
Public Protection Partnership Service Update and Q2 Report for 2023/24

Committee considering report:	Joint Public Protection Committee
Date of Committee:	11 December 2023
Chair of Committee:	Councillor Lee Dillon
Date JMB agreed report:	20 November 2023
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Forward Plan Ref:	JPPC4275

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 performance during the second quarter of 2023/24.

2. Recommendations

The Committee:

- 2.1 **NOTES** the 2023/24 Q2 performance for the Public Protection Service.
- 2.2 **NOTES** the Service Update since the last meeting.

3. Implications and Impact Assessment

Implication	Commentary
Financial:	<p>The service is currently predicting an end of year budget outturn of zero. Although there is an underlying underspend (arising from vacancies and last year's carry forward) this is being deployed to offset in-year pressures faced by both Councils.</p> <p>The service has a predicted income shortfall of £80K in 2023/24. This is also being mitigated by vacancies in licensing and other areas of the service combined with reduced spend on agency staff.</p> <p>West Berkshire currently has strict controls in place where expenditure is incurred and is focused on the delivery of essential services only and these include restrictions on agency spend, recruitment and overtime.</p>
Human Resource:	<p>Clearly the combination of vacancies and restrictions on the use of agency staff has the risk of increasing pressure on existing staff. 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. There is some</p>

	<p>engagement of agency staff, but this is limited and 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 work.</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>We have had some success in terms of recruitment to business-critical areas and these are set out in the body of this report.</p>
Legal:	<p>There are no direct legal implications arising from this report. The 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>
Risk Management:	<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>The first critical risk currently facing the service is the failure to retain or recruit business critical staff which would result in the Service being unable to fulfil our statutory obligations. This risk is being managed through the carefully executed workforce strategy.</p> <p>The second critical issue is budget in respect of the loss of income and the legacy budget pressures arising from the decision by Wokingham BC to leave the shared service.</p> <p>We have also included some information in the report about a potential risk to the service around kennelling provision for stray dogs.</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</p>

	with some sharing of the building proposed on a trial basis from February 2024.			
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 by setting out the current performance levels and the approach to ongoing service recovery.</p> <p>The revised service priorities were agreed at the March 2023 JPPC meeting. The Delivery Plan will be agreed at the March 2024 meeting which will assist with monitoring progress against the priorities whilst providing context about how the priorities are being delivered on a day-to-day basis.</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:	✓			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.
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>This information sets out how the Service has maximised the use of resources to deliver against all the JPPC priorities as set out below:</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 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 summarised Quarter 2 (July to September) performance data is set out in **Appendix A** to the report. Some data is unavailable due to the systems transition.
- 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 As at the 30th November 2023 the Service is reporting a zero outturn which includes management of an estimated £80K shortfall in income which has arisen primarily in the licensing service.
- 5.2 The Service continues to seek access to grant funding. In the year to date the service has made successful grant funding applications exceeding £300K for level 2 and 3 investigations. There has been a further award to support level 2 investigations of £43K recently. These grants are used to fund costs for expert witnesses, staff costs, agency costs and legal costs.
- 5.3 We are also accessing 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 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 and on this agenda.
- 5.4 The service received a grant allocation of £13.33K to look for on-line test purchases of vapes as part of national surveillance programme.

6. Customer Satisfaction Rates, FOI's etc.

- 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 have a QR code that links to a short on-line survey.
- 6.2 During Q2 81% of respondents to these surveys confirmed that that they were fairly, very or exceptionally satisfied with the service that they had received.

- 6.3 During Q2 the team dealt with a total of 89 Freedom of Information requests which took around 66 hours to process. The number of requests increased by around 12% when compared to the same period in 2022/23 where 78 Fols were processed. The number of FOIs processed in Q2 is exactly the same as Q1 but took around 10% longer to process. The team also processed 37 enquiries from Councillors and the local MPs. This represented a significant increase when compared to the 22 (68% increase) that were dealt with in Quarter 2 of the previous year.
- 6.4 Three service complaints were received, one more than during the same period of 2022/23. This amounts to less than 0.1% of the total number of service requests that were received.
- 6.5 Quarter 2 Data for Past 4 years (Wokingham Data Removed for Comparator Purposes):

	2020/21	2021/22	2022/23	2023/24
Fols	106* (41 hrs)	71	78 (43.3hrs)	87 (66)
MP/Cllr Enquiries	20	16	22	37
Complaints	8	10	2	3

* there was a surge in Covid related Fols at this time.

7. Human Resources:

- 7.1 Since the last meeting of the JPPC we have:
- Appointed 1.5 licensing officers. We were seeking 3.0 FTE
 - Attempted to recruit to a Trading Standards Officer vacancy without success.
 - Lost a Senior ECO (housing) to another Berkshire council.
- 7.2 The key training and development updates are:
- Fireworks training delivered by Andy Hubble, Star Fireworks Ltd was undertaken by sixteen of our officers;
 - Twelve officers attended hoarding training provided by external trainer;
 - L4 and L6 apprentices attended a regional Trading Standards session for apprentices arranged through Trading Standards South East (TSSE).
 - Pest Technology Conference attended;
 - Internal Training provided for apprentices and new starters on using the Intelligence Database;
 - Lighting and noise training undertaken through the Chartered Institute of Environmental Health (CIEH)
 - 2 Officers attended ILM Caravan Site Licensing Training
 - One Licensing Administrator is attending Professional Licensing Practitioners Qualification training.
 - Artificial lighting training -whole EQ team and 3 of the apprentices.
 - CIEH Noise conference – majority of the EQ team

8. ICT

- 8.1 Since the last meeting a significant amount of progress has been made on the 'single system' database implementation. The number of outstanding actions has reduced significantly with the links to all external databases such as Citizens Advice and the Food Standards Agency all now functioning.
- 8.2 The next step for the service is to roll out the use of the portal for both the public to register service requests and for those seeking services such as applicants for licences to apply and pay on-line.
- 8.3 Further training has been delivered on the use of the new 'single system' and more is planned.

9. Property and Assets

- 9.1 The key property highlights are as follows:
- 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 become a shared facility on a limited basis with up to six desks allocated for non PPP staff. A trial starts in February 2024.
 - Property (evidence) storage is also being considered with a long-term demand for increased storage capacity particularly around larger-scale seizures of counterfeit goods.
 - The service has now disposed of one animal warden van which was surplus to requirements.

10. Operational Delivery – Measures of Volume

- 10.1 The key measures of volume data are set out in Appendix A to this report and the key highlights in terms of team activity is set out below.

11. Communication, Consultation and Engagement

- 11.1 Since the last report to Committee:
- The Lead Communication Officer has left the service and some limited alternative arrangements have been put in place to continue to deliver this important area of work. Regrettably, this post now appears in the list for deletion elsewhere on this report. It is clear that the loss of this post has damaged the ability of the service to deliver against its stated delivery model which includes high levels of public information with a view to preventing harm.
 - Officers have dealt with eight press enquiries and the PPP has been mentioned in numerous online articles and multiple print articles. Including national coverage of a rogue trader case.
 - Officers have published 28 articles on the website.

- Officers have attended three water safety partnership events over the summer holidays (July/August)
- The Summer Parish poster was distributed and there have been two topic specific briefings for Members including the 'single use plastics ban' and how we support the planning process.
- In August the whole of PPP came together for a whole team meeting and safeguarding training session with Thames Valley Police.

Target	2022/2023 Outturn	Q2
Facebook – No of New Followers *	265	57
Facebook – No of Posts	358	118
Twitter – No of New Followers	29	7
Twitter – No of Tweets	311	84
Website – No of Visits	88,872	24,150
Website – No of Articles	110	28

- 11.2 Q2 consultations, -- During Q2 we have undertaken a consultation on the [knowledge test in Bracknell](#) and have consulted on the [Statement of Licensing Policy in West Berkshire](#).
- 11.3 During Q2 the service worked with colleagues from Thames Valley Police and the Royal Berkshire Fire and Rescue Service to support [Water Safety Partnership](#) events as set out below:
- 26th July – Warfield Family Fun Day
 - 10th August – Winkfield Family Fun Day
 - 24th August – Binfield Family Fun Day
- 11.4 The Policy and Governance Principal Officer continues to work closely with West Berkshire and Bracknell Forest communication teams and liaises with them on a regular basis regarding our campaigns. For example, the Water Safety Partnership in West Berkshire and Bracknell and the anti-fly tipping campaigns in Bracknell Forest. 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.
- 11.5 The Lead Officer – Crime Prevention and Health retired during Q2 and a new member of the team commenced in role in August, taking forward aspects of community health work. Despite this change in staffing a significant amount of work has been undertaken to support health harm reduction during this quarter.
- 11.6 Owing to the school summer holidays falling during Q2 and the beginning of the new school year, no schools' performances were undertaken, nevertheless since the start

of the new academic year, schools have been keen to book in presentations, especially in respect of vaping, to be delivered in the coming months. The schools attitudinal survey in regard to smoking, vaping and alcohol use was conducted in July. The 2365 responses were analysed, and findings report published in September. The report highlights the reduction in smoking amongst children, however a significant increase in vaping.

- 11.7 In July, the [Community Alcohol Partnership](#) expanded to cover the whole of West Berkshire. As a result of this, a project with Newbury College to reduce health harms associated with alcohol and substances amongst their students was started and a project within the Nightingales estate of Greenham is being set up. In addition, a Challenge 25 operation is being organised for the new year.
- 11.8 Two responsible retailer training sessions have been undertaken during Q2. In addition, a further football club joined the '[Smokefree Sidelines](#)' initiative running in conjunction with the Football Association to reduce smoking by adults when spectating at children's football matches.
- 11.9 The provision of five Scams awareness stands took place within West Berkshire, offering advice to members of the public and from these a number of investigations have been generated.
- 11.10 The service continues to support residents needing support through the [Support with Confidence scheme](#).
- 11.11 Thatcham Community Larder operates on a weekly basis, it currently has 75 members and not only provides food but also advice on various subjects such as housing, debt management, rogue traders, healthy eating, illegal money lending, fraud and scam prevention whilst also being a social hub.
- 11.12 The PPP were successful in bidding for grant funding from the Office of Product Safety Standards (OPSS) to [deliver free electric blanket and portable heater testing](#) across Bracknell, West Berkshire and Wokingham in October along with delivering presentations and safety advice on the safe use and storage of these items. We worked closely with our partners in the Royal Berkshire Fire and Rescue Service on this initiative. 18% of electric blankets tested failed safety requirements.

12. Community and Trading Standards (including Customer Services)

- 12.1 The following is a summary of some of the work undertaken by the Community and Trading Standards Team:
 - Over the last quarter officers undertaking food standards inspections have found issues with food products being sold past their use by date across food establishments. Mostly the products are only a day or two past the date and in small numbers and so are being dealt with by way of advice and warning notices on the day with re-visits planned over the coming weeks. Further breaches may lead to formal action.
 - A comprehensive food sampling programme is taking place this year. This quarter has seen officers' sample glazed meats (for illegal colours), chocolate desserts (for undeclared Soya) and frozen chicken (for excess undeclared water). Quarter 3 will see officers testing take away meals (for artificial colours),

fish and chips (for species and acrylamide) as well as following up any failures accordingly.

- Trading Standards Officers have been busy conducting a number of interviews under caution in relation to several non-compliant vapes seized during Operation Tanoak. Officers have also been test purchasing disposable vapes as part of a national project looking at market surveillance as part of Operation Joseph. This work is expected to continue until the end of December.
- In response to a cluster of product safety notifications for children's toys, several samples were purchased and sent to an independent test house to check that the products met recognised standards. Results are pending. In addition, Officers have received unusual service requests as part of business as usual. For example, a complaint relating to an unroadworthy horsebox, which will require examination, reports of repetitive offending for unsafe building work and several fraud scam reports which have been included in mid-year scams reports to colleagues within TVP.
- As part of general inspections over 40 explosives visits were undertaken on all premises registered to keep explosives (mainly fireworks) across the PPP area. Officers identified some minor issues relating to the conditions set by the licence around safe storage and quantity. Advice was provided to correct safe storage conditions, and licences varied to bring premises into compliance. This is an improvement on last year where two premises were found to have major breaches and were subsequently investigated for health and safety breaches.
- Visits concerning Animal Health and Animal Feed are ongoing. As part of the compliance checks being carried out, officers attended The Newbury Show in September, this being the first show since covid. The Team was pleased to note that there were no issues identified and officers were on hand throughout the event to provide advice to show organisers and stall holders as appropriate.
- Those same officers are also working with Animal and Plant Health Agency (APHA) and planning colleagues investigating a farm within the area who are dealing with fallen stock taken from other farms for processing without the correct authorisations or planning permissions in place.
- The trading standards service supported Thames Valley Police on a child sexual exploitation operation to look at sales of alcohol to minors as well as permitting minors to book hotel rooms with adults without suitable checks taking place.
- Nuisance complaints remain a significant element of service requests received by the team, and there are several ongoing investigations concerning noise from sources such as cockerels, domestic appliances, water pumps and human behaviour in addition to the usual nuisance of music. Quarter 2 produced around 200 domestic related complaints of this nature; most of which are dealt with through officer dialogue, but some result in abatement notices where the nuisance is considered to be an unreasonable interference with a neighbouring property.
- Officers have dealt with two hoarding and one high hedge case requiring action to enforce their notices in order to clear a substantial amount of material from premises to ensure harbourage of pests is removed. A long-standing high hedge complaint has now been resolved with the removal of the hedge.
- Overall, pest related service requests remain relatively static. Ordinarily, this type of complaint would affect one or two properties at a time. However, officers have been dealing with an infestation at a row of shops – this led to the closure

of a takeaway within that row, and a co-ordinated pest control effort was put in place to resolve the issue.

- Our dog warden work continues with the picking up of strays, and we are preparing for the changes in legislation relating to XL Bullies. We are already supporting responsible owners with any advice they might seek as we learn what these changes might look like. This issue has also opened up challenges the service has regarding kennelling facility availability and how we continually seek to house larger dogs we collect as strays. More to follow on how this change in the law might impact on day-to-day operations.

13. Commercial (Food Safety and Health and Safety)

13.1 During Quarter 2 the Team dealt with:

- 144 Food hygiene service requests;
- 108 Routine food hygiene inspections;
- 156 infectious disease notifications
- 69 Health and safety at work service requests
- 25 reported workplace accidents considered

13.2 Food hygiene cases of interest include three voluntary closures of restaurants/takeaways and service of a hygiene improvement notice at a takeaway for pest, waste and drainage issues.

13.3 Officers have investigated a minor electric shock sustained by a member of the public at a hospitality premises and investigation of hygiene and safety complaints at two nail bars.

13.4 Two Safety Advisory Groups have been held.

13.5 Health and safety visits have been carried out at 11 large public events including at Newbury Racecourse, Wasing Park and Englefield House.

13.6 In Q2 the team undertook a full review of safety management arrangements for 26 large scale events and 15 smaller events including currently operating Lapland UK and next year's D Day 80th anniversary event.

14. Licensing (Including Applications and Licensing Governance)

14.1 The service has managed to successfully recruit 1.5 additional licensing officers since the last JPPC meeting. This is still short of the three vacancies we were looking to fill. Work on recruiting to the remaining vacancies is ongoing following the late withdrawal of a successful candidate following the last recruitment activity.

14.2 Several taxi matters have been resolved including one about a private hire operator subcontracting work to Transport for London after their records were checked and a licence has been revoked after a driver was caught plying for hire without the appropriate licence. Another private hire drivers' licence was recently refused on the grounds that the person was not 'fit or proper'.

14.3 We have dealt successfully with a complaint regarding the unlicensed breeding of Colourbulls and have dealt with a complaint about an unlicensed dog breeder.

Working alongside the Thames Valley Dog unit some of the dogs were removed from the premises.

14.4 Officers have visited around 50 pubs and off licences over the summer carrying out compliance checks to ensure they are meeting the requirements of their licences.

14.5 The following licensing panel/subcommittee meetings have taken place in Q2:

Type of Application	Applicant	Outcome
Bracknell Forest		
None		
West Berkshire		
Application for a Premises Licence	Saptal Singh Madhan Racecourse Food & Wine	Approved with Conditions
Application for a Premises Licence	Nigel Hopes Awberry Barn, Awberry Farm	Adjourned
Two further meetings were cancelled as a result of the application being withdrawn or successful mediation after the agendas were published.		

14.6 During Q3 we have seen an increase in activity around licensing hearings. To date a further five hearings have been arranged in West Berkshire.

Type of Application	Applicant	Outcome
West Berkshire		
None		
New Premise Licence	Boxford Restaurant Ltd The Boxford, Roodhill, Boxford RG20 8DD	Approved with Conditions
New Premise Licence	Eng Retails Ltd Newbury Premier, 3 Monument Close, Essex Street, Newbury RG14 6QW	Approved with Conditions
New Premises Licence	Nigel Hopes Awberry Barn, Awberry Farm Beenham	Hearing scheduled on the 8 th December 2023
New Premise Licence	Let's Eat Trading Ltd Coriander Club, 98 Royal Avenue, Calcot, Reading, Berkshire, RG31 4UT	Hearing scheduled for 13 th December 2023
New Premise Licence	Reloaded Nightclub 7-9 Wharf Road Newbury	Hearing scheduled for 03 January 2024

Licensing Hearings Data for last three years.			
Authority	2021/22	2022/23	2023/24

Bracknell Forest	0	2	0 to date
West Berkshire	6	0 (2 cancelled after agenda publication)	7 to date (with a further 5 cancelled or adjourned after agenda publication)

15. Environment Health Housing

- 15.1 The annual caravan site inspection programme is ongoing. Officers continue to review and monitor sites under the [‘fit and proper person\(s\) regulations’](#). Site licence conditions are also reviewed to ensure sites are safe and risk-free for residents. Two officers are currently being trained to assist with the inspection programme and investigation of complaints.
- 15.2 Following the execution of a warrant earlier in the year the service secured a conviction under the Caravan Sites and Control of Development Act 1960 for operating a regulated site without a licence. The site also did not have planning permission.
- 15.3 The team have secured evidence against the operator of a House of Multiple Occupancy (HMO) with a trial planned in Q4.
- 15.4 Work continues with the Commercial to Residential Conversion Project. All inspections are carried out jointly with the Royal Berkshire Fire and Rescue Service. The project has identified a number of issues including, but not limited to, compartmentation, excess heat, water ingress into residential flats due to faulty/poorly maintained roofing. A report will be produced for the Committee on findings once the project is completed.
- 15.5 ‘Homes for Ukraine’ inspections have slowed down significantly. The team have carried out inspections on properties proposed as asylum accommodation. One of these properties put forward has proved to be unsuitable due to an excess heat hazard experienced during the summer months.
- 15.6 The service provided advice as part of a corporate response by Bracknell to proposed temporary asylum accommodation.
- 15.7 The service is responding to an increase in the number of complaints from tenants in social housing. Disrepair varies but often includes faulty leaking roof/guttering, resulting in damp and mould. These are often complex with a breakdown in the relationship between landlord and tenant.
- 15.8 As before, the team have experienced an increase in the need to progress cases to enforcement. Landlords are sharing cases of hardship due to the cost of living and rise in mortgage rates. The trend in disrepair being higher cost repair works such as roofing, central heating and building maintenance.

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 inspections and responding to complaints particularly from noise from pubs this quarter. Some key activity undertaken during Q2 included:

- Noise monitoring of seven events took place.
- Officers attended two planning committee meetings for West Berkshire to provide specific noise and contaminated land advice.
- Officers served two Private Water Supply Notices due to the presence of E Coli.
- The number of complaints from pubs was higher than expected over the summer months.
- The Air Quality Annual Status Reports feedback has been received Local Authorities which recommend that some of the Air Quality Management Areas are revoked (see separate agenda item at this meeting).
- A review of the anti-idling behavioural change project has resulted in a recommendation that the project be extended and that this work will be carried out in Q3.
- 2023/24 DEFRA Air Quality Grant application submitted on behalf of the three Local Authorities for a domestic burning behavioural change project.
- Members of the team have been involved with a West Berkshire emergency planning exercise and attended the Bracknell Forest climate change summit.
- Members of the team have kept up to date with CIEH annual noise conference, DEFRA Air Quality symposium, DWI Private Water Supply updates, changes to the Planning and Commercial Kitchen Guidance, and Institute of Lighting guidance on lighting.

17. Emerging Issues - Dog Kennelling Provision

17.1 Local Authorities have a duty to take ownership of stray dogs for up to seven days whilst looking to reunite them with their owners. These stray dogs have to be homed in properly built and supervised kennels. The provision of these facilities is challenging as most kennels do not wish to house dogs with no medical history, no previous knowledge of temperament or those that exhibit aggressive behaviours with either other dogs or dog handlers. These dogs also have to be kept in isolation which means that the provision takes up more space.

17.2 In addition, there can also be security risks associated with alleged owners turning up unannounced which many kennels are not properly equipped to deal with. As a result, competition for these spaces amongst local authorities is high.

17.3 The expected changes to the dangerous dogs act 1991 to increase the scope of banned breeds and changing market demands has resulted in our regular kennelling providers ceasing to take in aggressive dogs, larger dogs, or dogs of a certain type (XL bully's, or other banned breeds) with immediate effect.

- 17.4 Having reviewed a number of local and regional kennelling providers, the closest (and only) provider identified as currently accepting kennelling for the type of dogs listed above is based in Surrey.
- 17.5 The provider has informed us that the cost of this space will be an annual charge of between £10k and £30k depending on factors such as whether sharing arrangements can be agreed with neighbouring authorities. In 2022 the kennelling costs arrangements totalled circa £10k for PPP for all types of dogs. Costs can vary between £15 and £20 per night depending on which kennel is used, and whether longer stays are required.
- 17.6 The number of large dogs which would be 'banned' from the ordinary kennelling provision comprises around 28% of the total number (99) housed since January 2023 by the PPP to date. Where dogs are not able to be rehomed and cannot be reunited with their owners it can be necessary in some situations to euthanise them. This procedure costs around £600 per dog. It is unlikely that banned breeds collected after December 31st 2023 will have much opportunity of being rehomed.
- 17.7 Where dogs are reunited with their owners the costs are ordinarily sought to be recovered from the owner. Given the profile of the ownership of these animals this is not always achievable.
- 17.8 The service will therefore need to find alternative space for larger dogs, possible banned dogs and possibly all other dogs collected as strays given the shortage of kennelling available. As indicated above this is likely to result in increased costs to the service. Officers are currently looking into options to reduce costs as far as is practicably possible. Given the emotive nature of this subject, the current legislative changes that are being proposed and the current media interest in this area of our work it was felt appropriate to keep the Committee informed about progress.

18. Governance

- 18.1 The [Fee and Food Standards Controls Service Plan 2023-24](#) and the [Food Hygiene Enforcement Service Plan 2023-24](#) were considered by the Joint Management Board where they were agreed, adopted and published in October 2023.
- 18.2 Further discussions have taken place with Wokingham about how we can involve Wokingham Members more in aspects of the services shared with Bracknell and West Berkshire.
- 18.3 The Service Lead for Public Protection continues to lead on the Cost of Living response for West Berkshire Council.

19. Investigations and Case Management

- 19.4 The Case Management Unit continues to be busy working on cases and providing advice across PPP and also to partner organisations. Currently the team have oversight of some fifty 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.

- 19.5 The National Crime Agency Accredited Financial Investigators currently have conducted fifteen investigations relating to money laundering and confiscation under the Proceeds of Crime Act 2002.
- 19.6 The Investigations Team have 15 ongoing investigations involving a significant number of suspects.
- 19.7 The team also educate and assist companies that do not comply fully with legislation. In the last three months three companies have agreed to comply with the legislation in future.
- 19.8 In terms of the Case Management Unit cases are continuing to be heard in both the Magistrates Court and the Crown Court however significant delays are still being encountered with trial listings in the Crown Court. Some recent case examples are below –

1. Fraudulent builder sentenced to 4 years and three months immediate custodial sentence after pleading guilty to three offences of fraudulent trading contrary to section 993 (1) of the Companies Act 2006. This case concerned a number of consumers who had contracted with the defendant in relation to building work. Large deposits were taken with further demands for additional payments being made due to 'unforeseen issues'. If the amounts were not paid the defendant threatened to leave the job unfinished, a threat that was carried out on numerous occasions, leaving a large amount of work unfinished. In addition to the custodial sentence an amount of £58,000 was recovered in compensation for the consumers.
2. Fraudulent Builder sentenced to 40 months imprisonment after defrauding a Wokingham couple aged 89 and 91. Over a period of approximately three months, paid the defendant in excess of £43,500 for works they had not commissioned, and which were, in the main, unnecessary, vastly overpriced and completed to an extremely poor standard.
3. Locksmith company convicted of overcharging consumers – the company were fined £6000 and ordered to pay £1881.40 in compensations and £6206.80 towards the prosecution costs.
4. Resident convicted of trademark offences after the Public Protection Partnership were informed that multiple pallet loads of potentially counterfeit clothing, including T shirts, polo shirts, tracksuits, jeans, trousers, shirts, and dresses were at a storage facility in Hampshire, and that the owner of the goods was a company based in West Berkshire. The items were branded with trademarks such as Tommy Hilfiger, G-Star, Ralph Lauren, Diesel, and Levi.

Officers attended the storage facility and seized the items. The entire shipment composed of 10 pallets. The officer then liaised with the relevant trademark holders who confirmed the items which were counterfeit. Neither the Company or its director had been authorised or permitted to use, sell, or distribute goods bearing the trademarks.

The company and its director appeared before Reading Crown Court and the director was sentenced to 14 months imprisonment, suspended for 18 months,

with 150 hours of unpaid work requirement, and 40 days of Rehabilitation Activity Requirement to be undertaken with probation. The same applied to the other 6 offences to run concurrently. Proceedings under the proceeds of crime act are ongoing.

Appendices

APPENDIX A – 2023/24 Performance Framework

APPENDIX B – Q2 Communications Update

APPENDIX C - Service Compliments

Background Papers:

None

Subject to Call-In:

Yes: No:

The report is to note only.

Wards affected: All Wards

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