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

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

1. Purpose of the Report

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

2. Recommendations

The Committee:

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

3. Implications and Impact Assessment

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

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

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

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

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

4. Executive Summary

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

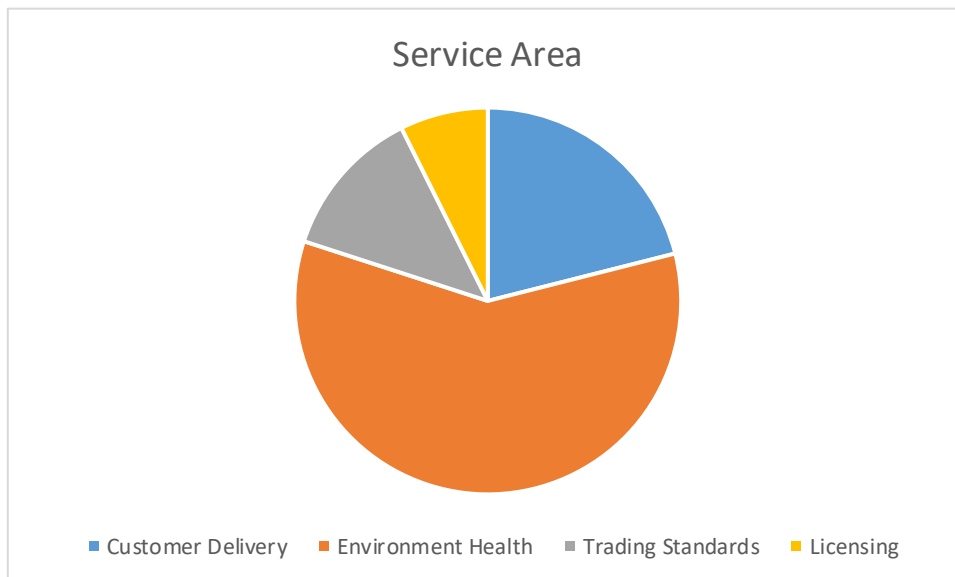
5. Finances and Resources

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

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

6. Customer Satisfaction Rates and Information Governance Data

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



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

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

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

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

7. Human Resources

- 7.1 The Service has, since the March 2024 JPPC meeting, been successful in recruiting to a number of vacancies including:
- Recruitment to both of the two vacant Licensing Officer Positions;
 - Two Licensing Applications Officers have joined the Service;
 - The vacant Lead Licensing Officer post has been filled;
 - One of the two vacant roles in the private sector housing team has been appointed to and the other is currently being recruited to;
 - An Envirocrime Officer has been appointed.

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

8. ICT Update

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

9. Property and Assets

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

10. Communication, Consultation and Engagement

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

11. Community and Trading Standards

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

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

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

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

12. Commercial (Food Safety and Health and Safety)

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

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

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

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

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

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

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

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

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

13. Licensing (Including Applications and Licensing Governance)

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

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

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

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

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

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

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

14. Environment Health Housing

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

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

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

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

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

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

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

Commercial to Residential (C2R) Conversion Project

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

15. Environmental Quality

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

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

16. Investigations and Case Management

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

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

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

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

17. Looking Ahead

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

18. Appendices

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

19. Background Papers:

- 19.1 Previous quarterly reports

Subject to Call-In:

Yes: No:

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- 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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