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# JPPC Terms of Reference

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<b>Committee considering report:</b>	Joint Public Protection Committee
<b>Date of Committee:</b>	12 June 2023
<b>Chair of Committee:</b>	To be appointed at the Meeting
<b>Date JMB agreed report:</b>	22 May 2023
<b>Report Author:</b>	Moira Fraser
<b>Forward Plan Ref:</b>	JPPC

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## 1. Purpose of the Report

- 1.1 To consider and if appropriate recommend any changes to the Terms of Reference to Council for inclusion in the Constitution.

## 2. Recommendations

The Committee:

- 2.1 **NOTES** the current terms of reference of the Joint Public Protection Committee (JPPC) and considers if any further amendments should be considered for inclusion.
- 2.2 **RECOMMENDS** that any proposed amendments be referred to West Berkshire Council's Full Council for approval.

## 3. Implications and Impact Assessment

Implication	Commentary
<b>Financial:</b>	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.
<b>Human Resource:</b>	None
<b>Legal:</b>	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).
<b>Risk Management:</b>	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.
<b>Property:</b>	None
<b>Policy:</b>	None

	Positive	Neutral	Negative	Commentary
<b>Equalities Impact:</b>				
<b>A</b> Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		x		
<b>B</b> Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		x		
<b>Environmental Impact:</b>	x			The Meeting Rules and Procedures do allow some individuals to attend meetings remotely using technology which will reduce their environmental impact.
<b>Health Impact:</b>		x		
<b>ICT or Digital Services Impact:</b>		x		
<b>PPP Priorities :</b>		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"> <li>1. Alcohol and Tobacco Harm Reduction</li> <li>2. Animal Welfare</li> <li>3. Cost of Living</li> <li>4. Environmental Protection</li> <li>5. Food Safety and Standards</li> <li>6. Health and Safety Enforcement</li> <li>7. Housing Standards in the Private Rental Sector</li> <li>8. Impact of Nuisance on Residents and Communities</li> <li>9. Improved Air Quality</li> <li>10. Licensing</li> <li>11. Nutrition and Childhood Obesity</li> <li>12. Service Improvement</li> <li>13. Tackling Fraud</li> </ol>

				14. Unsafe Consumer Goods
<b>Data Impact:</b>		X		
<b>Consultation and Engagement:</b>	The Terms of Reference were included in a wider discussion on the Council's Constitution by the Constitution Review Group.			
<b>Other Options Considered:</b>	None			

## 4. Executive Summary

- 4.1 It was agreed in July 2019 that a task group would be set up to review West Berkshire Council's Constitution. This work included reviewing how meetings would be conducted and the terms of reference of a number of existing bodies and sub bodies including those of the Joint Public Protection Committee.
- 4.2 The ensuing changes were agreed at the Council meeting on the 16 March 2023. The key changes to the previously agreed terms of reference are set out below. **Key new text that has been added is set out in blue font.**
- 4.3 Procedural matters such as dealing with minutes and voting will now be included in the Meeting Procedure Rules (see Appendix B).

### 4.4 *Scope of Role*

The purpose of the JPPC is to:

1. set the strategic direction of the PPP and review:
  - standards of service delivery and performance;
  - fee income and costs ((on a ~~true~~ cost delivery basis **unless a statutory basis applies**);
  - the treatment of trading surpluses or deficits;
  - an action plan for business growth and development.

### 4.5 *Membership*

The JPPC shall comprise of four members, two from BFC and WBC as follows:

- The Executive/Cabinet Member with responsibility for Public Protection Services (appointed by the Leader of the respective council);
- One additional Member (appointed by each Council at its respective Annual Meeting or in the event of a vacancy).
- 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.

**The revised terms of reference have had the reference to substitutes removed. Officers propose that they should be re-inserted and that they should make reference to all**

Executive Members from each partner authority being appointed as substitutes to ensure that meetings are quorate.

#### 4.6 **Chairman and Vice-Chairman**

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.

The previous version of the document included a provision that “who shall, unless he or she resigns his or her office or ceases to be a member of the Joint Committee, continue in office for a period of up to 16 months or” Officers recommend that the insertion of the period of 16 months be revisited especially in an election year.

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.

#### 4.7 **Quorum** – no changes proposed.

#### 4.8 **Frequency of Meetings**

Previously the terms of reference made reference to four meetings per annum but this has been replaced with:

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.

#### 4.9 An additional section titled ‘Significant Decisions’ was added to the terms of reference which is worded as follows:

##### **Significant Decisions**

The JPPC shall refer back to the Councils for decision any proposal that it has agreed in principle seeking to:

- admit an additional party or parties to the PPP;
- incur expenditure which requires increased contributions by the Councils; or
- make significant changes to the fundamental principles or operation of the PPP.

#### 4.10 Minor changes were made to the wording of the document in relation to the forward plan and administration.

#### 4.11 In addition to the points set out in red above the Committee is asked to consider if they:

- Concur with the amendments made;
- wish to recommend that any further amendments are made;
- are still of the opinion that two Members from each authority is the appropriate Membership for the Committee.

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## 5. Appendices

### 5.1 Appendix A – Revised terms of Reference

### 5.2 Appendix B – Meeting Rules

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## 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

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