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# Priorities Update – Emerging Issues

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Committee considering report:	Joint Public Protection Committee
Date of Committee:	13 June 2022
Chair of Committee:	To be agreed at the meeting
Date JMB agreed report:	23 May 2022
Report Author:	Sean Murphy
Forward Plan Ref:	JPPC4184

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## 1. Purpose of the Report

- 1.1 On the 14<sup>th</sup> June 2021 this Committee considered a report setting out the Strategic Assessment of priorities for 2021 to 2023. The purpose of this paper is to set out emerging issues for the service that may affect or supplement the implementation of the agreed priorities.

## 2. Recommendations

2.1 The Committee:

- **REVIEWS** the developing issues set out in this report.
- **AGREES** that the Strategic Assessment and Service Priorities for 2021/23 be amended to reflect these developments.
- **AGREES** the performance framework for the forthcoming year.

## 3. Implications and Impact Assessment

Implication	Commentary
<b>Financial:</b>	<p>All identified activities undertaken as part of the core work of the Public Protection Partnership (PPP) are done within the existing revenue budget including any ring fenced grants. Once agreed by the Joint Public Protection Committee (JPPC) the implementation is overseen and scrutinised by the Joint Management Board (JMB).</p> <p>Where appropriate grants such as support for public health related activity or investigations will be sought and used to deliver the key work streams set out in the Work Plan. The same would apply for grants for new burdens identified by the Government. Working with other authorities as part of shared working arrangements to deliver efficiencies and effectiveness will also feature as a key priority and delivers financial and service efficiencies.</p>

<b>Human Resource:</b>	The Service is experiencing difficulties in recruiting experienced and qualified staff. This report addresses this issue and proposes a way forward.			
<b>Legal:</b>	<p>The functions delegated to the Joint Committee (Joint Public Protection Committee or JPPC) by the partner councils have their basis in statute. In this respect many are statutory duties placed on the councils. In 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>In other areas there is a high degree of flexibility for local policy making. It is the role of the JPPC under the terms of the Inter-Authority Agreement (IAA) to set the strategic direction of the service. This is then consulted on with Members at partner councils where prioritisation to meet particular local needs are set.</p>			
<b>Risk Management:</b>	<p>The risk register is regularly scrutinised by JMB which meets fortnightly. The JMB considers the red risk action plans at these meetings.</p> <p>The most significant identified risk at this juncture is recruitment and retention. This report sets out how that risk will be addressed through the training and development strategy and workforce planning.</p>			
<b>Property:</b>	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 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 and helping the service realise the efficiencies of central teams working together.			
<b>Policy:</b>	It is a key responsibility of the Joint Committee as set out in the IAA to set the strategic direction and priorities for the service. The Committee has approved three previous assessments of priorities. The priorities before the Committee today build on these previous documents and also seek to address the IAA priorities set out at Appendix A			
	<b>Positive</b>	<b>Neutral</b>	<b>Negative</b>	<b>Commentary</b>
<b>Equalities Impact:</b>				
<b>A</b> Are there any aspects of the proposed				The Plan sets out the strategic direction for the Service for the next two years with expected improvements on a number of prioritised areas.

decision, including how it is delivered or accessed, that could impact on inequality?				Changes in policy impacting on groups of population with protected characteristics will involve specific Equality Impact Assessments.
<b>B</b> Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?				The aim of the Plan is to deliver better outcomes for people living and working in Bracknell Forest and West Berkshire.
<b>Environmental Impact:</b>				The aim of the Plan is to deliver better outcomes for people living and working in Bracknell Forest and West Berkshire
<b>Health Impact:</b>				The aim of the Plan is to deliver better outcomes for people living and working in Bracknell Forest and West Berkshire
<b>ICT or Digital Services Impact:</b>				The Priorities will be published on the PPP website.
<b>PPP Priorities :</b>				The Plan seeks to agree the priorities for the next two years while building on the three sets of priorities previously agreed.
<b>Data Impact:</b>				None
<b>Consultation and Engagement:</b>	JMB has been consulted on the priorities’.			
	Workshops have been arranged with Members of both partner authorities to consider the priorities and the performance management framework.			
<b>Other Options Considered:</b>	None			

## 4. Executive Summary

- 4.1 The Inter-Authority Agreement (IAA) that was agreed by the Council’s on the 6th January 2017 contained a set of initial priorities. These had been drawn from the cross cutting and local priorities of the partner councils. Since 2017 the Committee has received three strategic assessments and work plans to consider. The latest Strategic Assessment and priorities were agreed in June 2021 and an updated work plan approved in December 2021.
- 4.2 It was not envisaged that a full scale review of priorities would take place in 2022 but that emerging issues would be considered and adjustments made to the existing priorities.

- 4.3 This report sets out a number of emerging issues and considers where they fit with existing priorities and proposes their adoption by the Committee. For ease they have been broken down by reference to the overarching themes.

## 5. Protection of Health, Wellbeing and Safety

- 5.1 There is a requirement under the Homes for Ukraine Scheme that accommodation checks are carried out on accommodation that hosts are providing under the terms of the scheme. In Bracknell and West Berkshire these checks are being carried out by Environmental Health and managed by the Private Sector Housing Team. At the time of writing around 200 checks have been carried out in the last two months. This has been a significant piece of work from a standing start and additional resource has been brought in to support the private sector housing functions. It is anticipated that there will continue to be the need for further checks as more hosts and guests are matched or guests are re-matched.
- 5.2 The Health and Safety Executive have now released their enforcement priorities for 2022/23. These include gas safety in commercial premises, electrical safety in hospitality settings, storage and handling of pesticides, health protection controls at visitor attractions with animals and welfare facilities for delivery drivers. The Service will consider these in the context of resource and the local employer / business profile and report back to Committee which programmes, if any, it is able to support.
- 5.3 The Service is currently looking at what role we may have with respect to new building safety provision particularly with respect to existing accommodation. This will sit alongside the previously agreed programme relating to commercial to residential conversions set out in the existing work plan.
- 5.4 Another high profile area with legislative change followed the introduction of Natasha's Law. This legislation came into force in October 2021 and requires food which is for direct sale to have labelling including allergens. Previously food pre-packed for direct sale did not need such labelling. Additional funding was made available and initial visits conducted. Officers will now follow up on those visits to ensure compliance is being maintained and to provide advice if needed. More information on the law can be found here [What is Natasha's Law? — Natasha Allergy Research Foundation \(narf.org.uk\)](https://www.narf.org.uk/what-is-natasha-law/)
- 5.5 New legislation has recently been enacted which requires calorie labelling on food for direct consumption provided by businesses that employ more than 250 people. Compliance with this is expected to be very high given that such businesses are likely to be part of regional or national chains.
- 5.6 Post Grenfell the Government is leading a major programme to look at compliance standards of construction products. The Trading Standards Service will have a role to play in this work and will be looking at opportunities for grant funding from government as they become available. This will include sampling and testing products.
- 5.7 This year we are also intending to look at school meal standards as set out in the levelling-up agenda. This will include sampling and analysis to look at nutritional values against existing guidelines and in so doing look at establishing the level of compliance with any contractual arrangements.

5.8 Surgical Cosmetic Procedures - The Amendment to the Health and Care Bill will give the Health Secretary powers to introduce a licence for non-surgical cosmetic procedures such as Botox and fillers. The scope and details of regulation will be determined via national public consultation. The move follows a ban on procedures for cosmetic purposes on under 18's in England.

## 6. Environmental Protection

6.1 The Environment Act 2021 establishes a legally binding duty on Government to bring forward at least two new air quality targets in secondary legislation by 31 October 2022. This duty sits within the environmental targets framework outlined in the Environment Act (Part 1).

The proposed air quality targets are:

- Annual Mean Concentration Target ('concentration target') - a maximum concentration of 10µg/m<sup>3</sup> to be met across England by 2040;
- Population Exposure Reduction Target ('exposure target') - a 35% reduction in population exposure by 2040 (compared to a base year of 2018).

6.2 There has been a recent public consultation on the Air Quality aspects of the Act but there was no specific update on progress with the Regulations due this autumn. Officers responded to the consultation on behalf of the PPP but there was a lack of information provided to be able to respond fully. It is understood that the consultation responses will assist in the development of the proposed targets.

6.3 This Act sets an additional statutory duty on local authorities to assess the PM2.5 levels. The Service is going to need to start monitoring PM2.5 in relevant locations across the three local authorities (in addition to that already being carried out under the DEFRA project and any potential with the Bracknell Forest Council Public Health budget allocated). We already monitor PM10 at the Bracknell monitoring station and from that data we can calculate the likely PM2.5 data.

6.4 The other major work stream in the environmental field is the full scale review of contaminated land strategies in both Bracknell and West Berkshire. The new draft strategies will come before this Committee for consideration in September prior to being taken to the respective Executive's for approval.

6.5 The Public Protection Service has set up and run a successful Community Larder in Thatcham for over 12 months as part of the wider environmental agenda. A new Community Larder is being developed in Bracknell with a view to launching this year.

6.6 The final area where audits are now planned that were not included in the original priorities is energy performance certification in the private rented sector. This links in with the wider work around responding to rising energy costs but also the wider climate change agenda.

## 7. Protecting Communities

- 7.1 The Offensive Weapons Act 2019 brought about new provisions that came into force on 6<sup>th</sup> April 2022 regarding the sale of knives and corrosive products. Enforcement powers for trading standards have also been strengthened for those who do not adhere to the new regulations on the sale of knives, corrosive products and offensive weapons. The PPP will be looking at engagement with businesses alongside enforcement checks including test purchases.
- 7.2 Officers are also looking to expand our work around 'safer streets'. This will include further work with colleagues from Thames Valley Police (TVP) and the Community Safety Teams to raise awareness of drink spiking and raising safeguarding awareness with staff in risk settings such as pubs. Work will also be undertaken with partners to promote 'safe spaces' and increasing opportunities for reporting of concerns. This will be supported by further work on the sale of age restricted products such as alcohol and knives.
- 7.3 At the meeting of this Committee in March 2022 it was agreed that the West Berkshire Water Safety Partnership work would be replicated in Bracknell Forest. A series of community engagement activities are being initiated through early years and school settings along with a series of public facing community engagement events across Bracknell Forest and West Berkshire during the summer. We are working with colleagues from Countryside Services, TVP and the Royal Berkshire Fire and Rescue Service (RBFRS) to deliver these events.
- 7.4 Newly proposed legislation in the form of the Animal Welfare (Kept Animals) Bill will bring in controls around the keeping of primates without a licence and also measures to tackle puppy smuggling. These will be enforced and administered by PPP for the Councils.
- 7.5 The Digital Markets, Competition and Consumer Bill is likely to bring about new enforcement responsibilities for trading standards with respect to matters such as subscription traps, fake reviews, Christmas savings clubs etc.
- 7.6 The Energy Security Bill will pave the way for new low-carbon technologies and grow the consumer market for electric heat pumps. The service will play a role in creating public awareness around engagement of suppliers and consider any suggestions of unfair trading.
- 7.7 The [Taxis and Private Hire Vehicles \(Safeguarding and Road Safety\) Act 2022](#) (the act) received Royal Assent on 31 March 2022 (aka Sian's Law). The Act places a legal duty on licensing authorities to record certain information in a national database including decisions to refuse, refuse to renew, suspend and revoke licences of taxi and private hire drivers. This will be a major safeguard in stopping those, who for an adverse determination for safeguarding reasons, simply licensing in another local authority area.
- 7.8 From 04<sup>th</sup> April 2022, when renewing a taxi, private hire or scrap metal licence in England and Wales a 'tax check' must be completed first and the PPP are obligated as part of the licensing process to ensure it has been done. Information has been circulated to the trade, press releases and social media campaign information issued and information on the website has been updated to highlight this change.

7.9 The final area we are considering is measures to reflect the current issues around fuel and energy costs and wider costs of living issues. It is proposed that we take a number of measures including looking at the accuracy of petrol pumps and bulk fuel meters, provision of further awareness campaigns on illegal lending and high cost borrowing and the re-sale of electricity and gas to tenants. We shall also look again at the issues of smuggled and counterfeit products.

## 8. Effective and Improving Service Delivery

8.1 The service has conducted a fundamental review of its investigation and case management processes and documentation to ensure that these meet current standards and legislative framework. Some updates have been made but by and large the processes and procedures were in a good shape. Across the service procedure manuals are constantly being reviewed and this work will feed into the service improvement plan for 2023.

8.2 Recruitment is an issue and the service has a number vacancies in key areas most notably licensing, trading standards and housing. There are also pressures in other areas such as case management and investigations. Whilst some of this can be covered in the short term by temporary and agency staff longer term we need to fulfil our service delivery and succession planning aspirations. To this extent we are instigating a review into whether certain elements of the service can be delivered differently to maximise the use of the expertise of professional, technical and specialist officers. An example of this would be supporting the case management unit with a skilled paralegal. Secondly we are embarking on a major training and apprenticeship programme aiming to employ up to six graduate trainees / apprentices in the first instance.

8.3 Finally we should have the new single IT system come on-line this summer. This will be transformational in terms of service delivery and customer access to the service.

8.4 At the March 2022 meeting Members also agreed to review the performance framework for the Service at this meeting. We have consulted Members from both partner authorities and the proposed revised framework is attached at appendix B.

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## 9. Appendices

9.1 Appendix A – PPP Strategic Assessment

9.2 Appendix B – Proposed Performance Framework for 2022/23 (*to follow*)

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## 10. Background Papers:

10.3 None

**Subject to Call-In:**

Yes:  No:

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**Wards affected:** All Wards

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