
Public Protection Partnership Q3 Service Update

Committee considering report:	Joint Public Protection Committee
Date of Committee:	26 January 2023
Chair of Committee:	Thomas Marino
Date JMB agreed report:	16 January 2023
Report Author:	Sean Murphy
Forward Plan Ref:	JPPC

1. Purpose of the Report

- 1.1 To inform the Committee of the performance of the Public Protection Partnership in line with the operating model and business plan and provide an update setting out service delivery in the period up to the end of Q3.

2. Recommendations

The Committee:

- 2.1 **NOTES** the Service Update since the last meeting.

3. Implications and Impact Assessment

Implication	Commentary
Financial:	<p>The 2022/23 budget for the Public Protection Partnership was agreed at the September 2021 meeting.</p> <p>The service continues to receive additional grant funding arising from the Homes for Ukraine Scheme as well as support for larger investigations.</p> <p>In addition the service carried forward approximately £145K underspend from 2021/22 following agreement at the June 2022 meeting.</p> <p>As at the end of Quarter 3 the service is predicting an under spend of £80K.</p> <p>There is now a clearly identified long term structural loss of licensing income in the order of £150-£180K per annum from the 2019 base. Had it not been for the carry forward, vacancies and the additional grant funding the outturn would have been an over spend. This is identified as a priority for 2023/24 in the Business Plan for consideration elsewhere on this agenda.</p> <p>Agency costs are a significant issue for the service. At the time of writing the number of agency staff is being reduced to two. This will have impact on operational delivery particularly in areas such as inspections and audits.</p>

Human Resource:	<p>There are no direct personnel implications arising from this paper other than to note the Service started the year with a number of vacancies at all levels of the service. Three areas are a particular priority for recruitment namely trading standards, licensing and private sector housing.</p> <p>The Committee previously received reports on the move to focus the workforce strategy on the investment in training and development of new and existing staff.</p> <p>Advertisements for four apprentice roles were placed during Q2 and three level 4 Trainee Regulatory Compliance joined the Service in Q3. A further recruitment exercise to fill the remaining apprenticeship post will be undertaken in Q4.</p> <p>Details are set out in the body of the report.</p>			
Legal:	<p>There are no direct legal implications arising from this report. The Inter-Authority Agreement charges the Joint Public Protection Committee with the responsibility to oversee service delivery and performance including financial performance. This report discharges this responsibility.</p>			
Risk Management:	<p>We will continue to manage risk in line with the prevailing situation and corporate policies. The risk register is regularly scrutinised by the Joint Management Board (JMB) which meets fortnightly. The JMB considers the red risk action plans at these meetings. The service maintains both a Strategic and Operational Risk Register.</p> <p>The current risk matrix appears as an Appendix to the Business Plan elsewhere on this agenda.</p>			
Property:	<p>There are no direct property implications arising from this report.</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 also to maintain oversight of performance and service delivery.</p>			
	Positive	Neutral	Negative	Commentary
Equalities Impact:				
A Are there any aspects of the proposed		✓		No implications

decision, including how it is delivered or accessed, that could impact on inequality?				
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 new 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, including environmental ones, for people living and working in Bracknell Forest and West Berkshire</p>
Health Impact:	✓			The proposals create no direct health impacts on staff. They do however set out progress against community based health protection measures and initiatives.
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 :	✓			This information sets out how the Service has maximised the use of resources to deliver against the JPPC priorities particularly around health protection, protection of vulnerable people and environmental protection on a risk led basis. The priority relating to effective and efficient service delivery has been at the core of arrangements.

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. Further Member engagement sessions are planned in the coming months. Taxi Licensing Liaison meetings are also conducted with the taxi trade.			
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 Committee is required by the terms of the Inter-Authority Agreement (IAA) to keep under review the performance and delivery of the Public Protection Service. Generally, the Committee will receive updates on aspects of performance and any emerging issues, achievements and priorities.
- 4.2 This report sets out the Quarter 3 service delivery update. Unfortunately due the fact we are in the middle of transition to our single new case management system and have a large backlog of data being updated (due to the two month system down-time) that we are unable to produce a detailed performance report to this meeting. The Q3 data will be tabled at the March 2023 report to this Committee.

5. Finances and Resources

- 5.1 The JPPC is mandated to keep under review the budget. There are now significant pressures within the service. Licensing income is now in the region of £150K-£180K below the historically high levels in 2019. Income was in decline before the pandemic with for example the taxi trade in Bracknell facing pressure from app based operators and gambling premises closing. The impact of the pandemic on income was significant. Many taxi and private hire vehicles and drivers left the fleet and never returned. More gambling premises closed and there were implications with respect to animal boarding from new ways of working. The decisions to align fees in various budget cycles has also added to the impact.
- 5.2 The service has balanced the books by conducting grant funded work where appropriate. The use of agency staff has also severely impacted the budget. These have been deployed for the agreed recovery programme in areas such as food safety and standards but also to cover vacancies in areas such as licensing. Other agency staff have been almost entirely grant funded.
- 5.2 The Q3 outturn prediction for the Service is report an under spend of £80k which is largely due to injections of grant funding to support investigations and the Homes for Ukraine Scheme.

6. Customer and Business Satisfaction Rates

- 6.1 In the year to Q3 82% of respondents to these surveys described the service as 'excellent' or 'good' and 18% as fair. There were no negative ratings.

- 6.2 During Q3 the team dealt with a total of 71 Freedom of Information requests which took over 62 hours to process. The team also processed 25 queries from councillors, and the local MPs.
- 6.3 Six service complaints were received. The number of complaints were slightly less than the same period in 2021/22 where eight were received.

7. Human Resources

- 7.1 The key staffing updates are:
- The inability to recruit permanently to professionally qualified posts remains a significant risk to the Service and is set out in our current risk matrix. In order to address this the Service is implementing a program to recruit Apprentices to assist with filling some of these vacant posts.
 - Three of the four Level 4 Trainee Regulatory Compliance Apprenticeship posts were filled during Quarter 3 and we are out to recruitment to the fourth role.
 - The Apprentices have all started their Level 4 apprenticeship which should take around fourteen months to complete. Dependent on performance they may then be able to join a level 6 apprenticeship in environmental health or trading standards or enter the licensing route to qualification.
 - In addition existing staff have been invited to apply for options to upskill from technical posts to professional posts or to apply to enter the level 4 apprenticeship scheme. As a result three level 6 trading standards apprentices and three level 6 environmental health apprentices are likely to commence in the coming months. Additionally staff have also come forward to enter other training routes.
 - No other roles were recruited to in Q3 however we have recently recruited a Lead Licensing Applications Officer and are out to advert for a post in housing.

8. ICT

- 8.1 The new single system cloud based IT system went live on the 12th December 2022. This saw the transfer of all West Berkshire and Bracknell data. This followed a period of over two months where the service had no live system leaving us with a significant backlog of data entry. This was more than twice the anticipated period of downtime.
- 8.2 Work continues to rectify areas of data transfer which are causing difficulties with system functionality but large parts of the system are fully functional. Optimising the use of the on-line portal (which was one of the key features of the system) is a significant part of our identified transformation programme.
- 8.3 There is one final piece of data transfer and that is in respect of the Wokingham trading standards data. At the time of writing that transfer is about to commence and it is anticipated will be complete by the end of February 2023 meaning the existing legacy system contract will not need renewing in April 2023.

9. Property

- 9.1 The key property highlights are as follows:

- Both Bracknell Forest and West Berkshire Councils have implemented arrangements built around a model of hybrid working. It has now been confirmed that the 'home worker' hybrid status will extend to all staff regardless of which building they are based in.
- Hybrid working is proving effective. Staff are required to be in the office an average of two days per week. This will be monitored as it is seen as desirable that staff do work together on a regular basis.
- Regardless of where staff are based accessible local delivery will always remain a key focus in-line with the partner Councils requirements.

10. Risk Management

10.1 The Committee is asked to note that:

- The Joint Management Board which meets fortnightly, maintains both a Strategic and an Operational Risk Register which is reviewed during these meetings.
- The current risk register can be found as an appendix to the Business Plan elsewhere on this agenda.
- The key risks at this time are:
 - The inability to recruit and retain professional staff
 - Loss of income
 - The failure to implement the new single system effectively

11. PPP – Additional Programme Work

Homes for Ukraine

- 11.1 In West Berkshire the PPP hosted Homes for Ukraine Support Hub which came together at the end of March, to help meet the needs of hosts sponsoring Ukraine guests that are coming over to the UK under the Homes for Ukraine Scheme. Within the hub the Team have built strong relationships with the local community groups helping to assist the Ukraine guests settling in to their new environment. The Team provide a number of roles including DBS checks, updating data, organising accommodation checks, being a single point of contact for all queries, confirming residency, community engagement and welfare. The team move to a new strategic migration function on the 23rd January 2022.
- 11.2 In both Bracknell and West Berkshire PPP Officers have been undertaking accommodation checks to confirm that the accommodation is suitable to house the number of guests being accommodated. At the time of writing around 360 inspections had been completed. There are very few new host inspections however we are now undertaking a number of inspections to facilitate re-hosting arrangements.

Cost of Living

11.3 The Public Protection Service has been leading on the strategy to respond to the Cost of Living rises for West Berkshire and currently hosts the Cost of Living Hub for West Berkshire. We have been assisting both councils with communication of key messages for residents as well as focussing delivery around cost of living related issues such as scams, cold homes etc.

12. Communication and Engagement

12.1 Since the last report to Committee:

- Officers have dealt with eleven press enquiries.
- Officers have issued nine press releases, published 38 articles on the website and conducted one radio interview
- We are actively looking at new communication routes and in particular the engagement with the local community based App 'Next Door' as route to getting out key messages.
- We have created a dedicated page on the PPP website for resources for parishes, this includes useful links for residents and businesses as well as posters for them to display based on our services and how and when to contact us. We are also committed to working closely with the parishes on how best to disseminate information to them on current topics.
- Q3 press releases included an article about a Trading Standards seizure of counterfeit mobile phone products in West Berkshire, a request for help from Bracknell residents in identifying fly tipping offenders in Great Hollands Square, Bracknell and a release which was picked up in the National Press (Telegraph, Mirror and The Sun) regarding Electric Blanket Testing in partnership with Royal Berkshire Fire & Rescue. In total there were 14 articles over Q3 in which the Public Protection Partnership was mentioned in external news stories.
- Our social media activity also reflected some of the above events and press releases.
- The Communication Officer in PPP continues to work closely with West Berkshire and Bracknell Forest 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.

Target	2021/22 Outturn	Q1	Q2	Q3	Q4	2022/23 Outturn
Facebook – No of New Followers *		53	48	90		
Facebook – No of Posts	464	89	73	98		
Twitter – No of New Followers	67	7	11	4		

Target	2021/22 Outturn	Q1	Q2	Q3	Q4	2022/23 Outturn
Twitter – No of Tweets	451	65	46	95		
Website – No of Visits	85,293	30,887	23,540	16942		
Website – No of Articles	142	29	15	38		

12.2 During Q3 there were a number of face to face engagement events that the team participated in:

- A week of electric blanket safety awareness including testing between the 31 October and 04 November 2022 alongside colleagues at the Royal Berkshire Fire and Rescue Service. This was conducted in Bracknell, West Berkshire and Wokingham.
- Presentations on tobacco and alcohol harm at the icollege, Theale Green School, Little Heath and St Bartholmews Schools.
- Rogue trader advice to schools forum at The Avenue Centre Tilehurst in November 2022.
- Worked with Bracknell Forest colleagues on the mapping of food outlets and sports/recreational sites in Bracknell Forest as part of work on the obesity agenda through November and December.
- Attended Schools Careers events at The Downs, Willink and St Bartholmews Events where we promoted the work of the Partnership and provided information on apprenticeship opportunities within the Service as well as the wider Council. Further events are planned in Bracknell schools.
- Taxi Trade Liaison Group meetings with the trade in both Bracknell and West Berkshire were held in October 2022.

Community and Trading Standards (including Investigations Team)

12.3 During Q3 the unit has been very busy and some of the highlights are set out below.

- Officers were also involved in researching complaints relating to the integrity of hot water bottles and their use-by dates following national reports of accidents involving hot water bottles.
- The service has seen an increase in cost of living related enquiries and projects.
- The team have updated the PPP website with information relating to the rising cost of living and pressures on businesses and community in ensuring

compliance with regulations to maintain safety and well-being across the borough. For example, product safety and housing, fuel type restrictions, and rental conditions.

- Over the coming months, officers will be looking at enforcement and advice options designed to ensure homes remain heat efficient; specifically, the application of minimum energy efficiency standards in domestic rental premises as well as fair trading by landlords.
- To ensure that the used cars on sale in our area are roadworthy, as described and, whether sold face to face or online, that a consumers statutory rights are not being denied, officers undertook a used car sales exercise. This involved using intelligence and information gathered on the 20 most complained about used car sales companies across the PPP areas.
- In December the Trading Standards Service conducted a joint operation with Thames Valley Police resulting in the seizure of eight vehicles on suspicion of breaching product safety regulations. This matter is now under investigation.
- Following the concerning increase in vaping amongst teenagers, the team have pulled together a project involving communications, presentations and enforcement for products that are unsafe and illegal to be sold from shops across the areas.
- Trading Standards Officers seized a number of suspected illegal vaping products from premises in West Berkshire and Bracknell Forest.
- In December Trading Standards Officer seized a number of suspected phone accessories from a premise in West Berkshire.
- Food standards sampling programmes have included mycotoxins, meat species, dairy free claims and pesticide residues.
- Trading Standards oversaw the implementation of the Avian Influenza controls measures.
- Trading Standard's officers were alerted to a 'novel' item which was a self-feeding baby pillow product that had entered the UK market. Use of this product posed a significant threat to life and officers contacted a number of outlets who may have had this product up for sale to ensure they were removed. Fortunately, no sellers were identified as selling the products and were pleased to be given sound advice.
- Working alongside police colleagues a number of arrests were made with respect to investigations of fraud, unfair trading and money laundering.
- 27 fly tipping incidents in Bracknell were reported to the service. This lead to 27 investigations and 4 files submitted to the Case Management Unit resulting in the issuing of 2 fixed penalties and 2 commencements of legal proceedings. A number of matters are still under investigation.

- Finally, inspections took place pre-firework season, and two significant seizures were undertaken by trading standards officers for unregulated and dangerous storage.

13. Commercial (Food Safety and Health and Safety)

13.1 This has been a busy period for the Commercial Team. Highlights include:

- The team continue to work through the backlog of Food Hygiene Inspections brought about by the Covid pandemic when many premises were closed and the officers were redeployed to work on Covid control and enforcing the Covid restrictions.
- In addition to the planned inspections we are still receiving a number of new food premises Registrations. New Food Businesses, by law, are required to Register with us as the Local Authority Food Enforcement team 28 days before opening. We can offer assistance and are inspecting these using a risk based priority assessment.
- Reactive work, which includes requests for help and complaints in relation to food safety or health and safety from the public, employer and employees, continue to come into the team. We also receive formal notifications of accidents through a RIDDOR automated system (Reporting of Injuries, Diseases and Dangerous Occurrences). All notifications are assessed by an authorised Health and Safety Enforcement Officer and there is a determination (based on an instruction from HSE Health and Safety Executive) to ascertain which of these accidents requires mandatory investigation. Should it be required we also have the ability to carry out discretionary investigations.

13.2 In addition we received an application form a farm to be registered as an egg packing centre as they had expanded its laying hen flock and wanted to be able to market its eggs to retail and catering establishments. The premises is a small family run farm that has historically held registration as an egg production establishment that undertakes egg sales at an onsite farm shop.

Conditional approval was granted by Environmental Health to the farm following an Officers onsite inspection in September 2022. In January 2023 we upgraded its approval to full following the farms demonstration of its ability to grade its eggs; by class and size, mark them with its APHA packing centre code and package and label them with sufficient consumer information, for off farm sales.

Due consideration of the Avian Flu guidance published for the South East at the time and enhanced biosecurity measures at the farm meant some Environmental Health audits were undertaken remotely and through desktop audit, in agreement with the farm.

Becoming a registered and approved egg packing centre has successfully enabled the farm to go on to supply local and neighbouring authority retail and catering establishments.

- 13.3 In response to representation from Environmental Health, a food premises from a well-known national chain voluntarily removed their outside seating and tables, as a temporary measure, following customers concerns regarding pigeons in the area being entering the premises. In addition they printed customer information, detailing preferred pigeon etiquette to help resolve the issue.

14. Licensing (Including Applications and Licensing Governance)

- 14.1 The team are facing significant challenges with vacancies and this is being addressed through our workforce strategy. Two temporary members of staff have been employed. To assist with recruitment we have revisited the current job descriptions and they are currently being evaluated. We have recently recruited a Lead Officer for Applications who is also an experienced Licensing Officer.
- 14.2 The team has been working alongside Thames Valley Police and Community Safety on a programme of activity to address our 'safer streets' priority and aimed at reducing violence against women and girls.
- 14.3 Consultation was conducted in two significant areas namely, taxi and private hire policy implementation and fees and charges for 2022/23. Both licensing Committees will receive updates this quarter.
- 14.4 One Private Hire Operator licence was revoked in Q3. This is now subject to an appeal.
- 14.5 No Sub-Committee / Panel meetings have taken place in this quarter.

15. Private Sector Housing

- 15.1 In addition to business as usual activity the team has also undertaken the following work during Q3:
- 15.2 Following the tragic death of toddler Awaab Ishak, in connection with mould caused by damp conditions in the home, Department for Levelling Up, Housing and Communities DLUHC have requested information from Local Authorities regarding housing standards in private rented properties in England. DLUHC have been in contact separately with Registered Social Landlords.

Should tenants have issues with their landlord, and these are not resolved, they can contact the Environmental Health Housing team who provides information to residents and landlords of private rented sector premises, and who enforces housing standards in private rented sector and registered social landlords.

PPP made their response to DLUHC by 30th November 2022, and in the response detailed the work we have done and are doing to ensure the damp and mould is mitigated in the private rented sector by the landlord.

Activity for Damp and Mould Season 2022-23

We have been preparing for the Damp and Mould season for the last few months.

- The PPP Damp and Mould leaflet has been updated and revised – this has been put on social media and the website and sent to all residents who contact us regarding damp and mould. It is being sent to GP surgery's, CAB offices, etc, to encourage reporting of issues and to help signpost the EH Housing service.
- The Principal Lead for housing is carrying out a triage on all service requests coming through. Where this involves damp and mould the resident is immediately contacted and the issues are talked through, photographs are requested so that the visit can be prioritised and the damp and mould leaflet sent. The PEHO discusses what the resident can do practically while waiting for the visit from the housing officer, this can include taking the photos so that we can see the extent of the issue and thereby allowing the resident to start to clean down walls etc. We also advise contact is made with a GP where the tenant is elderly, immunocompromised or there are children affected.
- We need to be realistic and not raise the expectations of the resident. In many cases the damp and mould can be the result of heating and ventilation issues, and this is where changes to reduce condensation and therefore damp and mould would be looked at. Advice is always given. Where the damp ingress is attributed to a structural defect (penetrating damp, rising damp etc.) we will take a stepped approach with the landlord, informal action to secure compliance to use of HHSRS and notices. For the winter months all damp and mould will result in HHSRS assessments, with associated formal action where required.
- The PEHO has briefed PPP Partnership Support Team so that the correct information is taken when tenants ring in (including whether they are residing in a social landlord premises) so that the process can be as efficient as possible
- In anticipation of the number of issues in Social Housing PPP Officers have held meetings with the main providers in our areas and have ensured open lines of communication and developed a joint working protocol for ensuring works are carried out
- PPP Officers have developed links with Adult Social Care and Children's services so that there is 2 way communication where safeguarding issues are noted
- We have BOB referral in place– this is where the NHS Doctors surgery will give out information on how to contact the EH Housing Team where patients present with respiratory issues
- For many years PPP have operated as a service that is Intelligence Lead, and as such we hold Tactical Tasking Group meetings. In this way we can divert officers into areas where there is a need and where the priority is highest. Officers are diverted into housing from other disciplines, especially during this damp and mould season
- Officers who deal with this type of service request to carry out assessments are trained and hold certificates as being HHSRS competent.

- A follow up response is required detailing the number of damp and mould complaints we have received from tenants against their private landlord, along with detail of actions taken. This should be with DLUHC by 27th January 2023.
- The team are seeing the effects of the cold season on the number of damp and mould cases that have come through. As this has coincided with the press reports on the tragic death of Awaab Ishak, and the cost of living crisis which means more people are having problems heating their homes, the numbers of tenants coming to us for help is high. In addition we are seeing serious cases of damp and mould, and where children are involved, we are working with early help teams to get situations resolved.

15.3 We are involved with Landlord Forums in the 2 LA areas, we are currently finalising arrangements for an online Forum in West Berkshire at the end of January.

15.4 Business to Residential premises conversion project update - Work is ongoing to complete desktop risk assessments of all properties requiring inspection and data gathering of information regarding individual properties is taking place. Officers have begun the physical inspections of the properties, they are being carried out jointly with Building Control and the Fire Service. The issues found during the inspections are being followed up to ensure action is taken. This project will continue with further inspection visits.

16. Environmental Quality

16.1 The team have continued to undertake work to protect the health and wellbeing of our residents through focused projects, planned inspection programmes and responding to complaints. Some key activity undertaken during Quarter 3 included:

- Anti-Idling training (see 17.2) and launch of anti-idling signage will start in Q4.
- System training and setting up Pollution Prevention and Control module.
- Newbury Racecourse Christmas Carnival proactive monitoring re noise and lighting – pre-opening and during as well as reactive work during the event, which included working with the event management and their acoustic consultant to ensure compliance with the noise management plan.
- Ongoing proactive odour monitoring at a commercial site with Abatement Notice served.
- Review of air quality monitoring programme for 2023 calendar year for all three partner authorities.
- Preparation of Drinking Water Inspectorate 2022 returns which are due by the 31 January 2023. Bracknell Forest Council's report has now been submitted and West Berkshire Council's version is being finalised.

- Nitrite and nitrate failure at a Private Water Supply serving 16 properties, Regulation 18 notice served.

16.2 DEFRA grant work: PM_{2.5} monitoring at schools

After successfully procuring a supplier for the monitoring and reporting of PM_{2.5} concentrations at 42 schools, we have been underway with the first and second tranches of a three tranche monitoring programme. AECOM have so far provided reports for 28 schools, with all showing compliance with the PM_{2.5} annual mean limit set in Defra's Air Quality Objectives. Two schools have shown a minor exceedance less than 5% above the PM_{2.5} guideline set by the World Health Organization (WHO), which is much stricter than Defra's objective, but not enforced in the UK.

It should be noted that these comparisons against the annual mean objectives have been made using three months' worth of data so should be considered only as indicative. Monitoring at the remaining schools in the programme has, by the end of Q3, now commenced and contact will be made with school representatives to consider any appropriate next steps, for example, improving school travel plans or undertaking targeted action to address engine idling.

16.3 Anti-idling training in Bracknell Forest

PPP Officers met with the Bracknell Forest Civil Enforcement Team to deliver anti-idling training, focused on collecting information about the location and occurrence of idling vehicles in Bracknell when CEOs are out conducting their usual duties. The aim is to address idling through behaviour change and to encourage drivers to switch off their engines where appropriate. Leaflets have been produced with information to explain the dangers of idling, and to help dispel some common myths about the topic. Data collected from the initiative will help us to better understand the problem and be used to tailor behaviour change measures, like best locations to place new signage.

16.4 Defra 2022/23 Grant Application

In the autumn of 2022 PPP submitted an application to Defra's air quality grant scheme to fund a new project. The new project aims to satisfy Defra's requirement for projects that will improve knowledge and information about air quality and steps individuals can take to reduce their exposure to air pollution, and/or projects that include measures that deal with particulate matter. Funding has therefore been requested for a project which looks to optimise key signalised junctions through the collection of particulate matter data. The project would operate as an extension of the ADEPT project which has been completed in West Berkshire.

The aim would be to ensure optimal traffic management whilst improving particulate matter concentrations at the junctions. Funding has also been requested for the delivery of a new website which will act as a hub for air quality information, guidance, data and other resources – with specific areas targeted for different audiences like schools and businesses.

Finally, the project would also deliver a new 'accreditation' scheme targeted at traders selling domestic burning fuels to recognise responsible traders and provide residents with a resource to understand the best places to buy their fuel. This scheme will also

be accompanied by a campaign raising awareness about domestic burning. We will be notified of the outcome in March 2023.

17. Legal Update

- 17.1 Bracknell Forest Council and West Berkshire Council were jointly inspected by the Investigatory Powers Commissioners Office (IPCO). One of the matters for considered during the course of that inspection was the issue of Member oversight of the measures in place and actions being taken by the Councils. The outcome of this inspection is covered in another report elsewhere on this agenda.
- 17.2 The Case Management Unit updated the entire investigation procedures and file format in this quarter. The new file format provides a more streamlined approach that ensures that all of the information needed by CMU when considering a case file is in one document. The system has now been launched and staff have received a briefing on the changes.
- 17.3 The liaison arrangements with Wokingham Legal Services continue to work well as CMU continue to manage cases for all Wokingham public protection functions both within PPP and in-house.
- 17.4 The Case Management Unit has continued to see a steady flow of new cases coming through and has dealt with a number of matters before both the Magistrates Courts and the Crown Court. Although the Court system has been running at a more normal pace during this quarter, there are still significant delays particularly with the listing of Crown Court trials. This is partly due to the backlog of cases which has been further impacted by the Criminal Bar strike action. Recent legal actions include:

Puppy Seller

Puppy seller pleaded guilty to eight offences contrary to the Consumer Protection from Unfair Trading Regulations 2008. The prosecution case was that the defendant had misled three consumers by false representations as to the health, breed, age, vaccination, and microchip status of three puppies advertised for sale on Gumtree. The Crown Court sentenced by way of an 18 month Community Order with a requirement to complete 180 hours of unpaid work. The Defendant was also ordered to pay compensation of £4,850 to the three consumers for the costs they had incurred in veterinary treatment and bills.

Taxi Driver Appeal

Successfully defended an appeal against the decision to refuse to grant a home to school driver's licence following the non-disclosure of previous convictions. The question for the Court was whether the appellant was a 'fit and proper' person within the meaning of s.51(1)(a) of the Local Government (Miscellaneous Provisions) Act 1976. The appeal was dismissed and the local authority's decision was found to be correct both in fact and law

Counterfeit Goods

Counterfeit clothing items surrendered and a warning issued following a small number of counterfeit items being seized from a residential property. Forfeiture and destruction of counterfeit items ensures that the items cannot end up back on the market.

18. Appendices

APPENDIX A – Communications Update

19. Background Papers:

None

Subject to Call-In:

Yes: No: X

Wards affected: All Wards

Officer details:

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