
Public Protection Partnership Service Update and Q2 2021/22 Performance Report and Covid19 Response

Committee considering report:	Joint Public Protection Committee
Date of Committee:	13 December 2021
Chair of Committee:	John Harrison
Date JMB agreed report:	22 November 2021
Report Author:	Sean Murphy
Forward Plan Ref:	JPPC4070

1. Purpose of the Report

- 1.1 To inform the Committee of the current performance of the Public Protection Partnership in line with the operating model and business plan, provide an update on the work of the Case Management Unit and communication activity and inform Members about the Service's ongoing response to the Covid19 pandemic.
- 1.2 To inform the Committee about any current activity within the Service.

2. Recommendations

That the Committee:

- **NOTES** the 2021/22 Q2 performance for the Public Protection Service.
- **CONSIDERS** any actions for areas of improvement for the service.
- **NOTES** the role the Public Protection Service are playing across the Councils with respect to Covid19 response.

3. Implications and Impact Assessment

Implication	Commentary
Financial:	<p>The service continues to receive additional grant funding to support its response to the ongoing pandemic. This year that is currently projected to be in the order of £255K of additional funding to support work around business advice, local tracing, outbreak management and investigation and events as well as support for various licence holders through the engagement of the licensing liaison officers.</p> <p>As at the end of October 2021 Officers are predicting an underspend of circa £50k which is largely due to staff redeployed to grant funded work and the difficulty recruiting</p>

	professionally qualified agency staff combined with maintaining vacancies to mitigate risks associated with the Wokingham exit.
Human Resource:	<p>There are no direct personnel implications arising from this paper.</p> <p>The Joint Management Board continues to review staff vacancies and appointments at its biweekly meetings.</p>
Legal:	<p>There are no direct legal implications arising from this report. The Inter-Authority Agreement charges the Joint Public Protection Committee with the responsibility to oversee service delivery and performance including financial performance. This report addresses this responsibility.</p> <p>With respect to Covid19 the Service is the primary enforcement body for all three councils with respect to legal controls regulating businesses and events.</p>
Risk Management:	<p>We will continue to manage risk in line with the prevailing situation and corporate policies. The risk register is regularly scrutinised by the Joint Management Board (JMB) which meets fortnightly. The JMB considers the red risk action plans at these meetings. The service maintains both a Strategic and Operational Risk Register.</p> <p>In terms of operational delivery risks, the most significant risk arises from the decision by Wokingham Borough Council to leave the shared service arrangement. These risks are being managed by the parties as part of the disaggregation process and the Committee received a report at the special meeting held on the 01 November 2021 on progress with respect to this matter.</p> <p>The other areas of significant risk relate to service recovery should we see the re-imposition of business restrictions following the Step 4 easing on the 19 July 2021 and the recent emergence of new strains of the Covid virus.</p> <p>The service is also ensuring it maintains a watch over the prevalence of sickness within the service, and/or family members which may require action to ensure any service disruption is minimised through its business continuity planning.</p>
Property:	There are no direct property implications arising from this report.
Policy:	<p>There are no direct policy implications arising from this paper. It should be noted that the Inter-Authority Agreement (IAA) places a responsibility on the Joint Public Protection Committee (JPPC) to determine service policies and priorities and also to maintain oversight of performance. An update on the Delivery Plan against the agreed objectives is included as an agenda item at this meeting.</p> <p>This report addresses that requirement by setting out the current performance levels and the approach to ongoing service recovery.</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?		X		No implications
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		X		No implications
Environmental Impact:	X			There has been an unquantifiable environmental impact from the new service arrangements as travel has been significantly reduced. Longer term it is anticipated that this impact will be maintained as new ways of working are embedded in service delivery.
Health Impact:	X			The proposals create no direct health impacts on staff. They do however set out community based health protection measures.
ICT or Digital Services Impact:	X			<p>The use of ICT on service delivery has been transformational. Telephone conferencing, MS Teams and Zoom have all been employed in the day today running of the service.</p> <p>Following the expiry of the emergency Coronavirus regulations that permitted remote meetings, Council's decision making public meetings must now take place in person at a single, specified, geographical location, with a physical presence at that location. This has led to the introduction of hybrid meetings with decision makers being present in the physical venue while still permitting other attendees to join remotely.</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.
PPP Priorities :	X		These set out how the Service has maximised the use of resource to deliver against the JPPC priorities particularly around health protection, protection of vulnerable people and environmental protection on a risk led basis. The priority relating to effective and efficient service delivery has been at the core of arrangements.
Data Impact:		X	None
Consultation and Engagement:	There is regular engagement with staff as well as senior officer and Member briefings in each of the three authorities that form the PPP.		

4. Executive Summary

- 4.1 The Committee is mandated by the Inter-Authority Agreement (IAA) to keep under review the Performance of the Public Protection Service. Throughout the year the Committee will receive updates on aspects of performance and any additional workload resulting from the impact of the Covid19 pandemic.
- 4.2 The Committee will also receive an update on the Service Recovery Programme which is under constant review as the impact of Covid19 on demand varies with prevailing infection rates and controls.

5. 2021/22 Quarter 2 (July to September) Performance Summary

- 5.1 This report shows progress against key strategic areas of the business; Finance, HR, ICT, Property, Legal and Risk. The Quarter 2 measures of volume summary can be found at Appendix A to this report.

Finance

- 5.2 At the 14 June 2021 meeting Members agreed to carry forward the £198K underspend identified at year end into the 2021/22 financial year. It was envisaged this will be used to assist with additional staff for recovery in 2021/22 and to provide a buffer for any income shortfall around licensing.
- 5.3 With respect to the Covid19 response for 2021/22 grant support has been secured in the order of £250K to cover compliance, outbreaks, local contact tracing and events and gatherings assessment and compliance.
- 5.4 As at the end of September 2021 the Service is predicting an under-spend of circa £50K which is largely due to staff redeployed to grant funded work and the difficulty recruiting professionally qualified agency staff combined with maintaining vacancies to mitigate risks associated with the Wokingham exit.

5.5 As the Committee is aware the Service received a grant of £259K for a two year air quality project with aims of engaging the public with a view to reducing vehicle emissions and the monitoring of PM2.5 across the PPP areas. The Project Officer is now in post and delivering and the PM 2.5 monitors will be rolled out in the new year following a tendering process.

Human Resources:

5.6 The key staffing updates are:

- The Service currently has a number of funded vacancies. It has been agreed that these vacancies will be considered on a case by case basis pending the exit of Wokingham Borough Council from the Partnership in order to minimise the financial risk for all parties.
- In Q2 the recruitment for the Air Quality Project Officer took place
- The ongoing work associated with the Covid pandemic has meant that a number of Officers have had to undertake a significant number of out of hours shift (circa 4000 hours in 2020/21). This will need to continue (for both local contact tracing and outbreaks and business recovery / catch-up on BAU) for the foreseeable future.
- There are a number of temporary staff currently engaged by the service. These are either grant funded for Covid19 response including events, Covid health and safety, local contact tracing, licensed sectors support, isolation support calls (West Berkshire) and events. There are also additional temporary staff covering vacancies / recovery in a range of areas including food safety, investigations, EQ planning work, case management, licensing and management support. In quarter 2 the Team Manager for Partnership Support left and this is now being covered off through interim arrangements with applications team transferring to the licensing team. More recently one Strategic Manager (0.5FTE) left their substantive roll but is providing 10 hours a month support for the One System Project which concludes in February.

ICT

5.7 Good progress continues to be made with the implementation of the One System Project. There has been a slight issue with the provider not being able to migrate the data as planned in October which has meant that the go live date is now the 24th February 2022. The suppliers have resolved the technical issue and the data has now been migrated. Data testing by the project team and business champions was due to start in late November.

It has been recognised that the One System Project has been particularly impacted by Covid workload and vacancies. In recognition of this, extra capital funding has been allocated to the project to purchase extra consultancy days and to deliver officer training.

Property

5.8 The key property highlights are as follows:

- Both Bracknell Forest and West Berkshire Councils are currently developing their post pandemic office and working arrangements. The service is effectively operating from its office in Theale which has recently been updated.

- In line with the recommendations of the Service Review in 2018 the PPP will look to centralise at Theale with service delivery points in Bracknell and Newbury once Wokingham have left the Partnership.
- Wokingham have now reduced their footprint for the PPP to eight desks.
- Desk booking systems are in operation in West Berkshire for both the Theale and Market Street Offices.
- Bracknell Offices have been reconfigured and the team is still located on the third floor albeit that the footprint of the team has been reduced.

Legal

- 5.9 The most significant piece of legal work the service is engaged in relates to the disaggregation of the Service following the decision by Wokingham to leave the Partnership.
- 5.10 The latest version of the Exit Plan outlines the method by which liabilities will be determined. Currently there is not agreement on the financial and legal implications of the exit.
- 5.11 Financial liabilities have been reduced significantly due to the effective mitigation measures put in place i.e. the expressions of interest process, holding of vacant posts and proposed growth bids to tackle priority areas.
- 5.12 The project remains on track for delivery of two new structures by 01 April 2022.

Risk Management

- 5.13 The Committee is asked to note that:
- The Joint Management Board which meets fortnightly, maintains both a Strategic and an Operational Risk Register which is reviewed during these meetings.
 - In terms of operational delivery risks the most significant risk arises from the decision by Wokingham Borough Council to leave the shared service arrangement.
 - The other areas of significant risk relate to service recovery should we see the re-imposition of business restrictions following the Step 4 easing on the 19 July 2021 and the recent emergence of new strains of the Covid virus.

6. Q2 Performance Update

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

Communication and Engagement

- 132 Facebook posts were generated during Q2 reaching 125, 856 people. The top three posts were about varied activity this time '3 important changes to Covid Regulations', 'Fraud Alert in Bradfield Southend' and 'Tesco fined for out of date food'.
- Q2 saw 30 new twitter followers of the PPP account, 21,154 impressions were generated by the 34 tweets put out. Top three tweets differed from the

Facebook activity and related to 'Loft Insulation Scam', 'Unlicensed Puppy Breeders' and 'Courier Fraud Alert'.

- The PPP webpages were viewed 42,339 times during Quarter 2.
- A free webinar for tobacco retailers was held on the 29th September 2021.

Community and Trading Standards (including Customer Services)

- The Team are currently producing materials and undertaking presentations online relating to the dangers of illegal tobacco and alcohol reduction work with partners across public health and other services, such as housing associations and trader groups.
- One example of this work is that the team are working with housing associations on Smoke Free Homes, a booklet has been devised and is being sent out to new tenants to raise the awareness of the harms associated with smoking, and second-hand smoke. The Team is also taking proactive steps on the initiative for 'smoke free side lines' and creating agreements with 30 clubs to promote smoke free matches.
- Undertaken 13 schools presentations to date, and Last Orders performances provided into 12 schools (around 3600 pupils) all designed to raise awareness of the dangers of excessive and under age alcohol consumption.
- Enforcement officers have visited to 16 car trader premises with the RAC, and examined 46 vehicles, and associated paperwork. One safety issue was found and the vehicle removed from sale. Any minor issues found were reported to traders, who were given full advice on law regarding car trading and consumer rights.
- Supporting air quality reduction and road safety, 60 overweight vehicle checks were carried out between June and September, with 54 breaches. The introduction of checks within the Bracknell area started in September, meaning all three authorities have enforcement activity in this area.
- Proactive door step crime patrols have started in Q2. Thirteen patrols involving two or three officers have taken place. In addition, officers are involved in work alongside Thames Valley Police and community teams are engaged in community liaison work.
- Service requests remain broadly in line with previous years, except for bonfire complaints which have now started to decrease. The overall number of reactive service requests handled by the team during quarter 2 was around 3500. Of particular note are successful resolutions for high hedge disputes, drainage complaints, noise control, accumulations and pest infestations.
- The team continue to work with vulnerable residents of the community, and were instrumental in concluded two major clear-ups.
- Officers and mediation partners successfully resolved complex and long drawn out disputes across the service.
- The Animal Warden's retained their gold footprint awarded by the RSPCA, and carried out a successful poster campaign with local schools to highlighting dog fouling.
- The trading standards team have been helping takeaway food retailers implement Natasha's law on the labelling of allergens on food pre-packed for direct sale. On-line training sessions are planned.

Commercial (Food Safety and Health and Safety)

- The team had to delay the start of the food safety inspection programme as a result of the extension of Covid Step 3 restrictions and the need to continue with Covid work. The recovery plan for food hygiene inspection work is now underway but has been hampered by the recent loss of two Environmental Health Officers; difficulty recruiting temporary staff and an increase of reactive work in the subject area. Officers from this team are still dealing with Covid work.
- The Food and Feed Service Plan for 2021 22 was presented at the 01 November JPPC. This highlighted the work carried out in the previous inspection year, and the work plan for the year we are in. It was agreed by JPPC.
- We are working on the unrated premises list, these are the new food businesses that register with us. Under normal circumstances these have an inspection visit carried out with 28 days. Due to the pandemic many were not able to be visited and we are now carrying out a data cleansing exercise to see which are still open and their risk in terms of food hygiene which will determine the priority of inspection. It was noted that a third of food premises opened (or changed operation to a significant extent) during the pandemic.

Licensing (Including Applications and Licensing Governance)

- Revised Hackney Carriage Tariffs were consulted on during Q2 in West Berkshire. The consultation has now been concluded and the outcome taken to the 18 November 2021 Executive meeting for final determination and an Implementation date of the 19 November 2021 was agreed.
- In addition the revised Statement of Gambling Principles were consulted on in all three authorities. The outcomes of those consultation has been taken to the various Licensing Committees prior to being signed off in accordance with the constitutional requirements of each individual authority and will be ready for publication by the end of January 2022.
- The Taxi and Private Hire Liaison Groups have continued to meet and are starting to improve the relationship between the authorities and the trade.
- The Applications Team has been merged with the Licensing Operations function as a result of changes to Partnership Support.
- Licensing Liaison Officers have been working across the Authorities as the first point of contact for the trade-hospitality and taxi/private hire answering queries or feeding these back to obtain answers as well as checking statutory notices, assisting in monitoring events, and will continue to do this until the end March 2022.
- Licensing application numbers are slowly beginning to increase but it is still early days following the lockdowns in the pandemic to see if this will continue and if so in what numbers.
- A major joint initiative with Thames Valley Police and Community Safety partners is planned to look to reduce the risk of harm to people through drink spiking and a range of other risk areas.
- The following licensing panel meetings have taken place in quarter 2:

Bracknell Forest		
Type of Application	Premise	Outcome
None		
West Berkshire		
Premise Licence	3 Market Place, Lambourn, RG17 8XU	Licence Granted
Premise License	The Breeze Drinks Company Ltd, Hawkridge House, Hawkridge Hill, Frilsham, RG18 9XA	Licence Granted
Wokingham		
Review of Premise Licence	BB Wines, 23 Broad Street, Wokingham RG40 1AU	Licence Revoked

Private Sector Housing

- The private sector housing team are currently involved in a number of inspections relating to buildings that have been converted from office accommodation into domestic residential accommodation. This type of conversion has steadily increased over time. The team are looking specifically at assessing the suitability of the conversion to ensure the accommodation is safe and provides suitable living conditions for those in the private rented sector. On a proactive level we are also working with Building Control and with the Royal Berkshire Fire and Rescue Service on these premises.

The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 introduce a fit and proper person test for mobile home site owners or the person appointed to manage the site. The purpose of the fit and proper person test is to improve the standards of park home site management. Officers have been working with the sector to ensure that applications are made, and are processing the applications prior to putting onto the register.

Environmental Quality

- During the summer months the number of reactive service requests showed its usual increase and requests were mainly focussed around noise, lighting and odour. The increase in noise complaints was also seen due to the re-opening of commercial premises, such as pubs, and events taking place, from mid-July. Reactive monitoring of complaints has taken place out of hours as well as proactive monitoring of events.
- The team continue to deal with an increase in complex and/or high profile nuisance cases. Abatement notices have been served, breaches investigated and ensuing Licensing Reviews to be attended in Q3.
- Private Water Supply Risk Assessment work is progressing well as well as re-risk assessments. Training of a team member in sampling work took place and accreditation training booked for Q3.
- Pollution Prevention and Control compliance inspection programme commenced at the end of Q2. During 2021/22 all 73 processes require inspection due to the risk based approach that has been adopted.

- We continued to use agency staff to assist the team with some Development Control application work.
- Appraisals for two of the three Annual Status Reports were received, praising the air quality work carried out. The report for Bracknell is still awaited and will be brought to Committee once it's received. As was reported at the last JPPC meeting this is due to administrative processes at DEFRA and is not an indication that there are any issues anticipated with the report itself.
- The Defra funded air quality project is now underway and the project officer started in Q2. The PM2.5 monitoring is currently subject to the tender process and will begin in Q3.
- The Project officer has attended both the Bracknell and West Berkshire Taxi Liaison meetings to discuss the anti-idling campaign with the trade. The presentations were well received.

Joint Case Management Unit (CMU)

- The unit continues to be busy working across PPP, Oxfordshire Trading Standards & Fire Service and Royal Berkshire Fire and Rescue Service.
- The CMU team have recently delivered training at the request of Oxfordshire Fire Service for officers involved in enforcement work covering topics such as evidence gathering and investigations and case file building. A second day of training is planned in the New Year.
- A review of the documents and procedures used by investigators and the CMU team is still ongoing. Once this is complete all documentation will be brought up to date with a uniform set of documents to be used on all case files.

Recent cases –

West Berks – Following a lengthy investigation, guilty pleas were entered to money laundering offences on the second day of a trial at Reading Crown Court. This case relates to money laundering following numerous potential offences of 'advance fee' fraud committed against elderly victims during a five-year period, starting in 2011. A further defendant had already entered guilty pleas to the charges against him and both will now be sentenced in December 2021.

Wokingham trader entered a guilty plea in relation to one offence contrary to the Business Protection from Misleading Marketing Regulations 2008 following the sale of a mis-described transit van. The van was advertised for sale as being 'in optimum condition and ready to go straight to work' when in fact it had several defects and had noted on the receipt 'for spares or repairs'. The defendant was fined £300, ordered to pay compensation of £1650 and costs of £4899.

Wokingham trader entered guilty pleas to offences under the Consumer Protection from Unfair Trading Regulations 2008 in relation to building work carried out at the home of a vulnerable consumer in Lower Early. The amount charged by the trader in relation to the work carried out was said to be excessive, it was charged twice in some circumstances, and certain work was unnecessary. The actual work undertaken was not to a professional standard. The defendant is due to be sentenced at Reading Crown Court in December 2021.

Bracknell dog owner convicted at Reading Magistrates Court after being found guilty in her absence of two offences for failing to microchip a dog properly and one offence concerning the dog straying without a collar. The defendant was fined £250 for the 1st

microchipping offence, £350 for the 2nd microchipping offence and £400 for the dog having no collar together with a victim's surcharge of £100, a contribution towards prosecution costs of £600 and the cost of recovering, kennelling and reuniting dog and owner totalling £178.

The financial investigators are supporting a number of significant fraud and unfair trading investigators for both PPP and Reading BC Trading Standards in accordance with the shared arrangement with RBC. This includes money laundering and confiscation matters.

7. Covid Response and Impact on Service Delivery

- 7.1 Most legislative controls were removed as we entered step four. A whole range of guidance was issued to assist businesses and employers comply with wider Health and Safety at Work obligations relating to Covid.
- 7.2 In the last few months Covid work has been focussed on a number of areas. Firstly the survey monitors all workplace cases reported to it including schools, care settings other work places. It also looks in detail at data from the national test and trace system looking for common exposure points which help focus advisory / compliance visits. As required we attend IMT meetings to help manage outbreaks.
- 7.3 The Service continues to carry out a seven day local contact tracing service for West Berkshire and weekend contact tracing services for Bracknell and Wokingham. This has been particularly challenging following the sharp rise in cases as restrictions were lifted and schools returned. We also had the challenge of the well documented problems at one of the national PCR testing labs which led to a sharp increase in cases in West Berkshire and an increase in Wokingham and Bracknell. This led to a three fold increase in local tracing cases over a short period of time. This have fallen back but levels of cases for local tracing remain high compared to historical trends. Also in this area we manage the community hub service for West Berkshire and conduct self-isolation welfare calls.
- 7.4 In the last few months there have been a number of facilities set up for Afghan arrivals and temporary migrant accommodation. We have visited all settings to look at Covid controls and for health and safety purposes.
- 7.5 The final significant area of work has been events and gatherings. At the time of writing the service has considered over 280 event plans and risk assessments since April 2021 and the total number of events is set to exceed 300 this year. This has been a significant undertaking from working with organisers on safety and covid risk management to officers attending events to ensure plans and assessments are being complied with. These have ranged from outdoor arts and sports events to Remembrance events and forthcoming Christmas events including Lapland UK.
- 7.6 Looking forward we are planning for Plan B and are leading on a cross-Berkshire implementation plan for compliance work should Plan B become necessary. In the meantime we are encouraging event organisers that may be effected to plan accordingly.
- 7.7 This continues to have an impact on Service Delivery but we have managed the level of disruption the nest we can using temporary and agency staff funded through Covid grants to the Councils. We hope to return more PPP resource to business as usual but

this very much depends on rates of infection and government policy re: measures and Plan B.

8. Concluding Observations

- 8.1 This has been another busy period where a large volume of programmes and reactive work have been delivered against the backdrop of vacancies and the Wokingham departure related issues. We have been well supported by the partner Councils with access to grant funding.
- 8.2 The Committee is asked to accept the recommendations at 2.1 to 2.4 above.

9. Appendices

APPENDIX A – 2021/22 Measures of Volume Summary

APPENDIX B – PPP Digital Update up until September 2021

10. Background Papers

None

Wards affected: All wards

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