- 5.2 The Service continues to seek access to grant funding. During 2023/24 the service made successful grant funding applications exceeding £250K for Level 2 and 3 investigations. These grants are used to fund costs for expert witnesses, staff costs, agency costs and legal costs for investigating and prosecuting these serious and major criminal investigations.

- 5.3 The Service also accesses a range of public health funding relating to housing standards and links to health, tobacco and alcohol control including the development of Community Alcohol Partnerships. Other grant funding sources from all three authorities relate to supporting scam (fraud) victims with interventions to reduce the risk of harm and detriment. Some examples of this work can be found elsewhere in this report. Funding was also received for small scale electrical safety awareness projects including electric blanket and appliance testing and safety awareness campaigns for storage of electric scooters. We have recently been awarded £31k for CCTV for use in Bracknell to tackle fly-tipping.
- 5.4 £183k was awarded in Q4 but in early Q1 2024/25 notification was received from DEFRA not to fund the Local Air Quality Grant scheme for the financial year 2023-2024.

6. Customer Satisfaction Rates and Information Governance Data

- 6.1 The Service continues to explore ways to improve data capture on customer satisfaction for businesses and residents interacting with the service. All documentation issued by the service now has a QR code that links to a short on-line survey. During Quarter 4 we also undertook targeted activity where we submitted questionnaires via email to 434 residents and 384 to businesses who had engaged with us over the financial year. We received 88 responses from residents and 23 from businesses. Forty six of the respondents were from Bracknell Forest, 55 from West Berkshire and eight from Wokingham. The Service Areas that the respondents stated they dealt with are set out in the table below. These are currently dominated by Environmental Health.



- 6.2 The overall satisfaction level (fair, good excellent) for the year (70%) is lower than it was in 2022/23 when the 75% target was met. The sample sizes are relatively small in the context of a service that receives over 10,500 service requests a year.
- 6.3 Going forward we will be undertaking targeted surveys on a quarterly basis to establish if there are any trends in the feedback received in the previous quarter that can be used to identify areas for improvement. It should, however, be noted that due to the nature of the work that is undertaken by the Service it will be the case that some parties will not be happy with the outcome which may impact on satisfaction levels.

- 6.4 During Q4 the team dealt with a total of 106 Freedom of Information requests which took around 61 hours to process. The number of requests increased by 6% when compared to the same period in 2022/23 where 100 Fols were processed. The number of FOIs processed in Q4 is higher than the 87 processed in Q3. The team also processed 33 enquiries from Councillors and the local MPs, 23 of those were in West Berkshire and ten in Bracknell Forest. This represented a significant increase when compared to the 22 (50% increase) that were dealt with in Quarter 4 of the previous year.
- 6.5 We have seen a year on year increase in the number of Fols received, the number of Member and MP queries has increased by over 70% and there has been a small reduction in the number of complaints processed.
- 6.6 The information is broken down by authority below.

	BFC		WBC		WOK		PPP	
	Q4	Q4	Q4	Q4	Q4	Q4	YE	YE
	22/23	23/24	22/23	23/24	22/23	23/24	22/23	23/24
FOIs	43	51	51	49	6	6	325	371
MP/Cllr Queries	11	10	11	23	0	0	80	137
Complaint	5	1	3	5	0	0	22	17

- 6.7 Six service complaints were dealt with in Q4. This figure is lower than the eight received in the corresponding period in 2022/23. This amounts to less than 0.2% of the total number of service requests that were received. Four of the five complaints submitted in West Berkshire were as the result of residents not being happy with the way their nuisance (3) or fraud (1) complaints were dealt with.
- 6.8 Officers apologised to one of the residents for the delay in responding. Two of the complainants have now submitted Stage 2 complaints. The final complaint was a licensing matter which was upheld and has now been resolved. The complaint in Bracknell Forest related to potential maladministration in respect of a licensing application. Although the maladministration claim was refuted Officers have made a few minor adjustments to processes to make it clearer for those wishing to object to an application.

7. Human Resources

7.1 The Service has, since the March 2024 JPPC meeting, been successful in recruiting to a number of vacancies including:

- Recruitment to both of the two vacant Licensing Officer Positions;
- Two Licensing Applications Officers have joined the Service;
- The vacant Lead Licensing Officer post has been filled;
- One of the two vacant roles in the private sector housing team has been appointed to and the other is currently being recruited to;
- An Envirocrime Officer has been appointed.

- 7.2 We currently have three officers on maternity leave and we are looking at how these roles can be backfilled.
- 7.3 A Whole Team Away Day took place on the 16 April where a full service update was provided and continuing the theme of safeguarding by looking at how to identify victims and perpetrators of illegal money lending.
- 7.4 Two of our four Level 4 apprentices have successfully completed their end point assessment and exam and have now qualified as L4 Regulatory Compliance Officers. The other two trainees should complete their Level 4 end point assessments by the summer.
- 7.5 In terms of post entry training two officers passed the full training and assessment to carry out statutory private water supplies sampling. Three Officers have also completed and passed the Housing Health and Safety Rating System course and an Officer has also completed the Houses In Multiple Occupation Inspections course. Three Officers completed the Institute of Legal Executives criminal disclosure course and passed their end point exams. One officer is completing his level 3 animal welfare course to inspect licensed animal welfare establishments. Currently this work is contracted to another local authority.
- 7.6 Chartered Institute of Environment Health annual Air Quality training was undertaken by seven members of staff in January 2024.
- 7.7 Looking ahead our two level 6 Trading Standards Apprentices and one Level 6 Environmental Health Apprentice are progressing well and our two MSc Environmental Health graduate trainees are completing their first year whilst our Graduate EHO looks towards registration. One Level 4 trainee has moved to the commercial team and will undertake a Higher National Certificate in Food Safety Inspections starting in September.

8. ICT Update

- 8.1 The system is largely operational. The major outstanding issues relate to the licensing service and the portal. The portal is the critical issue for the service as it was to provide significant efficiencies in the licensing process with applicants being able to do everything on line.
- 8.2 The Service Lead and JMB lead for Bracknell recently met with the contractor around this issue and a new manager has been assigned by the contractor to provide oversight.
- 8.3 The other outstanding issue is that both West Berkshire and Bracknell are moving away from the existing legacy systems. Work is underway to preserve any data from the legacy systems that may be needed going forward.

9. Property and Assets

- 9.1 West Berkshire's ongoing transformation programme is looking at property. Theale Gateway is the home to many staff including all central teams such as licensing and customer delivery. It is proposed by West Berkshire that this becomes a shared facility on a limited basis with a number of desks allocated for non PPP staff. Should this transpire then any space used will be recharged corporately.

10. Communication, Consultation and Engagement

10.1 Since the last report to Committee Officers have dealt with 11 press enquiries, issued 12 press releases and published 19 articles on the website. The service is in the process of finalising filming with a television production company to capture aspects of our work for future broadcast.

10.2 The Table below provides some additional information on the number of website views and social media activity. This included support for a number of relevant national public health campaigns including Dry January, Quit Smoking in January and National No Smoking Day on 13th March.

10.3 A summary of the social media and website activity is set out below:

Target	2022/2023 Outturn	2023/2024 Q4	2023/2024 Outturn
Facebook – No of New Followers *	265	64	162
Facebook – No of Posts	358	283	602
Twitter – No of New Followers	29	18	37
Twitter – No of Tweets	311	256	497
Website – No of Visits	88,872	21,649	87,123
Website – No of Articles	110	19	80

10.4 The Principal Officer - Policy and Governance continues to work closely with West Berkshire and Bracknell Forest's communication teams and liaises with them on a regular basis regarding our campaigns. We also share our press releases for their distribution, as well as both continuing to share relevant posts on each other's social media platforms.

10.5 During Q4, 14 presentations have taken place in schools across West Berkshire. Nine were regarding alcohol, and five in regards to vaping. The PPP's Community Support Officer supported West Berkshire's Public Health Team with the delivery of 'Risking it All' schools' performances in February. The performance was delivered to year 9 pupils across eight secondary schools in West Berkshire, along with a parent and professionals' performance, this interactive production touched on local issues such as vapes, female perpetrators of crime, criminal exploitation and substance misuse.

10.6 The team continues to undertake a number of activities and support the Community Alcohol Partnership (CAP).

- CAP co-ordinator promoted the West Berks CAP at a West Berks Council information stand in Lambourn on 12th January and Hungerford on 24th January.
- CAP co-ordinator attended Newbury College on 18th January to promote the CAP.

- The PPP's Community Support Officer recorded a podcast with members of Newbury College regarding Health Harms and delivered a presentation to students in respect of tobacco.
- The CAP co-ordinator attended the Young Health Champion's Conference at Shaw House on 5th March to deliver a presentation on drink spiking and vaping.

10.7 The PPP's Community Support Officer was interviewed on Kennet Radio to promote the PPP's Scam's Team's Call Blockers and on BBC Radio Berkshire to discuss the rise in youth vaping.

10.8 Two talks on vaping were delivered to children attending training with Thatcham and Newbury Town Ladies and Girls Football Club as part of the ongoing work for Smokefree Sidelines.

10.9 The Tobacco Control Alliance continue to finalise the Tobacco Control Plan for 2024-2026, taking into consideration the Section 31 Government grant funding being provided to Local Authority Public Health Services to increase the number of people quitting smoking as part of the Governments Smoke Free Generation. The alliance have applied for our local stop smoking service to take part in the Office for Health Improvement and Disparities grant funded project Swap to Stop, which will enable vapes to be available as part of the suite of nicotine replacement therapies to those attempting to quit smoking and are currently in the process of extending the existing contract with Solutions 4 Health who run our stop smoking service Smoke Free Life Berkshire. Reading and West Berkshire tobacco control leads are finalising the vaping position statement for the Local Authorities.

10.10 During Q4 the PPP Scams Team fitted one call blocker, delivered seven scams awareness sessions, provided communications for two campaigns (Romance Scams and the Digital Switchover) and saved 85 scams victims a cumulative total of £43,750.

10.11 Thatcham Community Larder continues to run on a weekly basis. Numbers have increased in Q4 to circa 85 and continues to be a well utilised resource.

10.12 The PPP were successful in bidding for funding from Electrical Safety First to deliver a campaign raising awareness of the dangers of unsafe purchasing and charging of e-bikes and e-scooters. The campaign was run in conjunction with Royal Berkshire Fire and Rescue Service.

10.13 The PPP were also successful in bidding for funding from the Office of Product Safety Standards to deliver a campaign to raise awareness of the dangers of babies and young children ingesting button batteries.

11. Community and Trading Standards

11.1 Over the last quarter officers have continued to work towards completing the annual programme of food standards inspections, and where any issues were identified, for example foreign labelling, sold beyond use-by dates, or poor allergen control, officers have dealt with the food business accordingly. This has resulted in all high-risk food standards inspections across the PPP being completed. The team are now working towards introducing the new delivery model for food standards.

- 11.2 Similarly, all high risk visits concerning Animal Health and Animal Feed for the year are complete, including those funded to be undertaken outside of the PPP area as part of regional arrangements.
- 11.3 A comprehensive food sampling programme has been completed for this year. Of interest, during this quarter 15 fish species samples were taken, and two premises were found to be unsatisfactory. The first due to the false description of bass not being sea bass. The other being a take-away Goan fish curry described as comprising of monkfish, and was actually found to be a stargazer. Warning letters were issued, and follow-up samples are planned. Other recent sample results are pending.
- 11.4 Compliance across the PPP areas in respect of food standards has been good overall throughout the year. However, a small number of premises (30) were issued with formal written warnings.
- 11.5 Trading Standards Officers continued to conduct a number of interviews under caution in relation to several non-compliant vapes seized during Operation Tanoak. Officers have now submitted case files for review for 11 premises. Of those six have been issued with written warnings. The remaining five are being reviewed by case management. Two prosecutions have also taken place.
- 11.6 Officers have continued to undertake test purchasing of disposable vapes as an extension of the national project looking at market surveillance as part of Operation Joseph. The second part of the project is focussing on test purchasing disposable vapes claiming to contain zero % nicotine. These will be sent to an independent test house for testing to determine what if any % of nicotine they contain. As for the initial sampling exercise, results have been fed back to National Trading Standards, and Medicines and Healthcare Products Regulatory Agency. This work is subject to grant funding.
- 11.7 PPP Officers have also consulted with DEFRA on newly proposed legislation on the banning of disposable vapes, expected to come into force on the 01st April 2025, with a six-month lead in time prior to this.
- 11.8 In response to a cluster of product safety notifications for children's toys, 14 samples were purchased and sent to an independent test house to check that the products met recognised safety standards. 50% of the samples failed, with the majority failing on labelling claims and two on manufacturing failings, which would have been considered to have been choking risks to babies and infants. All failures were followed up with either manufactures, suppliers and primary authorities. This was a useful exercise for our level 6 TSO apprentices and will inform further work for 2024/25.
- 11.9 In other sampling approaches regarding underaged sales exercises throughout quarter 4, this has included 16 attempts to test if sellers are selling products that are listed as age restricted, including vaping products, alcohol and lottery tickets. This resulted in one underage sale (vape) which is currently under investigation.
- 11.10 As reported last quarter, second-hand car related complaints continue to remain the most complained about business sector. Officers are utilising provisions within the Enterprise Act 2002 as an alternative tool to protect consumer rights by obtaining undertakings by the trader not to trade in a detrimental manner towards consumers. Breach of this agreement can then be dealt with through the court system. Given the intelligence received regarding an elevation of complaints concerning the sale of

second hand car dealers, the top 15 businesses across the area have been written to, with the view to improving standards within that industry. Officers will be contributing to a national communication campaign relating to second hand car sales during quarter 1 of the current financial year.

- 11.11 Officers continue to work with partners to tackle fraud and scams. Partners include, Thames Valley Police, HMRC and neighbouring Trading Standards departments by exchanging intelligence and information that can lead to victims receiving lost money back via banking protocols, and jointly working to remove and prevent illegal traders from operating throughout the area.
- 11.12 During quarter 4, the amount of money saved for consumers as a result of interventions amounted to £110, 000. The team are also rolling out officer training in scam awareness and loan sharks.
- 11.13 There are 16 open local investigations relating to building works (6), car dealers (2), under aged sales (6) and food allergens (1).
- 11.14 Community Team Enforcement Officers have been busy dealing with business as usual matters. They have also been involved in assisting with complaints associated with flooding across West Berkshire, and in particular working with Thames Water to address sewage issues for residents.
- 11.15 In addition, officers have this quarter issued abatement notices for noisy cockerels, completed four Public Health funerals, addressed a large scale rat estate infestation in Bracknell Forest, as well as enforcing matters relating to a housing association to assist in garden clearance, which has uncovered issues that need addressing by the RSPCA. On another housing association property, officers have been successful in getting in place a mouse treatment programme for one of their residents.
- 11.16 Officers have completed all programmed petroleum inspections across PPP for the year, this being six in Bracknell Forest, ten in Wokingham, twenty in West Berkshire and ten in Reading under a shared arrangement.
- 11.17 As part of our work that contributes to emerging risks and disease surveillance, officers took part in a nationally co-ordinated surveillance programme assessing the presence of invasive mosquitoes last summer/autumn and have been fed back the results from the UK Health Security Agency (UKHSA). This was, in practice, setting sample traps at service station sites along the M4 for PPP. Locally, no invasive mosquitoes were identified. However, whilst no *Ae. albopictus* (Asian Tiger Mosquito) eggs were detected across any sites in the UK, *Ae. aegypti* (Yellow Fever Mosquito) eggs were discovered at a single location near Heathrow. The service is expecting to continue this important public health surveillance work again this year.

12. Commercial (Food Safety and Health and Safety)

- 12.1 During Quarter 4 the Team have completed 201 Food hygiene inspections and handled 148 Food hygiene service requests.
- 12.2 Officers undertaking the Health and Safety at work activity have dealt with 86 service requests. Sixteen workplace accidents were reported during quarter 4. We continue to conduct full accident investigations where the Health and Safety Executive / Local

Authority protocol determines. These can be very serious accidents where life changing injuries are received.

12.3 The team have served an Improvement Notice under the Health and Safety at Work etc Act 1974 where repairs were required to the surface of a car park to prevent trips and falls. In addition, a Prohibition Notice was served following the discovery of inadequate infection control procedures and equipment for cosmetic piercing. The notice prohibited cosmetic piercing at premises.

12.4 The team have received 91 notifications of infectious disease which are followed up to determine if these are attributable to food premises or relate to staff in risk settings.

12.5 The year end position in respect of food inspections is set out in the table below:

	Premises Rating	Food inspections due 23/24 and overdue	Number completed in 23/24 inspection year
BF & WB	A	7	7 (100%)
	B	23	23 (100%)
	C	176	176 (100%)
	D	616	270 (44%)
	E	614	95 (15%)
	Unrated	444	174 (39%)

12.6 The table below sets out the premises overdue and due in 2024/25.

	Premises Rating	Food inspections due 24/25 and overdue	Comments
BF and WB	A	2	This equates to 4 visits as each A premises is inspected twice a year
	B	41	
	C	160	
	D	525	
	E	782	These are carried out by questionnaire and scored from the answers; we now have an apprentice in team to carry this out, however the scores need to be verified by an Authorised Food Officer
	Unrated	579	Numbers of new premises opening in 24/25 are estimated based on previous years
	Total		Not including E rated

12.7 One officer returned from maternity year towards the end of last year, we also operated with two casual workers (0.8FTE, and 0.4 FTE who worked with us in the last quarter). Taking this resource into account along with the officers in the team we would be resourced to carry out the higher risk (A – C) and unrated food premises in 2024/25. Should there be the need to take less formal action for non-compliance in 2024/25, more inspections will be able to be completed.

13. Licensing (Including Applications and Licensing Governance)

13.1 The major enforcement drive in Q4 related to private hire operators. All of the West Berkshire Operators were visited and we are now conducting visits to all Bracknell Operators. Other areas of focus going forward include gambling premises, scrap metal dealers and transporters and DPS checks.

13.2 Work is now underway to update the gambling policies for Bracknell and West Berkshire with a view to adoption later in 2024 after public consultation. Public consultation did take place in Q4 on taxi fares in West Berkshire and a report was taken to the May 2024 Executive meeting.

13.3 The following licensing panel/subcommittee meetings have taken place in Q4:

Type of Application	Applicant	Outcome
Bracknell Forest		
Application to Renew a Street Trading Consent	Mrs Hatice Anil Oz, B & B Plus Kebabs, Crowthorne Road North	granted a new 6-month Street Trading Consent
New Premise Licence	Bracknell Local Store, 1b Ralphs Ride, Bracknell, RG12 9EE	Granted with conditions
Application for a Private Hire Driver's Licence	Confidential Information	Refused
West Berkshire		
New Premise Licence	Reloaded Nightclub 7-9 Wharf Road Newbury	Granted with Conditions

13.4 During Q1 of 2024/25 to date one further hearing has been arranged in West Berkshire.

Type of Application	Applicant	Outcome
West Berkshire		
None		
New Premise Licence	Hungerford Park Estate, Hungerford Park, Hungerford, West Berkshire, RG17 0UU	Granted with Conditions

Licensing Hearings Data for last three years.			
Authority	2021/22	2022/23	2023/24
Bracknell Forest	0	2	3
West Berkshire	6	0 (2 cancelled after agenda publication)	7 (with a further five cancelled or adjourned after agenda publication)

14. Environment Health Housing

14.1 We have continued to see a rise in complaints from tenants of Registered Social Landlords (RSLs). Whilst traditionally seasonal we continue to receive complaints about damp and mould; there are also a concerning rise in the number of complaints about defects to the structure of homes in particular failing roofs, guttering and damp proof course related issues. The cases we are investigating are often complex in nature and tenants come to the team for help with long standing issues their RSL have failed to address. The team have strived to work with the RSL sector, holding regular case conferences.

	Total request for service housing	Of these number of complaints regarding house condition	Of these number that were Registered Social Landlords
WB October to December 2023	82	60	34 (57%)
WB January to March 2024	104	80	49 (61%)
BF October to December 2023	92	62	31 (50%)
BF January to March 2024	74	63	30 (48%)

14.2 There are currently two vacancies within team. We have successfully recruited to one post, the officer is due to join the team shortly.

14.3 There is a contractor working with the team to focus on Houses of Multiple Occupation applications and renewals (expected upturn in renewal applications expected following the 2018 HMO legislative changes). We have this resource until the end of May 2024.

14.4 An Environmental Health Officer has been seconded into the team to assist with and focus on HMO licence applications and renewals in conjunction with the contractor.

14.5 The team continue to react to requests to inspect homes as part of the 'Homes 4 Ukraine' initiative in both Bracknell Forest and West Berkshire.

- 14.6 The team continue to provide a service to Bracknell Forest delivering Flexible Home Improvement Loans.
- 14.7 A landlord was prosecuted on the 12th of March 2024 at Slough Magistrates Court for operating an unlicensed HMO in Bracknell Forest. During the inspection, we raised very serious concerns (amongst others) following observations of 2 e-bikes being electrically charged in the rear kitchen area of this property (bearing in mind National concerns around the fire safety hazards around the electrical charging of e-bikes and scooters).
- 14.8 As a result of these concerns a recommendation was made to secure funding following a timely request for ideas from a colleague within PPP to secure grant funding aimed at electrical safety awareness. A grant was subsequently secured from the “Electrical Safety Fund | Electrical Safety First”. This project concluded on the 31st of March 2024. Advise leaflets and videos were produced to increase fire safety awareness. The leaflet is due to go out to all licenced HMO properties and will also be sent along with a letter to all properties on the unauthorised HMO list. [E-bike fire response reveals government looking at 60 UK companies who could be breaking the law \(msn.com\)](#)

Commercial to Residential (C2R) Conversion Project

- 14.9 EH Housing will respond to individual tenants who contact us regarding issues with their premises – and we will inspect to see if these premises meet the housing standard using the Housing health and safety rating system HHSRS. This project goes beyond and is aimed at proactively surveying the entire building, alongside building control and the fire officers to make widespread improvements if needed.
- 14.10 The first phase of the process was to establish links with Royal Berkshire Fire and Rescue Service RBFRS and Building Control to determine the activity in the properties, to gather information.
- 14.11 This was then used to risk rate the premises, to ascertain where physical inspections were required.
- 14.12 In addition to physical issues we are finding issues with complex Freehold/Leasehold ownership, and it is necessary to establish ownership prior to serving notice.
- 14.13 To date we have visited 11 building on 6 sites.

15. Environmental Quality

- 15.1 The team have continued to undertake work to protect the health and wellbeing of our residents through focused projects, planned inspections and responding to complaints particularly from noise from pubs this quarter.
- 15.2 Licensing hearing attended for new Premise licence application as Responsible Authority for public nuisance.
- 15.3 New Air Quality Action Plan (AQAP) for Crowthorne agreed following consultation and the Plan was agreed by DEFRA on the 09 May 2024.
- 15.4 Air Quality Management Area (AQMA) revocations for Newbury Thatcham and Bracknell agreed. Officers are supporting colleagues in Wokingham BC in the revocation of Twyford AQMA and the new AQAP for Wokingham.

- 15.5 Air Quality Grant 2020/21 - Anti idling work completed showing an overall decrease in idling in locations which were monitored and intervention implemented.
- 15.6 NO2 biggest loser over 95% of schools monitored showed a decrease in nitrogen dioxide levels.
- 15.7 Private Water Supply (PWS) sampling training undertaken and accreditation achieved.
- 15.8 PWS nitrate notice served and complied with.
- 15.9 PWS Drinking Water Inspectorate returns completed and submitted within timescale.
- 15.10 Review of Planning applications of some complex applications, increase in planning condition discharge and associated complaints of construction phase.
- 15.11 Pollution, Prevention and Control (PPC) inspection programme completed for 2023/24.

16. Investigations and Case Management

- 16.1 The Case Management Team continues to be busy working on cases and providing advice across PPP. Currently the team have oversight of some 37 PPP criminal investigations (excluding a significant volume of road traffic matters). A number of these are at file stage or in the court system. New investigations are commencing all the time. The team works closely with the partner legal teams.
- 16.2 The National Crime Agency Accredited Financial Investigators currently have conduct of 10 investigations relating to money laundering and confiscation under the Proceeds of Crime Act 2002.
- 16.3 The Investigations Team have 18 ongoing investigations / cases involving around 40 suspects and losses in excess of £10M.
- 16.4 Where appropriate, the team also play a role in educating and assisting companies that do not comply fully with legislation. In the last three months the team have continued to work with companies in order to ensure compliance with the legislation in future.
- 16.5 In terms legal actions since the last report there are some examples are below –
- **Property owner convicted for overcrowded House of Multiple Occupation (HMO).** The owner was fined £800 and ordered to pay £2000 towards the cost of the case and a £200 victim surcharge.
 - **Shopkeeper convicted in relation to the unsafe storage of explosives (fireworks)** – A shopkeeper and his company entered guilty pleas to four offences health & safety offences following an investigation by Trading Standards. The business owner and his company were sentenced to pay total fines and costs amounting to £29,313.
 - **Traders handed suspended sentences for fraud and consumer protection offences** - Two Bournemouth-based traders appeared for sentencing, after pleading guilty. The first defendant was sentenced to 15 months imprisonment for fraud, suspended for 2 years, and ordered to pay £4,000 towards the prosecution's

costs. The second defendant was sentenced to 9 months imprisonment for consumer protection offences, suspended for 18 months, and penalised with 100 hours of unpaid work requirement plus 20 days of a Rehabilitation Activity Requirement. The case concerned two cold call visits to a vulnerable West Berkshire resident's home, made in December 2021 and February 2022. During the first visit, false claims were made that the drains at that address needed repairs costing the victim £3,890.00. During the second visit, false claims were made that the damp proof course had perished and the dampness in the property ranged from 30% to 89%. The victim was charged £9,650.00 to fix. Both times the traders failed to provide information about a consumer's right to cancel. Trading Standards obtained expert evidence that a damp reading at 30% would be for wet walls and that the values claimed for damp in the walls would be practically impossible. The work carried out was wholly unnecessary and poorly executed. None of the work had any value.

- **Business and Director fined for Illegal Vapes** - Officers visited the store to carry out an inspection following a complaint from a member of the public that the store was selling illegal disposable vapes. The officers found 990 disposable electronic cigarettes containing liquid in a volume of between 4.5ml and 22ml which exceeded the 2ml limits set out in the legislation. They seized around £5k worth of stock. The business owner and company were sentenced to pay total fines and costs amounting to £6,222. A forfeiture order was made for the destruction of all infringing devices seized.
- **Roofer Found Guilty of Fraud** - Three homeowners engaged the services of the trader to undertake home improvements and paid a total of £14,200 respectively. The trader failed to deliver the services promised, either to a professional standard or at all. Reading Magistrates' Court convicted the trader after trial, and he was sentenced on to a 12-month Community Order with a requirement to complete 150 hours of unpaid work. The court also made a compensation order of £4,000.
- **Builders Sentenced for Fraud** - In 2019 a Bracknell family engaged the services of a company to convert their loft. Work commenced in September 2019 but soon fell behind schedule and it was identified that the work was not being carried out according to the architects' plans. The relationship between the parties deteriorated and the company ceased work prior to the completion of the build. The PPP investigated the matter. The company owner was sentenced to a 12-month Community Order, with a requirement to undertake 220 hours of Unpaid Work and ordered to pay compensation in the sum of £15,000. The project manager was sentenced to a 12-month Community Order, with a requirement to undertake 150 hours of Unpaid Work, and to pay compensation in the sum of £5,000.
- **Restaurant Owner Sentenced for Food Standards Offence** – A West Berkshire restaurant owner was sentenced in respect of two offences for selling and placing on the market food that was unsafe for people that are allergic to peanuts contrary to Regulation 19 (1) of The Food Safety and Hygiene (England) Regulations 2013 and to section 14 (1) of the Food Safety Act 1990. The owner had pleaded guilty at an earlier hearing. The charges arose following a severe allergic reaction suffered by a customer who had been served a curry containing peanut traces after explicitly stating she had an allergy. The events dated back to December 2022. The defendant was ordered to pay fines and costs totalling £4272 and taking into account the timely guilty plea.

- **Green Energy Company Sentenced for Unfair Trading** – Major investigation following a complaint from a West Berkshire resident regarding representations made to them regarding solar panel maintenance. Company had entered a guilty plea in August 2022 to one charge of unfair trading and were fined £464,000 and ordered to pay £326K compensation to the victims and prosecution costs in the order of £624K. One sales representative entered a guilty plea to one count of fraud by false representation in June 2022 and was sentenced to 4 months' imprisonment suspended for 18 months with 10 sessions of rehabilitation activity and a victim surcharge. A second sales representative who entered guilty pleas to six counts of fraud by false representation was sentenced to 2 years' imprisonment suspended for 18 months with 8 sessions of rehabilitation activity and a fine of £2500.

17. Looking Ahead

- 17.1 The agreements that currently establish the various elements of the shared service run to January 2027. The main PPP agreement requires that the Councils take a view two years out from that point on the effectiveness of the service and then express a view on whether they wish to enter into a similar arrangement or make some other arrangements going forward. To this end a Peer Review has been instructed that will look at a range of issues including governance, inputs and outcomes, effectiveness of links to other services of the Councils as well as statutory and voluntary partner organisation. Finally, the review will consider options post January 2027. This review is set to report in the autumn of this year and the Committee will receive the outcomes of that review.
- 17.2 This continues an extremely busy period for the service. The work has covered a vast range of priority areas and the balancing of priorities and risk has been a key focus whilst delivering savings to mitigate pressures. The draft Strategic Assessment which appears elsewhere on this agenda sets out the scale of the demand challenge. In the meantime we would like to place on record the gratitude for the support of the partner authorities and for constructive oversight of the Committee.

18. Appendices

- 18.1 Appendix A – 2023/24 Performance Framework
- 18.2 Appendix B - Service Compliments
- 18.3 Appendix C – Activity by Authority

19. Background Papers:

- 19.1 Previous quarterly reports

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 Wards

Officer details:

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Service Requests Data

Table 1: Environmental Health and Licensing for PPP

	2023/24			2023/24	2023/24	2023/24	Comments
	Bracknell	West Berkshire	PPP	PPP	PPP	PPP	
	Q4	Q4	Q4	Q3	Q2	Q1	
Enviocrime	252	N/a	252	232	227	252	
Flytipping	24	N/a	24	61	22	19	
Food Hygiene Related	42	106	148	116	144	131	
Health and Safety (including accidents reported)	31	35	66	44	48	26	
Housing	93	95	188	179	136	153	
Licensing	29	62	91	119	93	91	
Other (e.g. other nuisances, cont. Land, private water supplies, burials, enclosed smoking)	29	64	93	74	39	45	Also 4 pieces of project work in Wokingham
Planning	42	70	112	102	140	112	
Ukraine Accommodation Check	0	10	10	7	7	1	
Anti-Social Behaviour	88	146	234	171	242	232	Includes Accumulation, Rubbish at premises, Drainage, dog fouling, dangerous dogs etc
Dog Warden (stray dog collection only)	5	15	20	11	18	8	
Noise - Non-commercial	53	72	125	114	206	199	
Noise - Commercial	14	44	58	48	118	105	
All Bonfire/Smoke	20	17	37	28	59	49	
Grand Total	722	736	1462	1306	1499	1416	Includes 4 pieces of work for Wokingham see other above.

Public Protection Partnership | Bracknell Forest West Berkshire

Table 2: Trading Standards Service Requests (includes) commissioned services.

 Bracknell Forest West Berkshire Wokingham	2023/24				2023/24	2023/24	2023/24	Comments
	BFC	West Berks	Wok	PPP	PPP	PPP	PPP	
	Q4	Q4	Q4	Q4	Q3	Q2	Q1	
Animal Health	1	7	2	10	11	10	8	
Door Step/Scam/No cold calling zones	15	36	18	69	55	37	47	
Food Standards	11	13	27	51	53	17	23	
Misleading Description	3	10	2	15	18	17	18	
Other (e.g. counterfeit goods, under age sales)	10	27	8	45	71	75	39	
Unsafe goods	6	3	3	12	14	18	38	
What are my rights? (Business)	0	4	2	6	7	7	5	
What are my rights? (Consumer)	71	111	85	267	234	236	282	
Trading Standards Notifications	189	302	236	727	580	607	575	
Weight Restrictions	5	104	19	128	105	84	93	
Grand Total	311	617	402	1330	1148	1118	1128	

Measures of Volume – No targets as they are cumulative measures of volume

Measure	2022/23 Outturn		Q1		Q2		Q3		Q4		2023/24 Outturn	
	BFC	WBC	BFC	WBC	BFC	WBC	BFC	WBC	BFC	WBC	BFC	WBC
Number of Fols Processed*	145	172	43	43	43	44	51	34	51	49	188	170
Time Taken to Process Fols to nearest hour	112	113	31	27	37	28	29	24	31.5	25	129	103
Number of Service Complaints *	9	13	2	5	3	0	0	1	1	5	6	11
Number of Councillor and MP Enquiries*	30	50	14	24	7	28	5	25	10	23	36	100
Number of operations conducted based on intelligence relating to age restricted products*	4		3		3 (1 per authority)		2		3 (1 per authority)		11 in total	
Number of PPP articles and press releases published on the PPP website	110		21		36		18		19		94	
Number of page views on PPP Website	88,872		22307		24150		19017		21 649		87. 123	
Number of PPP Facebook posts	358		101		118		100		283		602	
Number of PPP X (Twitter) Tweets	311		58		84		15		256		497	
Number of new PPP Twitter followers	29		0		7		12		18		37	
Number of Facebook New Followers	265		47		57		-6		64		162	
Number of caravan site visits (programmed and reactive) *	39 (5 reactive)		1	1	2	3	5	5	11	12	19	21
Number of food inspections carried out (includes those by alternative enforcement strategy) *	Data N/a		36	43	59	37	48	56	91	110	234	246
Number of new food businesses registered*	Data N/a		23	58	30	56	26	42	44	56	123	212
Number of HMO licenses issued*	Data N/a		2	0	9	6	3	1	0	1	14	8
Number of housing visits carried out (excl Ukraine)*	Data N/a		38	18	19	24	13	18	23	16	93	76
Percentage of Food Premises that have scored 0 (Urgent Improvement Necessary) in accordance with FHRS * (shown as denominator and numerator)	Data N/a		Data N/a	Data N/a	0/674 (0%)	0/1116 (0%)	0/668 (0%)	2/1102 (0.18%)	0/673 (0%)	2/1081 (0.18%)	0%	0.18%
Percentage of Food Premises that have scored 1 (Major Improvements Necessary) in accordance with FHRS * (shown as denominator and numerator)	Data N/a		Data N/a	Data N/a	5/674 (0.7%)	7/1116 (0.6%)	1/668 (0.15%)	7/1102 (0.6%)	2/673 (0.3%)	7/1081 (0.6%)	0.3%	0.6%
Percentage of Food Premises that have scored 5 (Very Good) in accordance with FHRS * (shown as denominator and numerator)	Data N/a		Data N/a	Data N/a	549/674 (82%)	960/1116 (86%)	551/668 (82.4%)	942/1102 (85.5%)	559/673 (83%)	924/1081 (85%)	83%	85%
Number of Licensing Applications under the Licensing Act 2003 that proceed to a hearing* 7	1	0	0	1	0	2	0	4	3	1	3	8

Measure	2022/23 Outturn		Q1		Q2		Q3		Q4		2023/24 Outturn	
	BFC	WBC	BFC	WBC	BFC	WBC	BFC	WBC	BFC	WBC	BFC	WBC
SAG Events Processes	New measure in Q4 = 151 at year end		21	43	33	49	29	69	7	34	90	195

* will be reported by authority

** to date

Trading Standards Data

	22/23 Outturn	Q1			Q2			Q3			Q4			23/24 Outturn
Product	PPP	Wok	BFC	WBC	Wok	BFC	WBC	Wok	BFC	WBC	Wok	BFC	WBC	PPP
	Passes/ Visits	Pass/ Visit	Pass/ Visit	Pass/ Visits	Pass/ Visit	Pass/ Visits	Pass/ Visits	Pass/ Visits	Pass/ Visits	Pass/ Visits	Pass/ Visits	Pass/ Visits	Pass/ Visits	Pass/ Visits
Alcohol	12/13	11/11	3/4	0/0	0	0	0	0	0	0	0	1/1	1/1	16/17
Fireworks	0	0	0	0	0	0	0	0	7/7	0	0	0	0	7/7
Solvents	0	0	0	0	0	0	0	0	0	0	0	0	0	0/0
Vapes	10/12	0	0	0	6/7	9/9	7/8	4/5	5/5	0	1/1	8/9	3/3	43/47
Lottery	Data N/a	0	0	0	0	0	0	0	0	0	1/1	0	0	1/1
	22/23 Outturn		Quarter 1			Quarter 2			Quarter 3		Quarter 4		23/24 Outturn	
Food Standards Sampling	92 samples tested. 27 unsatisfactory for composition and/or labelling.		10 (alcohol) samples submitted			15 (glazed meats) - 6 unsatisfactory. 8 (chocolate desserts) – all satisfactory. 8 (frozen Chicken) – 2 unsatisfactory)			9 samples (take-away dishes) – Awaiting results 23 inspections undertaken for foreign labelling. 10 premises with non-compliant food items due to foreign labelling. All followed up with advice.		16 take-away fish items. 2 Unsatisfactory (labelling, incorrect species). 14 bakery products (Gluten)2 Unsatisfactory. (labelling). 16 Tinned fish. Awaiting results.		118 sampling exercises across PPP. 33 Unsatisfactory Remaining either satisfactory, spoilt or results pending	

	22/23 Outturn	Q1			Q2			Q3			Q4			23/24 Outturn
Product	PPP	Wok	BFC	WBC	Wok	BFC	WBC	Wok	BFC	WBC	Wok	BFC	WBC	PPP
	Passes/ Visits	Pass/ Visit	Pass/ Visit	Pass/ Visits	Pass/ Visit	Pass/ Visits	Pass/ Visits	Pass/ Visits	Pass/ Visits	Pass/ Visits	Pass/ Visits	Pass/ Visits	Pass/ Visits	Pass/ Visits
No of Counterfeit and Unsafe Good Seized	<p>7 cars (unsafe goods) seized</p> <p>1104 vapes units – unsafe goods)</p> <p>171 phone chargers and cases (counterfeit)</p> <p>unsafe garage door (investigating not seized)</p> <p>118 items of clothes seized by east midlands airport under investigation by PPP (counterfeit).</p> <p>A number of 'marvel children's tattoos' seized by east midlands</p>		<p>Counterfeit Goods 3 complaints received regarding counterfeit food, cigarettes and gas safety valves investigated.</p> <p>Unsafe Goods 4 complaints of unsafe goods investigated. (1 from OPSS about unsafe strollers/buggies - ongoing 1 about unsafe teats on a baby feeding bottle which we are investigating 1 re Leicestershire TS have stopped a consignment of 500 USB Chargers, unbranded Apple Wireless Phone & Watch Chargers at East Midlands</p>		<p>Counterfeit Goods WBC – 10 complaints dealt with Bracknell 0 seizures or complaints WOK – 10 test purchases made 7 items confirmed counterfeit Investigations ongoing. 6 complaints dealt with Unsafe Goods WBC 1074 disposable vapes seized and 4 safety complaints dealt with Bracknell 88 disposable vapes seized and 2 safety</p>		<p>Counterfeit Goods 8 complaints about counterfeiting Unsafe Goods 8 complaints about unsafe consumer goods investigated including 1– x OPSS referral dangerous levels of cadmium and Nickel in bracelets sold by local trader on Amazon)</p>		<p>Counterfeit Goods 1 complaint received and dealt with within Bracknell Forest for illicit tobacco and 1 within West Berkshire for illicit Vapes. Unsafe goods 3 (Wokingham) complaints investigated and 6 complaints within Bracknell Forest also dealt with. 3 complaints received in West Berkshire.</p>					

	22/23 Outturn	Q1			Q2			Q3			Q4			23/24 Outturn
Product	PPP	Wok	BFC	WBC	Wok	BFC	WBC	Wok	BFC	WBC	Wok	BFC	WBC	PPP
	Passes/ Visits	Pass/ Visit	Pass/ Visit	Pass/ Visits	Pass/ Visit	Pass/ Visits	Pass/ Visits	Pass/ Visits	Pass/ Visits	Pass/ Visits	Pass/ Visits	Pass/ Visits	Pass/ Visits	Pass/ Visits
	airport under PPP investigation (counterfeit) A number of watches seized by TVP passed to TS (counterfeit)		Airport , Leics TS is having them tested and will come back to us 1 re Unsafe vapes- but complaint not justified) Request for advice: 1 re baby grows			complaints dealt with WOK - 406 disposable vapes seized and 6 safety complaints dealt with								
Amount of Money Recovered for Victims	£450k (including 300K from one case)		Will be reported in Q4			Will be reported in Q4			Will be reported in Q4					£255,597

Key Performance Indicators Public

Type	Measure	2022/23 Outturn		Q1		Q2		Q3		Q4		2023/24 Outturn	
		BFC	WBC	BFC	WBC	BFC	WBC	BFC	WBC	BFC	WBC	BFC	WBC
IAA	% of service users satisfied with the Public Protection Partnership	75%		13/15 = 87%		18/21 = 86%		14/21 = 67%		49/78 = 63%		94/135 = 70%	
Local	% of Trading Standards requests for advice from business responded to within 3 working days	Data unavailable due to challenges in migrating CAB connector to IC – Duty officer in place to ensure timely response.		Data unavailable due to challenges in migrating CAB connector to IC – Duty officer in place to ensure timely response		Data unavailable due to challenges in migrating CAB connector to IC – Duty officer in place to ensure timely response		Data unavailable from IDOX reporting – Duty officer in place to ensure timely response		Data unavailable from IDOX reporting – Duty officer in place to ensure timely response			
IAA	Management of income to within 5% of budget	£98k shortfall		£140k shortfall		£80k shortfall		£95k shortfall		£98k shortfall			
Statutory	No of valid TEN's and Late TENS processed	Data N/a		65 received 2 withdrawn	185 received 6 refused 1 rejected	50 received 1 invalid	109 received 1 withdrawn 1 refused	82 received 1 rejected	144 received 5 refused 2 cancelled by applicant	42 received 2 rejected 2 refused	129 received 5 cancelled by applicant 1 refused	239 rec 2 wdrwn 1 inv alid 3 rejtcd 2 rfsd	567 rec 1 wdrwn 0 inv alid 1 rejtcd 13 rfsd 7 cxd by applicant
Local	Number of licensing applications (New and	Data N/a		10 received and granted	65 received and granted	7 received and granted	29 received and granted	11 received and granted	44 received and granted	8 received and granted	54 received and granted	35 recd & granted	192 recd & granted

Type	Measure	2022/23 Outturn		Q1		Q2		Q3		Q4		2023/24 Outturn	
		BFC	WBC	BFC	WBC	BFC	WBC	BFC	WBC	BFC	WBC	BFC	WBC
	Variations) processed												
Local	Number of valid Taxi licensing applications and renewals processed	Data N/a		136 received 7 withdrawn 4 invalid 125 valid 125 granted	107 received 3 withdrawn 104 valid 104 granted	88 received 2 withdrawn 7 invalid 79 valid 78 granted 1 refused	153 received 1 withdrawn 1 invalid 149 valid 148 granted 1 refused	95 received 1 withdrawn 6 invalid 88 valid 88 granted	115 received 1 withdrawn 2 invalid 112 valid 112 granted	69 received 1 withdrawn 6 in progress 62 valid 62 granted	128 received 1 withdrawn 10 in progress 117 valid 117 granted	388 Rcd 11 Wdwn 17 ivld 6 in prgs 354 vld 353 gtd 1 rfsd	503 Rcd 6 Wdwn 3 ivld 10 in prgs 482 vld 482 gtd 1 rfsd
Local	No of valid general licensing applications and renewals processed	Data N/a		51 received and granted	42 received and granted	31 received and granted	54 received and granted	56 received and granted	67 received and granted	27 received and granted	49 received and granted	165 rcd & grtd	212 rcd & grtd
Statutory	% of local authority pollution prevention and control (LAPPC) inspections, that are due, carried out	14/14 completed		0/5 completed	2/21 completed	1/5 completed	7/21 completed	4/5 completed	14/21 completed	21/21 completed		100%	
Local	% of inspected food	Data N/a		Data N/a	Data N/a	663/674 98%	1092/1116 97.8%	664/668 (99%)	1078/1102 (97.8%)	667/673 (99%)	1059/1081 (98%)	99%	98%

Type	Measure	2022/23 Outturn		Q1		Q2		Q3		Q4		2023/24 Outturn	
		BFC	WBC	BFC	WBC	BFC	WBC	BFC	WBC	BFC	WBC	BFC	WBC
	businesses that score at least 3 on the food hygiene rating scale during reporting period												

* This would not include caravans or HMOs

Annual Key Performance Indicators Public

	Measure	2022/23 Outturn	2023/24 Outturn	
IAA	Management of budget to within 1% of baseline	£148k underspend	£61.96k underspend	Green
Statutory	Submit Annual Air Quality Reports to DEFRA by 30 June	All 3 submitted to DeFRA on the 27 June 2022	All 3 submitted to DeFRA on the 15 June 2023	Green
Statutory	Submit to JMB the Annual Food Safety, Food Standards and Feed Service Plan in accordance with the Food Standard Agency Code of Practice	Annual Food Standards and Feed Service Plan have been submitted to JMB by August 2022	Taken to the 09 September JMB	Green
Local	Four During Performance Inspections carried out on high profile events per annum	6	Q1 = 3 Q2 = 11 Q3 = 0 Q4 = 0 Total = 14	In Q4 no events took place that needed noise monitoring
Local	% of caravan sites due an inspection inspected within the reporting period	BF 100% WB 100 %	BF 100% WB 100 %	

	Measure	2022/23 Outturn	2023/24 Outturn	
Local	% of food hygiene inspections completed, that are due, as per FSA recovery plan	<p>FSA RECOVERY PLAN 22 23 All A, B, C and non Broadly Compliant D to be done</p> <p>All unrated to be prioritised and high Priority inspected.</p> <p>A premises – 100% (3 premises) B premises – 100% (24 Premises) C premises – 100% (155 premises)</p> <p>In addition, over and above the FSA targets D 131 visits done</p> <p>Unrated – all prioritised and 226 visits done (8 high risk to be carried out</p>	<p>A premises – 100% (5 premises) B premises – 100% (37 Premises) C premises – 100% (157 premises) D premises - 44% (270 premises)</p> <p>Unrated – all prioritised and 210 visits done (47%)</p>	
Local	% of food standards inspections completed, that are due, as per FSA recovery plan	<p>BF High risk - 100% Med risk – 75% Low – Response only/AES *Unrated – 78 premises assessed, prioritised & Inspected as necessary (2 new high risk programmed for inspection carried over)</p> <p>WB High Risk – 100% Med Risk – 74% Low – Response only/AES *Unrated – 348 premises assessed, prioritised &</p>	<p>BF High risk – 100% (4) Others - 185</p> <p>WB High risk – 100% (13) Others – 281</p> <p>Note – IDOX dataset not currently compatible with in-year FSA delivery. Changes to delivery model during transition which will alter risk profile for all FS related inspectable premises. Inspection carried out on risk basis with priority on high risk, and unrated.</p>	

	Measure	2022/23 Outturn	2023/24 Outturn	
		inspected as necessary (3 new high risk programmed for inspection carried over)		
Local	% of food premises rated as 0 or 1 on the FHRS at the start of the year that are broadly compliant (3 score or above) by their next full inspection visit (subject to pending enforcement action) for premises with inspections due in reporting period	<p>WB 7 premises in scope 3 of these ceased trading 4 of these improved One remained a 1 score Therefore 50% reached score 3 or more</p> <p>BF 6 premises in scope 1 of these ceased trading 4 improved to BC One remained a 1</p> <p>Therefore 80% reached score 3 or more</p>	<p>WB 4 premises in scope 1 of these ceased trading 3 of these improved Therefore 100% still trading reached score 3 or more</p> <p>BF 3 premises in scope 1 of these ceased trading 2 improved to BC Therefore all reached score 3 or more</p>	

Local Indicators for Bracknell Forest Council

Measure of Volume	2022/23 Outturn	Q1	Q2	Q3	Q4	2023/24 Outturn
Fly Tipping / Waste Duty of Care Incidents						
Number of fly tipping / waste 'duty of care' incidents referred to PPP	101	18	22	61	25	126
Number investigated	101	18	22	47	25	112
Number of warnings issued	14	3	0	2	0	5
Number of formal cautions issued	2	0	0	0	0	0
Number of Fixed Penalty Notices issued	16	13	0	8	2	23
Number of Prosecutions	6	0*	0	1	0	7
Waste Carriers						
Number of vehicles checked for waste carriers licence	112	0	0	40	25	65
Number of compliant waste carriers	105	0	0	15	24	39
Number of non-compliant waste carriers	7	0	0	2	1	3
Abandoned Vehicles						
Number of abandoned vehicles reported and actioned	491	247	220	212	252	931*
Number of abandoned vehicles traced	30	28	20	36	84	168
Number of abandoned vehicles removed from highway	4	3	3	12	7	25

* increase due to implementation of new IT system and the way they are reported by incident rather than location

Local Indicators for West Berkshire Council

Measure of Volume	2022/23 Outturn	Q1	Q2	Q3	Q4	2023/24 Outturn	Comments
Weight Restrictions							
Number of observations made	197	67	48	79	79	273	59 WB, 5 BFC, 15 Wok
Number of breaches of restrictions observed	169	71	50	65	83	269	76 WB, 0 BFC, 7 Wok
Number of warnings issued	11	Reported Q4	Reported Q4	Reported Q4	See outturn	7	
Number of Prosecutions concluded	25	Reported Q4	Reported Q4	Reported Q4	See outturn	83	

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Quarter 4 Selection of Service Compliments

From a resident after one of our Trading Standards Officers had helped to resolve a matter with a used car dealer:

“Thank you for all your help and hard work, i really do appreciate it. “

Received from colleagues at Wokingham Borough Council about the Assured Care and Support (formerly Support with Confidence) Scheme which the PPP administers on behalf of Wokingham and West Berkshire Councils.

“As the managing authority, we also have great confidence that Pip Collings oversees the scheme with great integrity and attention to detail. We know from ACS providers that Pip is attentive to their needs and concerns and is always happy to help. We also know Pip to be responsive and proactive to any queries we have as well as keeping us regularly apprised of current providers and their availability.

Overall, this is an excellent scheme that very clearly - and very well - meets a recurring need.”

From an advocacy group after our Fraud Victim Support Officer attended the Be Heard group with them:

“Thank you so much for taking the time to visit the Be Heard group yesterday. I know the members found your presentation very informative I hope you also enjoyed meeting the group.”

Received from a resident after one of our Environment Health Officers started looking into a food poisoning complaint they had made:

“I just wanted to let you know that I spoke to Tony McEvoy from EH last night about the food poisoning.

He rang me at 9pm and I told him that he should stop working! I explained I also worked in local government. He was really lovely and said he would do a visit at some point and let me know if there was anything from that.

We don't often get praise in local government – so let him know I was really impressed with the phone call 😊 “

Sent to one of our Environment Health Officers after a food hygiene inspection the results of which were posted on our social media platforms:

“Thank you for coming and for the photos. It has given everyone a morale boost at the end of a tiring season and now they know why it is so important, you do check, which is what I am always telling them! “

From the Bracknell Hackney Carriage Driver’s Association after we sent them information about the new DBS process and service that has been introduced:

“Thanks for being very helpful. This is great news for our taxi trade. However, without the collaborative effort of both parties, this would not be possible. So, we would like to thank everyone on the PPP team who was involved in co-operating with our suggestion for the Bracknell taxi trade on the new DBS application link.”

From a resident after our Fraud Victim Support Officer assisted her mother:

“I would like to say a big thank you for setting up Mums Tru Call device, it gives us peace of mind that these scam callers can no longer get through, which really distresses Mum. Thank you for all your help, kindness and patience.”

Feedback after one of our Community Support Officers assisted her with finding carers for her parents under the Assured Care and Support Scheme:

“Dear Pip,

Thanks so much for the shortlist. As well as X we now have Y caring for my parents. I’m meeting with Z tomorrow with a view to her potentially taking on some slots.

The process has been so helpful Pip and given me more confidence and assurance than I felt previously when I was arranging care for them in Kent remotely.”

From a resident after one of our Trading Standards Officers had helped to resolve a matter with a used car dealer:

“Thanks again for everything, *even on your holiday*. My wife phoned him just now and he agreed to half of the hire cost. We have all agreed to X, I just feel ready to move on from this. Thank you for all of your help with this. I would've been completely lost. “

From a Social Worker Colleague and a colleague from the Deputyship Team after our Fraud Victim Supporter Officer worked with them to provide support to a resident:

“I met her in person, with Malcolm Philips (who I must say, works very hard on her behalf)I am really grateful to Malcolm for all his support.”

“I am also very grateful to Malcolm for all his hard work & support with this.”

In relation to the ESE case (Green Energy Company Sentenced for Unfair Trading in the covering report) we received the following messages from some of the victims:

“I am emailing to thank you for the payment of £X into my bank account, to thank you and everyone else who help for all your hard work over many many months sorting out the affairs of ESE Services Ltd, who did not keep to your trading standard’s rules.”

In a card : “To Martin Thank you for all your help. Best wishes X)

Appendix C Activity Undertaken by Authority

	BFC	WBC	WOK
Abandoned vehicles	•		
Air quality management	•	•	•
Animal warden	•	•	
Alcohol licensing and controls	•	•	
Assured Care and Support	•		•
Health and Safety at Work	•	•	
Health promotion		•	•
Animal welfare licensing	•	•	
Animal Health and Welfare on farms	•	•	•
Buy with Confidence	•		
Case Management	•	•	•
Contaminated land	•	•	
Communicable diseases	•	•	
Community education		•	
Community mediation	•	•	•
Consumer advice	•	•	•
Consumer credit	•	•	•
Criminal Litigation (non road traffic)	•	RTA	•
Doorstep crime	•	•	•
Environmental nuisance protection	•	•	
Explosives storage	•	•	
Fair trading	•	•	•
Financial investigations	•	•	•
Fraud and counterfeiting	•	•	•
Food Safety and Food Hygiene Rating Scheme	•	•	
Food Standards and Feed Standards	•	•	•
Fly Tipping and Enviro Crime	•		
Gambling	•	•	
Industrial pollution	•	•	
Licensing (alcohol and regulated activity)	•	•	
Metrology	•	•	
Money laundering and Confiscation (POCA)	•	•	•
Overloaded vehicles and weight restrictions	•	•	•
Offensive weapons controls	•	•	•
Pest and vermin enforcement	•	•	
Petroleum storage	•	•	
Planning advice	•	•	
Primary Authority	•		
Private sector housing	•	•	
Product safety	•	•	•
Private water supplies	•	•	
Public health funerals	•	•	
Scams and on-line fraud	•	•	•
Scrap metal dealers	•	•	
Smoking cessation oversight		•	
Street trading	•	•	
Taxi and private hire licensing	•	•	
Underage sales	•	•	•
Unfair trading	•	•	•
Workplace accidents	•	•	

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PPP Strategic Assessment 2024 - 2027

Committee considering report:	Joint Public Protection Committee
Date of Committee:	10 June 2024
Chair of Committee:	To be confirmed at the meeting
Date JMB agreed report:	20 May 2024
Report Author:	George Lawrence
Forward Plan Ref:	JPPC4372

1. Purpose of the Report

- 1.1 To identify the key service functions, activities, priorities and identify the resource challenges for the Service.
- 1.2 To map the Service against local, regional and national priorities and risks.

2. Recommendations

The Committee:

- 2.1 **RESOLVES** that the updated Strategic Assessment form the basis of the PPP priority setting for 2024/25.

3. Implications and Impact Assessment

Implication	Commentary
Financial:	<p>These service provision set out in the Strategy will be met from the base revenue budget or from specific grants.</p> <p>Where appropriate, grants such as support for public health related work, national and regional campaigns and support for activity associated with legislative changes or investigations will be sought and used to deliver some of the key work streams set out in this report.</p> <p>Working with other authorities as part of shared working arrangements to deliver efficiencies and effectiveness will also feature as a key priority.</p>
Human Resource:	<p>There are no specific staffing issues arising from the priorities set out in this report.</p> <p>If approved the Joint Management Board will consider the most effective structure to deliver against the priorities.</p>
Legal:	<p>The functions delegated to the Joint Public Protection Committee by the Councils have their basis in statute. In this respect many are statutory duties placed on the Councils. In</p>

	<p>some areas (such as food safety and standards, health and safety etc.) there is a high level of prescription about how elements of the service are delivered.</p> <p>The Council's apply the Code for Crown Prosecutors in respect of all enforcement matters.</p>			
Risk Management:	<p>Project Management Methodology will enable early identification of operational risks. The bi-weekly tactical tasking meetings are used to allocate resources to high risk areas.</p> <p>The Service has a Strategic Risk Register which is considered by the Joint Management Board (JMB) on a monthly basis and the Operational Risk Register is discussed on a monthly basis at the Principal Officer's meeting.</p> <p>The key risks to service delivery are related to the ability of the service to recruit, train and retain qualified and competent staff to work across the range of functional areas that make up the PPP as well as budget provision versus demand.</p>			
Property:	<p>None specifically arising from these proposals. The issue of accommodation and rationalisation of accommodation remains a priority for the service. As Bracknell and West Berkshire move to a rationalised property strategy and have implemented new working styles the service will look at its property requirements and in particular the role that the Theale Office is playing as a central delivery point.</p>			
Policy:	<p>It is a key responsibility of the Joint Public Protection Committee (JPPC) as set out in the Inter Authority Agreement (IAA) to set the strategic direction and priorities for the service.</p>			
	Positive	Neutral	Negative	Commentary
Equalities Impact:				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		x		
B Will the proposed decision have an impact upon the		x		

lives of people with protected characteristics, including employees and service users?				
Environmental Impact:	x			<p>One of the stated aims of the IAA is the protection of the environment and this aim has been re-affirmed as one of the local priority outcomes in the revised Assessment.</p> <p>Building Safer Communities, Improved Living Environment, Protection of the Environment, Promoting Animal Welfare, Safety in the Workplace and a Safer Food Chain should contribute to improvements to the local environment.</p>
Health Impact:	x			<p>One of the stated aims of the IAA is Protecting and Improving Health.</p> <p>Local priority outcomes include the reduction of harm in young people, improved living environment and protecting and informing consumers.</p>
ICT or Digital Services Impact:				The PPP's website will be used to promote the Service's Priorities.
PPP Priorities:				To be agreed if the report is adopted.
Data Impact:				<p>The Partnership is committed to its duty under the General Data Protection Regulation and other data protection laws and guidance provided by law or from the Information Commissioner.</p> <p>All personal data held by the Service will be handled in accordance with our Privacy Statement.</p>
Consultation and Engagement:				<p>Report will be considered by Corporate Board and Operations Board in West Berkshire and at CMT and the Executive Briefing in Bracknell Forest before being presented to the Joint Public Protection Committee.</p> <p>The Strategic Assessment will also be shared with colleagues in Wokingham Borough via the Joint Management Board.</p>
Other Options Considered:	None			

4. Background

- 4.1 At the meeting of the Joint Public Protection Committee (JPPC) in June 2021 the Committee considered and approved the priorities for 2021/23. A copy of the Strategic

Assessment at that time can be found here: [PPP STRATEGIC ASSESSMENT \(westberks.gov.uk\)](http://PPP_STRATEGIC_ASSESSMENT(westberks.gov.uk)).

- 4.2 A refresh of the priorities was undertaken at the [JPPC meeting in March 2023](#). Protecting and Improving Health was included as a new cross-cutting priority-
- 4.3 As part of the ongoing development of the Service we have reflected on the current challenges facing the service, local and national threats, changes to local and national policies and priority areas, local, regional and national data sets, emerging issues and changes in legislation to produce the updated Strategic Assessment of the Service.

5. Operating Model

- 5.1 The Public Protection Partnership (PPP) is a shared service delivering Environmental Health, Licensing and Trading Standards functions on behalf of two authorities (Partners), Bracknell Forest Council and West Berkshire Council. It also has a shared service with Wokingham Borough Council for trading standards and related elements of the service including case management, intelligence and financial investigations.
- 5.2 The Strategic Assessment is an integral part of the businesses planning processes of the Service and forms the basis for our annual service planning, priority setting, and workforce development work and underpins our communication and engagement activity. The Assessment draws on data and information from the most recent period available.
- 5.3 The aim of the Service is to protect our communities through the use of effective communication, intelligence and enforcement. The purpose of the service is to:
- Provide information to people to enable them to make informed decisions and understand their rights and responsibilities.
 - Create an atmosphere where legitimate and compliant businesses can thrive and not have their interests undermined by those who choose not to comply.
 - Protect the health, wellbeing and safety of the communities we serve.
 - Respond to emerging issues and needs.
- 5.4 Over the years this has proved very effective in tackling issues ranging from Covid to the horse meat scandal and Homes for Ukraine to animal disease outbreaks. The operating model by definition defines priorities at any given time whilst setting out a delivery model through the PIE model set out at 5.7 below.
- 5.5 The Scope of the Service includes (but is not limited to):
- Air quality management
 - Animal warden
 - Alcohol licensing and controls
 - Health and Safety at Work
 - Health promotion
 - Animal welfare
 - Case Management
 - Contaminated land
 - Communicable diseases
 - Community education

- Community mediation
- Consumer advice
- Consumer credit
- Doorstep crime
- Environmental nuisance protection
- Explosives storage
- Fair trading
- Financial investigations
- Fraud and counterfeiting
- Food and Feed safety, standards and hygiene
- Gambling
- Industrial pollution
- Licensing (alcohol and regulated activity)
- Metrology
- Money laundering and confiscation
- Overloaded vehicles and weight restrictions
- Offensive weapons controls
- Pest and vermin enforcement
- Petroleum storage
- Primary Authority
- Private sector housing
- Product safety
- Street trading
- Public health
- Unfair trading
- Scams
- Taxi licensing
- Underage sales
- Private water supplies

5.6 The Service is managed using an approach which firmly links the development of local knowledge, professional risk management and the gathering of information to generate intelligence. This operating model, known as the 'National Intelligence Model' is considered very effective in explaining why, on a daily basis, officers follow a particular course of action.

5.7 Priorities are delivered through the 'PIE' model:

- Preventative advice and actions
- Intelligence gathering and building the intelligence picture
- Enforcement

6. Current Priorities

6.1 The current cross-cutting priorities for the service are:

- eCrime
- Climate Change and Environmental Protection
- Protecting Vulnerable Adults and Children

- Safeguarding (including Modern Slavery)
- Safer Streets
- Protecting and Improving Health

7. Proposed New Local Priority Outcomes

7.1 The services understands that priorities change, and outcomes as well as outputs are vital in understanding how well the service delivers for the community. Furthermore, issue can be cross cutting and unable to be categorised into single elements. The changes reflect better a more holistic and human aspect, but at the same time maintains the principles and spirit of what the priorities mean for the community.

- Building Safer Communities
- Improved Living Environment
- Protecting Consumers from Fraud
- Reducing Harm in Young People
- Protection of the Environment
- Protecting & Informing Consumers
- Promoting Animal Welfare
- Safety in the Workplace
- Safer Food Chain

8. Concluding Observations

8.1 The service faces unprecedented demands that have to be balanced in the context of resource. The 'horizon scanning' elements of the assessment give some indication of known new duties down the line. However, with the dissolution of Parliament the future and timing of these proposed measures is uncertain.

8.2 The Assessment itself paints a picture of a service whose role is to protect our communities in almost every aspect. It is also a preventative service and early intervention by the Service can mean less impact and detriment for individuals and reduced demand for the Council and partner agencies.

The next stage will be to present the Committee with a set of proposals on prioritisation and link to planned budgetary provision going forward. This report will be presented in October 2024.

9. Appendices

9.1 Appendix A – Strategic Assessment 2024-2027 (*please note that the document will be reformatted once the text has been agreed*)

10. Background Papers:

10.1 [Key policies and documents - PPP \(publicprotectionpartnership.org.uk\)](https://publicprotectionpartnership.org.uk)

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 Wards

Officer details:

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Public Protection Service Strategic Assessment 2024-2027

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1. INTRODUCTION AND OVERVIEW

The Public Protection Partnership (PPP) is a shared service delivering Environmental Health, Licensing and Trading Standards functions on behalf of two authorities (Partners), Bracknell Forest Council and West Berkshire Council. It also delivers a range of commissioned services to other organisations including Wokingham Borough Council.

The PPP delivers services encompassing a wide range of areas of responsibility from environmental protection to fair trading, food safety to animal health, housing standards to taxi licensing, and much more.

Our vision is to protect and support residents and legitimate businesses through the successful use of information and intelligence, delivering safe and healthy neighbourhoods.

The nature of the shared service means that it has greater resilience and robustness to cope with unforeseen challenges such as disease outbreaks, large scale investigations etc. Our team of dedicated officers, external partners and elected Members work closely together to provide good quality services and value for money for our residents, businesses and the authorities it serves.

As part of the ongoing development of the Service officers have reflected on the current challenges facing it, local and national threats, changes to local and national policies and priority areas, local, regional and national data sets, emerging issues and changes in legislation to produce the updated Strategic Assessment for the Service.

The Service is managed using an approach which firmly links the development of local knowledge, professional risk management and the gathering of information to generate intelligence. This operating model, known as the 'National Intelligence Model' is considered very effective in explaining why officers follow a particular course of action.

Officers have used the MoRiLE (Management of Risk in Law Enforcement) scoring process to identify and assess the Service's key priority areas. MoRiLE is a risk prioritisation process, widely used by law enforcement agencies. It uses a structured methodology and matrix to consistently assess threats, risks, harm and organisational position (including resources, political factors, capacity and capability).

2. DATA SOURCES

The Strategic Assessment will be used to identify the key threats, emerging issues, and priority areas for the PPP and is an integral part of the PPP business planning process.

In line with the National Intelligence Model a number of intelligence sources have been considered in order to identify existing and emerging issues. This report has been compiled using both quantitative and qualitative data from the following sources:

- Local Database (Idox)
- National Databases (CAB, IDB)
- Health & Safety Executive (HSE)
- Food Standards Agency (FSA)
- National Trading Standards Board / National Tasking Group (NTS)
- Trading Standards South-East (TSSE) Regional Assessment
- Department for Environment, Food & Rural Affairs (DEFRA)
- Department for Levelling Up, Housing and Communities (DLUHC)
- Air Quality Monitoring Programme

3. INTER AUTHORITY AGREEMENT (IAA) AND PRIORITY OUTCOMES

This Strategic Assessment is developed to address the following priority areas:

IAA Overarching Priorities

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

Local Priority Outcomes

- Building Safer Communities
- Improved Living Environment
- Protecting Consumers from Fraud
- Reducing Harm in Young People
- Protection of the Environment
- Protecting & Informing Consumers
- Promoting Animal Welfare
- Safety in the Workplace
- Safer Food Chain

4. INTELLIGENCE REVIEW

There has been an 85% increase in the number of intelligence submissions made during this reporting period. The number of reports has increased from 463 in the previous reporting period to 858 reports during the current period.

Unless otherwise stated, data collection relates to Calendar year 2023 – 2024. The 2023 originating sub-organisation for matters appertaining to the PPP area include:

Bracknell Forest Borough Council (PPP)	171
Thames Valley Police	36
West Berkshire Council (PPP)	353
Wokingham Borough Council (Shared TS Service)	283
Hillingdon London Borough Council	1
Hampshire County Council	1
Animal Health - West Berkshire	1
Other	9
West Sussex County Council	2
Grand Total	857

The business areas with the highest number of submissions are Doorstep Crime and Rogue Trading, Age Restricted Sales, Tobacco and Cigarettes, Fair Trading, Landlords Housing, Fly Tipping Commercial Waste, Domestic Waste and Unlicensed Waste Carriers.

The main reasons for the reports were as follows:

- 43% of all intelligence submissions related to doorstep crime and related unfair trading and fraud matters (372 reports)
- 13% related to age restricted sales (114 reports)
- 7% related to illicit / illegal tobacco and cigarettes (58 reports)
- 6% related to unfair trading (52 reports)
- 6% related to private sector housing (49 reports)
- 5% related to fly tipping of commercial waste, domestic waste or unlicensed waste carriers (43 reports).

The business areas which saw the biggest increase were as follows:

- Private sector housing (2350% - 49 reports compared to 2)
- Illicit tobacco and cigarettes (867% - 58 reports compared to 6)
- Taxis and Private Hire (600% - 7 reports compared to 1)
- Unlawful age restricted sales (322% - 114 reports compared to 27)
- Food (175% - 11 reports compared to 4).

Reports for doorstep crime and rogue trading have increased by 95% (from 191 reports to 372).

National Trading Standards Board (NTS) Priorities

The [NTS Interim Strategic Assessment](#) was published in October 2023 and highlighted the following key priority areas for the NTS National Control Strategy for 1 April 2024 – 31 March 2025:

- Doorstep and Cold Calling (including Energy Fraud),
- Lettings (England only),
- Mass Marketing Fraud/Scams,
- Illicit and Underage Sale of Vape (England only),
- Illicit Tobacco,
- Used Cars,
- Intellectual Property,
- Other Fair Trading issues,
- Estate Agency,
- Animal Feed Work.

NTS will have the following cross cutting themes and enablers, as they impact on each priority area:

- eCrime and the use of social media/online platforms.
- Serious and organised crime.
- Cost of living crisis.

NTS will also undertake work on specific activities, where direct funding is provided for a programme of work to be delivered, such as the Animal Feed work that is funded by the Food Standards Agency.

5. CROSS CUTTING PRIORITIES

eCrime

The PPP will continue to look for opportunities to tackle consumer and business detriment caused by eCrime across all its themes, priorities and projects.

For the Trading Standards Service the highest number of service requests to the partnership relate to online purchases and have now clearly surpassed traditional purchase methods.

The coronavirus pandemic and resulting public health measures restricting the opening of all but essential trade premises resulted in a further substantial shift to e-commerce.

It is clearly identified that growth of online trading showed no sign of levelling off and the PPP must ensure that all teams have access to the skills necessary to operate within that environment. Social media platforms are increasingly used as a method of trading in wider fields including counterfeit and illegal goods and unlicensed waste services.

As such staff must continue to be developed to deal with the ongoing challenges of online trading, complex social media platforms and all the associated intelligence gathering required to successfully disrupt and prosecute such matters. For this reason, the Service has invested in training into open-source investigations.

Climate Change

Climate Change is one of the major issues of our time. All three Councils have clear and expansive climate change plans with targets around air quality, housing, environmental protection and carbon reduction.

The PPP has a significant role to play in relation to the local plans to tackle climate change. These include traditional areas such as air quality and environmental protection but also extend to other areas around the enforcement of climate change legislation relating to matters such as energy performance of buildings and goods and single use plastics to the links with the housing functions to cold homes, energy efficiency and environmental high standards in private rented accommodation.

There are also clear links to green energy product trading including unfair and fraudulent trading activities.

Protecting Vulnerable Adults and Children

Protecting vulnerable adults and children remains a key priority for the PPP.

A significant number of front-line officers operate in the community and play an essential role in the identification and protection of individuals at risk of abuse or neglect.

A whole range of issues have been identified that relate to this priority including poor housing standards, poor food quality, age restricted products and unfair trading practices, scams and fraud.

The PPP will continue to support officers and managers to develop their skills in communication, their knowledge of safeguarding and partnership working, and educate them in the key identifiers for vulnerability.

Safeguarding

Safeguarding is an essential and crucial aspect of local authority work and the PPP are at the front line of the identification of safeguarding matters.

All members of our community have a right to live in safety, free from abuse and neglect. The PPP provides a range of services within the community and colleagues are trained to recognise a range of safeguarding issues and categories of abuse and also to understand their duty to safeguard vulnerable individuals using the appropriate referral routes.

To this end the service has nominated a cross-cutting Lead Officer for Safeguarding as well as a Fraud Victim Support Officer who work closely with other parts of the service, relevant agencies and local safeguarding teams. Our [Training and Development Plan](#) requires that all staff are trained in safeguarding matters and the Service has run a range of safeguarding training sessions on topics including young people, county lines, financial abuse and illegal money lending.

Modern slavery is the illegal exploitation of people for personal or commercial gain. It covers a wide range of abuse and exploitation including sexual exploitation, domestic servitude, forced labour, criminal exploitation and organ harvesting.

The PPP may encounter modern slavery as part of any workstream and staff must remain vigilant to the indicators of modern slavery and remain abreast of those networks and referral pathways to support, report and feed in intelligence relating to modern servitude. Areas for heightened vigilance include the work that the PPP undertakes relating to rogue traders, poor housing conditions, visits to domestic premises, and trader and site premise inspections. A number of staff are specifically trained to identify modern slavery.

In addition to safeguarding training requirements for taxi, private hire and home to school transport drivers the PPP are considering the role of safeguarding training as part of the Safer Streets agenda including offering safeguarding training to persons working in some retail and hospitality settings.

Safer Streets

The PPP can play a key role in tackling neighbourhood crime and anti-social behaviour. There are clear links to the four licensing objectives¹ as well as to the role of trading standards and the community team. Working in partnership with other agencies, and through the use of targeted crime prevention measures and problem solving approaches the PPP can contribute to making the streets of West Berkshire, Bracknell Forest and Wokingham safer.

This will be done through the promotion of safeguarding, raising public awareness and encouraging reporting through education work with the general public, the licensed trade, taxis and private hire vehicles and retailers.

Officers will continue to:

- Promote retailer schemes such as Pubwatch and Shopsafe.
- Extend the Community Alcohol Partnership arrangements which play a key role in seeking to reduce alcohol harm in local communities from drinking by young people.
- Enforce legislation around age restricted products including for alcohol, knives, fireworks and corrosives.
- Develop the existing PPP alcohol programme in secondary schools to increase emphasis on Anti-Social Behaviour and personal risk.
- Tackle low level environmental crime that leads to a feeling of lawlessness including environmental crime e.g. abandoned vehicles.
- Work with staff in higher risk settings to develop an understanding of risk and safeguarding.

¹ the prevention of crime and disorder, public safety, the prevention of public nuisance, the protection of children from harm.

6. TARGETED PRIORITY OUTCOMES

BUILDING SAFER COMMUNITIES

MoRile Scoring

Previous priorities which relate and their scoring:

- Licensing – OP 720 / Risk 180
- Tackling Fraud – OP 667.50 / Risk 333.75

Horizon Scanning

- **The Terrorism (Protection of Premises) Bill, known as Martyn’s Law** – The consultation of this bill concluded in March 2024, however it is still yet to be determined who the Regulator will be. <https://www.gov.uk/government/consultations/martyns-law-standard-tier-consultation>. However, PPP officers have received update training as it is possible the responsibility to enforce will come to Local Authorities.

Licensing Act 2003

In 2023 the PPP received 131 applications relating to Premises Licences, 22% related to new licences (29) and the other 78% related to variations or transfers of existing licences. 82% of applications received in 2023 were granted, 11% were still being progressed at the time of writing, 4% were cancelled or invalid and 4% were withdrawn.

There were 33 reports relating to premises licenses in 2023. 21 relating to locations in Bracknell Forest, 11 relating to premises in West Berkshire and 1 relating to a premises in Wokingham. 24% were concerning complaints (8), the other 76% related to requests for information or advice.

Hackney Carriage and Private Hire

In 2023, the PPP received 697 applications that related to the licensing of taxi drivers and vehicles. 255 for Bracknell Forest and 442 for West Berkshire. This type of licensing accounted for 31% of all licensing applications received in 2023.

There were 181 reports relating to taxi drivers in 2023, 97 in Bracknell Forest and 84 in West Berkshire. 32% of reports related to complaints and 2% related to safeguarding concerns. The other 66% were regarding advice or information.

Reducing Violence Against Women and Girls

The PPP Licensing Service is part of a wider Thames Valley Police initiative looking at reducing incidence of harm affecting women and girls. Our specific area of input is with licensed premises and the management of risk within those premises. Beyond our work with PubWatch Schemes and individual licensees officers also conduct a number of other initiatives including:

- Presentations and information displays that officers undertake with students in the secondary schools across West Berkshire and Newbury College. Between January to December 2023, seven presentations relating to alcohol were undertaken across West Berkshire. Since the beginning of 2024, two presentations and one information session has been undertaken.
- Provision of advice and guidance on how to prevent drink spiking and what to do if you believe your drink has been spiked.
- Provision of 'spikeys' to sixth form and college age students. These are small plastic devices which go into the top of a bottle, through which you can put a straw and prevent drink spiking.
- Regular communications and warnings are distributed via the PPP social media platforms regarding staying safe whilst consuming alcohol.
- Provision of public information posters for display in licensed premises.

Offensive Weapons and Corrosives

The issue of access to offensive weapons and corrosives by young people has been a priority identified by the Home Office. There are also a range of controls on the types of knives that can be sold and these are due to be extended.

Trading Standards are the identified enforcement body for these areas. Some funding has been provided for offensive weapons enforcement and the Service is looking at all these areas from the point of view of prevention, intelligence and enforcement. This will include on-line and retail test purchasing. The Service will be working with colleagues from Thames Valley Police as part of the wider Safer Streets Strategy.

Event Safety

The Safety Advisory Group (SAG) meets to assist safety planning for large public events and meetings are held at least four times a year. The SAG is

coordinated, administered and 'chaired' by the PPP who invite the event organiser(s) plus organisations with responsibility for public safety including, Local Authority Highways, Police, Ambulance, Emergency Planning and Fire Safety services. The PPP attendees include officers with specialisms in Licensing, Environmental Protection, Food Safety and Health and Safety at Work.

Event Management Plans and risk assessments are reviewed and event visits carried out by virtue of the Council's role as the enforcing authority for the Health and Safety at Work etc Act 1974.

For smaller public events a SAG is not appropriate, but event safety management plans are reviewed virtually and site visits undertaken where necessary.

Guidance issued by the Health and Safety Executive (HSE) requires local authorities to plan their health and safety enforcement activities and it specifies which types of work activities are suitable for proactive safety inspections.

"Setting priorities and targeting interventions" HELA Local Authority Circular 67/2 (Rev 13 - 2024/25) guidance under Section 18 of the Health and Safety at Work etc. Act 1974 (HSWA) - List of activities/sectors considered suitable for proactive inspection 2024/25 include those related to safety at public events including:

Crowd management & injuries/fatalities to the public - Large scale public gatherings e.g. cultural events, sports, festivals & live music Lack of suitable planning, management and monitoring of the risks arising from crowd movement and behaviour as they arrive, leave and move around a venue.

The Terrorism (Protection of Premises) Bill, known as Martyn's Law will introduce new requirements for operators of public locations to take appropriate, reasonably practicable measures to protect their staff and the public from the impacts and effects of terrorism. The requirements are being developed in consideration of other regulatory regimes such as Health and Safety and with proportionality in mind.

This financial year (2023/2024) there have been 285 event management plans submitted which have been reviewed, consulted on and actioned as necessary.

This number excludes events held for the Kings Coronation. 90 have been submitted for events in Bracknell Forest and 195 for events in West Berkshire. 64 events were brought to full SAG meetings. There were:

- 5 Blue light visits facilitated.
- 10 Pre event site inspections carried out.
- 39 During Performance/event inspection visits.
- 34 Health and Safety Inspections.
- 17 Food Hygiene Inspections.
- 7 Formal Enforcement Interventions.
- 5 Accident investigations.
- 1 Desktop exercise facilitated.

Unfair Trading and Doorstep Crime (DSC)

There has been a 19% increase in home improvement / repairs trading related unfair trading and crime reporting across the service, from the previous year (496 reports).

The following parameters apply to these reports:

- Payment amounts total £6,728,058.
- 13% of all DSC complaints received related to roofing (63 reports)
- 11% related to major renovations (57 reports).

These were the two most complained about goods and services for DSC, amounting to 24% of all DSC complaints. These two areas are also the most complained about regionally.

In recent months the PPP have seen an increase in green energy complaints. The cost-of-living crisis has meant that people are looking to make their homes more energy efficient. However, it has been widely reported in the media that this type of work can invalidate mortgages.

Intelligence submissions relating to doorstep crime have increased by 95%, with 16% of DSC intelligence submissions relating to roofing. DSC related Intelligence Data Base (IDB) Submissions relate to 43% of all Intel submissions overall.

The reports of doorstep crime reports are split fairly evening across the 3 authorities.

30% of DSC reports (150) are for Bracknell Forest, with gardeners and roofers being the most complained about areas.

31% of DSC reports (153) were for West Berkshire, with major renovations and roofing being the most complained about.

39% of DSC complaints (193) were for the Wokingham area, with roofing and major renovations being the most complained about areas.

The Service currently has in excess of 20 investigations ongoing into unfair trading, fraud and money laundering with respect to doorstep crime.

Funeral Directors

Following the issues identified with a chain of funeral directors in East Yorkshire the Service is being asked to undertake visits to identify levels of compliance with industry standards and to identify any issues. It is likely these inspections will be conducted by Trading Standards Officers.

The Service is currently working with Registration colleagues to identify all funeral directors in the PPP area.

BUSINESS AS USUAL

Street Collections

Street collections only cover the collections of cash. The regulation of other forms of collection such as direct debits is a matter for the Fundraising Regulator. All those that are issued permits to collect are required to file a return to the Council.

There were 69 applications received regarding street collections in 2023, 31 in Bracknell Forest and 38 in West Berkshire. All but one of the applications were granted.

Scrap Metal Dealers

There were 5 applications for scrap metal sites and collectors in 2023, 4 related to renewals and 1 was a new collector. There were 4 reports relating to scrap metal dealers in 2023, 2 in Bracknell Forest and 2 in West Berkshire.

This is a priority area for enforcement and joint visits take place with Thames Valley Police (TVP) to ensure the provisions of the legislation and licence conditions are being complied with, with particular focus on traceability, identification checks and cash payments.

Gambling

The local authority has responsibility for licensing all premises used for gambling with the exception of large casinos, of which there are none in either West Berkshire or Bracknell Forest. The licence conditions are designed to provide protections for young people and those at risk from problem gambling.

Each Council is also required to have a 'Statement on Gambling Policy'. In the case of West Berkshire and Bracknell Forest these are due for renewal in 2024.

In 2023, the PPP received six new licencing applications relating to gambling and betting. There were three for premises in Bracknell Forest and three for premises in West Berkshire.

House to House Collections

The majority of House-to-House collections relate to charity bags. There have been issues identified previously around unauthorised collections. The larger charities have national exemptions from the need for local permissions.

In 2023 the PPP received 44 licensing applications relating to House-to-House collections. There were 22 in Bracknell Forest and 22 in West Berkshire.

Small Society Lotteries

In 2023 the PPP received 57 licensing applications relating to small society lotteries. This is a 6% increase from the previous year. 20 applications were in Bracknell Forest and 37 applications were in West Berkshire.

All recipients of permissions are required to complete a return to the authority. A significant number of small society lotteries relate to schools / Parent Teacher Friends Associations (PTFAs).

Street Trading

Street trading consents are largely in place to ensure that the location is suitable and that controls are in place to manage a range of potential nuisance issues.

In 2023 the PPP received 50 street trading consent applications. Of these 23 related to street trading consents in Bracknell Forest and 27 related to street trading consents in West Berkshire.

There were 25 reports in relation to street trading in 2023. 36% of reports were complaints (9), the other 64% related to requests for information or advice (16).

Animal Warden Activities

In 2023 there were 150 reports made relating to the Dog Wardens activities. 41% of reports related to 'dangerous' or out of control dogs and 27% related to dog fouling.

There were also 102 stray dog collections in 2023. This amounted to 33 in Bracknell Forest and 69 in West Berkshire. Of these strays 65 collections were out of hours.

In total 58 dogs were rehomed and 38 were returned to their owners.

Following a concerning rise in attacks and fatalities caused by XL Bully dogs, the government has added this breed to the list of dogs banned under the Dangerous Dogs Act 1991. The restrictions were implemented in two phases:

Phase 1 – from 31 December 2023 it became against the law to:

- sell an XL Bully dog;
- abandon an XL Bully dog or let it stray;
- give away an XL Bully dog;
- breed from an XL Bully dog;
- have an XL Bully in public without a lead and muzzle.

Phase 2 – from 1 February 2024 it became a criminal offence to own an XL Bully dog in England and Wales unless your dog has a Certificate of Exemption.

The PPP, who have shared enforcement responsibility for dangerous dogs with the Police, continue to monitor enquires and reports relating to this breed along with all other dangerous dog allegations.

Pest Control Enforcement

In 2023 the PPP received 409 reports relating to pests. This has increased over the last 2 years (383 in 2021 and 282 in 2022). 11% related to enforcement and 89% reports related to advice.

The PPP received the most reports about rat infestations, which equated to 86% of reports received in 2023 (350).

Pest control checks are also carried out routinely as an integral part of mandatory food hygiene inspections at commercial food premises. Officers will also respond to complaints about pests at food businesses. Officers have an enforcement role to ensure waste food is properly contained and disposed of so that it does not attract pests and that food premises are kept free from pest activity. The Local authority's role is set out in the [Food Law Code of Practice \(England\)](#).

Empty Homes and Public Health Risks

In 2023 the PPP received 14 reports relating to empty properties: 9 in Bracknell Forest and 5 in West Berkshire.

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

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

On occasions matters are referred to and received from colleagues in Building Control. Going forward this is identified as a priority area for the Councils.

Responsible Authority Roles for Licencing

In 2023 there were 187 Licencing Consultations reviewed by PPP teams as statutory consultees. 60% were for West Berkshire (112), 34% were for Bracknell Forest (64) and 6% were for Wokingham Borough (11).

These are reviewed by Environmental Health, Trading Standards. Licencing and Health & Safety.

There were 766 Temporary Event Notices (TENs) received by PPP in 2023; 233 were for events in Bracknell Forest and 533 for events in West Berkshire.

The Environment Quality team has the role of Responsible Authority for the licensing objective of the Prevention of Public Nuisance. This includes noise, vibration, refuse, odour and lighting.

The Trading Standards Service have the role of Responsible Authority for the licensing objective of the Protection of Children from Harm.

The health and safety at work enforcing authority (PPP – C&P Commercial) is a statutory consultee for the issue and renewal of premises licences. The Commercial Team is also consulted on food safety compliance matters for the issue and renewal of street trading consents for food businesses.

IMPROVED LIVING ENVIRONMENT

MoRile Scoring

Previous priorities which relate and their scoring:

- Housing Standards in the Private Rental Sector - OP 816.00 / Risk 408

Horizon Scanning

- **Complaint Handling Code** - On 1st April 2024, The Complaint Code became statutory, meaning that landlords are obliged by law to follow its requirements. The Code aims to achieve best practice in complaint handling and ultimately to provide a better service to residents. [The Complaint Handling Code | Housing Ombudsman Service \(housing-ombudsman.org.uk\)](https://www.housingombudsman.org.uk)
- **Consultation on Timescales for repairs in the Social Housing Sector** - Awaab's Law, which was introduced in the landmark Social Housing Regulation Act 2023, requires landlords to investigate and fix reported health hazards within specified timeframes. A consultation period ended in March 2024 to set those timeframes. [Awaab's Law: Consultation on timescales for repairs in the social rented sector - GOV.UK \(www.gov.uk\)](https://www.gov.uk)
- **Bill to amend requirements for Caravan Licence applications** - There is currently a Bill at the 2nd reading stage in the House of Commons (this was 19th April 2024), to amend the requirements for caravan site licence applications made under the Caravan Sites and Control of Development Act 1960; and for connected purposes,

[Caravan Sites Bill - Parliamentary Bills - UK Parliament](#)

- **Housing Health and Safety Rating System (HHSRS)** - After the Decent Homes Standard review has been concluded, new regulations (an 'affirmative Statutory Instrument') are required to bring the conclusions of the HHSRS review into force. [Summary report: outcomes and next steps for the review of the Housing Health and Safety Rating System \(HHSRS\) - GOV.UK \(www.gov.uk\)](#)
- **Right to Rent Penalty Increase** - The Maximum civil penalty for the Right to Rent scheme has been increased from £3000 to £20,000. - [Increasing the maximum civil penalty amount for the Right to Work and Right to Rent Schemes: equality impact assessment \(accessible\) - GOV.UK \(www.gov.uk\)](#)
- **Higher-Risk Buildings (Keeping and Provision of Info etc.) (England) Regulations 2023** - This legislation has been published but is yet to be enacted, meaning 2024 will see the full implementation of these regulations. This in reference to our ongoing Commercial to Residential Conversion project. [The Higher-Risk Buildings \(Keeping and Provision of Information etc.\) \(England\) Regulations 2024 \(legislation.gov.uk\)](#)

Unlicensed Houses of Multiple Occupancy (HMOs)

Officers investigate reports made to PPP regarding unlicensed HMOs to ensure the safety and welfare of tenants in that sector.

In 2023 there were 31 reports received by PPP relating to potentially unlicensed HMO premises. These related to 21 addresses in Bracknell Forest and 10 in West Berkshire.

These reports were from members of the public, elected members, as well as other departments of Bracknell Forest Council and West Berkshire Council, Fire Service and Estate Agents and Housing Associations. Officers from the PPP will also report any suspected through to the relevant team.

There are currently 229 suspected unlicensed HMO's in Bracknell Forest and 38 in West Berkshire, which require further investigation. These will be continued to be look at in 2024 and beyond.

Unfit Private Rented Sector and Registered Social Landlords

There has been a 41% increase from last year in complaints relating to Private Rented Sector Landlords and Registered Social Landlords (RSLs) in the PPP area (239 in 2022, 337 in 2023).

In 2023, 216 (64%) were in relation to RSLs. 121 (36%) reports were in relation to private rented sector landlords. The team are working closely with the main RSLs in our area to ensure that their duties to their tenants are met.

There were 23 complaints in 2023 relating to HMO's, which include complaints about poor living conditions.

There were 62 enquiries which resulted in advice given to landlords in 2023, as well as 58 in relation to tenants.

Unfit Park Homes Operators

There have been 26 complaints relating to the condition of mobile homes and caravan sites across the PPP areas in 2023. 13 for sites in Bracknell Forest and 13 for sites in West Berkshire.

PPP Officers identify Relevant Protected Sites that provide permanent residential accommodation to tenants and those living in Park Homes. Sites identified as being licensable are assisted through the caravan site licensing process and ultimately licenced, with conditions, to ensure sites are suitable, sufficient, and safe. Those who operate without the benefit of a licence may be subject to formal action.

There were 18 caravan licensing enquiries in 2023: 12 in Bracknell Forest and 6 in West Berkshire.

The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 prohibit the use of land as a residential mobile home site unless the local authority is satisfied that the owner or manager of the site is a fit and proper person to manage the site. The purpose of the fit and proper person test is to improve the standards of park (mobile) home site management.

Housing Safety (HHSRS)

The current Environmental Health Housing Policy 2022 – 2025 applies specifically to each Council's Environmental Health housing enforcement functions and duties. Local Authorities are required to keep under review the

housing conditions in their areas with a view to identifying what courses of actions are necessary under the Housing Acts. This includes the following:

- Regulating standards of repair, amenity and safety in the private rented sector and dealing with housing hazards.
- Investigating service requests from Registered Social Landlord.

The Service remains engaged with the Governments Levelling Up agenda to ensure that it can contribute when needed (see Section 6 of the Private Sector Housing Policy for more detail).

The PPP will investigate complaints from tenants, for example, about overcrowded living conditions, from other parties where they are concerned about children or vulnerable adults living in overcrowded conditions or where overcrowded conditions are legitimately impacting on a neighbour's health, safety or welfare.

Private Sector House Condition Survey work has been commissioned with BRE Group to identify, understand and address the housing conditions/needs of tenants living in the area of West Berkshire Council.

Poor housing affects people's health, in particular cardiovascular and respiratory conditions. For every 1°C drop in temperature, the risk of death from respiratory conditions increases by about 10%. For every Excess Winter Death there are eight hospital admissions and 100 GP appointments. Local authorities work with the NHS to provide sources of support, in the form of advice, funding and enforcement to ensure people's homes are warm and safe. Officers work with Berkshire, Oxford, Buckinghamshire – NHS partnership (BOB). In addition, officers undertake seasonal specific projects aimed at areas such as damp houses and cold dwellings.

Energy Efficiency Non-Compliance

Operation Sapphire focusses on The Domestic Minimum Energy Efficiency Standard (MEES) Regulations aiming to improve improving housing standards in the private rented sector.

The two projects will now be combined in a stage one and two process in a joint project between the PPP Housing and Trading Standards Teams.

Tenant's Rights and Letting Agents

Operation Willow is a desk top exercise funded by the Department for Levelling Up Housing and Communities (DLUHC) and delivered by Trading Standards South-East revealed levels of non-compliance across the South-East by estate / letting agents with:

- Tenants Fees Act 2019.
- The Client Money Protection Schemes for Property Agents (Requirement to Belong to a Scheme etc.) Regulations 2019.
- Registration with either of the two official redress schemes.

Operation Sapphire and Operation Willow will now be combined in a stage one and two process in a joint project with the PPP Trading Standards and Housing Teams.

Landlord Forums

The Landlord Forum is run online and in person and is aimed at advising and updating landlords and tenants of their obligations and rights. These forums are run in partnership with the Local Authority Housing Departments and the Royal Berkshire Fire and Rescue Service (RBFRS).

Commercial to Residential Conversion Compliance Programme

The conversion project looks to ensure commercial buildings that are converted into residential accommodation are safe and fit for purpose from the planning stage (as part of the consultation process) to responding and investigating complaints of potentially unsafe living conditions. The process started with an identification exercise and desktop risk rating so that officers could target highest risk properties first.

In 2023 there were six enquiries in relation to this project, relating to 3 locations in Bracknell Forest and 3 locations in West Berkshire.

To date there have been nine commercial to residential conversion buildings inspected by the PPP. Each property looked at can positively affect the lives of hundreds of residents.

West Berkshire Housing Condition Survey

The Survey was commissioned by the PPP to provide an accurate picture of local conditions. This includes but is not limited to energy performance, empty

homes, areas of likely HMO activity, and age and condition of the housing stock.

At the time of writing the report has only just been received and officers will work with colleagues across the partner Councils to establish how the data can be used to inform future work programmes and decision making.

BUSINESS AS USUAL

Domestic Nuisance

In 2023 there were 880 reports of Domestic Nuisance in PPP areas (736 in 2022); 319 in Bracknell Forest and 561 in West Berkshire. Of these 77% of reports for domestic nuisance related to noise (679) and 42% of noise reports were related to animal/birds noise and dogs barking (284).

An increase in homes acquiring pets, during the pandemic, (Nationally 3.2 million more pets) lead to an increase in pet noise related nuisance calls.

Potentially residents became more sensitive and less tolerant of noise due to home working. There are potentially more people working at home than before the pandemic.

15% of domestic nuisance reports related to bonfires. This has dramatically decreased since the pandemic, where reports of bonfires significantly increased due to people being at home. Between 2021 and 2023, complaints relating to bonfires have decreased by 47%.

The PPP continued to advice residents to try to resolve issues informally. Anecdotal evidence suggests that complaint sources can become more defensive if they receive contact from the authorities, where a discussion between neighbours can resolve issues without upset.

The PPP Nuisance Policy is to be considered by JPPC at their meeting of 10th June. This policy takes an holistic approach to the issues of tackling nuisance.

Houses of Multiple Occupation

Regulating standards of management, repair, amenity and safety in houses in multiple occupation (HMOs) through mandatory licensing of HMO meeting the legislative criteria. Once licenced officers maintain the Council's Houses in Multiple Occupation mandatory Licensing Scheme public register.

The PPP currently has 201 licenced HMO's across Bracknell Forest and West Berkshire. 157 Licenced HMOs in Bracknell Forest and 44 Licenced HMO's in West Berkshire. In 2023 there were 12 applications for HMO's, 4 were renewals and 4 were new applications. There were also 22 HMO licensing enquiries received by the PPP in 2023.

A separate programme is underway to identify unlicensed HMO's which includes desk top research and visits to a number of properties. It is anticipated that this is a growth area work wise.

Relevant Protected Caravan Sites

Caravan sites can vary significantly from very expensive park home sites to accommodation that may be the only affordable accommodation open to some. They can be home to some of the most vulnerable people in society. There are significant risks associated with poorly run sites.

Relevant Protected Sites are inspected annually by officers to ensure site safety for the tenants of park homes, and to check on compliance with the licences issued. This is a highly specialised area of work and the Service has been investing in training more staff.

In addition to the site licence, all licence holders are subject to a 'fit and proper' assessment by staff from the PPP. PPP currently have licensing responsibilities for 37 sites.

In 2023 one prosecution was taken for an unlicensed site in West Berkshire. This work often requires close working with planning colleagues. Trading Standards Officers have previously undertaken work on site conditions and rules with respect to unfair contract terms.

Homes for Ukraine

An additional activity from March 2022 was in relation to Homes for Ukraine, where officers carried out home safety checks on host homes, and welfare checks when guests arrived. This piece of work continues for Bracknell Forest Council and West Berkshire Council as requests are still being received although these are now on a very limited scale.

Flexible Home Improvement Loans

The flexible home improvement loans are available for Bracknell Forest residents only. There were 11 flexible home improvement loan enquiries in 2023. Of these two related to existing loans that have been taken out and the

others were either not appropriate for a loan or the customer decided to fund improvements another way. This work is only undertaken for Bracknell Forest.

PROTECTING CONSUMERS FROM FRAUD

MoRile Scoring

Previous priorities which relate and their scoring:
Tackling Fraud – OP 667.50 / Risk 333.75

Horizon Scanning

- **Digital Markets, Competition and Consumers Bill** - A Bill to provide for the regulation of competition in digital markets; to amend the Competition Act 1998 and the Enterprise Act 2002 and to make other provision about competition law; to make provision relating to the protection of consumer rights and to confer further such rights; and for connected purposes. [Digital Markets, Competition and Consumers Bill - Parliamentary Bills - UK Parliament.](#)

This legislation is expected to come into force towards the end of 2024, although the government has recently clarified that the additional rules on subscriptions will be delayed to at least Spring 2026, to give businesses more time to prepare for the changes. The Bill repeals and reinstates the Consumer Protection from Unfair Trading Regulations 2008 (SI 2008/1277) (CPRs). There are some changes: the Bill amends and supplements the list of commercial practices that are always considered unfair to reflect the fact that consumers and traders increasingly interact online.

<https://www.lewissilkin.com/en/insights/our-guide-digital-markets-competition-consumers-bill-focusing-consumer-law#:~:text=The%20Bill%20repeals%20and%20reinstates,and%20traders%20increasingly%20interact%20online.>

Scams and Victim Support

The PPP currently have three funded bids across the partnership to deliver scams related work. The main areas of activity cover:

- Investigation of fraud/scam complaints and provision of practical advice to residents.
- Installation of free phone 'call blockers' to those who are eligible.

- Deliver scams prevention presentations to local groups and Council staff.
- 'Banking Protocol' intervention - where officers attempt to recoup monies back from the bank for residents that have been scammed where the banks have allowed payments to go out and have been negligent in their duties under the protocol.
- Facilitate in the setting up of 'No Cold Calling Zones'.
- Provision of scams leaflets and 'door-stopper' stickers.
- Dissemination of scams prevention communications through our social media platforms.
- Attendance at public events partnering with Thames Valley Police (TVP), Citizen's Advice West Berkshire (CAWB) and other agencies to promote the work the Service does.
- Attend/contribute to multi-agency meetings to help combat fraud together with Thames Valley Police and other Local Authority teams.
- Network with Adult Social Care teams to promote awareness of the services the PPP can provide and to train staff on what financial abuse is and what to look out for.
- Support and Promote friends against scams
<https://www.friendsagainstscams.org.uk/>

Referrals to the Trading Standards Scams Team can be made through any of the following pathways:

- National Trading Standards (NTS)
- Citizen's Advice (CA)
- TVP via the Multi Agency Approach to Fraud (MAAF)
- TVP via PCSO's or Neighbourhood Teams
- Adult Social Care (ASC)
- Self-referral via telephone or email

There were 140 Scam related reports received by the PPP in 2023. Of those 48% of reports related to West Berkshire residents (67), 26% related to Bracknell Forest residents (36) and 27% related to Wokingham residents (37).

The Fraud Victim Support Officer is very involved in proactive advice work as well as assisting residents with recovery of funds. In 2023/24 officers recovered over £190K for residents who were victims of largely online fraud.

Food Fraud

Food related fraud has been around as long as food. From the adulteration of alcoholic drinks to the 'horsemeat scandal' there are ongoing issues and new issues arising all the time. In some cases, they can not only present a financial risk but also a health risk e.g. alcoholic drinks made from methanol. It also presents risks to those that avoid certain foods for cultural and religious reasons.

Investigation and liaison with Food Standard Agency's (FSA) National Food Crime Unit in suspected cases of hygiene related organised food crime including meat placed on the market that doesn't meet hygiene requirements (e.g. production of "smokies").

Officers also regularly horizon scan along with Public Analyst colleagues and the FSA which can give us indications of which items may be subject to adulteration or wider fraudulent activity. The PPP participates in regular food sampling programmes where officers seek to identify unfair trading or fraudulent activity. These are conducted as either local programmes or wider regional and national programmes.

Metrology – Short Weight / Measure

A recent survey reported by the Chartered Institute of Trading Standards identified the 70% of beer and wine purchased was short measure. This area will be built into future metrology work plans. [Over Two Thirds of UK Beer and Wine is Short Measured \(tradingstandards.uk\)](https://www.tradingstandards.uk/over-two-thirds-of-uk-beer-and-wine-is-short-measured)

Intellectual Property

Intellectual property rights are the basis of a functioning economy. If anything can be copied it has no value and there would be little or no merit in innovation. Counterfeiting can also damage brands and in some cases present safety risks. From the point of view of the Proceeds of Crime Act (POCA) counterfeiting is classed along with drug dealing as a lifestyle crime. It is often used by criminals to launder money from other activities such as people smuggling or drug offending.

Over 2023/24 the Service received 32 allegations relating to intellectual property breaches. The goods included: tobacco, alcohol, vapes, jewellery, clothing, perfume, printer cartridges and even boiler parts. There are a number of ongoing investigations and one matter is currently undergoing confiscation proceedings following the seizure of over 12,000 items of clothing.

Operation Linton - intelligence received suggested that there were sellers operating at a local car boot sale and selling counterfeit clothing & footwear. Two visits were made covertly resulting in a number of seizures of t-shirts and trainers.

Additionally, the PPP receive intelligence directly from Border Force where goods have been inspected at the airports and ports and are suspected to be counterfeit. These goods are detained and destroyed at the port or referred to the PPP for further investigation.

Illegal Money Lending

Illegal money lending is an issue that can affect the most vulnerable in society. The Trading Standards Service has a shared enforcement role with the national illegal money lending team based in Birmingham.

A grant was received from recovered asset to undertake awareness raising work in the PPP area and this is an ongoing project. Key staff are trained to identify potential victims and perpetrators. It is proposed that briefings are undertaken to colleagues in areas such as housing and social care / safeguarding. This is a priority area in 2024/25.

Proceeds of Crime / Asset Recovery

The Service currently has four Accredited Financial Investigators. They are authorised by the National Crime Agency and are accountable to it for competence and training. Two are authorised to undertake money laundering and confiscation matters and two are authorised as Senior Appropriate Officers to consider and authorise applications to the Crown Court for Production and Restrain Orders. The Service Lead is responsible for all officers operating in this area.

At the time of writing, officers have conducted ten investigations relating to money laundering and in some cases confiscation. The legislation is designed to ensure criminals do not benefit from crime. Recovery can take two forms i.e. compensation or confiscation.

Investigation work is conducted using a range of other powers working with the revenue and complimentary (but separate) to substantive investigation work. Officers work alongside partners in HMRC and the Police.

Although often linked to trading standards matters, officers have carried out investigations in other areas such as planning breaches which have led to recovery.

Illicit Products and Excise Breaches

Trade in illicit tobacco costs the exchequer over £2 billion in lost tax revenue each year. It also damages legitimate businesses, undermines public health and facilitates the supply of tobacco to young people.

The Tobacco Products (Traceability and Security Features) Regulations 2019 concerns the manufacture, presentation and sale of tobacco and related products.

A unique identifier is now required to be applied to each unit packet of tobacco product by manufacturers and importers. Manufacturers and importers are also required: to provide equipment to other operators involved in the supply of tobacco products to facilitate tracking and tracing of tobacco products.

The PPP work with HMRC to report any non-compliant product found on sale through a Memorandum of Understanding (MOU) using the HMRC app which scans the products for the unique identifier.

Non-compliant tobacco products or items of aggregate packaging are liable to forfeiture. Regulation 22 provides that where an officer of HMRC is satisfied that the requirements of these Regulations or the CIR are not met they may issue a notice requiring compliance.

The PPP continue to receive intel from HMRC, other Trading Standards Services and members of the public regarding the sale of illicit tobacco and work to seize and remove illicit tobacco from the market place.

This work is complementary to our work on Illicit Product crime and product safety and officers do from time to time prosecute revenue offences with Director of Public Prosecution's consent.

Level 1-3 Fraud and Unfair Trading Investigations

Trading related fraud and unfair trading is a significant issue. The development of investigation techniques and the range of powers afforded to Trading Standards have improved detection rates. The impacts of fraud on householders cannot be underestimated and can leave people suicidal, unable to live alone or with long term mental health issues.

Currently there are 24 ongoing level 1 to 3 unfair trading and fraud investigations including those in the court process. These relate to over 45 suspects.

In 2023/24 convictions have seen 50 months of immediate custodial sentences and a further 30 months of suspended prison sentences. Compensation recovered totalled £62,000. Over the last five years custodial sentences have exceeded 20 years.

REDUCING HARM IN YOUNG PEOPLE

MoRile Scoring

Previous priorities which relate and their scoring:

- Alcohol and Tobacco Harm Reduction - OP 767.00 / Risk 383.5
- Nutrition and Childhood Obesity - OP 36.00 / Risk 60

Horizon Scanning

- **Ban of Disposable Vapes** – In January 2024 the Government announced that disposable vapes will be banned in England. ([Disposable vapes banned to protect children's health - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/disposable-vapes-banned-to-protect-childrens-health)). Defra's draft regulations for the statutory instrument to ban the sale and supply of single-use vapes have now been published in March 2024 ([The Environmental Protection \(Single-use Vapes\) \(England\) Regulations 2024 draft SI - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/the-environmental-protection-single-use-vapes-england-regulations-2024-draft-si)).

Underage Sales of Vapes (UAS)

Figures from the Action on Smoking and Health (ASH) charity suggest 7.6% of 11 to 17-year-olds now vape regularly or occasionally, up from 4.1% in 2020.

There has been and there continues to be a lot of enforcement work in this area. Regular test purchasing exercises have and continue to be undertaken to ensure that all retailers are abiding by The Nicotine Inhaling Products (Age of Sale and Proxy Purchasing) Regulations 2015.

There has been an increase across the Service in reports of underage sales (UAS) of vapes in the last 2 years, with 37 reports in 2023. This was an increase of 57% from the previous year (16). 55% of overall UAS reports in 2023 related to the UAS of vapes.

In Bracknell Forest there were 10 Reports of UAS of vapes in 2023 (2 in 2022) which represents a 400% increase. In West Berkshire there were 18 Reports of UAS of vapes in 2023 (14 in 2022) an increase of 29% (4). In Wokingham there were 9 Reports of UAS of vapes in 2023 (0 in 2022).

In 2023 the Service conducted 35 test purchases for the UAS of vapes, across the 3 authorities. There was a 91% pass rate, with only 3 failures. 14 test purchases were conducted in Bracknell Forest, 8 in West Berkshire (1 failure) and 13 in Wokingham (2 failures).

There were 30 logs submitted on our intelligence database (IDB), for UAS of vapes in 2023. 3 logs relating to premises in Bracknell Forest, 15 logs relating to premises in West Berkshire and 7 logs relating to premises in Wokingham. The Service also received 5 logs from Thames Valley Police relating to UAS at premises in the PPP area.

In an ever-changing landscape a recent government announcement suggested that disposable vapes could be banned from sale as early as 2025. The latest changes would also introduce powers to stop refillable vapes being sold in flavours marketed at children and to require that they be produced in plainer, less appealing packaging.

The government will also be able to mandate that shops display refillable vapes out of sight of children and away from other products they might buy, like sweets ([Disposable vapes banned to protect children's health - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/disposable-vapes-banned-to-protect-childrens-health)). Defra's draft regulations for the statutory instrument to ban the sale and supply of single-use vapes were published in March 2024 ([The Environmental Protection \(Single-use Vapes\) \(England\) Regulations 2024 draft SI - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/environmental-protection-single-use-vapes-england-regulations-2024-draft-si)).

The PPP delivered 2 projects on disposable vapes:

Operation Tanoak which was a project inspecting local retailers to ensure that the disposable vapes on sale met with the regulations. In total 53 premises were inspected and 11 were found to be selling non-compliant vapes which were then seized and were investigated.

Operation Joseph which is a (nationally funded) market surveillance project. 41 disposable vape samples that appear on the Medicines & Healthcare Products Regulatory Agency (MHRA) approved list were selected from a number of

retailers. They were overtly test purchased and sent off for testing to see if those approved were in fact compliant with the legislation. Results of this project to be confirmed.

WEST BERKSHIRE PROJECTS FUNDING BY PUBLIC HEALTH

Life Education

Funding was provided through the ringfenced Public Health Grant to commission Life Education Coram to deliver health harms provision focusing on vaping, smoking, and alcohol to year 5/6 pupils within twelve primary schools across West Berkshire. This project has now been completed.

Illegal Tobacco

This is an intelligence led project. In circumstances where the PPP receive intel that illegal tobacco is being sold within West Berkshire, test purchases and appropriate enforcement action is undertaken. During 2023, there were five logged reports of illicit tobacco, however only one report included the brand details. Further work in this area is being planned for the 2024/25 year.

Attitudinal Survey

The secondary schools attitudinal survey has taken place on an almost yearly basis for the past 17 years during the Spring/ Summer term. The survey is provided to all secondary schools across the West of Berkshire (West Berkshire, Reading and Wokingham) for pupils to complete. The survey is used to assess the smoking and drinking habits of 11–17-year-olds. The data from the surveys is then cleansed, findings reported on and report sent to the participating schools. Schools use the findings to plan their health harms focus for the coming year. Owing to Reading and Wokingham no longer paying into the [Tobacco Control Alliance](#), 2024's attitudinal survey will include West Berkshire secondary schools only.

Smokefree Homes

Communication regarding the dangers of smoking, second hand smoke and where and how to get help to quit smoking regularly goes out via the PPP social media platforms. A meeting with Sovereign Housing took place in December to discuss the project. Campaign material is in the process of being developed and a scoping exercise of local authorities who have undertaken or are in the process of undertaking a similar initiative is being completed to share learning and best practice.

Smokefree Sidelines

Smokefree sidelines aims to abolish smoking and vaping at grass roots football. Currently there are seven clubs in West Berkshire signed up to the initiative and officers are currently in the process of signing up Newbury College's football academy. Moving forward with the project, during the remainder of the football season, officers are in the process of agreeing for Solutions 4 Health, West Berkshire's commissioned smoking cessation service to attend football tournaments in their promotional van and speak to spectators regarding quitting smoking and offering very brief advice. The PPP is also considering opening up the initiative to other grass roots sports.

Tobacco Control Alliance

The Tobacco Control Alliance includes West Berkshire, Reading and Wokingham Local Authorities, BOB (Berkshire, Oxford, Buckinghamshire – NHS partnership), Integrated Care Board and the NHS. The PPP represent themselves and West Berkshire Public Health within the alliance. The purpose of the alliance is to work together to reduce smoking prevalence across the West of Berkshire. The alliance is currently drafting the Tobacco Control Plan for 2024-2026.

Berkshire West's commissioned smoking cessation service, Solutions 4 Health's contract is due for extension in September 2024. The alliance is currently agreeing contract terms. Public Health teams within local authorities across the country will be receiving a Section 31 grant fund on 1st April 2024 for the increased delivery of stop smoking services and initiatives. West Berkshire will be receiving £181,670 to be spent before 31st March 2025. The alliance is currently considering how best to spend each LA's grant, which differ in value, either through single or joined up initiatives.

The Office for Health Improvement and Disparities have grant funding available for a Swap to Stop scheme. Our Local Stop Smoking Service has been allocated access to up to 150 rechargeable vapes and vape liquid to support a '4 week quit' programme until end of March 2025. The vapes offered through the Swap to Stop scheme will form part of the suite of Nicotine Replacement Therapies available to clients wishing to quit smoking through our local stop smoking service. The client will be informed of all NRT products before making the informed choice of which one they chose to use.

Vaping is becoming increasingly prevalent amongst children across West Berkshire. Schools and Newbury College are currently keen for the PPP to deliver presentations on this topic.

Community Alcohol Partnership (CAP) Activity

[CAP](#) was launched West Berkshire wide on 7th July 2023 and is part of the ringfenced Public Health Grant. The PPP are the co-ordinator of the CAP for West Berkshire. Since launching the CAP as a West Berkshire wide initiative, the following activities have been undertaken:

- Worked with the Building Communities Together (BCT) Team Manager to align CAP with the BCT and Mini Maps meeting to increase awareness of CAP across partner agencies and the funding opportunities available for diversionary projects for children.
- Multi agency workstream to consider the application of CAP funding alongside Safer Streets Funding for diversionary activities for children living in Greenham.
- Work with Berkshire Youth CEO to discuss CAP and joint working on CAP funded projects.
- Distribution of CAP parent's guide leaflet through all secondary schools across West Berkshire along with the Youth Offending Team to provide to parents of pupils and service users.
- Provision of a list of all breweries across West Berkshire to enable CAP Community interest Company to approach to request for additional funding for the West Berkshire CAP.
- Working with Newbury College regarding establishing a 'college CAP', this will include five projects across the remainder of the academic year and the development of 'Young Health Champions' within the college.
- Contact with all schools within West Berkshire advising of the alcohol presentations that can be undertaken to students by the team. Presentations are already booked in for the new year.
- Partnership working with colleagues in respect of setting up a Challenge 25 test purchasing operation.
- Seeking volunteers for the Challenge 25 test purchasing operation.

- Responsible Retailer training has been available to retailers on a monthly basis.
- The first of the five Newbury college projects took place on 17th January 2023. This was held in the 'marketplace' within the college and involved presentations, information points and workshops.

During 2024 it is anticipated that the Challenge 25 test purchasing operation will take place across West Berkshire. If the retailers fail, follow up work such as encouraging attendance on the Responsible Retailer training will be undertaken and advice given. Furthermore, the failed test purchasing will provide intelligence for future underage enforcement programmes.

CAP funding will be sought for small diversionary projects for groups of children or specific areas identified through the Mini Maps meeting or from Berkshire Youth. For example, officers are already planning a project for Pangbourne Meadows for the summer when it is known that children attend, misuse alcohol and render themselves vulnerable near the river. During early spring a CAP survey will be going out to residents, children, and licensees. The results of the survey will help shape the CAP moving forward.

A meeting was held with the CAP Southeast Regional Manager on 13th December, moving forward he is keen on West Berkshire CAP working with Newbury College on a virtual reality training package for retailer training, involving an underage sale scenario and a package for schools to use with pupils regarding for example peer pressure scenarios.

PROTECTING & INFORMING CONSUMERS

MoRile Scoring

Previous priorities which relate and their scoring:

- Unsafe Consumer Goods - OP 450.00 / Risk 450
- Cost of Living - OP 288.00 / Risk 288

Horizon Scanning – none identified at present.

Underage Sales (UAS)

There were 67 reports of underage sales in 2023 across the 3 authorities (23 in 2022). 55% of reports related to the underage sales of vapes (37). There has

been a 131% increase in reports of the underage sales of vapes, since the last period (16 in 2022). In addition, 12% of reports related to UAS of alcohol.

There was an increase in reports of UAS of lottery tickets and scratch cards, with 16% of reports related to this (11). There were no reports of this type in 2022. Camelot are very pro-active and will conduct their own test purchases on retailers.

In Bracknell Forest there were 19 reports of UAS, 52% of reports related the sale of vapes and 26% to the sale of scratch cards or lotteries. In West Berkshire there were 28 reports of UAS, 64% related to the sale of vapes and 21% related to the sale of alcohol. In Wokingham there were 20 reports of UAS, 45% related to the sale of vapes and 30% related to the sale of scratch cards or lotteries.

The PPP carry out a monthly routine underage sales test purchasing programme to assess compliance with age restricted legalisation amongst local retailers.

There were 64 UAS test purchases in conducted in 2023 across the 3 authorities. These were for vapes, alcohol, fireworks and lottery. There was a 94% pass rate, with only 4 failures. Areas which did not have any test purchases in 2023 were for knives, tobacco, spray paint or solvents. There was no intelligence or complaints relating to these items in the PPP area.

Botulinum Toxin and Cosmetic Fillers

Operation Banba was a PPP project to ensure compliance, from businesses across our area, with The Botulinum Toxin and Cosmetic Fillers (Children) Act 2021. 53 test purchases were made via a phone call to businesses across the 3 authorities, with an attempt to book an appointment for a child aged 16. 53 business were contacted, of which 43 answered the call and confirmed they undertook the procedure. There were with 3 failures. All businesses were written to with advice. Follow up work in this area is planned.

Unsafe Goods

In 2023 there was a 212% increase in reporting relating to unsafe goods and services from the previous year. Unsafe used cars have received the most reports for the last two years equating to 68% of reports for unsafe goods and services in 2023. The top four most complained about for unsafe goods, all relate to used cars, service and repairs, engines and used commercial vehicles.

The used car programme was conducted in 2021 and 2022, where premises that had received complaints were visited, along with a specialist from the RAC. As complaints about used cars have continued, Enterprise Act action has been instigated with one trader also is also now being considered as a route of action to tackle unfair trading and consistent civil breaches across all three authorities.

The PPP currently has a number of vehicles that officers have seized that are subject to ongoing legal proceedings.

Operation Tanoak was a PPP project to ensure that local retailers selling vaping products are compliant with the Tobacco and Related Products Regulations 2016. 55 premises were inspected across the 3 authorities and resulted in seizures from 11 premises for suspected non-compliant vapes.

In 2023 the PPP were awarded Lead Local Authority in the region for Market Surveillance as part of Operation Joseph. The Service has committed to 20 days of National Market Surveillance of “notified” vapes (i.e. published on the Medicines and Healthcare Regulatory Agency (MHRA) notification system), for which the PPP receives National Trading Standards funding.

The Office for Product Safety & Standards (OPSS) regularly notifies local authorities regarding any products recalls and alerts. In 2023, local authorities were asked to collate intelligence on IDB relating to E-Scooters, E-Bikes and conversion kits, to build the overall picture, under Operation Birch.

The PPP has recently been asked by government to participate in an inspection programme of e-scooter repair premises. To date officers have identified 24 in the PPP trading standards administered area.

Officers contribute to sampling operations around product safety and also have product assessments undertaken from time to time where there are safety allegations or concerns or accidents and injuries. The social media platforms are also used to put out notifications about unsafe products.

Buy With Confidence

The PPP currently has twenty registered businesses on this scheme, with one new member in 2023. This scheme is for Bracknell Forest, although businesses can be based elsewhere and elect to be on our scheme if their user base is predominantly in our area. West Berkshire and Wokingham businesses are

looked after by Hampshire Trading Standards in their Buy with Confidence scheme.

Assured Care and Support

Assured Care and Support (formally Support with Confidence) is a directory and vetting scheme for Personal Assistants, designed to raise standards and provide assurance to people who need care. It is particularly for those solo providers who fall outside the Care Quality Commission (CQC) regulatory framework. The scheme has several functions:

- A vetting scheme primarily aimed at Personal Assistants (PAs) who cannot register with CQC.
- Support and advice for PAs who are setting up a new business.
- Advice to agencies on their systems to ensure their staff are meeting our high standards and helping CQC registered agencies improve their ratings.
- A register of approved PAs and agencies - available on the Councils' Directories.
- A finding service for people needing care. The Service takes referrals from the public, Adult Social Care professionals and social prescribers and find PAs who are available to help.

The scheme has 80 members and has received requests for care and support for 130 vulnerable adults in West Berkshire and Wokingham since introduction.

The scheme is currently being rebranded and reviewed with a view to providing a Berkshire West Service. It currently is delivered in West Berkshire and Wokingham, and officers are in discussions with Reading Borough Council and are planning to approach the Integrated Care Board (ICB) to see if they would like to join this shared service.

BUSINESS AS USUAL

Weights and Measure Inspections

There were 17 weights and measure reports across PPP in 2023. All qualified trading standards officers are authorised by the relevant Minister as Inspectors of Weights and Measures. A significant number of weights and measures inspections are undertaken by officers and are often combined with food standards inspections. These include shops, pubs and restaurants and weighbridges that are used by the Service and the police for road traffic overloading enforcement.

A total number of metrology inspections conducted in 2023/24 was 266.

Community Larder

The community larder was launched in Thatcham in June 2021. The larder is run by volunteers but was set up by the PPP Community Team to support residents access cheap food and reduce food waste.

Going forward officers are planning to combine this facility with other partnership grant funded projects such as electric blankets, heaters and portable appliance testing. Officers would also like to set up a rolling programme of services/ individuals who provide regular talks or a presence at the larder such as the local PCSO's, a nutritionist, scams talks, budgeting/ debt management talks etc.

PROTECTION OF THE ENVIRONMENT

MoRile Scoring

Previous priorities which relate and their scoring:

- Improved Air Pollution - OP 67.50 / Risk 90
- Impact of Noise on Residents and Communities - OP 39.60 / Risk 66
- Environmental Protection - OP 23.10 / Risk 38.5

Horizon Scanning

- **Crematoria Process guidance Note** - There are possible changes to Crematoria Process guidance Note, which will require changes to abatement plant. This is awaiting consultation.

Air Quality

A significant amount of work has been conducted over the years to improve air quality. The Service manages local monitoring, data assessment and produces the [annual status reports to Defra](#). Officers have also previously successfully bid for grant funding to look at levels of particulates in addition to our routine monitoring of Nitrogen Dioxide. The work is conducted across Bracknell Forest, West Berkshire and Wokingham.

The PPP is pleased to report that due to improvements the two Air Quality Management Areas in West Berkshire (Newbury A339 and Thatcham A4) have been revoked as has the Bracknell (A322) AQMA. Twyford and the M4 (Wokingham) AQMAs are also advised for revocation. The Wokingham Town

Centre Air Quality Action Plan is being reviewed. The Crowthorne AQAP was approved by DEFRA in May 2024.

Indicative Particulate Matter PM_{2.5} monitoring was undertaken for 3 months at 42 locations across the 3 LAs in 2022 – 2023. No locations where concentrations exceeded the UK guideline values (annual mean 25 µg/m³) were identified nor were any significant health risks associated with exposure. Officers did however recommended a number of steps to the schools to reduce PM levels.

The total number of air quality locations sampled in 2023 was 26 in Bracknell Forest, 35 sites in West Berkshire and 51 sites in Wokingham. Monitoring is conducted on a monthly basis.

Anti-Idling

As part of the DEFRA Air Quality Grant an anti-idling campaign was carried out in 2023, as a Behavioural Change project, with surveys and signage, and school education programme (education toolkit, visits to schools for assembly and workshop). The results of the assessment showed an overall reduction in idling

Officers have worked with Bracknell Forest's Civil Enforcement Team who are collecting location data and occurrences of idling vehicles when they are out on patrol carrying out their parking enforcement duties. The Service plans to role this out in West Berkshire.

Energy Efficiency (EPC)

[See section above.](#)

Single-use Plastics

The Environmental Protection (Plates, Cutlery, Balloon Sticks and Expanded and Extruded Polystyrene Food and Beverage Containers) (England) Regulations 2023 came into force last year and pro-active work was undertaken within the food sector to highlight the new rules. Going forward regular monitoring will be undertaken and all complaints made to the Service will be considered and responded to.

As of 1 October 2023, it is an offence to supply or offer to supply the following items in England:

- Single-use plastic cutlery.
- Single-use plastic balloon sticks.

- Single-use expanded and extruded polystyrene food and beverage containers, including single-use expanded and extruded polystyrene cups.

As of 1 October 2023, it is an offence to supply or offer to supply the following items to end-users in England:

- Single-use plastic plates.
- Single-use plastic trays.
- Single-use plastic bowls.

Communications were sent out to food operators in the form of a guidance note and complaints continue to be investigated as they come into the Service. The number of complaints have been limited possibly due to the low awareness of the new legislation.

Environmental Crime

Environmental Crime remains a priority area for PPP with respect to Bracknell Forest. In West Berkshire this is managed by the waste team. In 2023/24 a total of 101 fly tipping incidents were investigated resulting in 5 warnings, 23 fixed penalties and one prosecution. The Service also actively links this work to wider trading related fraud and also public awareness campaigns. This has resulted in wider fraud investigation work.

In addition, officers trained and manage the Consumer Safety Accreditation Scheme where Lexicon (Bracknell) Security Staff are authorised to deal with certain environmental matters such as graffiti and fly-posting on our behalf.

Officers also carry out co-ordinated operations with the Police and Driver and Vehicle Standards Agency (DVSA). During these operations 65 waste carrier licence checks were conducted.

BUSINESS AS USUAL

Planning Consultations

Environmental Health are non-statutory consultees in the planning application process but are consulted on some applications as the PPP may have an interest in the proposed development. The types of application include full, variation, reserved matters, condition discharge, pre-application and prior approval.

In 2023 the PPP reviewed 514 Planning Consultations on behalf of Bracknell Forest and West Berkshire. Of these 61% were in relation to West Berkshire

(311) and 39% were in relation to Bracknell Forest (202). There was one for Wokingham relating to air quality.

In West Berkshire the applications to be consulted on are advised via the WBC Planning Portal, attendance at Planning Committee is by request for a specific application.

In Bracknell Forest consultations are sent directly from Planning where they consider Environmental Health's views are required. Attendance at every Planning Committee Chair's Briefing and Committee is required as per the arrangements of Bracknell Forest Environmental Health joining the PPP.

Statutory Nuisance (Commercial)

In 2023 there were 417 complaints relating to commercial nuisance. 137 in Bracknell Forest and 280 in West Berkshire. 78% of commercial nuisance reports were related to noise (327).

More recently officers have become involved in the issues relating to sewage discharges but onto land, water courses and as a result of flooding.

Proactive work in this area includes event monitoring and mitigation at planning stage.

COPA (Control of Pollution Act)

During 2023/24 nine notices were served to deal with noise from construction sites. This followed prior consent afforded to the developer/contractor which set out hours of construction work and noise conditions designed to reduce the impact on residential receptors nearby.

LAPPC Inspections (Local Authority Pollution Prevention & Control)

The requirements for these inspections are split between the Environment Agency and the Local Authority.

The inspection programme is based on a risk assessed score and type of industrial activity. These include dry cleaners, crematoria, cement batching plants and petrol filling stations. Following each inspection, the outcome score determines the inspection interval from two per year to one every three years. The Environmental Permit details specific conditions to be met. Non-compliance may result in the service of an Enforcement Notice. Over the last two years 40 inspections have been conducted.

A Public Register for all Permits is required to be published and is at: [Industrial pollution - PPP \(publicprotectionpartnership.org.uk\)](https://www.publicprotectionpartnership.org.uk).

Contaminated Land

The Bracknell Forest Strategy has been reviewed and updated and agreed in November 2022. The West Berkshire Contaminated Land Strategy has been reviewed and updated and agreed in June 2023. Current Strategies are valid for 5 years. Dealing with contaminated land is through the planning process. The EQ team frequently deal with planning applications for development on previously used land, often referred to as 'brownfield land'. In many cases these sites may be contaminated due to historical and/or industrial use. To ensure development is safe, planning applications are reviewed to check whether that land is potentially contaminated and if this is the case, recommendations will be made advising that the planning application approval should be subject to appropriate conditions.

In the case of enquiries relating to contaminated land and Environmental Information Requests (under the Environmental Information Regulations 2004), charges are made where the provision of information is substantial, based on a minimum of 2 hours, by environmental consultants only.

In 2023 there were 60 contaminated land and environmental information requests received by PPP. This is a 7% increase from the previous year (56). 26 related to locations in Bracknell Forest and 34 related to locations in West Berkshire.

Weight Restrictions and Overloaded Vehicles

There were 366 Weight Restriction and overloaded vehicle inspections undertaken in 2023 across the 3 authorities. There were 29 in relation to overloaded vehicles and 337 inspections relating to weight restrictions. 296 inspections took place in West Berkshire, 43 in Wokingham and 27 in Bracknell Forest.

Of the 296 operations 71% resulted in breaches (260) being identified. Of these there were 5 warnings issued and 83 prosecutions. A number of matters are still in the court system or at file review stage.

PROMOTING ANIMAL WELFARE

MoRile Scoring

Previous priorities which relate and their scoring:

- Animal Welfare - OP 357.00 / Risk 476

Horizon Scanning

- **Bird Keepers Registration Requirement** - In England and Wales, keepers are encouraged to register their birds ahead of the legal deadline on 1 October 2024. Bird keepers will need to provide information, including their contact details, the location where birds are kept and details of the birds (species, number and what they are kept for). The government said the changes would help manage potential disease outbreaks, such as avian influenza and Newcastle disease, and limit any spread. (<https://www.gov.uk/government/news/new-measures-to-help-protect-poultry-industry-from-bird-flu>)
- **New legislation introduces penalty notices for animal health and welfare offences** - Penalty notices of up to £5000 could be issued from 1 January 2024 for animal health and welfare offences. Offences includes keeping animals in a poor living environment, overdue TB testing or animal breeders operating without a licence. New legislation adds to existing enforcement measures to protect animals– including criminal prosecution for most serious offences
<https://www.gov.uk/government/news/penalty-notice-introduced-for-animal-health-and-welfare-offences>

Licensable Activity (Breeding/Boarding etc)

There are a range of controls falling to the PPP around licensable activities involving the sale and keeping of animals. These include pet shops (sales normally conducted from home), regulated pet breeding, boarding and home boarding, kennels and catteries, riding establishments, zoos and animals involved in performance and display.

In 2023 there were 74 licensing applications in relation to animal boarding and day care facilities: 39 for Bracknell Forest and 35 for West Berkshire

There were 8 licensing applications in relation to breeding and selling animals as pets, 7 for Bracknell Forest and 1 in West Berkshire. There were also 6

licensing applications in relation to hiring and training animals for exhibitions: 4 in Bracknell Forest and 2 in West Berkshire.

There were 9 reports relating to animal breeding in 2023, 4 were complaints and 5 were in relation to Information or advice.

All premises have to be inspected at least twice during the licensing period with an initial inspection and mid-term inspection.

The total number of licensed animal establishments is 148.

Animal Welfare on Farms

In 2023 there were 48 on-farm animal health and welfare inspections conducted across the PPP. In addition to animal welfare checks the Service has responsibility for a range of health controls from illegal importation to diseases such as foot and mouth. The Service also monitors biosecurity measures at gatherings such as shows as well as inspecting traceability and movement records. The number of bluetongue cases in the UK has continued to rise in early 2024.

On an ongoing basis officers deal with seasonal matters relating to Avian Influenza including bio-security, checking reports and requiring safe disposal along with our other animal by-products regulatory duties.

There was a 38% decrease in animal health and welfare reports in 2023 (32) from the previous year (52). Of those 78% of reports in 2023 were relating to locations in West Berkshire. Half of the reports received in 2023 were relating to animal welfare and transport queries. In 2022 the majority of reports (54%) related to disease control.

From 1st January 2024, penalty notices of up to £5000 could be issued for animal health and welfare offences. Offences includes keeping animals in a poor living environment, overdue TB testing or animal breeders operating without a licence. New legislation adds to existing enforcement measures to protect animals– including criminal prosecution for most serious offences <https://www.gov.uk/government/news/penalty-notices-introduced-for-animal-health-and-welfare-offences>

SAFETY IN THE WORKPLACE

MoRile Scoring

Previous priorities which relate and their scoring:

- Health & Safety Enforcement - OP 198.00 / Risk 264

Horizon Scanning: (

The licensing of non-surgical cosmetic procedures in England – Under the proposed scheme, which will be operated by local authorities in England, practitioners will need to be licensed to perform specific non-surgical cosmetic procedures and the premises from which they operate will also need to be licensed. The licensing scheme will ensure that those who offer specified procedures; are suitably knowledgeable, trained and qualified, hold appropriate indemnity cover and operate from premises which meet the necessary standards of hygiene, infection control and cleanliness. This requirement will impact the demand on the Licensing Team, as well as the Environmental Health team as the enforcing authority for Health & Safety.

[The licensing of non-surgical cosmetic procedures in England - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

Health and Safety

The Health and Safety Executive (HSE) publishes a range of statistics relating to health and safety in Great Britain on an annual basis, each November.

The 2023 statistics highlight the scale of key health and safety risks in the UK.

- 1.8 million working people suffering from a work-related illness, of which:
 - 875,000 workers suffering work-related stress, depression or anxiety.
 - 473,000 workers suffering from a work-related musculoskeletal disorder.
- 2,268 mesothelioma deaths due to past asbestos exposures (2021).
- 135 workers killed in work-related accidents.
- 561,000 working people sustained an injury at work according to the Labour Force Survey.
- 60,645 injuries to employees reported under RIDDOR.
- 35.2 million working days lost due to work-related illness and workplace injury.
- £20.7 billion estimated cost of injuries and ill health from current working conditions (2021/22).

Topic Based Health and Safety Interventions

There is a requirement under Section 18 of the Health and Safety at Work etc. Act 1974 for the local authority to plan health and safety at work interventions. The HSE produces guidance each year on which health and safety at work priorities are suitable for proactive health and safety inspections by local authorities. This is based on the intelligence collected Nationally by HSE and is normally available for LAs in March of each year. The guidance is “Setting priorities and targeting interventions” HELA Local Authority Circular 67/2 (Rev 13 - 2024/25) guidance.

Guidance issued by the HSE requires local authorities to plan their health and safety enforcement activities and it specifies which types of work activities are suitable for proactive safety inspections.

“Setting priorities and targeting interventions” HELA Local Authority Circular 67/2 (Rev 13 - 2024/25) guidance under Section 18 of the Health and Safety at Work etc. Act 1974 (HSWA) - List of activities/sectors considered suitable for proactive inspection 2024/25 include, for example:

Crowd management & injuries/fatalities to the public - Large scale public gatherings e.g. cultural events, sports, festivals & live music Lack of suitable planning, management and monitoring of the risks arising from crowd movement and behaviour as they arrive, leave and move around a venue

Fires and explosions caused by the initiation of explosives, including fireworks Professional Firework Display Operators7 Poorly managed fusing of fireworks.

Open Farms/Animal Visitor Attractions - Lack of suitable micro-organism control measures

BUSINESS AS USUAL

Explosives Licensing

There were 40 explosives inspections conducted by Trading Standards in 2023. There were 11 in Bracknell Forest, 14 in West Berkshire and 15 in Wokingham. One prosecution took place for storage breaches resulting in a penalty of £30K plus costs demonstrating the seriousness of the risk.

Two other matters are ongoing including one very serious case where the file is with the legal team.

Petroleum Licensing

The PPP received 14 licensing applications in relation to petroleum certificates. 2 in Bracknell Forest and 12 in West Berkshire. All were granted. There are over sixty licenced premises across the PPP area including filling stations and private storage such as farms. All are subject to a risk based inspection programme.

There were 19 petroleum inspections conducted by Trading Standards in 2023. 17 in West Berkshire and 2 in Wokingham. There were no petroleum inspections conducted in Bracknell Forest.

Work Related Health and Safety SR/Outbreaks

It is a legal requirement for the local authority to investigate single cases and outbreaks of diseases, including Legionella and Cryptosporidiosis, that may be related to workplaces for which the PPP is the enforcing authority for health and safety at work.

In 2023 there were two reports of Legionella recorded on PPP systems, one in Bracknell Forest and one in West Berkshire.

Event Safety

[See Above](#)

Accident Investigations

The PPP is required to follow a protocol for workplace accident investigations. This relates to workplace accidents or dangerous occurrences that are reported to the local authority under RIDDOR Regulations 2013. The team may also investigate workplace accidents that have not been reported but have come to our attention as a service request or complaint.

There were 129 accidents reported to the PPP under RIDDOR in 2023. There were 50 in Bracknell Forest and 79 in West Berkshire. 73% of all accidents reported related to employees (94) and 27% related to accidents to members of the public (35). The most common type of accident reported was a slip, trip or fall on same level, accounting for 45% of reports (58). This was the same across both Bracknell Forest and West Berkshire.

8% of accidents reported to PPP under RIDDOR were investigated.

There were also 28 complaints made directly to the PPP, regarding accidents not reported to HSE under RIDDOR. There were 12 in Bracknell Forest and 16

in West Berkshire. 71% of these complaints related to accidents by employees, 29% of complaints related to accidents by members of the public.

SAFE AND HEALTHY FOOD CHAIN

MoRile Scoring

Previous priorities which relate and their scoring:

- Food & Safety Standards - OP 172.50 / Risk 230

Horizon Scanning

- **Animal Feed Storage Unit Risks** - A new Defra survey has highlighted the risks of disease in animal feed storage units, with farmers advised to regularly clean such facilities. [Reduce disease risk from animal feed storage units - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/reduce-disease-risk-from-animal-feed-storage-units)
- **The Private Water Supplies (England) Regulations 2016 revised guidance** – This will increase the number of supplies and therefore there will be an increase in monitoring to be undertaken and risk assessments that will be required. [Information note on regulation 8 \(revised version\) - Drinking Water Inspectorate \(dwi.gov.uk\)](https://www.dwi.gov.uk/information-note-on-regulation-8-revised-version).

Food Premises Inspections

There are two areas of food inspections. Food hygiene inspections cover matters such as premise hygiene, food handling, infection control and hazard analysis. These are conducted by Environmental Health Officers.

Food standards inspections cover quality, out of date food, labelling, descriptions, contamination, adulteration, health claims, organic claims and allergens amongst many other matters. These are often conducted alongside weights and measures inspections.

In 2023/24 PPP conducted 488 food hygiene inspections and 687 food standards inspections. Both inspection regimes are risk based.

For 2024/25 there has been a new risk scheme introduced for food standards inspections and managers are working through data to understand the impact.

Food standards functions are conducted across Bracknell Forest, West Berkshire and Wokingham.

Primary Production and Animal Feed

The Service has responsibility for the production, sale and storage of animal feed. This is a high priority area nationally as it was failures in feed controls that led to both Bovine Spongiform Encephalopathy (BSE) and the Foot and Mouth Disease (FMD) outbreak in 2001 which ended up with a high cost.

Across the PPP area there are a total of 370 registered premises and we inspect these on a risk basis. This is a high specialist area and like food safety and standards we are required to comply with statutory codes and submit annual returns.

Trading Standards are also responsible for food safety at primary production. Work in this area has included issues relating to allegations on use of contaminated water on crops.

Foodborne / Waterborne Outbreaks

Certain cases of foodborne infectious diseases are required to be investigated by the local authority and this is done in conjunction with UK Health Security Agency (UKHSA). Complaints about alleged food poisoning sources are also investigated. By definition an outbreak is two or more cases with a common source.

Labelling and Health Claims

In 2023 there were 66 complaints relating to food standards across the three authorities, which was a 53% increase on the previous year (43). In this number 22 related to Bracknell Forest, 15 related to West Berkshire and 29 related to Wokingham.

Target Food Sampling

The local authority is required to participate in coordinated national and local microbiological food sampling programmes in partnership with UKHSA. Officers also conduct regular sampling to identify undeclared allergens and look for adulteration or evidence of food fraud.

The sampling programme is agreed annually and officers work with UKHSA and our appointed Public Analysts (Hampshire and Kent County Councils) to deliver the programmes and identify emerging risks.

There is currently one prosecution case in the system which has arisen following a serious incident of non-compliance with allergen controls.

BUSINESS AS USUAL

Programmed Inspections as per Food Standards Agency Code Of Practice

Local authorities are required to complete an annual programme of mandatory risk-based food hygiene inspections in accordance with the Food Law Code of Practice (England).

The Code of Practice also requires the food authority to investigate complaints related to the hygiene of foodstuffs and commercial hygiene practices.

In addition, there is a requirement to target poor performing food businesses and use appropriate enforcement and/or advisory interventions to secure compliance with food hygiene law.

Following a consultation in 2023, The Food Standards Agency (FSA) is to release details in 2024 of proposed changes to the food inspection programmes which are likely to result in implementation of major operational upheaval.

As the enforcing authority for food hygiene the Service is also required, by FSA, to complete an enforcement plan each year detailing the work of the team, this is [published on the PPP website](#).

Food Hygiene Rating Scheme

Food Hygiene Inspection Ratings are published online for consumer information. This is required by the Food Law Code of Practice (England) and is done in accordance with the Food Standards Agency's "Brand Standard". This is of critical importance to food businesses who rely on hygiene ratings to be up to date and accurate. New businesses are generally assessed within 28 days. All businesses in Bracknell Forest and West Berkshire that have been visited have a rating.

There is a separate project to improve standards in premises rated zero or one where officers work with the premise to improve standards.

In 2023/24 there were 3 improvement notices issued and 8 voluntary closures.

The issue of FHRS is commonly reported in the press – especially those premises with low or high ratings.

Infectious Diseases

Certain cases of foodborne infectious diseases are required to be investigated by the local authority and this is done in conjunction with UKHSA. Complaints about alleged food poisoning sources are also investigated.

There were 468 reports of food poisoning last year across Bracknell and West Berkshire. 180 in Bracknell Forest and 288 in West Berkshire.

Private Water Supplies Risk Assessments

PPP currently undertake risk assessments and sampling of 227 known Private Water Supply sites in West Berkshire. There are currently no known sites in Bracknell Forest. The number of risk assessments and sampling vary each year due to the requirement that these sites are reviewed every 5 years. For 2024 there are 20 risk assessments due.

Requirement for all new Regulation 8, 9 (part of commercial activity) and 10 supplies to be risk assessed and re-risk assessed every 5 years. This is for all supplies excluding single dwellings (unless they are rented). The PPP charges for the first RA and for the re-RA if changes are made. Reg 9 Large Supplies are deemed higher priority due to greater potential danger to health as typically larger number of supply users or use as part of food undertaking.

If a supply owner carries out their own RA they are required to submit it to PPP within the time period for checking.

Private Water Supply Sampling

Risk assessments determine the sampling parameters and frequency. Charges apply for taking the sample and delivery to laboratory based on the PPP hourly rate. The PPP also charges for investigation in event of test failure. Officers carrying out sampling must have accredited training.

Once officers are aware of a new supply and the supply type is known they send out a questionnaire to all properties reportedly served by the supply. If the supply is already in use then officers carry out a risk assessment and sampling takes place as soon as is reasonably practicable.

The total number of different locations sampled in 2023/24 was 93.

Allergens

Controls for prevention of cross contamination by allergens during food preparation at catering premises are reviewed by officers at inspections in addition to hygiene control measures.

In 2023 there were 22 reports relating to allergens across PPP authorities. There were 10 regarding locations in Bracknell Forest, 8 regarding locations in West Berkshire and 4 regarding locations in Wokingham. There was one repeat location reported for allergens that received 3 reports during an event at Christmas.

Routine Labelling & Health Claims

There were 95 reports relating to Food labelling, composition and out of date food in 2023 across all 3 authority areas. Food labelling reports (61) have increased 41% from last year (43).

Routine Food Sampling

There were samples taken at 24 locations across the 3 authorities in 2023 in relation to food standards.

Draft Nuisance Policy 2024 - 2027

Committee considering report:	Joint Public Protection Committee
Date of Committee:	10 June 2024 (Pre-consultation) 07 October (Post consultation)
Chair of Committee:	To be confirmed at the meeting
Date JMB agreed report:	20 May 2024
Report Author:	Suzanne McLaughlin
Forward Plan Ref:	JPPC4451

1. Purpose of the Report

- 1.1 There is a high demand from service users to respond to requests for the Public Protection Partnership to resolve nuisance complaints. The purpose of this draft policy is to set a framework that will help the PPP ensure the continuation of a consistent and transparent approach to both reactive and proactive work on nuisance issues.
- 1.2 The Policy, once adopted, will form part of the suite of key policies that we use to deliver the Service.
- 1.3 To provide an opportunity for the Committee to consider and comment on the draft policy and consultation methodology prior to the service seeking the views of our residents, service users and other stakeholders.

2. Recommendations

The Committee:

- 2.1 Approves the draft Nuisance Policy 2024-2027 as set out in Appendix A for consultation.
- 2.2 That the Service Lead: Public Protection is authorised to proceed with a public consultation for a six week period between the 08 July 2024 and the 19 August 2024.
- 2.3 That any comments on the draft Policy be brought to the 07 October 2024 Joint Public Protection Committee meeting for discussion prior to the Policy being formally adopted.

3. Implications and Impact Assessment

Implication	Commentary
Financial:	<p>There are no financial implications associated with the adoption and implementation of this Policy other than any costs associated with the consultation.</p> <p>However, as with all enforcement activities undertaken by regulatory services legal challenge may result in legal expenses.</p>

	<p>Where the PPP takes legal action or defends legal challenge the PPP will seek to recover its costs through this process.</p>
Human Resource:	<p>There are no specific HR implications associated with this report.</p> <p>The consultation will be undertaken within existing resources and the policy will be delivered within the current staffing structure although competence is managed and delivered through our training and development plan.</p>
Legal:	<p>The relevant legal issues are addressed within the report and draft policy. The statutory nuisance regime is set out in Part III (sections 79-82) of the Environmental Protection Act 1990, as amended by the Clean Neighbourhoods and Environment Act 2005. Construction site noise is dealt with under the Control of Pollution Act 1974. Where specific types of complaints are not dealt with by the PPP, appropriate sign-posting has been set out in the draft policy.</p> <p>The Environmental Protection Act 1990 places a statutory duty on the local authority to inspect its areas from time to time to detect any statutory nuisance.</p> <p>Where a complaint of statutory nuisance is made, the local authority must take reasonably practicable steps to investigate the complaint.</p> <p>The Act specifies what is a statutory nuisance but does not specify what constitutes 'reasonably practicable'. The draft policy specifies what the local authority considers to be a reasonable investigation.</p> <p>The draft policy also takes into consideration the Clean Neighbourhoods and Environment Act, 2005 which extends the statutory nuisance regime.</p> <p>Noise complaints emanating from construction and demolitions sites are dealt with under the Control of Pollution Act, 1974.</p>
Risk Management:	<p>As with all enforcement activities undertaken by regulatory services there is a risk of legal challenge to any action taken or not taken.</p> <p>To ensure that the partnership maintains high standards and to minimise the risk of successful challenge, Officers adhere to standards set out in procedure notes and adhere to a quality management system. Both are the subject of regular updates.</p> <p>One of the key risks in providing an effective service dealing with nuisance is the financial pressure that local government is experiencing. In response, the partnership needs to be as cost effective as possible in managing nuisance issues.</p>

	<p>As set out in the year end performance report included on this agenda one of the most critical risks identified in the Service Risk Register is the failure to retain or recruit business critical and suitably trained staff which would result in the Service being unable to fulfil our statutory obligations. Nationally there is a shortage of suitably qualified staff.</p> <p>This risk is being managed through the carefully executed workforce strategy which seeks to ensure that staff have the necessary competencies in place to undertake the enforcement activity associated with nuisance.</p>			
Property:	There are no property implications associated with this report.			
Policy:	<p>The policy has been drafted to take into account the Bracknell Forest Borough Council (BFBC) 2023 to 2027 Council Plan and the West Berkshire Council 2023 to 2027 Council Strategy.</p> <p>It also takes into account a number of the PPP's key plans and strategies as set out in Section 2 of the draft document. The draft policy accords with the PPP's vision to protect and support residents and legitimate businesses through the successful use of information and intelligence, delivering safe and healthy neighbourhoods.</p>			
	Positive	Neutral	Negative	Commentary
Equalities Impact:				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		x		<p>In reviewing the draft policy, we did not identify any detriment to any protected group as a result of implementing it. Each service request or service complaint is assessed individually and dealt with in accordance with relevant procedures and legislation.</p> <p>Should any equality issues be raised during the consultation period that will be considered as part of the adoption process.</p>
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		x		See above

Environmental Impact:	x		<p>Where the statutory nuisance relates to smoke nuisance, the aim of the action is to regulate smoke from premises which are prejudicial to health or a nuisance.</p> <p>Planning conditions are applied to control noise, dust and smoke nuisance in some instances.</p>
Health Impact:	x		<p>The draft Policy is designed to improve our residents' quality of life, which enables people to live well by resolving matters which impact detrimentally on the wider determinants of health.</p>
ICT or Digital Services Impact:		x	<p>The PPP website includes a lot of information and self help guides and leaflets to assist and inform residents and businesses about what constitutes a statutory nuisance, options for informal resolution and what to do if this does not work.</p> <p>The consultation will be included on both the West Berkshire Council and Bracknell Forest Consultation hubs.</p>
PPP Priorities :			<p>The draft policy will impact on the following PPP Priorities:</p> <ol style="list-style-type: none"> 1. Environmental Protection 2. Health and Safety Enforcement 3. Impact of Nuisance on Residents and Communities 4. Improved Air Quality
Data Impact:			<p>All data obtained in dealing with Service Requests and complaints and the consultation is and will be dealt with in accordance with the PPP - Privacy Notice</p> <p>Where personal data is being processed or shared, the Service will ensure that the necessary data protection requirements are in place, such as a Data Protection Impact Assessment, Privacy Notice, Information Sharing Agreement (where relevant) and the Register of Processing Activity (ROPA) is updated as necessary.</p>

Consultation and Engagement:	<p>A six week consultation will be undertaken in accordance with the West Berkshire Council Consultation Policy.</p> <p>The Consultation will be included on the West Berkshire and Bracknell Forest consultation hubs.</p>
Other Options Considered:	<p>Not to consult on the adoption of the Nuisance Policy.</p> <p>Not to adopt a Policy on how the Service manages nuisance. This may lead to more complaints against the service, where there is no understanding of the partner councils' duty and procedures with respect to nuisance investigation.</p>

4. Background

- 4.1 The Public Protection Partnership (PPP) is a shared service delivering Environmental Health, Licensing and Trading Standards functions on behalf of two authorities, Bracknell Forest Council (BFC) and West Berkshire Council (WBC). It also delivers a range of commissioned services to other organisations including Wokingham Borough Council.
- 4.2 Dealing with nuisance is a core function of the PPP. The purpose of this new policy is to set a framework for PPP staff to ensure the continuation of a consistent and up to date best practice approach to both reactive and proactive work on nuisance issues. It will also set a framework for our interaction with residents on nuisance matters.
- 4.3 The Public Protection Partnership is responsible for investigating statutory nuisance on behalf of the two partner authorities. The Environmental Protection Act 1990 (The Act) sets out in legislation what constitutes statutory nuisance.
- 4.4 The Act provides specific powers for the local authorities to use to tackle nuisance and places a duty on the local authority in respect of these matters to:
- Inspect its area from time to time to detect any statutory nuisance which ought to be dealt with through this legislation; and
 - Where a complaint of a statutory nuisance is made by a person living within this area, to take such steps as are reasonably practicable to investigate the complaint; and
 - Where a local authority is satisfied that a statutory nuisance exists or is likely to occur or recur, requires that the local authority serve a notice to abate the nuisance.
- 4.5 The Act also makes provision for a resident to take private action through a magistrates' court. In addition, residents have a recourse in common law. Section 79 of the Act outlines the different types of nuisance which can be dealt with as statutory nuisance.
- 4.6 There is a high demand from service users to respond to requests for the Public Protection Partnership to resolve nuisance complaints. The types of nuisances the PPP deals with most frequently are:

- Domestic Noise (e.g. barking dogs, music, car and house alarms) (around 650 service requests in 2023/24)
 - Commercial Noise (e.g. noise from public houses or larger events and noise from refrigeration and extraction units at food premises) and dust, steam, grit, and odour from industrial, trade or business premises (around 330 service requests in 2023/24)
 - Artificial Light (from for example security lights and floodlit sports pitches).
 - Smoke from bonfires (around 175 service requests in 2023/24).
- 4.7 The draft policy identifies areas where the PPP has powers to investigate, and when another agency has powers, it signposts complainants to that agency. The draft policy also seeks to clarify that some household noises are also not considered to be a statutory nuisance and cannot be investigated e.g. slamming doors and the sound of footsteps.
- 4.8 The draft document describes preventative action that is taken by the PPP, often in conjunction with partner organisations including the police and fire service and colleagues in emergency planning, public health, highways, and planning teams. Prevention of nuisance could be enacted for example through licensing and planning conditions or through the work undertaken by the Safety Advisory Group.
- 4.9 The Service aims to support service users to resolve nuisance issues informally outside of the enforcement process and provides guidance on how to approach neighbours who might not be aware of the impact of their actions. The draft policy also highlights alternative resolution methods including referrals to an external mediation service where both parties agree to undertaking the informal approach.
- 4.10 The draft policy sets out the legal framework and a high level generic approach to dealing with nuisance. The detailed approach to be taken in respect of specific categories of nuisance is included in the procedure notes and quality management systems which are used, and reviewed, by the Service. It also articulates what the complainant / resident is required to do to support and evidence their complaint.
- 4.11 The draft Policy and the processes within it have been developed in line with the principles of enforcement referred to in the Inter Authority Agreement that forms the basis of the partnership.

5. Consultation

- 5.1 Both partner authorities are committed to making open and transparent decisions which are evidence-based, taking into account the views and experiences of residents, service users and other stakeholders.
- 5.2 It is therefore proposed that the draft policy be subjected to a six-week consultation process. The consultation to be run from the 08 July 2024 to the 19 August 2024.
- 5.3 The consultation document will be posted on the West Berkshire and Bracknell Forest Council consultation portals. The consultation will be promoted through a press release and social media posts.

5.4 All comments received as part of the consultation will be presented to the October 2024 Joint Public Protection Committee for a discussion prior to the adoption of the policy with or without modification.

6. Concluding Observations

- 6.1 Living with nuisance has a severe impact on quality of life and in some cases health and wellbeing. The service has not previously set out its approach in one policy document that's sets expectations for all parties.
- 6.2 The draft policy has also been developed in order to maintain the profile of this important area of work and link it to our high level priorities of protecting, promoting and improving the health and environment of the area and all its people through education, guidance and enforcement.
- 6.3 We believe that carrying out these functions in a fair, consistent, independent and practical manner will help to promote a thriving local economy by balancing a range of risks that may affect our individual and collective living space.

7. Appendices

Appendix A – Draft Nuisance Policy 2024-2027

8. Background Papers:

8.1 None

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 Wards or State Specific Wards

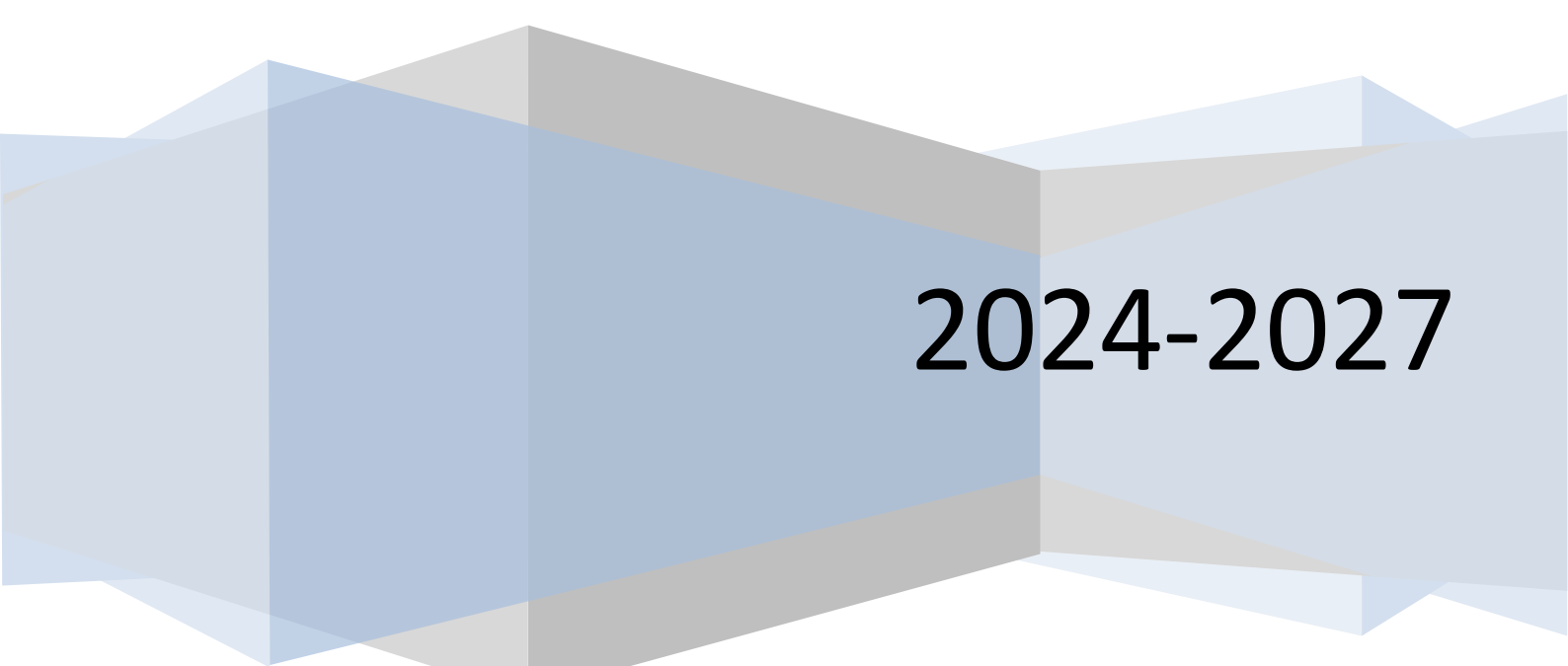
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Draft Nuisance Policy

June 2024



2024-2027

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Foreword

To be drafted once the Chairman has been appointed.

Councillor XX
2024-25 Chairman of the JPPC

1. Introduction

The Public Protection Partnership (PPP) is a shared service delivering Environmental Health, Licensing and Trading Standards functions on behalf of two authorities, Bracknell Forest Council and West Berkshire Council. It also delivers a range of commissioned services to other organisations including Wokingham Borough Council.

Dealing with nuisance is a core function of the PPP. The purpose of this policy is to set a framework that will help the PPP ensure the continuation of a consistent and up to date best practice approach to both reactive and proactive work on nuisance issues. The policy is not intended to be a detailed operational guide, the partnership has a well-developed series of procedure notes relating to nuisance which officers will refer to. The Nuisance Policy reflects the aims of the partnership to protect and support residents and communities and is mindful of the changing post-pandemic 'complaint environment', for example, noise issues and the changes in home working. Nuisance is dealt with in two ways. Proactively, taking steps to prevent a nuisance occurring and reactively in response to complaints.

2. Background

Council Priorities

The effective management of nuisance contributes to all three of [the Bracknell Forest Borough Council \(BFBC\) 2023 to 2027 Council Plan](#) priorities, namely, 'engaged and healthy communities', 'thriving and connected economy' and 'green and sustainable environment'. BFBC commission the PPP to deliver the management of nuisance issues. The Bracknell Forest Delivery Directorate operational priorities include (at paragraph 7.212) "the implementation of the PPP business plan in line with decisions from the Council".

West Berkshire Council (WBC) oversee the management of the PPP and is the host authority. The [WBC 2023 to 2027 Council Strategy](#), Priority 1, "Services we are Proud Of", refers to good customer service, operational excellence and transparent and accountable decision making. Priority 4, "A prosperous and resilient West Berkshire" includes proactively engaging with business. These elements of the Council Strategy contribute to and shape the standards the PPP works to.

PPP POLICIES

The [PPP Strategic Assessment](#) (2021-2024 (updated March 2023 and June 2024)) identifies the impact of nuisance on residents and communities as a priority.

The [PPP 2023/24 Service Plan](#) sets out the partnership wide operational approach under the headings of prevention, intelligence, and enforcement. It sets out also, values of objectivity, acting with both the best of intentions and a professional approach. The operational approach and values set the context in which the delivery of services in relation to nuisance takes place.

The [PPP Delivery Plan \(2021-2023\)](#) sets out the planned output of the service using a prevention/intelligence/ enforcement model for each priority. The outputs required for each of the three categories in relation to nuisance work are shown in Figure 1. To achieve these outputs, the PPP has a series of procedure notes to guide officers when dealing with nuisance.

Work in relation to nuisance is guided also by the [PPP Communications and Engagement Strategy \(2022-2024\)](#), and the PPP Enforcement Policy (see [Appendix 1](#)) which set further parameters for officers to work within.

GOVERNMENT GUIDANCE

There is a range of Government guidance that deals with nuisance including: noise in general; noise from transport; bonfires; smells; artificial light; and high hedges. The PPP procedure notes follow this guidance.

NATIONAL INTELLIGENCE MODEL

The service is intelligence led with all matters being considered by the PPP Intelligence Team with a view to identifying trends, emerging issues and in the case of nuisance potential sources.

The model requires us to look at issues from the point of view or Prevention: Intelligence Gathering : Enforcement

The following table sets out in broad terms that approach with respect to Nuisance: This policy builds on this with more detail.

Prevention	Intelligence	Enforcement
<ul style="list-style-type: none"> • Active media campaigns • Seek to attach conditions to construction and demolition sites • Seek to impose conditions to licenced premises where appropriate • Identify events with a risk of creating noise nuisance and develop noise management plans 	<ul style="list-style-type: none"> • Work with partner agencies • Encourage reporting from those suffering from the impact of commercial and residential nuisance including noise • Make reporting noise easier by using the Noise App. 	<ul style="list-style-type: none"> • Undertake a range of statutory nuisance enforcement actions and licensing investigations • Pro-actively monitor events that meet agreed risk criteria • Pursue licence reviews for problematic premises/events • Provide dedicated case management support for nuisance and licensing investigations

Figure 1 – planned outputs for the service priority ‘impact of nuisance on communities including noise’ (PPP Delivery Plan 2021-2023)

3. Nuisance

The concept of nuisance has been part of English law since the thirteenth century. Statutory nuisance is defined in [the Environmental Protection Act, 1990 \(the Act\)](#), [the Clean Neighbourhoods and Environment Act, 2005](#) extends the statutory nuisance regime. A statutory nuisance is defined in the Act as an activity of a party that unreasonably and substantially interferes with the use or enjoyment of a home or premises or is injurious to health or be likely to injurious to health (being prejudicial to health) or a nuisance. <https://publicprotectionpartnership.org.uk/environmental-health/neighbourhood-concerns/smoke-and-bonfires/>

[The House of Commons Library Briefing Paper ‘Nuisance Complaints’ \(number 8040, March 2018\)](#) provides a guide to nuisance. It notes that Local Authorities have a duty to monitor potential nuisance and to investigate complaints of nuisance made by residents. They have a duty to act to stop or prevent the nuisance if they deem an activity to be a statutory nuisance. The Environmental Protection Act also makes provision for a resident to take private action through a magistrates’ court. In addition, residents have a recourse in common law. Section 79 of the Act outlines the different types of nuisances which can be dealt with as statutory nuisance. To be considered a nuisance, an activity must be ongoing or repeated, a one-off event would not usually be considered under the Act.

Causing a statutory nuisance is not an offence in itself, but not complying with an abatement notice or court order without reasonable excuse is.

The types of nuisances the PPP deals with most frequently are:

- Domestic Noise - such as from barking dogs, music, car and house alarms.
- Commercial Noise - such as entertainment from public houses or larger events, refrigeration and extraction units at food premises. Construction site noise is dealt with under [the Control of Pollution Act, 1974](#).
- Artificial Light such as security lighting on a house, floodlighting of a sports pitch. However, there are specific exemptions based on security and safety, such as bus stations, prisons and streetlighting.
- Dust, steam, grit, effluvia (odour) from industrial, trade or business premises only.
- Smoke from [bonfires](#).
- Insects from industrial, trade or business premises only.

Nuisances can be from:

- Premises.
- Any accumulation or deposit.
- Any animal kept in such a place or manner, as to be prejudicial to health or a nuisance.

The assessment of nuisance is not entirely objective, the judgement of the case officer who is witnessing an alleged nuisance is subjective.

There are also types of complaint that the PPP cannot deal with because legislation relating to the issue refers to another body. These types of complaint are set out in [Appendix 2](#) along with exemptions from statutory nuisance set out in S79 of the Act.

Some household noises are not considered to be a statutory nuisance and cannot be investigated. These include:

- the sound of footsteps
- slamming doors or cupboards
- dropping objects or moving furniture
- children and babies crying
- children playing (including playgrounds)
- talking or laughing coming from inside a home or garden
- the reasonable use of noisy garden equipment such as lawnmowers or leaf blowers
- the reasonable use of washing machines, vacuum cleaners, or kitchen appliances.

4. Prevention of Nuisance

Prevention of nuisance, as set out in the PPP Delivery Plan (Figure 1), is carried out through work both within the PPP and with a range of other services within the two Councils.

Although the PPP is not a statutory consultee on planning applications, in both authorities the PPP is consulted on applications to ensure measures to prevent nuisance are put in place at the earliest opportunity. The aim is to ensure that the impact of development is minimised for both existing and future residents.

This proactive approach to planning applications provides the opportunity to make improvements to the acoustic environment. Good acoustic design needs to be considered early in the planning process to ensure the most appropriate and cost effective solutions are identified at the outset. An example would be if the use of a premises involved a commercial activity on the ground floor with residential use above. If the proposed commercial activity had the potential to cause a nuisance, recommendations could be put forward to attempt to mitigate the problem at the design stage. In making recommendations, where appropriate, the relevant PPP procedure notes are referred to.

The legislation for dealing with sound in the environment is concerned with controlling noise (only). Dealing proactively with planning applications gives the PPP opportunities to make improvements to the acoustic environment. Good acoustic design needs to be considered early in the planning process to ensure the most appropriate and cost-effective solutions are identified from the outset.

The Welsh government's land use planning policy now includes consideration of creating appropriate soundscapes. This refers to the 'right acoustic environment in the right time and place'. In terms of proactive management of noise nuisance this is something that may be appropriate for inclusion in future guidance in England.

The PPP works with entertainment event organisers to ensure that both licensing obligations and environmental protection laws are complied with. The PPP oversees [the Safety Advisory Group \(SAG\)](#) which provides guidance to event organisers. The group consists of representatives from the PPP, police, fire and ambulance authorities and the civil contingencies and highways services in Bracknell and West Berkshire Councils.

The group aims to ensure that entertainment events are safe for all parties involved. Guidance is provided on emergency planning, traffic and noise management, event management, licensing and food standards requirements and health protection. This work helps prevent the occurrence of nuisance during an event. It also enables the PPP to decide whether monitoring of an event for nuisance is required.

To prevent and minimise nuisance the PPP, where appropriate working with the planning services, attaches conditions to activity on construction and demolition sites using the

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Control of Pollution Act 1974. The PPP recommends the addition of Construction/Environmental Management Plans for planning applications.

The Local Authority Licensing functions for both Councils sit within the PPP albeit that each partner authority retains its individual Licensing Committee and sets licensing related policy and monitors performance through those Committees. Licensing conditions are set for premises as appropriate to prevent nuisance.

The Licensing and Environmental Health teams work together closely to ensure appropriate conditions are applied. The Prevention of Public Nuisance is the role for the Responsible Authority (and for PPP this is the Environmental Quality Team). Environmental Health is a statutory consultee on applications, consideration is given to issues of noise, litter and waste, odour and lighting.

The PPP, wherever possible, works to establish a close and positive relationship with local businesses. This is not just to prevent nuisance arising but also to help businesses succeed as part of the drive in both Councils to encourage a prosperous local economy. The success and learning from working with businesses post-Covid have advanced the skills within the PPP in this aspect of its work. An example of this would be attendance at local Pubwatch meetings.

The partnership works closely with external organisations that are involved in nuisance such as the police, housing associations and the Environment Agency.

The communication of advice to residents, businesses and partners is an important part of preventing a nuisance. Advice is provided on the PPP website and social media accounts. In addition, advice and training is provided to Councillors to assist them when undertaking ward work.

5. Complaints

To manage demand and to avoid incurring the resource required to undertake investigations and manage formal proceedings, the PPP website in relation to [‘nuisance neighbours’](#) and [‘commercial nuisance’](#) (which includes nuisance from commercial premises and construction sites) advises residents on how they might deal with and solve any problem themselves before contacting their respective Council.

The website provides detail relating to nuisance issues, not just for complainants but also for those involved in activities that could give rise to nuisance. The objective is to help all parties avoid either causing or being subject to nuisance.

In the 2023-2024 year the PPP Service Plan records that the partnership received 1,146 service requests in relation to noise (both commercial, 329 requests and non-commercial,

644 requests) and bonfires (173 requests). A low number of 'other nuisances' service requests were also received but these were not recorded separately.

Service request trends and resource allocation are reviewed bi-weekly at the PPP 'tasking meeting'. Through this mechanism the partnership is not only aware of demand but can take steps to ensure adequate resourcing. 95% of service requests receive a response within two days. The PPP Joint Management Board and the Joint Public Protection Committee oversee performance via the quarterly performance monitoring reports.

Two teams within the PPP deal with nuisance service requests, the Community Team for domestic cases, and the Environmental Quality Team for commercial cases. The process followed in their investigations is set out in [Appendix 3](#).

There is a duty officer system in place to manage incoming service requests. Each investigation is different and there is a commitment to responding with the flexibility necessary to resolve each issue. Officers use log sheets as a basic record of each case, an example of a log sheet is attached at [Appendix 4](#). The use of Geographic Information Systems (GIS), noise apps, noise monitoring, and the provision of advice or enforcement action vary according to the requirements of each case. Actions are guided by procedure notes to ensure a consistency of approach and reduce the risk of any potential maladministration.

6. Resolution of issues

The preferred outcome to a service request regarding nuisance is an informal solution. In some cases, this may involve a [mediation](#) process which the PPP will arrange. Where all parties agree to try an informal approach to remedy a concern, the PPP will make a referral to our third-party agents, Resolve Mediation Service.

Important to the success of the partnership in managing nuisance is allowing staff to develop a local, on the ground knowledge of the people and businesses in the area.

There will be some issues that require formal action. The partnership has an Enforcement Policy and its work includes the provision of other regulatory functions, for example, Trading Standards. It has a depth of expertise and a successful track record in progressing formal action. In the 2023/24 year nine Control of Pollution Act notices and ten Environmental Protection Act notices (nine in relation to domestic cases and one in relation to a commercial case) were served.

7. Competency

To ensure that the partnership maintains high standards, not only to deliver a quality, responsive service but also to avoid successful challenge, there are in place a set of procedure notes and a quality management system. Both are the subject of regular updates.

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Staff development is key. The partnership has an extensive performance management system in place. In addition to monitoring performance the system enables appropriate staff development. Officers dealing with nuisance undertake not only mandatory corporate training but also individual development programs. These programs range from short courses, such as those run by professional institutions, through to post graduate degrees. There is also interaction with other local authorities, for example, regional professional groups.

Equipment, used, for example, to monitor or measure noise, is regularly maintained, calibrated and staff are updated on how to use it. This is important to avoid a successful challenge to evidence.

8. Risk Management

The key risk in providing an effective service to deal with nuisance is the financial pressure that local government is experiencing. In response, the partnership needs to be as cost effective as possible in managing nuisance issues.

Staff retention is a risk to service provision. Nationally there are shortages of appropriately qualified staff. The partnership provides development opportunities to staff, as set out in the [Workforce Planning Strategy](#) and [Training and Development Plan](#), as well flexible working arrangements in order to continue to be an employer of choice.

There is always a risk of a successful challenge, particularly in relation to enforcement action. In order to minimise the risk procedures are updated on a regular basis and the competency of officers maintained through ongoing training and learning.

Appendix 1: Enforcement Policy

The Inter-Authority Agreement of the 6th January 2017 states the enforcement policy of the services is as follows:

Enforcement Policy: The following Enforcement Policy will apply:

- (1) the Regulators Code will form the basis for the general approach to delivery of the Service; and
 - (2) the Code for Crown Prosecutors (as amended from time to time) will be the policy basis for decisions on institution or otherwise of legal proceedings
-

Appendix 2: Types of Nuisance not dealt with by the Service

Types of complaint that the PPP cannot deal with, and who may be able to assist:

Complaint	Who Could Assist	Contact
Traffic noise from motorways and major trunk roads	Highways England	National Highways - National Highways
Defects in, or construction of, local roads	Council Highways Teams	Roads Bracknell Forest Council (bracknell-forest.gov.uk) Report a Problem - West Berkshire Council
Noise from moving motorbikes and cars	Thames Valley Police	Vehicle nuisance involving cars, bikes and mopeds Thames Valley Police
Aircraft noise	Civil Aviation Authority	Civil Aviation Authority (caa.co.uk)
Anti-Social Behaviour from a neighbourhood event or activity, or a person's unreasonable behaviour	Council ASB or Community Safety teams	Crime and community safety Bracknell Forest Council (bracknell-forest.gov.uk) Anti-Social Behaviour (ASB) - West Berkshire Council
Odours from domestic properties (such as from cooking smells or smoking)	a private matter	
Unightly or untidy homes	may be for Planning Enforcement	Make a planning enforcement complaint Bracknell Forest Council (bracknell-forest.gov.uk) Planning enforcement - West Berkshire Council
Commercial or trade waste burning	this is only permitted if the operator has a waste exemption certificate from the Environment Agency	Environment Agency - GOV.UK (www.gov.uk)
Bonfire smoke drifting across a road	Thames Valley Police	Report antisocial behaviour Thames Valley Police
Dark smoke from a chimney serving a furnace or boiler or industrial plant	Environment Agency	Environment Agency - GOV.UK (www.gov.uk)
Smoke from a steam train	Not covered by	

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Complaint	Who Could Assist	Contact
	nuisance laws	
Pollution of a canal	Canal and Rivers Trust	Canal & River Trust (canalrivertrust.org.uk)
Pollution of a watercourse, a river or lake	Environment Agency	Environment Agency - GOV.UK (www.gov.uk)

Appendix 3: The Service Approach to Investigating Nuisance

For investigations into an alleged nuisance from domestic and commercial premises, the teams assess one or more of the following:

- Whether it interferes with the use of the complainant's property.
- Whether it may affect the complainant's health.
- How it is likely to affect the average person (unusual sensitivities are not included, such as shift workers)

This will be determined by the following:

- How often it happens
- How long it lasts
- When it happens

The above determines whether or not a statutory nuisance exists, may occur, or recur.

To progress an investigation, the PPP needs residents to register a complaint directly with the appropriate team and provide evidence of the impact the nuisance is having on them. The PPP can be [contacted](#) by telephone, email and via the online portal. A Ward Member, Member of Parliament or Town/Parish Councillor cannot act on behalf of the resident as the investigation must consider the effect of the alleged nuisance on the resident and a judgement will be made of whether there is a statutory nuisance.

In order to provide evidence, a resident would be asked to complete diary sheets (filled in for 2-4 weeks depending on the frequency of the alleged nuisance) and/or submit noise recordings via the [NoiseApp](#). Sound level meters can be installed in a resident's property to allow them to make recordings over a period of time, usually a week. Officers will also endeavour to visit during events, to witness the nuisance and assess the impact on the resident.

In the early stages of an investigation, the PPP does not provide details of who has complained. If a statutory nuisance is occurring or likely to happen in the future or is likely to recur, then the PPP must serve an Abatement Notice. This would require the person(s) responsible, or the owner or occupier of the land, to cease the nuisance or abate the nuisance within a given timescale.

Should the investigation proceed to the serving of an Abatement Notice and enforcement action being taken, the PPP would need complainants to provide evidence and/or witness statements for any breaches of the Notice, which may be presented to the Magistrates Court.

If there is insufficient evidence and witnessing does not indicate a statutory nuisance, the case will be closed. However, the complainant can take their own action under section 82 of the Environmental Protection Act. In addition, Mediation is a valuable tool, particularly in dealing with domestic matters which do not meet the threshold for a statutory nuisance. The PPP can offer this service by making a referral to the Resolve Mediation Service, where all parties agree to try an informal approach to remedy the concern.

More information on website at [Environmental Health - PPP \(publicprotectionpartnership.org.uk\)](http://EnvironmentalHealth-PPP(publicprotectionpartnership.org.uk))

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Appendix 4: Example Log Sheet

Public Protection Service

Theale Library, Church Street, Theale Berkshire RG7
 5BZ Tel: 01635 503242 Fax: 01635 519172

Complaint Ref:

Please read numbered notes overleaf

1. Your Name:	2. Your Address and Postcode:	3. Telephone Number: Email address:
4. The name of the person or company causing the problem:	5. Their Address:	
6. Your description of the noise and how it affects you:		
7. Please outline what you have done to solve the problem yourself:		
8 (a) I understand my problem may be referred to "Resolve", a free mediation service (see note 8a). 8 (b) I understand that should this matter go to court, I may be required to give evidence. (see note 8b).		
Signed:		Date:

See numbered notes overleaf

FOUR WEEK LOG

9. Date:	10. Time: Start /Stop		11. Description of Nuisance:	12. How you were affected:

Please continue overleaf if necessary

NOISE LOG CONTINUED

9. Date:	10. Time:		11. Description of Noise:	12. How you were affected:
	Start	Stop		

NOTES:

Please write clearly, using block capitals.

Answer all questions, failure to do so will result in your log being sent back to you.

1. Please let us have your full name. If there are other people in your household who are not affected, please let us know.
2. Please check we have your correct address and postcode.
3. Please enter your telephone number and email address if you have one.
4. You may not know this information exactly. If so, please provide whatever information you can.
5. If you do not know the exact address here, please give the best description you can of where the noise is coming from.
6. Feel free to describe the noise using your own words. Also include here a description of how the noise affects you in your home.
7. Please let us know what steps you have taken to solve the problem yourself. For instance, have you spoken to them about this?
8. Please make it clear if this is part of an on-going dispute.
9. We have enclosed some literature about "Resolve".
10. In the unlikely event of us having to take this to court your evidence may be essential.

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