

WORCESTERSHIRE DISTRICT COUNCILS AND COUNTY COUNCIL

WORCESTERSHIRE REGULATORY SERVICES

MEETING OF THE WORCESTERSHIRE SHARED SERVICES JOINT COMMITTEE

THURSDAY 25TH JUNE 2015 AT 4.30 P.M.

COUNCIL CHAMBER, THE COUNCIL HOUSE, BURCOT LANE, BROMSGROVE

MEMBERS: Bromsgrove District Council: To be confirmed
Bromsgrove District Council: To be confirmed
Malvern Hills District Council: Councillor B. Behan
Malvern Hills District Council: Councillor D. Chambers
Redditch Borough Council: Councillor J. Fisher
Redditch Borough Council: Councillor B. Clayton
Worcester City Council: Councillor M. Johnson
Worcester City Council: Councillor A. Roberts
Worcestershire County Council: Councillor L. Hodgson
Worcestershire County Council: Councillor A. Blagg
Wychavon District Council: Councillor R. Davis
Wychavon District Council: Councillor E. Stokes
Wyre Forest District Council: Councillor S. Chambers
Wyre Forest District Council Councillor M. Hart (substituting for
Councillor S. Chambers)
Wyre Forest District Council: Councillor J. Hart

AGENDA

1. Election of Chairman
2. Election of Vice-Chairman
3. Apologies for absence and notification of substitutes
4. Declarations of Interest

To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.
5. To confirm the accuracy of the minutes of the meeting of the Worcestershire Shared Services Joint Committee held on 19th February 2015 (Pages 1 - 10)

6. Future Arrangements for Worcestershire Shared Services Joint Committee and Worcestershire Regulatory Services (Pages 11 - 28)
7. Worcestershire Regulatory Services Revenue Monitoring April - March 2015 and Annual Return (Pages 29 - 44)
8. Worcestershire Regulatory Services Annual Report (Pages 45 - 90)
9. Activity and Performance Data - Quarters 1, 2, 3 and 4, 2014/2015 (Pages 91 - 120)
10. Accommodation and ICT Hosting Relocation Update (Pages 121 - 122)
11. Home Office - Code of Practice on the Exercise Powers of entry (Pages 123 - 132)
12. To consider any other business, details of which have been notified to the Head of Legal, Equalities and Democratic Services prior to the commencement of the meeting and which the Chairman considers to be of so urgent a nature that it cannot wait until the next meeting

K. DICKS
Chief Executive

The Council House
Burcot Lane
BROMSGROVE
Worcestershire
B60 1AA

16th June 2015

WORCESTERSHIRE DISTRICT COUNCILS AND COUNTY COUNCIL

WORCESTERSHIRE REGULATORY SERVICES

MEETING OF THE WORCESTERSHIRE SHARED SERVICES JOINT COMMITTEE

THURSDAY 19TH FEBRUARY 2015 AT 4.30 P.M.

PRESENT: Councillors M. A. Bullivant (Chairman), Mrs. B. Behan (Vice-Chairman), R. L. Dent, D. Hughes, J. Fisher, B. Clayton, D. Wilkinson, A. Roberts, Mrs. L. Hodgson, A. N. Blagg, R. Davis, M. Hart and P. Harrison

Observers: Mrs. R. Mullen, Corporate Director, Service Delivery, Worcester City Council and Mr. V. Allison, Deputy Managing Director, Wychavon District Council

Invitees: Mr. I. Pumfrey, Chairman, Worcestershire Regulatory Services Management Board

Officers: Ms. C. Flanagan, Ms. S. Morgan, Mr. M. Kay, Mr. S. Wilkes and Mrs. P. Ross

34/14 **APOLOGIES**

An apology for absence was received from Councillor K. Jennings, Wychavon District Council.

35/14 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

36/14 **MINUTES**

The minutes of the meeting of the Worcestershire Shared Services Joint Committee held on 27th November 2014 were submitted.

RESOLVED that the minutes be approved as a correct record.

37/14 **APPOINTMENT OF ACTING HEAD OF WORCESTERSHIRE REGULATORY SERVICES**

The Committee considered a report that provided information on the vacant post of Head of Service, Worcestershire Regulatory Services (WRS) and the intention of partner authorities not to recruit to this vacant post. Members were asked to consider the appointment of an 'Acting' Head of Service for WRS until a final decision on the future structure of WRS had been considered and agreed.

Mr. I. Pumfrey, Chairman, Worcestershire Regulatory Services (WRS) Management Board introduced the report and informed Members that the post of Head of Service, WRS became vacant on 31st January 2015 and that the WRS Partnership agreement delegated a number of functions directly to the Head of Service, WRS from partners authorities. It was therefore necessary that those delegated functions continued, pending a decision on the permanent appointment of a Head of Service, WRS, in order to demonstrate continuity of delegation, particularly in any enforcement action undertaken by WRS officers.

The report recommended that the Chairman of the WRS Management Board, as an experienced member of the Board with experience in regulatory services, be appointed as Acting Head of Service, WRS in order that the delegated functions continued until the potential new shape of WRS was agreed. It was not proposed to try and provide full time cover for the acting role as some of the workloads required to cover the vacancy would be best met by the two WRS Business Managers. It was anticipated that the acting role would require an input of around one day per week, although this would vary week on week depending on the exigencies of the service. Section 151 (s151) officers had been consulted on the proposals for an Acting Head of Service, WRS and were in agreement that the relevant partner council should be reimbursed in respect of the costs incurred in providing cover for the Head of Service functions. Those costs would be met from savings accrued from the vacant Head of Service, WRS post and would be reimbursed to the relevant partner council.

As highlighted in the report, following on from the unsuccessful outcome of the procurement for a strategic partnership there was now a need to develop and bring forward proposals to ensure the future sustainability of WRS. The view of both partner Chief Executives and the WRS Management Board was that recruitment of a new Head of Service, WRS should be delayed until these changes were agreed to ensure a correct skills match.

Mr. I. Pumfrey, Chairman, Worcestershire Regulatory Services (WRS) Management Board responded to Members' questions and highlighted that the Business Managers were highly regarded and had already taken on a substantial amount of additional work for the service; that it would be unfair to expect the Business Managers to shape a service and structure on which they may be competing, and that strategic management rationale was required. Members were reassured with regard to the rotation of the Chairman, WRS Management Board in June each year, that all of the WRS Management Board representatives had the necessary management skills required to fulfil the post of Acting Head of Service, WRS.

RESOLVED:

- a) that the intention of the partner authorities not to recruit to the vacant Head of Service, Worcestershire Regulatory Services post pending further consideration of the future direction and structure of the service, be approved;

- b) that the Chairman, Worcestershire Regulatory Services, Management Board be appointed as the “Acting Head of Service” for Worcestershire Regulatory Services and that this arrangement would continue pending a final decision on the future structure of the service; and
- c) that a reimbursement to the partner authority for whom the Chairman of the Management Board / Acting Head of Service is employed to reflect the costs of that officer being made available to carry out the Acting Head of Service functions.

38/14

CREATING AND DELIVERING A SUSTAINABLE REGULATORY PARTNERSHIP FOR WORCESTERSHIRE

The Committee considered a report which detailed options and recommendations for changes to the future of Worcestershire Regulatory Services (WRS) business model and partnership agreement in order to create and deliver a sustainable WRS partnership. The report also highlighted the Joint Worcestershire Regulatory Services Scrutiny Task Group recommendations, as detailed in their final report, presented to the Joint Committee on 2nd October 2014. WRS Joint Committee Members were asked to consider the proposals as set out in the report for consultation with partner authorities, WRS staff and relevant stakeholders.

Mr. I. Pumfrey, Chairman, WRS Management Board introduced the report and in doing so highlighted that a secure long term sustainable partnership for Worcestershire would contribute directly to the delivery of partner authorities’ priorities for economic, social and environmental well-being; and would include the priorities for WRS as set out in the WRS Service Plan for 2015/2016.

Financial pressures on local government resulting from austerity measures had resulted in some WRS partner authorities having to make challenging reductions in service expenditure. Recently implemented changes to the WRS partnership agreement had been agreed by the Joint Committee, as not all partner councils were able to commit to sustaining a common future service level. In 2013 the WRS Joint Committee looked at a number of future options for growth for WRS to address the stresses and pressures on partner authorities due to the reduction in local government funding. In 2014 a procurement exercise was undertaken but proved unsuccessful. Whilst procurement did not deliver a strategic partnership with a commercial organisation, it did provide a useful insight in to the strengths and weaknesses of WRS and how WRS was perceived by the private sector. Those insights reinforced that WRS was technically and professional robust and they had provided considerable value in charting the future course for the partnership.

Continuing with the current partnership arrangements was not considered a sustainable long term solution, as the polarisation in service levels and available funding between County and district partners posed significant risks to district partners’ service delivery. The WRS Management Board had considered a wide range of possible options for creating and delivering a sustainable regulatory partnership for Worcestershire. Options included continuing with the current arrangements, dissolving the partnership and reverting to individual service delivery, restructuring the partnership and a

further procurement for a strategic partnership. The report highlighted the options explored and the WRS Management Board recommendations for changes to the future WRS business model, partnership agreement and how these could be implemented. Those proposals also responded to the Joint WRS Scrutiny Task Group's recommendations, as detailed at Appendix 1 to the report.

Restructuring of the current partnership to a smaller partnership, consisting of those authorities who continued to have closely aligned service levels with separate distinctly defined arrangements with other councils, would offer future sustainability. A smaller partnership that continued to take advantage of the proven WRS Joint Committee mechanism, based on common or near-common service levels and interests would be capable of sustaining many of the benefits currently delivered by WRS including its specialist capabilities. Close alignment of partner interests would provide the necessary stability to continue to undertake work for other Worcestershire councils on preferential agreed terms, buffering partners from unacceptable risks to their own service delivery arrangements.

The WRS Management Board's current assessment of partner service levels and financial requirements demonstrated that a smaller partnership based on the six district councils was achievable and sustainable. The County Council had indicated a willingness to consider realigning its relationship to such a partnership as this continued to provide it with a cost effective future service solution. This was therefore the WRS Management Board's preferred future option for WRS. In identifying a restructured, smaller partnership as the preferred option, the WRS Management Board recognised there was a need for internal change within WRS to meet both future partner service requirements and position the partnership to take advantage of opportunities for income generation. The proposed delivery partner network would be underpinned by a combination of contracts and service level agreements. Service level agreements for former WRS partner authorities would be on a preferential 'at cost' basis as detailed at Appendix 2 to the report.

In line with the Joint WRS Scrutiny Task Group, Recommendation 7, it was proposed that the Joint Committee was retained as the mechanism for governing WRS but renamed the WRS Board. This would make its purpose more explicit to external stakeholders. It was also proposed that the membership of the WRS Board be reduced from two Elected Members to one Elected Member per partner authority, with clear arrangements for attendance by substitutes. In addition, and in response to the Joint WRS Scrutiny Task Group, Recommendation 7 and 8, the WRS Board would be attended by each partner's senior officer representative (though in a non-voting capacity). This would improve strategic decision making and remove much of the work associated with supporting both the WRS Joint Committee and the WRS Management Board. It was acknowledged though, that there would still be a need for the senior officer representatives of the councils to meet with WRS Managers to deal with routine business matters and partner liaison.

The financial pressures on the WRS partnership required that the implementation of these proposals needed to be rapid and at minimal

additional cost to current and future partners. It was important that the proposed changes gained the widest possible support to avoid delay or derailment. To achieve these aims, three complementary strands of implementation were recommended:-

Engagement - The engagement strand would concentrate on building understanding of and support for the proposed changes, with direct engagement through briefings underpinned by email circulars, etc. This work would be undertaken by WRS Joint Committee Members, WRS Management Board representatives, key senior officers and Elected Members.

Governance - Governance activities would concentrate on detailed negotiation of the terms of dissolution of the current partnership agreement, the preparation and engrossment of a new partnership agreement and a service level agreement covering County Council services. Input would be necessary from partner authorities' legal teams, WRS Management Board representatives, senior financial officers and Elected Members.

Organisational - Organisational activities would focus on internal structural change within WRS including any appointments to new roles. This work would be led by the Acting Head of Service, WRS and input from WRS Management Board representatives, senior financial officers and Elected Members.

Further discussion followed with those Members who had been involved with WRS and the Joint Committee since inception in 2010, agreed that WRS had delivered a high level of service to date. The service had changed to address partner authorities' financial constraints, but there was still a need to continue to change direction for the future sustainability of WRS.

Mr. I. Pumfrey, Chairman, WRS Management Board and the Host Authority's Principal Solicitor Ms. C. Flanagan responded and provided clarification with regard to the following questions posed by Members:-

Democratic Process -

- What would be the democratic process with a reduction in the number of Joint Committee Members with only one Member per partner authority?
- Which partner authorities rejected the Joint WRS Scrutiny Task Group recommendation to reduce the number of Joint Committee Members from two to one?
- With the current required quorum no Joint Committee meetings have been inquorate. What are the potential implications if the number is reduced and a Member is unable to attend a meeting (due to unforeseen circumstances on route to the meeting), as no substitute would have been arranged?
- Would there be the potential for a vote to be taken without that Member, who may have voted differently?

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- Could this result in decisions being made to the detriment of a partner authority or democratic deficit?
- Could there be a potential for lack of democratic accountability and control over decision making if partner authorities are not represented at meetings?
- Urgent Business being raised at a meeting. Could a decision be taken on urgent business without all partner Members being present and aware of any urgent business?
- Will there be a mechanism in place to brief substitute Members?
- Why the need to change the governance arrangements? The current governance arrangements had worked well since 2010.

Voting –

- Unanimity was included in the current partnership agreement at the request of each partner authority. Was there a need to review the current partnership agreement in respect of the functions delegated that require a unanimous vote being taken?
- Unanimity, potential implications if a partner authority Member is unable to attend?
- Was there a need to consider each partner authorities Constitution with regard to unanimity / majority voting?
- The Joint Committee as it stands consists of Elected Members, this enabled Members to look at and question any WRS Management Board decisions. How would this work with both Elected Members and Senior Officers on the newly formed WRS Board?

Service Level Agreement / Contract –

- With the potential for others to join the partnership, what re-assurance was there that the smaller partnership core group would continue to benefit through scale of economy.

Mr. I. Pumfrey, Chairman, WRS Management Board reassured and informed the Committee that the questions and concerns raised during the course of the meeting would be highlighted during the consultation exercise with partner authorities Members, at the forthcoming Member briefing sessions. Following on from the consultation exercise a detailed response to the questions, as highlighted in the pre-amble above, would be included in the report to be presented to the Joint Committee at the June meeting.

It was noted that whilst Joint Committee Members had taken on board the Joint WRS Scrutiny Task Group's final report, some Members felt it should be highlighted that, whilst the recommendations from the Task Group's final report played a part, the governance and core service was being reviewed

because the service had changed and both Members and Senior Officers had realised that a new direction for the service was therefore required.

RESOLVED:

- a) that the proposals as set out in the report for the purposes of consultation with partner authorities, WRS staff and relevant stakeholders, be approved; and
- b) that following on from the consultation exercise; officers provide a further report, setting out the detailed recommendations to the Worcestershire Shared Services Joint Committee meeting on 25th June 2015.

39/14

WORCESTERSHIRE REGULATORY SERVICES BUSINESS PLAN 2015/2018

The Committee was asked to consider and approve the Worcestershire Regulatory Services (WRS) Business Plan 2015/2018 and the risk based hygiene inspection based on the National Food Hygiene Rating System, as detailed in Section 4.3.1 of the WRS Business Plan 2015/2018.

Mr. S. Wilkes, Business Manager, Worcestershire Regulatory Services introduced the report and in doing so informed the Committee that work on a three year business plan had commenced alongside the Strategic Partnering process in case the process failed to result in a positive outcome. The WRS Management Board and Senior Managers, WRS had reviewed and amended the plan and now sought the Joint Committee's approval for this to be the baseline strategic document to be used to take the service forward for the next three years. The Business Plan 2015/2018 strapline was "A Local Government Solution to Local Government Challenges". The Business Plan 2015/2018 outlined how WRS would develop over the next three years to enable the service to:-

- Respond to the financial pressures faced by the various partners.
- Accommodate service variations for those partners, particularly where there are common functions (i.e. District functionality,) whilst maintaining service levels for others.
- Modify financial arrangements to avoid cross subsidy between functionality and partners.
- Continue to provide a core level of service that meets partner's statutory obligations and, offer the option to fund a higher level of service in all functional areas.
- Maintain sufficient expertise to provide resilience, beyond the financial envelope envisaged by partners through income generating activities.
- Continue with high levels of performance as measured by existing KPIs.

Appendix B to the report contained an outline of the agreed and proposed savings platform for each partner authority. The report also highlighted that at this stage, although partner authorities had stated that no further savings were required for 2017/2018, this could be subject to change.

Section 4.3.1 of the WRS Business Plan 2015/2018 provided information of the Food Hygiene and Infectious Disease Function and the Food Hygiene Rating Scheme which Members were asked to consider and approve.

RESOLVED:

- a) that the Worcestershire Regulatory Services Business Plan 2015/2018 be approved, and
- b) that the risk based inspection strategy based on the Nation Food Hygiene Rating System, to plan proactive food hygiene inspections, as detailed in section 4.3.1 of the Worcestershire Regulatory Services Business Plan 2015/18, be approved.

40/14

WORCESTERSHIRE REGULATORY SERVICES SERVICE PLAN 2015/2016

The Committee was asked to consider a report which detailed the Worcestershire Regulatory Services, Service Plan 2015/2016.

Mr. M. Kay, Business Manager, Worcestershire Regulatory Services (WRS) introduced the report and in doing so highlighted that the service plan outlined the way in which the service's activities linked to National and Local Priorities relevant to regulatory services.

Members were informed that the WRS Service Plan 2015/2016 provided a financial picture for the next three years and detailed for Members the activities that the service would focus on over the forthcoming twelve months. The themes identified were likely to inform future plans, although the uncertainties around local government funding had made it difficult to commit to detailed operational plans over periods longer than twelve months.

As detailed on Appendix C to the report, the twelve key outcome measures to measure the performance of WRS had been retained from 2014/2015, a number of which had been determined as a result of consultation with Members and customers.

RESOLVED that the Worcestershire Regulatory Services, Service Plan for 2015/2016 be approved.

41/14

ACCOMMODATION AND ICT HOSTING RELOCATION PROGRESS REPORT

The Joint Committee was asked to note a report which provided an update on Worcestershire Regulatory Services (WRS) move to Wyre Forest House and the transition of WRS ICT.

Mr. M. Kay, Business Manager, Worcestershire Regulatory Services (WRS) informed the Committee that as detailed in the report, an agreed project plan as provided with the report was in place, the project plan was overseen by the project board that had been established. Preparations for the move were progressing well and on track in accordance with the project plan. Bromsgrove District Council the current hosts for WRS ICT were working to a

timetable of 1st July 2015 for supporting the transition of the required systems to Wyre Forest District Council. Positive feedback had been received from over seventy WRS staff who had taken the opportunity to attend a familiarisation visit to Wyre Forest House. The most important priority identified by staff during those visits was the need for a robust ICT system.

RESOLVED that Members note the update provided on the move to Wyre Forest House and transition of the ICT.

42/14

WORCESTERSHIRE REGULATORY SERVICES BUDGET MONITORING **APRIL TO DECEMBER 2014**

The Committee was asked to consider and note the Worcestershire Regulatory Services Budget Monitoring financial position for the period April 2014 to December 2014.

The Chairman welcomed and introduced Ms. S. Morgan, Financial Services Manager to the meeting.

Ms. Morgan, Financial Services Manager introduced the report and in doing so informed Members that, as detailed at Appendix 1 to the report, there was a projected outturn underspend of £138,000, taking into account the £114,000 pension deficit, that was liable to be paid for in 2014/2015, this left a final outturn underspend of £24,000. The ICT system projected costs detailed on Appendix 2 to the report, showed the expenditure for the one off costs associated with the implementation of the project for 2014/2015. There was a possibility that the budget may be reduced by a further £50,000, but with the uncertainty over the cost of mobile working and the costs associated with Worcestershire Regulatory Services relocating to Wyre Forest House it was proposed that a decision on the reduction would be made at the end of the financial year.

RESOLVED that the Worcestershire Regulatory Services Budget Monitoring financial position for the period April 2014 to December 2014 be noted.

43/14

ACTIVITY AND PERFORMANCE DATA QUARTERS 1, 2 AND 3

The Committee considered a report which detailed Worcestershire Regulatory Services Activity Data for Quarters 1, 2 and 3, 2014/2015.

Mr. S. Wilkes, Business Manager, Worcestershire Regulatory Services (WRS) introduced the report, which covered both district and county functionalities. The new extended format, as detailed at Appendix 2 to the report, provided Members with wide ranging information across a number of parameters. The information would build into the full end of year activity report. Each Team Manager has provided written commentary on each of their areas of work in order to provide Members with information on what was happening and to explain some of the wider activity of work undertaken.

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In response to Councillor B. Clayton, Redditch Borough Council, Mr. S. Wilkes agreed to provide relevant comparison information in the annual report to identify any specific trends at district level.

RESOLVED:

- a) that the Activity Data for Quarters 1, 2 and 3, 2014/2015 be noted; and
- b) that Members use relevant forums within their respective authorities to share this information with all elected Members.

44/14

WORCESTERSHIRE SHARED SERVICES JOINT COMMITTEE -
2015/2016 MEETING DATES

The Committee considered the proposed meeting dates scheduled for 2015/2016.

RESOLVED that the Worcestershire Shared Services Joint Committee meeting dates and start time of 4.30pm for 2015/2016 be approved as follows:

- Thursday 25th June 2015 – Annual Meeting
- Thursday 8th October 2015
- Thursday 26th November 2015 – Budget Meeting
- Thursday 18th February 2016

The meeting closed at 6.11 p.m.

Chairman

Worcestershire Regulatory Services

Supporting and protecting you

Joint Committee: 25 June 2015

Future arrangements for Worcestershire Shared Services Joint Committee and Worcestershire Regulatory Services

Recommendations

The Joint Committee is recommended to:

1. Note the outcome of consultation with partner Councils, WRS staff and stakeholders and;
2. Recommend to partner councils that:
 - a. The current Worcestershire Shared Services Partnership is dissolved by mutual agreement on 31 March 2016;
 - b. A new Worcestershire Shared Services Partnership comprising the six district councils is created on 1 April 2016 in accordance with the terms set out in appendix 2;
 - c. The new Worcestershire Shared Services Partnership enters into a service level agreement with Worcestershire County Council for the provision of trading standards services in accordance with terms to be agreed by the Acting Head of Worcestershire Regulatory Services; and
 - d. All existing contracts and service level agreements between the existing Worcestershire Shared Services Partnership and other local authorities are novated to the new Worcestershire Shared Services Partnership.
3. Approve the new management structure for Worcestershire Regulatory Services set out in appendix 4 for consultation with staff and recognised trades unions.

4. Following consultation, authorise the Acting Head of Worcestershire Regulatory Services, in consultation with the Chair of the Joint Committee to finalise the future management structure and undertake recruitment in accordance with the terms set out in the Worcestershire Shared Services Partnership Agreement.

Contribution to Priorities

The proposals for reconstitution of the Worcestershire Shared Services Partnership will contribute directly to delivery of partner authorities' priorities for economic, social and environmental well-being, including the agreed priorities for WRS set out in the WRS Service Plan 2015/16 and WRS Business Plan 2015/18.

Introduction / Summary

At its meeting on 19 February 2015, this committee approved for consultation proposals for creating and delivering a sustainable regulatory partnership for Worcestershire.

Consultation has been undertaken with partner councils, WRS staff and a range of stakeholders. The outcome of consultation is detailed in this report and is broadly supportive of the original proposals. Significant concerns were however raised in relation to the future level of trading standards service provision by the County Council.

It is proposed that the Joint Committee recommends that partner councils dissolve the current shared services partnership and reconstitute a new one comprising the six district councils, on terms detailed in this report. These reflect the proposals previously presented to this committee. The Joint Committee is also recommended to approve a new senior management structure for Worcestershire Regulatory Services for consultation with staff and recognised trades unions.

Background

The Worcestershire Shared Services Joint Committee (hereafter *the Joint Committee*) was established on 1 June 2010 by the county and six district councils in Worcestershire as the vehicle for their two tier regulatory shared service – Worcestershire Regulatory Services (WRS). This governance model was based upon established arrangements for shared service delivery operating within the County and was structured to allow for the addition of other shared services.

The Joint Committee and WRS were established in response to central government's challenge that service delivery in two tier local government areas should be no less efficient than in unitary ones. The original business case for WRS was founded on all partner councils having closely aligned policy positions and service levels enabling efficiency gains of 17% to be made, compared with the cost of predecessor arrangements.

WRS has been extremely successful, delivering savings to its partners well in excess of 20% of predecessor arrangements, gaining plaudits from national regulators including the Better Regulation Delivery Office (BRDO). However, in recent years there has been increasing challenge within the partnership arising from differences in partner service requirements, driven by the individual financial pressures on partners. Most notably the County Council has had to make difficult choices regarding the future level of trading standards service provision, with current financial plans identifying net expenditure reducing to £450k in 2016/17.

In February, the Joint Committee endorsed proposals to restructure the current partnership into a smaller partnership of the district councils, with them continuing to have closely aligned policies and service levels, and the County Council entering into a service level agreement with WRS for the provision of trading standards services. The Committee considered that this model would best maintain the strengths and benefits of the original business case whilst protecting individual partner councils from the pressures and risks of diverging financial positions.

The Joint Committee initiated a process of consultation on these proposals, details of which are set out below and have informed the further detailed recommendations for the future partnership contained within this report.

Consultation

Three consultation events were held for elected members of partner councils during mid-March 2015. Each comprised a presentation on the proposals followed by an open question and answer session.

These events did not reveal any objections to the proposals and were broadly supportive of them. It is noteworthy that almost half of the questions related not to the proposals themselves but to the future level of trading standards services likely to be provided on behalf of the County Council. A copy of the summary of questions and answers is provided at appendix 1.

A consultation event for WRS staff was held on 4 March at the Guildhall. This followed a similar format to the sessions for elected members and was timed to enable key messages to be reported at the elected member events. As with elected members, WRS staff recognised the need for change and were broadly supportive of the proposals, once again expressing concern about the future level of trading standards service provision.

The following stakeholders were consulted in writing:

- Hereford and Worcester Chamber of Commerce
- Health and Safety Executive
- Worcestershire LEP
- Better Regulation Delivery Office
- Worcestershire Federation of Small Business
- Hereford and Worcester Chamber of Commerce
- Food Standards Agency

Written replies were received from Worcestershire LEP and Better Regulation Delivery Office. Both praised the work of WRS with Worcestershire LEP emphasising the importance of its contribution to the Better Business for All initiative. The Better Regulation Delivery Office declined to comment on the Joint Committee's proposals, whilst Worcestershire LEP welcomed them *"to secure WRS as a robust proposition."* The LEP did express concerns about adverse impact upon Better Business for All arising from the proposed County Council reduction in business advice regarding Trading Standards and is pursuing this directly with the County Council.

A meeting was held at the request of the Food Standards Agency Regional Coordinator to discuss the proposals in more detail. The meeting echoed concerns of the LEP and did not subsequently lead to a formal written response.

Reconstitution of the Worcestershire Shared Services Partnership

The extant partnership agreement signed on 1 June 2010 contains provisions enabling partners to leave the partnership. However, these are cumbersome and complex to invoke. Notice periods must be given and the terms of exit determined by agreement of all partners. This includes arrangements for departing partners to bear the financial consequences of their exit. These provisions have never been utilised in relation to this or other similar shared services using this basic agreement.

Legal advice is that it is more appropriate in these circumstances not to rely upon these provisions but for the partners to dissolve the current partnership by mutual

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agreement and immediately constitute a successor partnership of the six Worcestershire districts. A service level agreement between the new partnership and the County Council for provision of trading standards services would be entered into as the basis for continuing provision of these services recognising the significant investment made by the County Council in the original partnership and WRS.

Dissolution and reconstitution is not a matter within the competence of this Joint Committee and requires a decision of each partner council. Given the time period necessary for each partner to consider this matter and decide upon it, these decisions will likely conclude in September and October this year. Accordingly it is proposed that these changes take place at the turn of the municipal year, 31 March/ 1 April 2016. This timescale also permits WRS management and officers of the partner councils to make the necessary detailed administrative arrangements.

The majority of the terms of the 2010 partnership agreement remain relevant to the proposed new six district partnership as this will continue to operate as a Joint Committee in accordance with Section 101 of the Local Government Act 1972 and Section 20 of the Local Government Act 2000. It is therefore proposed to use the extant agreement as the basis for the new partnership agreement with modifications, additions and deletions reflecting the future requirements.

The key changes to the partnership and agreement are:

- Agreement is between the six Worcestershire districts
- The provision for expansion of the partnership will be deleted
- A requirement will be introduced obliging any partner unable or unwilling to maintain its service levels and financial contributions at or near to other partners to exit the partnership with the option to continue to receive services under a service level agreement on 'at-cost' terms.
- There will be one member from each partner authority on the Joint Committee (instead of the current two members) with robust deputising arrangements and the inclusion of partner officers to form a WRS Board. This will normally be the member with portfolio responsibility for regulatory matters.
- Deletion of the WRS Management Board.
- Delegated authority from partners to the Joint Committee and Head of Service to enter into agreements for the provision of services to other public bodies (delegation dependent upon annual value of agreement and nature of relationship).

- Further provisions relating to the role of the Host Authority in relation to entering into contracts and service level agreements with public bodies on behalf of the Joint Committee.
- New financial provisions relating to adoption of a fee-earner model for new public authority customers and at-cost service provision for former partner councils of the original 2010 partnership.
- New provisions regarding the use of the WRS brand.

Appendix 2 sets out the principal terms of the proposed new partnership agreement identifying proposed amendments, additions and deletions to the extant agreement.

WRS Senior Management Structure

The current WRS senior management structure of Head of Service, Business Managers and Team Managers was that put in place at inception when the shared service had both a larger complement of staff (circa 120 full time equivalents) and budget, albeit that the number of Business Managers and Team Managers was initially greater.

Slimming of senior management numbers has been progressive as the WRS budget and workforce has reduced year on year. Departure of the Head of Service in January 2015 provided an opportunity to re-examine the structure in light of the proposed new partnership, further reducing income and greater focus on undertaking income-generating work for other public bodies.

Based on the projected WRS financial envelope of £3.475 million from 2016/17 onwards and an expected overall workforce of 78 full time equivalents, it is difficult to justify continuing with three levels of senior management given that spans of control are now 1:2 between the top three tiers. Reducing the number of tiers of management will not only free up resources to maintain service delivery but shorten the management chain making it more flexible and responsive. It is intended to retain the post of head of service given the importance of this role in leading the organisation through a further period of change. It is also proposed to delete the existing tier of Business Managers and redefine the roles of Team Managers to create a single tier of senior management reporting to the head of service.

With the planned further downsizing of trading standards operations, there will cease to be a justification for a dedicated Team Manager. It is proposed to integrate the professional and technical elements of trading standards within the remit of the proposed Environmental Health and Trading Standards Manager, with other intelligence

functions reporting elsewhere.

Importantly, some of the capacity released by de-layering senior management will be beneficially reinvested in providing necessary capability for securing new business, external income and managing relationships with partners and customers. A new role of Business and Relationship Manager is proposed to meet this requirement.

It is proposed that one of the Team Managers will act as the designated deputy in the absence of the Head of Service. This may be on a personal to holder basis to give some future structural flexibility.

The proposed future senior management structure for WRS is shown in appendix 4. Based on an evaluation of the revised Team Manager roles it is anticipated that this will contribute in excess of £100k/ annum of savings making a significant contribution to meeting the future WRS financial envelope whilst providing the necessary capacity and focus for future business development. This is considered by Management Board to be the minimum level of managerial resource necessary to ensure effective direction and control of WRS.

Whilst it may appear premature to seek approval to changes in management structure ahead of decision on the future of the partnership, as the financial envelope was defined in the Business Plan approved in February, action is needed to address this now. There will be greater benefits in managing the transition to a reconstituted partnership if the senior management structure has been refreshed and has had time to bed down.

Joint Committee is asked to approve the proposed future structure for consultation with WRS staff and recognised trades unions. Subject to the outcome of this consultation, Joint Committee is also requested to authorise the Acting Head of WRS, in consultation with the Chair of the Joint Committee to finalise the future management structure and undertake recruitment in accordance with the terms set out in the Worcestershire Shared Services Partnership Agreement.

Financial Implications

The future financial envelope for WRS for the period to 2017/18 is already determined within the WRS Business Plan 2015-18, which was agreed by this Committee in February 2015. The proposals set out within this report are designed to ensure that WRS can continue to operate effectively within this envelope and that its resources continue to be focused upon front line service delivery.

The business plan also identifies an income to WRS rising to £300,000 in 2016/17 and it is important that the service has both the necessary stability and management capacity to achieve this.

Dissolution and reconstitution of the partnership in the manner proposed will not impose a significant financial burden on any party and will provide the necessary framework for future financial stability and risk management. By utilising the existing agreement as the basis for a successor drafting will be minimised and it is expected that this can be concluded within existing legal resources.

Implementing the proposed restructuring of senior management will incur some transitional costs as there will be an overall reduction in numbers, managed in accordance with the host authority's HR policies and procedures. This may involve redundancy, early retirement and redeployment costs which will fall upon the partners to meet in the established manner. These will of course be reduced by the current vacancy for Head of Service which is presently filled on an acting basis.

Legal Implications

The proposals and recommendations in this report have significant legal implications as they involve dissolving and reconstituting a shared service partnership. By utilising the proven Joint Committee model and building upon the extant legal agreement these implications will be managed to best effect and the recommended approach is supported by specialist external legal advice.

Future work undertaken for other public bodies will be governed by agreements or contracts that provide appropriate checks and balances to protect the interests of all parties, in particular the new shared service partners. Existing proven models will be adopted for such arrangements wherever practicable and all agreements will be subject to Host Authority legal approval on behalf of the partnership before signature.

It is not proposed to undertake work for non-public bodies as this would require a local authority trading company to be established by the partners to comply with local authority trading law. This position could be revisited if sufficient private sector work becomes available to more than cover the costs of operating a trading company.

Risk

This approach depends for its success on the unanimous agreement of all current and future partners to the recommendations of this committee.

The proposed dissolution and reconstitution of the partnership has been subject to extensive consultation as detailed in this report. There were no objections to the proposals and general support from many respondents. However this consultation was undertaken before the district elections so there is a risk if newly elected councils take a different view, as this proposal remains dependent upon unanimous agreement of all current and future partners.

The approach of implementing this proposal utilising the extant partnership agreement as the basis for a successor agreement minimises the risk of approval by all partners not being achieved.

There may be some risks to operational service delivery during implementation of the new management structure. These will be mitigated by adopting an incremental approach in accordance with Host Authority HR policies and procedures and interim capacity will be utilised if necessary in a similar manner to current arrangements for the Acting Head of Service.

Sustainability

The proposals and recommendations in this report are considered to be those most appropriate to ensuring the future financial and operational sustainability of WRS and the reconstituted Worcestershire Shared Services Partnership.

Contact Points

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Background Papers

'Creating and delivering a sustainable regulatory partnership for Worcestershire' – report of Chair of WRS Management Board – Worcestershire Shared Services Joint Committee – 19 February 2015

'Business Plan for Worcestershire Regulatory Services 2015-2018'

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Worcestershire Shared Services Partnership Agreement 1
June 2010

Worcestershire LEP letter of response to consultation on
proposed changes to WRS Partnership - 17 April 2015

Better Regulation Delivery Office email response to
consultation on proposed changes to WRS Partnership - 8
April 2015

Appendix 1

**SUMMARY OF QUESTIONS, RESPONSES AND COMMENTS AT WRS ELECTED
MEMBER ENGAGEMENT SESSIONS
17 MARCH 2015, COUNTY HALL, WORCESTER
18 MARCH 2015, COUNCIL HOUSE, BROMSGROVE
19 MARCH 2015, CIVIC CENTRE, PERSHORE**

	COUNCILLORS QUESTIONS AND COMMENTS	PANEL RESPONSES
1	Will the proposals lead to more delegation to WRS officers?	No – policy will continue to remain with partners and the current arrangements for delegation to the Joint Committee and Officers will remain.
2	How will new WRS Board operate in relation to Trading Standards?	The WRS Board will have strategic responsibility for ensuring the delivery of Trading Standards services to the County Council in accordance with the terms set down in the proposed Service Level Agreement. The Board will not determine service levels for Trading Standards services which will continue to be a matter for the county council.
3	Have all the Joint Scrutiny Task Group recommendations been taken on board?	The vast majority have and these are referenced in the Joint Committee report. The main recommendation which has not been accepted is appointments of Board members for a two year term. This is not possible because of the constitutional arrangements of several partner councils which take precedence over the partnership agreement.
4	We note there will be only 1 Member and 1 officer on the WRS Board. Will officers be able to vote?	No. The WRS Board will continue to be a Joint Committee under the terms of the Local Government Act 1972 which only permits voting by elected members.
5	Frequency of Joint Committee and WRS Board meetings. Will more frequent meetings be needed to enable the Board to develop its identity?	The initial proposal is for quarterly meetings which are envisaged to be adequate for the WRS Board to provide the necessary strategic direction and decision making. This will of course be reviewed in the light of experience and any changing circumstances. It should be noted that this model has worked well for other shared services in Worcestershire.
6	Are exit arrangements being changed to benefit the County Council?	No. The proposed changes to the partnership exit arrangements are designed to protect the interests of all partner councils and to ensure the future sustainability of the partnership.

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7	How does repositioning WRS relationship with the County Council help to protect the interests of the Districts?	The basis of the WRS partnership is that partners continue to have a close alignment in terms of priorities, policies and financial capacity. This continues to be the case for the Worcestershire Districts but not so the County Council. This divergence since the formation of WRS has introduced a range of risks which the original partnership agreement is not suitable to manage. The proposed Service Level Agreement with the County Council will clearly define the work that WRS will undertake for it; the resources that will be deployed to do this and the charges that will be made. It is also expected that Trading Standards work will also be re-branded as WCC to provide clarity to customers. These arrangements will ensure that any excess or unmet demand for Trading Standards services will not adversely impact on district Environmental Health and Licensing work and that there will be no unintended cross subsidy.
8	Is this a solution with mutual benefits?	Yes very much so. Partners will continue to benefit from economies of scale and access to professional expertise that they could not achieve alone or in a smaller grouping. All councils, including the County Council will continue to benefit from the unique capabilities of WRS and of investment made to date.
9	Will District partners pay more because the County Council are withdrawing from the partnership?	No. The total financial envelope for WRS will not change as a result of these proposals. The County Councils expected contributions under the proposed Service Level Agreement will mirror those currently forecast. We also expect increased income from work undertaken for other public bodies to help meet future district partner financial expectations.
10	What will happen to the pre-existing financial envelope for WRS?	The total financial envelope for WRS will not change as a result of these proposals.
11	In Trading Standards will WRS need to match the demand coming in with shrinking resources?	Yes the proposed Service Level Agreement will align the Trading Standards work undertaken to the resources deployed by WRS. This reduces risk of work spilling over onto District activities.
12	Does County Council define work for Trading Standards? How can Councillors ensure Trading	Yes the County Council will continue to define the Trading Standards work undertaken for it by WRS. Councillors will

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	Standards delivers a full proper service?	be able to hold the County Council's administration to account through the County Council's established governance arrangements.
13	Does the anticipated reduction in expenditure and resources deployed represent a lowering of service for Trading Standards?	The likely reduction in funding for Trading Standards will inevitably mean a smaller number of WRS staff engaged in this work though we will continue to ensure the County Council shares in efficiencies WRS achieves in future that may offset this.
14	Could extra work in Trading Standards could be funded by other organisations, for example Public Health?	Yes it could.
15	Will we consider letting other councils join the new partnership?	No. The aim is to keep the new partnership focused on the closely aligned priorities of the Worcestershire Districts. New partners who may have differing priorities and pressures would create potential governance difficulties. We will of course be looking to selling our services to other councils as described in the Joint Committee report.
16	Majority voting would appear better	Noted
17	What sort of % reductions can be expected for Trading Standards?	This will be a matter for the County Council to determine as part of negotiation of the Service Level Agreement
18	Where is mention of public protection in these proposals?	Public protection remains at the core of the purpose of WRS and is fully address in the WRS Service Plan and Business Plan which was agreed by the Joint Committee at its meeting last February.
19	Is it the case that Capita identified reputational risk with Trading Standards during the recent procurement for a Strategic Partnership?	Capita perceived a number of risks which contributed to their decision to withdraw from the procurement process.
20	Will Trading Standards budget in 2016/17 result in 6 people?	The number of WRS personnel deployed to Trading Standards work in 2016/17 will be agreed with the County Council under the proposed Service Level Agreement.
21	Will Trading Standards have resources to cope if there was an outbreak of say foot and mouth disease?	This is always dependent upon the scale of any outbreak. In the event of a national epidemic as seen a decade ago it would be necessary to bring additional resources and to work closely with other partners such as the police. Existing Mutual Aid agreements would be invoked if this were to happen.
22	Risks for Trading Standards are	Noted

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	significantly different for County compared to districts.	
23	What if a district cannot afford current or future levels of funding? What are processes for exit?	An agreed threshold figure for exit will be included in the new partnership agreement which will oblige a Council which is unable to maintain a similar level of policy and financial commitment to other partners to leave the partnership. This is to protect the interests of the other partners. If this occurs any departing partner will be entitled to receive services under a Service Level Agreement in a similar manner to that proposed for the County Council.
24	What if everyone needs to cut?	If all partners are in a similar position this is relatively straightforward as the solution can fit everyone. It must be recognised that future cost reductions cannot be delivered only through efficiencies and service reductions would be necessary.
25	What about the Joint Scrutiny Task Group recommendation to address the lack of training of Members on regulatory matters?	The merit of this recommendation is acknowledged but because it was linked to proposed 2 years term of the Joint Committee is cannot be achieved due to primacy of partner constitutions. WRS will continue to work with partner councils to raise member awareness and understanding of regulatory matters.
26	Reserve substitute Members should be provided for in the new WRS Board arrangements.	Noted and we will see how this can be done similar to the Joint Customer Service Board that oversee the Worcestershire Hub Shared Service
27	Will the implementation period of 3 months allow for involvement of Scrutiny?	This depends on individual partner council constitutional arrangements.
28	What will be the partner payment mechanism?	This is expected to remain "as is"
	How small can the WRS be reduced to?	The aim is to avoid further substantial reductions in the size of WRS by increasing the services sold to other public bodies.

Appendix 2

Proposed amendments, additions and deletions to Worcestershire Shared Services Partnership Agreement 2010 to create new Worcestershire Shared Services Partnership Agreement 2016

Item	Reference	Proposed amendments, additions and deletions
	Part I - Between:	Delete (1) Worcestershire County Council and re-number
	Part I recitation (vi)	Amend to include 'sustaining regulatory capacity and expertise by providing services to other public bodies'
	Part I - 1.1	Delete definition of Management Board, update definition of TUPE. Insert definition of 'Service Level Agreement'
	Part I - 2	Insert that the Joint Committee will be known as the Worcestershire Regulatory Services Board
	Part I - 3.4	Previously deleted
	Part I – 4.1	Amend to 'one member' from 'two members' in line 1 and delete 'at least one of those members from' 'authority' from line 3. Insert 'The member shall be the portfolio holder responsible for regulatory matters'.
	Part I – 4.8	Amend to 'will' from 'shall be entitled to' in line 1 and delete 'at least one of the members attending on behalf of that Member Authority'
	Part I – 4.11	Insert 'Each Member Authority shall designate a senior officer to represent it at meetings of the Worcestershire Regulatory Services Board. For the avoidance of doubt such senior will not be members of the Joint Committee and shall have no voting rights.'
	Part I – 6.1.3	Previously deleted
	Part I - 8.1	Previously amended
	Part I – 9.1	Insert 'income targets' on line 3 after 'financial objectives'
	Part I – 9.2	Previously amended
	Part I - 10	Amend to 'Contracts and Service Level Agreements'
	Part I – 10.1	Insert 'and Service Level Agreements' after both references to 'contracts' on line 1 and on line 4; Insert ' and the supply of services to other public bodies' after 'services' on line 2; Delete ' or Shared Services Management Board'
	Part I - 10	Insert new sub-clause specifying that Service Level Agreements entered into with other public bodies must be in accordance with the Shared Service Business Plan and be on such terms as may from time to time be specified by the participating Authorities. Insert new sub-clause limiting use of the Worcestershire Regulatory Services name and brand to Participating Authorities and services delivered on their behalf or with their authority only.

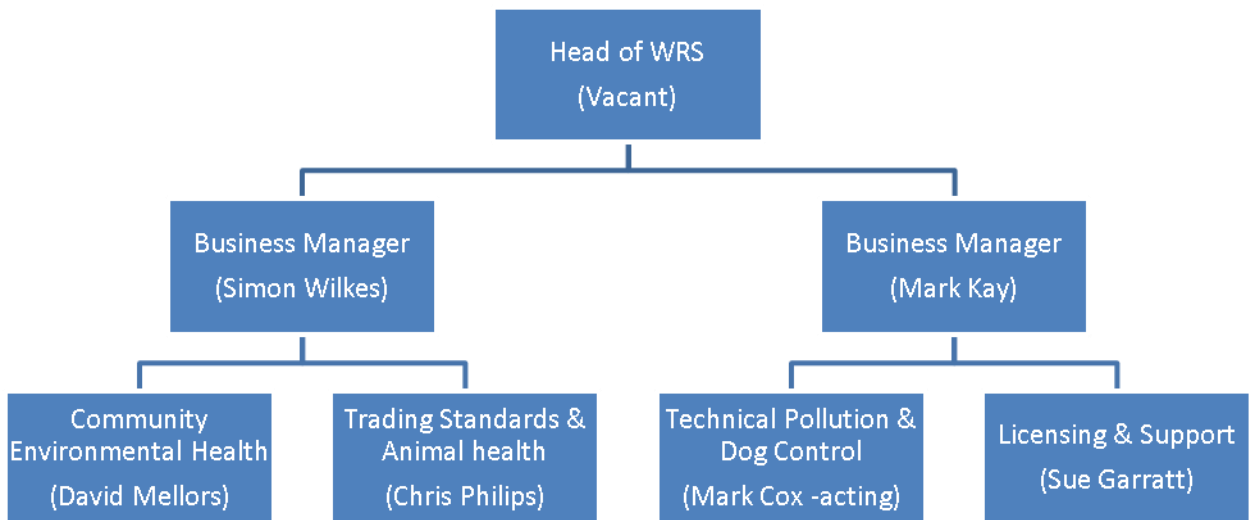
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Part I – 15.2.2	Insert 'or Service Level Agreement' after 'contract' in line 1.
Part I – 11	<p>Insert clause clarifying that where employees are employed on work undertaken for non-participating authorities under Service Level Agreements that TUPE will apply in circumstances where such work is transferred upon expiry or termination of such Service Level Agreements.</p> <p>Insert clause clarifying that where employees are employed on work undertaken for non-participating authorities under Service Level Agreements that all redundancy and termination costs arising from the cessation of such work other than by TUPE transfer must be borne by the non-participating authorities concerned.</p>
Part I - 15	Modify clauses to clarify that where work is undertaken for non-participating authorities and other public bodies under Service Level Agreements, that the Participating Authorities shall be required to indemnify the Host Authority against all actions claims demands expenses and costs arising out of or in connection of the provision of the relevant services under the said Service Level Agreement
Part I - 18	<p>Amend to 'Duration and Termination'</p> <p>Insert new sub clause requiring a Participating Authority to withdraw its participation from one or more shared services in circumstances where it is no longer able to maintain a similar policy service and financial position to other Participating Authorities</p> <p>Insert new sub clause permitting a withdrawing Participating Authority to enter into a Service Level Agreement for continued delivery of services on terms to be agreed by all the Participating Authorities without invoking the provisions of Schedule 2. Amend 18.2 accordingly.</p> <p>Amend 18.1.2.1 to '31st March 2018' corresponding to earliest termination date in original agreement</p>
Part I – Schedule 1 (iv)	Insert additional bullet point 'Gaining external business and income generation'
Part I – Schedule 1 - 2.4	Amend 'seven' to 'six'
Part I – Schedule 1 - 6	Insert 'the senior officer nominated in accordance with 4.11 will attend every meeting of the WRS Board.'
Part I – Schedule 1 – 9.5.2	Delete and replace with 'Decisions on all matters relating to the functions delegated under any subsequent Part of this agreement shall be by a simple majority of those present and entitled to vote thereon'.
Part II – 1.1	Delete 'Worcestershire County Council' and renumber
Part II – 4, Schedule 1, Schedule 3 and Appendix 1 (Statement of partner requirements)	Delete references to Worcestershire County Council and Trading Standards Services. Delegations to be contained within future Service Level Agreement

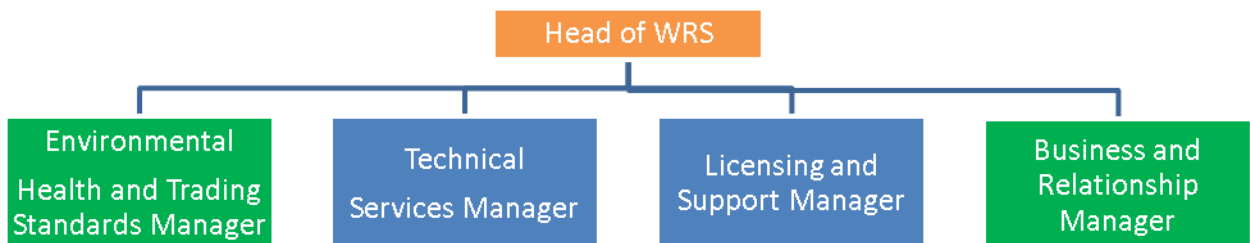
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	Part II - 5	Delete entire clause
	Part II - 8	Previously amended
	Part II – 10	Insert clause clarifying that where employees are employed on work undertaken for non-participating authorities under Service Level Agreements that all pensions costs in respect of such work shall be borne by the non-participating authority concerned.
	Part II – Schedule 4	<p>Amend to incorporate ‘fee earner’ calculation model and that this is the basis of charging for work undertaken for non-participating authorities and public bodies.</p> <p>Insert clause that Worcestershire County and any future withdrawing Participating Authorities will receive services ‘at cost’ based on ‘fee earner’ rates without plusage</p> <p>Insert clause delegating determination of plusage applied to ‘fee earner’ rates in respect of work undertaken for external organisations to Head of Shared Service</p> <p>Insert clause clarifying intention to move to future cost sharing between Participating Authorities based on application of ‘fee earner’ rates to rolling three year average recorded activity levels and that current cost sharing arrangements will remain in place until three full years activity data becomes available.</p> <p>Insert clause providing for WRS and Host Authority to collect fee income on behalf of partners and external customers and for this to be off-set against contributions to the costs of the Joint Committee and WRS</p>
	Various	Other consequential additions, deletions or amendments as may be found necessary whilst drafting

Appendix 3 – Current WRS Senior Management Structure



Appendix 4 – Proposed WRS Senior Management Structure



**Joint Committee
25th June 2015**

WORCESTERSHIRE REGULATORY SERVICES REVENUE MONITORING APRIL – MARCH 2015 & ANNUAL RETURN

Recommendation

It is recommended that the Joint Committee:

- 1.1 Note the final financial position for the period April – March 2015
- 1.2 Approve the ICT funding required from partner councils for 2015-16 as detailed in Appendix 2
- 1.3 Approve the refund of the 2014/15 underspend of £227k to the participating Councils.

Council	Refund of Savings £'000
Bromsgrove	25
Malvern Hills	22
Redditch	23
City of Worcester	31
Wychavon	31
Wyre Forest	17
Worcestershire County Council	78
	227

- 1.4 Approve the Annual Return to include the Accounting Statements for the Joint Committee for the period 1st April 2014 – 31st March 2015.

**Contribution to
Priorities**

The robust financial management arrangements ensure the priorities of the service can be delivered effectively.

Introduction/Summary

This report presents the final financial position for Worcestershire Regulatory Services for the period April – March 2015, together with the information required to enable members to agree the formal annual return to be submitted to the External Auditors. The Annual Return is in a prescribed format as required by the accounting regulations for small bodies.

The financial statements included in the appendices include:-

- Annual Revenue 2014/15 final position
- Annual Return
- Annual and Projected Financial position of the ICT Information Management System

Background

During the financial year quarterly financial reports are presented for consideration by the Management Board. At the end of each financial year the accounts are closed and the Annual Return is prepared to enable the accounts to be audited. This document has to be completed in compliance with small bodies accounting regulations and approved by the Joint committee.

Report

The following reports are included for Joint committee's Attention:

- Revenue Monitoring April – March 15 – Appendix 1
- ICT System projected financial position 2014/15 – 2015/16 - Appendix 2
- WRS Annual Return 2014-15 + Analysis – Appendix 3
- Redundancy / Pension Strain – Appendix 4
- Internal Audit Manager's Opinion – Appendix 5
Please note this has not yet been approved by Bromsgrove Audit which is scheduled for 16th July 2015.

The detailed revenue report is attached at Appendix 1. This shows a final outturn underspend of £227k This is more than expected at qtr 3 mainly due to:-

- Further vacant posts within the service together with savings resulting from maternity leave, long term sick etc. Part of the underspend is offset by the costs associated with additional agency staff being used to cover the vacancies and to backfill for those staff that have been seconded to support the service transformation project, also included in agency staff costs is £54k worth of Data Migration costs which was originally agreed to be funded by the partners.
- Recharge for services / repairs and maintenance at Wyatt House was lower than anticipated.
- There is a significant underspend on IT, due to freeze on IT spend during Strategic Partnering and lower than expected expenditure on certain projects.
- Contracts on Nuisance Work, Contaminated Land and Stray Dogs were extended until the end of March generating additional income of £39k. Feed Grant received from CEnTSA included the cost of the feed samples generating another £11k worth of income. Income received from partners for overspend on Pest Control £26k

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- Any grant funded expenditure is shown separate to the core service costs as this is not funded by the participating Councils.

The 2014/15 underspend of £227k, is proposed to be refunded back to partners as below:-

Bromsgrove	£24,642
Malvern Hills	£21,678
Redditch	£23,362
Worcs City	£30,828
Wychavon	£31,290
Wyre Forest	£17,164
Worcs County	£78,327

This takes into account the adjustment for the overspend on Pest Control.

These figures have been agreed by S151 Officers at partner councils.

Pension Fund

The Redundancy / Pension Strain funding required from partners for 2014/15 is as follows:-

Bromsgrove	£13,342
Malvern Hills	£11,369
Redditch	£15,675
Worcs City	£26,163
Wychavon	£20,167
Wyre Forest	£25,483
Worcs County	£49,750

Specific Redundancy costs have been attributed to Partners where relevant and the remainder distributed on percentage share.

Appendix 4 details the remaining balance as agreed in the original business for future redundancies / pension strain.

ICT System Projected Costs

Appendix 2 details the expenditure for the one off costs associated with the implementation of the project for 2014/15.

The capital funding required from partners for 2014/15 is £17k allocated as:-

Bromsgrove	£1,727
Malvern Hills	£1,471
Redditch	£2,028
Worcs City	£2,092
Wychavon	£2,610
Wyre Forest	£2,004
Worcs County	£5,316

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Revised savings from original business case is £1.5m is now £726k with minimal amount of funds to be spent on mobile working.

Revenue transformation costs for 2014/15 totalled £2k, therefore transferred into the revenue spend.

Financial Implications

None other than those stated in the report

Sustainability

None as a direct result of this report

Contact Points

Jayne Pickering – 01527-881400

Background Papers

Detailed financial business case

	Summary - Full year Budget	Summary - Expenditure to March 2015	Summary - Variance		
	£'000	£'000	£'000		
Direct Expenditure					
Employees					
Salary	3,401	3,303	-98	Underspend is due to early creation of Vacancies, Agency staff recruited to data cleanse new system £54k / Hub Staff April £8k 13-14 Reserve	
Agency Staff	0	123	123		
Recruitment	0	0	0		
Subscription	3	5	2		
Training	0	0	0		
Employee Insurance	16	12	-4		
Sub-Total - Employees	3,420	3,442	22		
Premises					
Rent	70	70	-0		
Room Hire	6	1	-5		
Business Rates	40	38	-2		
Cleaning	10	13	3		
Repairs & Maintenance / Security	7	3	-4		
Service Charges	19	3	-16		
Secure Storage	17	8	-9		
Utilities	17	9	-8		
Water & Sewerage Services	3	1	-2		
Sub-Total - Premises	189	145	-44		
Transport					
Vehicle Hire	14	9	-5		
Vehicle Fuel	8	5	-3		
Road Fund Tax	1	1	-0		
Vehicle Insurance	3	3	-0		
Vehicle Maintenance	3	3	-0		
Car Allowances	131	117	-14		
Sub-Total - Transport	160	138	-22		
Supplies and Services					
Furniture & Equipment	43	25	-18		
Test Purchases	6	1	-5		
Clothes, uniforms and laundry	4	1	-3		
Printing & Photocopying	25	24	-1		
CRB Checks (taxi)	25	23	-2		
Publications	3	2	-1		
Postage	11	14	3		
ICT	69	36	-33		
Legal Costs	7	0	-7		
Telephones	39	39	-0		
Training & Seminars	27	28	1		
Car Parking & Subsistence	0	0	0		
Insurance	30	26	-4		
Miscellaneous Expenses	1	1	0		
Third Party Payments			0		
Support Service Recharges	225	226	1		
Audit	5	4	-1		
Sub-Total - Supplies & Service	520	450	-70		

	Summary - Full year Budget	Summary - Expenditure to March 2015	Summary - Variance	
	£'000	£'000	£'000	
Direct Expenditure				
Contractors				
Dog Warden	145	151	6	
Pest Control	40	74	34	Income of £12k received from Severn Trent for Sewer Baiting, offset in Income
Analytical Services - Trading Standards	25	25	-0	
Trading Standards	10	16	6	
Licensing	22	12	-10	
Other contractors/consultants	11	95	84	Strategic Partnering - 13-14 Reserve
Water Safety	10	7	-3	
Food Safety	5	0	-5	
Environmental Protection	15	47	32	Bereavement / Works in Default to be charged to relevant partners
Taxi Tests	30	34	4	
Grants / Subscriptions	22	16	-6	
Advertising	11	1	-10	
Publicity & Promotions	2	0	-2	
CRB Checks	0	0	0	
Sub-Total	348	477	129	
Income				
Training Courses / Bereavement / Works in Default / Sewer Baiting / Secondments etc	0	-288	-288	Animal Feed Grant £46k / Secondments £36k / Gloucestershire Contaminated Land Work £14k / Dog Warden Tewkesbury & Cheltenham £15k / Nuisance Work For Tewkesbury £27k / Sewer Baiting Grant £12k
2013/14 Reserve - Strategic Partnering / Hub - Cont From MHDC	0	-68	-68	
Sub-Total	0	-356	-356	
Total - Excl Pension Deficit	4,637	4,296	-341	
Pension Deficit		114	114	
Sub-Total	0	114	114	
Total - Incl Pension Deficit	4,637	4,410	-227	

Percentage saving from original budget £7,181 in 2010-11

Grant Funded Spend	Spend 14-15	Remaining Balance	Funded By	
Nutrition For Older People	0	16	Primary Care Trust	Unconditional
Health & Well Being	0	47	Primary Care Trust	Conditional
Worcs Works Well	1	30	Public Health Dept	Unconditional
Halogen Heaters	7	0	BIS	
Grant Income	-8			
Total	0	94		

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Capital Asset/ Investment description	Budget - 14/15 £'000	Spend - 14/15 £'000	Variance - 14/15 £'000	Budget 2015/16
ICT - Capital				
Software Licences (break down into individual modules if appropriate)	20		-20	
Software			0	
Mobile Working Devices	100	17	-83	100
Hardware required including implementation (e.g. servers onsite or hosted - please describe)	25		-25	
Modifications and software customisation			0	
Systems integration and interface development (cost per interface if possible on separate lines)			0	
Data Cleansing / Transfer	48		-48	
Sub-Total Capital	193	17	-176	100
ICT - Revenue (one off only)				
Project Management / Hosting	19	0	-19	
Training for end users	19		-19	
Sub-Total Revenue	38	0	-38	0
Annual Software License etc				
Software Licences	12		-12	12
Other Licences	8		-8	8
Maintenance Costs	59		-59	59
Sub-Total Annual software license etc	79	0	-79	79
TOTAL FUNDING REQUIRED	310	17	-293	179

Absorbed within Revenue Budget

Partner Transformation Project Contributions - Based on Business Case at Budget	Total Capital Funding Requirement 14/15 £'000	Annual Revenue Funding Requirement 2014/15 £'000	Total Partner Funding Requirement 2014/15	Revised Partner Contribution % From 01.04.14	Partner Savings %
Bromsgrove	2	0	2	10.01%	73
Worcs City	2	0	2	12.13%	88
Worcs County	5	0	5	30.82%	224
Malvern Hills	1	0	1	8.53%	62
Redditch	2	0	2	11.76%	85
Wychevon	3	0	3	15.13%	110
Wyre Forest	2	0	2	11.62%	84
Total	17	0	17	100.00%	726

	£
Budget as per Business Case	1,538
Funded by:-	
Spend 2010/11 - Funded by partners	101
Spend 2011/12 - Funded by RIEP	119
Spend 2012/13 - Funded by Partners	142
Spend 2012/13 - Funded by RIEP	128
Spend 2013/14 Funded by Partners	104
Spend 2013/14 - Funded by RIEP	22
Spend 2014/15 Funded by Partners	17
Annual Revenue Funding Requirement 15/16	79
Funding Requirement From Partners 15/16	100
RIEP Funding to be drawn down	0
Total Project	812
SAVINGS FROM ORIGINAL BUSINESS CASE	726

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Small Bodies in England

Annual return for the financial year ended 31 March 2015

Small relevant bodies in England with an annual turnover of £6.5 million or less must complete an annual return in accordance with proper practices summarising their annual activities at the end of each financial year.

The annual return on pages 2 to 5 is made up of four sections:

- Sections 1 and 2 are completed by the person nominated by the body.
- Section 3 is completed by the external auditor appointed by the Audit Commission.
- Section 4 is completed by the body's internal audit provider.

Each body must approve this annual return no later than 30 June 2015.

Completing your annual return

Guidance notes, including a completion checklist, are provided on page 6 and at relevant points in the annual return.

Complete all sections highlighted in red. Do not leave any red box blank. Incomplete or incorrect returns require additional external audit work and may incur additional costs.

Send the annual return, together with your bank reconciliation as at 31 March 2015, an explanation of any significant year on year variances in the accounting statements and any additional information requested, to your external auditor by the due date.

Your external auditor will identify and ask for any additional documents needed for their work. Therefore, unless requested, do not send any original financial records to the external auditor.

Once the auditor has completed their work, certified annual returns will be returned to the body for publication or public display of sections 1, 2 and 3. You must publish or display the annual return, including the external auditor's report, by 30 September 2015.

It should not be necessary for you to contact the external auditor for guidance.

More guidance on completing this annual return is available in the Practitioners' Guides for either local councils or internal drainage boards. These publications may be downloaded from the National Association of Local Councils (NALC) or Society of Local Council Clerks (SLCC) websites (www.nalc.gov.uk or www.slcc.co.uk) or from the members area of the Association of Drainage Authorities website (www.ada.org.uk).

Section 1 – Accounting statements 2014/15 for:

Enter name of reporting body here:

Worcestershire Regulatory Services

	Year ending		Notes and guidance
	31 March 2014 £	31 March 2015 £	
			Please round all figures to nearest £1. Do not leave any boxes blank and report £0 or Nil balances. All figures must agree to underlying financial records.
1 Balances brought forward	22,562	88,938	Total balances and reserves at the beginning of the year as recorded in the body's financial records. Value must agree to Box 7 of previous year.
2 (+) Income from local taxation and/or levy	0	0	Total amount of local tax and/or levy received or receivable in the year including funding from a sponsoring body.
3 (+) Total other receipts	5,903,467	4,894,444	Total income or receipts as recorded in the cashbook less the taxation and/or levy (line 2). Include any grants received here.
4 (-) Staff costs	4,218,171	3,717,976	Total expenditure or payments made to and on behalf of all employees. Include salaries and wages, PAYE and NI (employees and employers), pension contributions and employment expenses.
5 (-) Loan interest/capital repayments	0	0	Total expenditure or payments of capital and interest made during the year on the body's borrowings (if any).
6 (-) All other payments	1,618,920	1,218,657	Total expenditure or payments as recorded in the cashbook less staff costs (line 4) and loan interest/capital repayments (line 5).
7 (=) Balances carried forward	88,938	46,749	Total balances and reserves at the end of the year. Must equal (1+2+3) – (4+5+6)
8 Total cash and short term investments	667,030	432,409	The sum of all current and deposit bank accounts, cash holdings and short term investments held as at 31 March – to agree with bank reconciliation.
9 Total fixed assets plus other long term investments and assets	446,757	464,005	The original Asset and Investment Register value of all fixed assets, plus other long term assets owned by the body as at 31 March
10 Total borrowings	26,274	19,433	The outstanding capital balance as at 31 March of all loans from third parties (including PWLB).

I certify that for the year ended 31 March 2015 the accounting statements in this annual return present fairly the financial position of the body and its income and expenditure, or properly present receipts and payments, as the case may be.

Signed by Responsible Financial Officer:

Date

I confirm that these accounting statements were approved by the body on:

and recorded as minute reference:

Signed by Chair of meeting approving these accounting statements:

Date

Section 2 – Annual governance statement 2014/15

We acknowledge as the members of WORCESTERSHIRE REGULATORY SERVICES our responsibility for ensuring that there is a sound system of internal control, including the preparation of the accounting statements. We confirm, to the best of our knowledge and belief, with respect to the accounting statements for the year ended 31 March 2015, that:

	Agreed –		‘Yes’ means that the body:
	Yes	No*	
1 We approved the accounting statements prepared in accordance with the requirements of the Accounts and Audit Regulations and proper practices.	✓		prepared its accounting statements in the way prescribed by law.
2 We maintained an adequate system of internal control, including measures designed to prevent and detect fraud and corruption and reviewed its effectiveness.	✓		made proper arrangements and accepted responsibility for safeguarding the public money and resources in its charge.
3 We took all reasonable steps to assure ourselves that there are no matters of actual or potential non-compliance with laws, regulations and proper practices that could have a significant financial effect on the ability of the body to conduct its business or on its finances.	✓		has only done what it has the legal power to do and has complied with proper practices in doing so.
4 We provided proper opportunity during the year for the exercise of electors’ rights in accordance with the requirements of the Accounts and Audit Regulations.	✓		during the year has given all persons interested the opportunity to inspect and ask questions about the body’s accounts.
5 We carried out an assessment of the risks facing the body and took appropriate steps to manage those risks, including the introduction of internal controls and/or external insurance cover where required.	✓		considered the financial and other risks it faces and has dealt with them properly.
6 We maintained throughout the year an adequate and effective system of internal audit of the body’s accounting records and control systems.	✓		arranged for a competent person, independent of the financial controls and procedures, to give an objective view on whether internal controls meet the needs of the body.
7 We took appropriate action on all matters raised in reports from internal and external audit.	✓		responded to matters brought to its attention by internal and external audit.
8 We considered whether any litigation, liabilities or commitments, events or transactions, occurring either during or after the year-end, have a financial impact on the body and where appropriate have included them in the accounting statements.	✓		disclosed everything it should have about its business activity during the year including events taking place after the year-end if relevant.

This annual governance statement is approved by the body and recorded as minute reference

dated

Signed by:

Chair

dated

Signed by:

Clerk

dated

*Note: Please provide explanations to the external auditor on a separate sheet for each 'No' response. Describe how the council will address the weaknesses identified.

Section 3 – External auditor certificate and report 2014/15

Certificate

We certify that we have completed our review of the annual return, and discharged our responsibilities under the Audit Commission Act 1998 as transitionally saved, for the year ended 31 March 2015 in respect of:

WORCESTERSHIRE REGULATORY SERVICES

Respective responsibilities of the body and the auditor

The body is responsible for ensuring that its financial management is adequate and effective and that it has a sound system of internal control. The body prepares an annual return in accordance with proper practices which:

- summarises the accounting records for the year ended 31 March 2015; and
- confirms and provides assurance on those matters that are important to our audit responsibilities.

Our responsibility is to review the annual return in accordance with guidance issued by the Audit Commission (see note below). Our work does not constitute an audit carried out in accordance with International Standards on Auditing (UK & Ireland) and does not provide the same level of assurance that such an audit would do.

External auditor report

(Except for the matters reported below)* on the basis of our review of the annual return, in our opinion the information in the annual return is in accordance with proper practices and no matters have come to our attention giving cause for concern that relevant legislation and regulatory requirements have not been met. (*delete as appropriate).

(continue on a separate sheet if required)

Other matters not affecting our opinion which we draw to the attention of the body:

(continue on a separate sheet if required)

External auditor signature

External auditor name

Date

Note: The Audit Commission issued guidance in its Standing Guidance, which is applicable to external auditors' work on 2014/15 accounts.

Section 4 – Annual internal audit report 2014/15 to

Worcestershire Regulatory Services

The body's internal audit, acting independently and on the basis of an assessment of risk, carried out a selective assessment of compliance with relevant procedures and controls expected to be in operation during the financial year ended 31 March 2015.

Internal audit has been carried out in accordance with the body's needs and planned coverage. On the basis of the findings in the areas examined, the internal audit conclusions are summarised in this table. Set out below are the objectives of internal control and alongside are the internal audit conclusions on whether, in all significant respects, the control objectives were being achieved throughout the financial year to a standard adequate to meet the needs of the body.

Internal control objective	Agreed? Please choose one of the following		
	Yes	No*	Not covered**
A Appropriate accounting records have been kept properly throughout the year.	✓		
B The body's financial regulations have been met, payments were supported by invoices, all expenditure was approved and VAT was appropriately accounted for.	✓		
C The body assessed the significant risks to achieving its objectives and reviewed the adequacy of arrangements to manage these.	✓		
D The annual taxation or levy or funding requirement resulted from an adequate budgetary process; progress against the budget was regularly monitored; and reserves were appropriate.	✓		
E Expected income was fully received, based on correct prices, properly recorded and promptly banked; and VAT was appropriately accounted for.	✓		
F Petty cash payments were properly supported by receipts, all expenditure was approved and VAT appropriately accounted for.	✓		
G Salaries to employees and allowances to members were paid in accordance with body approvals, and PAYE and NI requirements were properly applied.	✓		
H Asset and investments registers were complete and accurate and properly maintained.	✓		
I Periodic and year-end bank account reconciliations were properly carried out.	✓		
J Accounting statements prepared during the year were prepared on the correct accounting basis (receipts and payments or income and expenditure), agreed to the cash book, were supported by an adequate audit trail from underlying records, and, where appropriate, debtors and creditors were properly recorded.	✓		

For any other risk areas identified by the body (list any other risk areas below or on separate sheets if needed) adequate controls existed:

A number of recommendations have been made by internal audit relating to reconciliations of cash regarding licensing fees. It has been agreed by WRS Management Board and by the S187 Officers of participating councils that options will be explored whereby all income is collected and reconciled by WRS to enable a new streamlined process in relation to cash received.

Name of person who carried out the internal audit: A. BRONAGE

Signature of person who carried out the internal audit:  Date: 11/06/15

*Note: If the response is 'no' please state the implications and action being taken to address any weakness in control identified (add separate sheets if needed).

**Note: If the response is 'not covered' please state when the most recent internal audit work was done in this area and when it is next planned, or, if coverage is not required, internal audit must explain why not (add separate sheets if needed).

Guidance notes on completing the 2014/15 annual return

- 1 You must apply proper practices for preparing this annual return. Proper practices are found in the Practitioners' Guides* which are updated from time to time and contain everything you should need to prepare successfully for your financial year-end and the subsequent audit. Both NALC and SLCC have helplines if you want to talk through any problem you may encounter.
- 2 Make sure that your annual return is complete (i.e. no empty red boxes), and is properly signed and dated. Avoid making any amendments to the completed return. But, if this is unavoidable, make sure the amendments are drawn to the attention of and approved by the body, properly initialled and an explanation is provided to the external auditor. Annual returns containing unapproved or unexplained amendments will be returned unaudited and may incur additional costs.
- 3 Use the checklist provided below. Use a second pair of eyes, perhaps a member or the Chair, to review your annual return for completeness before sending it to the external auditor.
- 4 Do not send the external auditor any information not specifically asked for. Doing so is not helpful. However, you must notify the external auditor of any change of Clerk, Responsible Financial Officer or Chair.
- 5 Make sure that the copy of the bank reconciliation which you send to your external auditor with the annual return covers all your bank accounts. If your body holds any short-term investments, note their value on the bank reconciliation. The external auditor must be able to agree your bank reconciliation to Box 8 on the Accounting statements. You must provide an explanation for any difference between Box 7 and Box 8. More help on bank reconciliation is available in the Practitioners' Guides*.
- 6 Explain fully significant variances in the accounting statements on page 2. Do not just send in a copy of your detailed accounting records instead of this explanation. The external auditor wants to know that you understand the reasons for all variances. Include a complete analysis to support your explanation. There are a number of examples provided in the Practitioners' Guides* to assist you.
- 7 If the external auditor has to review unsolicited information, or receives an incomplete bank reconciliation, or you do not fully explain variances, this may incur additional costs for which the auditor will make a charge.
- 8 Make sure that your accounting statements add up and the balance carried forward from the previous year (Box 7 of 2014) equals the balance brought forward in the current year (Box 1 of 2015).
- 9 Do not complete section 3. The external auditor will complete it at the conclusion of the audit.

Completion checklist – 'No' answers mean you may not have met requirements		Done?
All sections	All red boxes have been completed?	
	All information requested by the external auditor has been sent with this annual return? Please refer to your notice of audit.	
Section 1	Approval by the body confirmed by signature of Chair of meeting approving the accounting statements?	
	An explanation of significant variations from last year to this year is provided?	
	Bank reconciliation as at 31 March 2015 agreed to Box 8?	
	An explanation of any difference between Box 7 and Box 8 is provided?	
Section 2	For any statement to which the response is 'no', an explanation is provided?	
Section 4	All red boxes completed by internal audit and explanations provided?	

*Note: Governance and Accountability for Local Councils in England – A Practitioners' Guides, is available from NALC and SLCC representatives or Governance and Accountability for Internal Drainage Boards in England – A Practitioners' Guides, is available from the ADA at The Association of Drainage Authorities, 12 Cranes Drive, Surbiton, Surrey, KT5 8AL or from the NALC, SLCC or ADA websites - see page 1 for addresses.

Regulatory Services Income received 14-15

Agenda Item 7

Income from Partners	£
Budget	4,637,000
Refund of Savings	-227,292
Bereavement/ Public Burials	16,392
Redundancy / Pension Strain	161,950
Revenue Transformation	0
Marlpool - Redditch	2,070
50% Moving Costs - County	9,098
Pest Control Overspend - Wychavon / Wyre	26,851
Forest / Bromsgrove & Redditch	
Secondment - to County Council Public Health team	33,991
Flood Recovery Work	11,735
Lansdowne Road - Worcs City	2,000
Grimley RaceWay - MHDC Expert Witness Costs	6,462
Strategic Partnering - MHDC	10,000
Parkwood Estate Elmley Castle - Wychavon	651
Analysers Shaw St - Worcs City	1,000
	4,691,908

Grant Income

Food Standards Agency: Payment for regional inter-authority auditing for Food Hygiene purposes	13,376
Business Innovation & Skills Dept: Safety of Halogen Heaters project	7,822
County Council Public Health- Worcs Works Well Project	16,666
Severn Trent - Sewer Baiting	11,930
CEnTSA/ NTS - Animal Feed Inspection programme and Feed Samples	57,185
	106,979

Other Income

Stray Dog Income	25,222
Stray Dog Income - To be paid back to Customer	1,460
Nuisance Work - Tewkesbury	30,766
Contaminated Land - Gloucester	13,427
Secondment - Tewkesbury Lic	2,147
Siteon Trading Standards Membership for Trader Register	3,150
Central England Trading Standards - Reimbursement of Qualification Framework costs	1,000
CEnTSA/ NTS - Second Hand Car Project	3,000
West Mercia Courts - Cost income to be Paid to County	7,241
Training Courses / Certificates	3,838
Ad-Hoc	4,304
	95,556

Total Box 3 Accounting Statement **4,894,444**

Regulatory Services Employees 14-15

Box 4	£
Employees Related Costs	3,717,976
	3,717,976

Regulatory Services Other Costs 14-15

Box 6	
Premise Related Cost	144,505
Transport Related Cost	138,340
Supplies & Service	935,812
	1,218,657

Regulatory Services Fixed Assets 14-15

Box 9	
ICT Project	418,705
Dog Warden Vans	38,000
Refurb of Dog Warden Vans	7,300
	464,005

Regulatory Services Borrowings 14-15

Box 10	
Total Borrowings - Finance Lease	19,433
	19,433

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REGULATORY SERVICES - REDUNDANCY / PENSION STRAIN 2014-15

Appendix 4

Balance remaining as at 1st April 2014 to fund additional severance costs	247,881.09
FUNDING REQUIRED - 2014/15	
REDUNDANCY	74,398.19
PENSION STRAIN	87,552.04
TOTAL	161,950.23
Balance remaining to fund additional severance costs	85,930.86

Partner Redundancy / Pension Strain Contributions - Based on Business Case	Revised Partner Contribution % From 01.04.14	Funding Required 14-15	Contribution Remaining to fund additional severance costs
Bromsgrove	10.01%	13,342.32	8,601.68
Worcs City	12.13%	26,163.46	10,423.41
Worcs County	30.82%	49,749.50	26,483.89
Malvern Hills	8.53%	11,369.63	7,329.90
Redditch	11.76%	15,674.89	10,105.47
Wychavon	15.13%	20,166.76	13,001.34
Wyre Forest	11.62%	25,483.68	9,985.16
Total	100.00%	161,950.23	85,930.85

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Worcestershire Internal Audit Shared Services Manager's Opinion on the Effectiveness of the System of Internal Control at Bromsgrove District Council (the Council) for the Year Ended 31st March 2015

1. Audit Opinion

- 1.1 The internal audit of Bromsgrove District Council's systems and operations during 2014/15 was conducted in accordance with the Internal Audit Annual plan which was presented to the Audit Board on 20th March 2014 and a small subsequent revision.
- 1.2 The Internal Audit function was set up as a shared service in 2010/11 and hosted by Worcester City, for 5 district councils. The shared service operates in accordance with CIPFA guidance and the Institute of Internal Auditors Public Sector Internal Audit Standards 2013.
- 1.3 The Internal Audit Plan for 2014/2015 was risk based (assessing audit and assurance factors, materiality risk, impact of failure, system risk, resource risk fraud risk, and external risk) using a predefined scoring system. It included:
 - a number of core systems which were designed to suitably assist the external auditor to reach their 'opinion' other corporate systems for example governance and
 - a number of operational systems, for example environmental enforcement, depot and stores and Land Charges were looked at to maintain and improve its control systems and risk management processes or reinforce its oversight of such systems.
- 1.4 The 2014/15 revised internal audit plan was delivered in full providing sufficient coverage for the s151 and Internal Audit Service Manager to form an overall opinion.
- 1.5 In relation to the twenty reviews that have been undertaken, thirteen audits have been finalised and seven are nearing completion at clearance meeting or draft report stage. Risk management was re-launched during 2012/13 with a Corporate Risk Register being formulated and training being provided. However, further work is required to embed this throughout the organisation with the outcomes being monitored by the Risk Management Group. An area which returned an assurance level of

AUDIT BOARD

Date 16th July 2015

'limited' was Worcestershire Regulatory Services. All areas where assurance was 'limited' or below will be addressed by management and have a defined action plan in place in order to address the weaknesses and issues identified. Where audits are to be finalised a comprehensive management action plan will be required and agreed by the s151 Officer.

- 1.6 As part of the process of assessing the Council's control environment, senior officers within the Council are required to complete an annual "Internal Control Assurance Statement" to confirm that the controls in the areas for which they are responsible are operating effectively. Officers were required to acknowledge their responsibilities for establishing and maintaining adequate and effective systems of internal control in the services for which they are responsible and confirming that those controls were operating effectively except where reported otherwise. For all services no areas of significant risk have been identified. Any concerns raised by managers will be assessed and addressed by the Authorities Corporate Management Team.
- 1.7 One key area of risk during the year was the transferral of the main ledger to a new system. This presented its own challenges but has been closely monitored by both internal and external audit. The work that internal audit completed was able to give assurance on the integrity of the key underlying figures and controls associated with the new ledger. The historical breakdown of cost centre figures will remain on the previous system which is acceptable for now but there is an increasing risk associated with this as time passes because the system will be no longer supported and with the natural churn of staff and reduced use the expertise to interpret and extract data effectively will diminish.
- 1.8 The majority of the completed audits have been allocated an audit assurance of either 'moderate' or above meaning that there is generally a sound system of internal control in place, no significant control issues have been encountered and no material losses have been identified during a time of continuing significant transformation and change. Where a 'limited' assurance has been reported this has been in connection with a shared service in which Bromsgrove is a partner.
- 1.9 WIASS can conclude that no system of control can provide absolute assurance against material misstatement or loss, nor can Internal Audit give that assurance. This statement is intended to provide reasonable assurance based on the audits performed in accordance with the approved plan and the scoping therein. Based on the audits performed in accordance with the approved and revised plan, the Worcestershire Internal Audit Shared Service Manager has concluded that the internal control arrangements during 2014/15 managed the principal risks

AUDIT BOARD

Date 16th July 2015

identified in the audit plan and can be reasonably relied upon to ensure that the Council's corporate purposes have been met.

Andy Bromage
Worcestershire Internal Audit Shared Services Manager
June 2015

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Worcestershire Regulatory Services

Supporting and protecting you

JOINT COMMITTEE

25th June 2015

WORCESTERSHIRE REGULATORY SERVICES ANNUAL REPORT 2014/15

Recommendation

That the Joint Committee note the Annual Report for 2014 and agree that a copy be forwarded to each Chief Executive of the 7 partner authorities.

Contribution to Priorities

Not applicable

Summary

Under the Worcestershire Shared Services Partnership Service Level Agreement Worcestershire Regulatory Services is required to submit to the Joint Committee an annual report that covers the performance of the shared service and provides a summary of the finances. The report covers the period from 1st April 2014 to 31 March 2015. If endorsed by the Joint Committee, a copy will be forwarded to each Chief Executive of each member authority and be published more widely..

Report

Under Clause 12 of Part 1 of the Shared Services Partnership Agreement the Joint Committee is required to receive a report at its annual meeting which will be held no later than 30 June. The report covers the period from 1 April 2014 to 31 March 2015. The annual report is co-signed by the Acting Head of Worcestershire Regulatory Services and the Lead Financial Officer for the Host Authority as required by the legal agreement.

The publication of the Annual Report also meets the requirements of the Regulators Code, made under the Regulatory Enforcement and Sanctions Act 2008, which requires local authorities to publish information about their regulatory activities on a regular basis.

The report covers the performance of the service for the

relevant period, both in terms of KPIs and highlights of activity, with a précis of activity data appearing at appendix 7. A full report of activity data is provided under separate cover. The Annual Report also gives a summary of the financial position, the key achievements and covers issues relating to human resources. There are also sections on transformation, risk management and equalities.

As members will be aware, income generation has become a key activity for the service. The report gives brief details of some of this year's successes in this area.

Financial Implications

The financial implications are contained within the annual report.

Sustainability

N/A

Contact Points

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Simon Wilkes/ Mark Kay

Business Managers

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Email: mark.kay@worcsregservices.gov.uk

Background Papers

Worcestershire Shared Service Partnership Service Level Agreement.



Worcestershire Regulatory Services

Supporting and protecting you

ANNUAL REPORT

2014/15

Making Worcestershire a healthy, safe and a fair place to live where businesses can thrive.

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INTRODUCTION

This Annual Report has been produced for the Joint Committee in accordance with clause 12 of Part 1 of the Worcestershire Shared Services Partnership Agreement. The report covers the progress and performance of Worcestershire Regulatory Services (WRS) for the period from the 1st April 2014 up to the 31st March 2015 and reports operational activity by the relevant service elements for the financial year. The report summarises the key performance data for WRS and a summary of the financial position. The report also meets the requirement of the Regulators Code, which requires local authorities to publish a summary of their regulatory activities on an annual basis.

This year saw continuing developments around the future operating and financial models for the delivery of regulatory services including the culmination of the strategic partnering process. The budget adjustments requested by partners have been delivered by way off efficiencies and/ or changes in the way services are delivered. The year still saw excellent work activity with very good results across a range of service areas, high levels of performance and some good outcomes from Court cases and a wide range of other project work being delivered.

On the IT front, this year saw the bedding in of the Uniform system and its deployment. There are still a number of minor issues with the system that should be resolved by the move to the new Uniform version 10, which will have happened by the time this report is published.

The largest single piece of work for managers during 2014/15 was the Strategic Partnering procurement process. Whilst no suitable partner was found, the process was an excellent learning tool for managers and confirmed a number of strengths already within WRS. The number of potential partners was quickly reduced to one, Capita, and in the end even they could not find an acceptable profit margin whilst maintaining levels of service delivery. Capita representatives made it clear to those involved in the process that WRS:

- Management had already made most of the changes that they would have made in terms of operational delivery to create efficiencies,
- Was a lean organisation with few if any significant deliverable efficiencies left, already pursuing the income generation and growth agenda that they would follow.

The company also raised concerns about the on-going budgetary reduction processes, particularly relating to one of the partners.

This confirms the confidence that partners have placed in the management team at WRS and the steps taken by them and the rest of the work force to pursue the modern regulatory agenda, balancing support for legitimate business with pursuit of the rogues, and operating flexibly where possible whilst still delivering the specialist expertise necessary to meet our business customer's needs.

Alongside the strategic partnering process, WRS managers created a comprehensive 3-year Business Plan, 2015-2018. Adopted in February 2015, this defines the strategic approach to be taken to service delivery and to delivering the identified savings for partners for 2015/16 to 2017/18. This year just gone further highlighted the varying budgetary pressures faced by the partners. Going into 2015/16, further savings were delivered for Worcester City and Wyre Forest councils by re-defining certain elements of service delivery, with the County Council also having to make a significant reduction in its contribution to the 2014/15 budget. Much of this was

achieved through the accommodation cost savings by relocation of the service to Wyre Forest House, which took place right at the end of March, and the agreed change of ICT host, with Wyre Forest taking up this role in July 2015.

The Worcestershire Regulatory Services budget for 2014/15 was set at £4,637,000. WRS continued to explore and develop opportunities to generate income, focusing on supplying services to other local authorities. Providing expertise in the most complex and technical areas of Environmental Health has been fruitful with our neighbouring districts as they struggle individually to maintain knowledge in areas such as Air Quality and Contaminated Land, and we now provide these services for a number of other local authorities. WRS also successfully bid to deliver a substantial contract for dog warden services for the three most northerly districts in Gloucestershire. The WRS Business Plan 2015-18 makes it clear that it is this kind of work that WRS sees as being its most marketable going forward.

The final element to highlight from the Business Plan is the development of the fee-earner approach to our cost management processes, which will help ensure that our income generation activities fully recover cost and additional value for the partners, and may in time, help inform partner contributions.. Members will see more of this during 2015/16.

Our three strategic priorities, developed from our partners own priorities remain the focus of what we do:

- Supporting the Local Economy,
- Improving Health and Well-being,
- Tackling and Preventing Crime and Disorder,

We continue to supported legitimate businesses where we can and, at the same time, tackle rogues and criminals to protect the public, particularly the vulnerable and honest traders. Central to this approach was and remains the availability of accurate data and intelligence sharing. Our intelligence unit coordinates and analyses intelligence obtained by WRS officers and from external agencies, helping managers to target WRS resources more effectively and to forge links with other enforcement agencies and partners to share intelligence and target enforcement action.

In summary, the year should be regarded as highly successful, with the service continuing to deliver high quality services, developing new ways of working such as the pilot around nuisance services requests whilst at the same time delivering real savings and efficiencies and also producing a plan for future savings. All this has been achieved whilst introducing a new single IT platform and transferring all existing data from at least 11 legacy systems and assisting several partners and local business to deal with the serious impact from the recent widespread flooding .

WRS Head of Service since its inception, Steve Jorden, departed during January for a senior post in Devon and we wish Steve the best in his new position. This role will be filled on an acting basis pending agreement to a new partnership and business model.

Ivor Pumfrey
Acting Head of Regulatory Services

Jayne Pickering
Lead Financial Officer

KEY ACHIEVEMENTS FOR WRS IN 2014/15:

These include:

- Continuing to deliver services as economically as possible, realising savings wherever they are available, whilst maintaining high levels of service delivery and performance.
- Working with partners on the process of procuring a strategic partner as a preferred option for future service delivery and demonstrating the existing service model's qualities in terms of efficiency and effectiveness
- Performance against our outcome measures remains very good, in spite of reducing resources and further budgetary pressures.
- Introducing and implementing a new IT system. - Uniform
- Improving income generation from various other local authorities including dog wardens services, nuisance investigations, air quality and contaminated land support work for various Gloucestershire authorities, Public Health towards cost of delivering Worcestershire Works Well,
- Improving detailed understanding of WRS costs and developing the service matrix to show partners in detail where their money is spent and where savings may be more easily achieved.
- Working closely with the Worcestershire Local Enterprise Partnership producing a bid for funding to support a regulatory exemplar project in the south of the County.
- Relocating the WRS operating base from Wyatt house to Fine Point House, thus delivering significant cost reductions for partners and in the process of changing IT host which will deliver further cost reductions

PERFORMANCE

Our ability to report performance has improved throughout the year with the implementation across the board of the IDOX Uniform management information system. The corresponding demand and activity data provided to Joint Committee members has also improved and now, in our view, paints a clearer picture for them.

Our key performance measures continue to focus on customer satisfaction and the positive compliance of businesses. The vast majority of higher risk businesses have been subject to inspection or some other form of suitable intervention and the key priorities of each partner council have been fulfilled. Business and consumer satisfaction have remained at high levels in spite of the changes made in some areas to service delivery. Previous year's results appear in brackets in the relevant box providing a comparative view of performance over time. For complaints and compliments we can provide 3 years of comparison.

	Measure	Figure	Commentary
1	% of service requests where resolution is achieved to non-business customers satisfaction	77.4% (77.3%, 82%)	Based on an average score for 9 questions relating to the interaction of the service with non-business customers. Over 400 non-business customers replied to our questionnaires. 86.2% found their contact with WRS helpful and 89.1% found the information and advice provided easy to use. However, only 70.9% felt that the length of time to resolve their problem was satisfactory and 79.2% (slightly better than last year,) felt that the speed of initial response from WRS was satisfactory. This has been shared with Managers who will

			continue to encourage staff to make decisions quickly in relation to the progress that can be made on service requests.
2	% of service requests where resolution is achieved to business customers satisfaction	97% , (92.3%, 88%)	Based on an average score for 9 questions relating to the interaction of the service with business customers. Over 500 businesses replied to our questionnaires. Of those who responded, 96.7% felt that their business had been treated fairly and 99.3% of customers felt our staff were polite in their dealings with them. Some 97.1% of customers found the information and advice we provided easy to understand and 98% found it helpful. The lowest scoring response for businesses this year related to speed of response and even this was 94.6% satisfied.
3	% Food businesses broadly compliant at first assessment/ inspection	96.8% (95.3 %, 94.4%) Bromsgrove 96.4% Malvern 97.6% Redditch 96.1% Worcester 96.4% Wychavon 97.7% Wyre Forest 96.1%	This focuses on food hygiene inspection and the number of premises where there are no significant non-compliances and the food produced in such premises would be safe. There are variations across the districts, which will help to direct some of the work next year. This is outlined further on in the report.
4	% of food businesses scoring 0,1 or 2 at 1 st April each year	3.2% (4.7%, 5.6%) Bromsgrove 3.6% Malvern 2.4% Redditch 3.9% Worcester 3.6% Wychavon 2.3% Wyre Forest 3.9%	Food premises scoring 2 or below on the FHS are deemed to be at risk of not producing safe food so are subject to further intervention until such time as they meet requirements or face formal action. The majority of businesses are supported to achieve compliance and none this year were prosecuted following a routine inspection visit.
5	% of applicants for driver licenses rejected as not fit and proper	0.98% (0.64%, 0.01%)	Based on 1532 drivers licensed across the 6 districts of Worcestershire. Only 15 applicants/ re-applicants were deemed not fit and proper people to hold a driver license by members of the relevant committee
6	% of vehicles found to be defective whilst in service	0.96% , (1.76% (7.06%))	Based on 1351 vehicles operating in the County, during vehicle stop checks, some 13 vehicles were found to be defective whilst in service.
7	% of service requests where customer indicates they feel better equipped to deal with issues themselves in future	74.2 (73.7%, 77%)	This focuses on non-business customers. It is a specific question asked to members of the public in the questionnaire to test if the information and support provided to them by WRS is likely to help them deal with their own problems in the future

8	Review of register of complaints and compliments	17 complaints (24, 47, 70) 51 compliments (57, 36, 24)	Numbers of complaints and compliments appear to have stabilised this year with a ratio of 1:3. The main area of complaint was from people who were unhappy with the outcome related to the problems they were suffering not being declared a statutory nuisance when investigated.
9	Staff sickness absence at public sector average or better	3.9 days per FTE (7.7, 9.5)	This is significantly better than we have seen in previous years and well below the average for local government generally. Given the level of change faced by the service and its staff, it shows that supporting staff during times of radical change can improve their well-being.
10	% of staff who are satisfied with working for WRS	77%, 82%	Based on those who scored 5/10 or better for the question in the staff survey which asked, are you satisfied with working with WRS. A more detailed review of the picture is being undertaken and the whole team will look at how things can be improved. Generally the picture is good with a small number of areas requiring attention..
11	% of licensed businesses subject to allegations of not upholding the 4 licensing objectives	Worcestershire Average 7% Bromsgrove 7.9% Malvern 3.3% Redditch 10% Wyre forest 7% Worcester 8.6% Wychavon 3.6%	New indicator, linked to Crime & Disorder agenda, following discussions with elected members. .This is the first year that this has been reported and shows that generally premises across the County are well run and controlled by their operators. Generally, the complaints about premises relate to minor issues, mainly to do with noise. Many pubs are trying to diversify, offering music and other entertainment, which is within their license conditions, but sometimes this is not welcomed by some living nearby. Simply precautions like closing windows and doors during performances results in resolution of most of these issues.
12	Rate of noise complaint per 1000 head of population	Worcestershire Average 3.8 (est 3.16) (3.88) (4.2) Bromsgrove 3.1 Malvern 3.9 Redditch 3.5 Worcester 2.9 Wychavon 2.5 Wyre Forest 3.0	Historically we were only able to report a Worcestershire average. We are now able to give data by individual districts. Looking at previous years, we appear to have similar figures. The estimate in 2013/14 appears to have been low due to data transfer issues. Where we can resolve noise issues this is generally achieved through mediation between the parties concerned. Only 20 resulted in a statutory noise being issues last year, out of over 2000 service requests.

PERFORMANCE MANAGEMENT

Strong management of performance is vital to the success of this service, ensuring that customers are satisfied and partners are reassured by the cost effective delivery of the service on their behalf. Whilst everyone must accept responsibility for managing performance, the WRS management team is committed to driving performance forward so that a high standard of service delivery can be maintained.

Management team meetings are used to review performance against the service plan and to highlight any issues of concern. Senior practitioners (front line managers) are invited to attend these meetings to ensure a two way flow of information between management and staff. This arrangement was introduced at the behest of senior practitioners and is working well. Teams have their own detailed plans that sit below the service plan signed off by Joint Committee. Progress against this is monitored by Team Managers and Senior Practitioners.

The Management team also looks to the strategic direction of the service and ensures that the operational and financial resources available to partners are used in the most efficient manner to achieve both their individual strategic aims together with WRS priorities (see earlier).

Implementation of our IT platform has improved our ability to report to Joint Committee on our performance measures. There is still work to do to ensure that the single system becomes fully embedded, but Uniform is now operating across all functions and the service will continue to develop the public access front end during 2015/16 to increase channel shift and allow more direct customer interaction (e.g. direct submission of license applications and progress monitoring of service requests.)

Reports presented to the Joint Committee and Management Board now have data broken down into individual Councils areas where this is relevant and deliverable.

There are a wide range of bodies to which the service must report data (e.g. Food Standards Agency, Department of the Environment, Food and Rural Affairs, Health and Safety Executive, Department for Business, Innovation and Skills, etc) All statutory reports were submitted so as to ensure that WRS continues to meet its partner's statutory obligations, however, where practicable, only one return for WRS has been provided so as to save both time and money. The majority of bodies are accepting of this approach and a number are reviewing the returns we are asked to make so that the volume of data can be reduced, lessening the burden.

Internal Audits

There was a single internal audit within WRS during 2014/15 focused again in the area of Licensing, but this time focusing on our non-taxi areas

The draft audit findings can be summarised as follows:

- All partners to consider methods of referencing licensing payments within their ledgers, to aid future reconciliation
- The process of raising debtor accounts to be revisited by partners and WRS
- WRS to work with partners to identify a mutually acceptable way of confirming receipt of cheques
- WRS to aid updating partner websites
- WRS to continue the process of publishing public registers on line
- WRS/partners to undertake a review of licence fees following introduction of the deregulation bill

Most of the recommendations are financial in nature and refer to the receipting of monies received as licensing fees and thus require the input of partner financial teams to achieve resolution. This work is in progress.

SERVICE DELIVERY HIGHLIGHTS

There have been a number of highlights throughout the year to showcase the work of our teams and illustrate the breadth of their responsibilities.

Community Environmental Health Team

Major work on cleaning databases transferred to Uniform was completed this year. This has enabled better work planning and performance monitoring. We are also now able to automatically upload weekly Food Hygiene Rating Scheme (FHRS) data to the Food Standards Agency national website keeping consumers better informed about food hygiene standards in Worcestershire. Some 3,000 food businesses are now on the FHRS site.

This has been WRS busiest year on record for formal actions with 15 case investigations currently either in the court system or in the final stages of investigation. Operational reviews aimed at improving operational efficiency have continued throughout the year, with the current focus being on Food Safety. Our purpose has been agreed as to “ensure food safety compliance” which reflects the flexibility to cover the spectrum of advice through to prosecution and closure and recognises that a reduction in resources may cause a shift in focus from advice to compliance. Other reviews have included licensing compliance and infection control. WRS also took part in a successful exercise with partner organisations of the Local Resilience Forum designed to test and inform our preparedness for Ebola.

Food Hygiene

During the year we completed approximately 1400 food hygiene inspections across the county. The details of broad compliance appear in the performance framework table. This year Redditch has had a higher number of problem businesses. Businesses which only achieve a rating of FHRS L0-2 are now not only subject to revisits until conditions improve, but also to further action ranging from a letter from the Food Safety Lead, to review meetings. In the case of FHRS L0 premises the presumption is now to formal action. Two prosecutions are pending (a restaurant and a retailer) and several formal cautions have been issued, mostly for rodent infestations and dirty conditions. For the first time in years cockroaches appeared in the county in Redditch and Malvern which led to the formal closure of two businesses.

At the request of Asian food businesses in Worcester we developed a Food Business Forum with the Worcester Islamic Association. The first event took place on 4 November and was attended by 40 restaurant and takeaway owners and chefs. The 3 hour event in the Guildhall offered short presentations on Food Safety, Health and Safety, Trading Standards and Health and Well Being delivered in a very visual format. Subsequent visits to the premises have shown an improvement in standards and, more importantly, a better understanding of food safety issues. Further events are planned. One of the businesses that participated won Midlands Curry Chef of the Year, the first time a Worcestershire business has been successful.

During the year we entered into Primary Authority Agreements with Aspens Catering Services (covering Food Safety, Health and Safety and Trading Standards) and Bobby's Foods (Health and Safety) further enhancing the reputation and position of WRS at national level.

Health & Safety at Work

The Worcestershire Works Well scheme, a partnership with Worcestershire County Council's Public Health, team, won a Royal Society of Public Health Award. The scheme promotes health and well-being in businesses. An officer spent the year on secondment with the Public Health at Worcestershire County Council.

Whilst proactive health and safety inspections are no longer the norm in some areas due to service reductions and Central Government's drive to reduce the regulatory burden on business, the investigation of several serious accidents arising from work activities (including a fatality) continues to put pressure on resources. Health and

safety investigations can be complex and take months, and sometimes years, to bring to completion. Closed investigations include a fatality at a public house, a firework related incident, an accident to a young man in a residential setting whose injuries have left him tetra-plegic and a forklift truck incident in a warehouse. On-going investigations include a dangerous occurrence involving a child in a major retailer in Redditch and serious incidents at builder's merchants and warehouses. One case is currently with the CPS for a possible corporate manslaughter charge.

Statutory Nuisances

A major supermarket chain in Malvern developed its site contrary to planning conditions in respect of the siting of cooling fans on the side of the building. The build went ahead but the fans were mounted to the rear, facing residential properties. WRS investigated, confirmed the existence of a statutory nuisance and was able to secure the repositioning of the fans to their originally permitted location.

The team has dealt with a number of challenging and complex service requests during 2014/15. Major investigations included premises in Wyre Forest whose 24 hour operation of industrial hammers and associated cooling fans caused a noise nuisance to local residents. Following pressure from WRS and the threat of litigation, the company finally invested in noise mitigating measures which have successfully resolved the nuisance

A successful seizure operation was mounted in Wyre Forest following complaints of noise from loud music. All noise making equipment was removed from the premises and court proceedings are set for May 2015. A social club in Redditch has also been served with a statutory notice following complaints of noise and is now subject to court proceedings.

A city centre pub in Worcester was the subject of a joint operation with the Licensing team, focussing on noise nuisance, allegations of lock-ins and smoking on the premises. Following WRS intervention an application to vary the licence was withdrawn with the Designated Premises Supervisor being warned about future conduct.

Following a protracted legal process subsequent to the service of a notice in relation to odour nuisance, the owners of a farm in Wychavon withdrew their Crown Court appeal and agreed to pay costs to Wychavon DC. This followed a lengthy investigation by WRS. The farm owners had an appeal against the notice through the Magistrates Court dismissed but had sought to challenge this decision through the Crown Court. It is a testament to the efforts of WRS officers together with the legal team at Wychavon DC that the original appeal was dismissed and that this appeal was ultimately withdrawn.

Nuisance problems caused by motorsport in Malvern, Wychavon and Bromsgrove continue to put pressure on resources. December saw the team working collaboratively with the Central operations team and Network Rail to keep to a minimum the nuisance caused to residents during essential construction works at Bromsgrove Station over the festive period.

Trading Standards & Animal Health team

Counterfeiting: Investigation into Fake Royal Worcester Porcelain

Trading Standards officers received an anonymous tip off that fake 'fruit painted' Royal Worcester Porcelain was being sold regularly from a stall at a Worcestershire antiques fair. Initial background enquiries found that, after closure of the Worcester factory, all Royal Worcester Porcelain production transferred to Staffordshire and continues under a company called Portmeirion, the trade mark holders for the recognised Royal Worcester crest.

The pictures above and below show the actual plate and the Royal Worcester crest that had been applied. Enquiries started in February 2014 with a visit by two officers and an expert from the company to the antiques fare where we found a stall selling a number of plates and vases displaying the Royal Worcester crest. The items were on sale for between £200 and £300 each. On the face of it, the items looked like the well-known fruit painted design but it became clear on closer inspection that they may not be what they first appeared to be. To the untrained eye, including the Trading Standards officers, the items certainly looked genuine. An expert witness explained that all fruit painted designs were individually hand painted onto very ornate shaped blanks and that a cake/cheese tableware plate with the name Contessa on the reverse would never have been part of the 'fruit painted' range. The plate was therefore not genuine. All of the items on the stall were seized. After further examination by experts it was confirmed that none of the items seized were genuine.

Stamp on the reverse



The main offender accepted a formal caution, which was offered due to their age and previous good character. The person selling the products was ill with cancer and passed away before any decision on action could be taken. This sort of offence can easily dupe an unsuspecting individual into parting with cash for something which is worth considerably less. It also undermines the reputation of the product and in this case the Royal Worcester trademark.



Design on the front

Counterfeit Tobacco and Cigarettes – Prosecutions & License Revocations

A number of Worcestershire businesses were visited by the Trading Standards team during the year to check for illegal tobacco. A number of seizures of illegal tobacco products were made. The cases came to court in October and November:

Mr Mohammed Ali Kamal pleaded guilty to a number of offences for possessing and selling illegal tobacco products through his business, Yasmin stores of Worcester. Mr Kamal was ordered to pay a fine of £400, a victim surcharge of £20 and £1,000 towards costs. Mr Jaza Sharif pleaded guilty to a number of offences for possessing and selling illegal tobacco products through the Green Store. Mr Sharif was ordered to pay a £500 fine, a victim surcharge of £20 and £1,000 towards costs.

Mr Shapol Bakrali, 37, of Ambleside Drive, Worcester pleaded guilty to 14 offences relating to the sale of illegal cigarettes and tobacco at Worcester Magistrates Court on 6 November 2014. This visit uncovered secret stashes of illegal tobacco concealed in a button-operated compartment in the shop counter and in a covered pit in the basement, and, as a result, Bakrali's home address was also searched and substantially more illegal tobacco was found and seized. In total 4,430 packets of illegal cigarettes were seized along with 16.5kg of hand rolling and shisha tobacco products.

Following several of these visits, the Trading Standards team were successful in having two premises licences revoked by exercising the County Council's powers as a responsible authority under the Licensing Act 2003.. Government guidance under the 2003 Act suggests that the use of premises for such illegal activity should be

treated very seriously and therefore officers made applications to the relevant District Council Licensing Committees for the premises licences to be removed on the grounds of the prevention of crime and disorder and public safety. Two cases were heard on 12th June 2014 when a Licensing Sub-Committee at Wychavon District Council decided to revoke the premises licence in respect of Evesham Mini Mart, 35 High Street, Evesham. Subsequently, on 3rd July 2014, a Licensing Sub-Committee at Worcester City Council decided to revoke the premises licence in respect of Yasmin Supermarket, 37 Lowesmoor, Worcester.

Fair Trading: Working with the National Scams Team

WRS has agreed to accept referrals about the victims of Mass Marketing Scams from the National Scams Team of the National Trading Standards Board, which is based with East Sussex County Council Trading Standards. The Trading Standards & Animal Health Team have been visiting these people with the purpose of establishing whether they are a scam victim or not and if they are how serious the problem is. This information is fed back to the NST for processing.

One of the people on the list, a 90 year old lady, was visited by officers from the Trading Standards team in early November. They spoke to her about sending money off then sent a follow up letter which was read by the lady's daughter. The daughter confirmed that her mother had been sending £300 per month to a lottery. The lady has since written to one of the officers thanking him for helping her and stopping her from sending off money to the scammers. She explained that she had been trying to win some money for her grandchildren's education, but will not be sending any money in future.

This lady was elderly and vulnerable and not in good health, as she explained in her letter. It demonstrates the importance of the work undertaken by the team and the potential level of detriment to the victims. As the proportion of elderly people in the County increases and their access to funds such as personalised social care budgets and access to pension pots improves, they will become even more tempting targets for the scammers and rogues

Fair Trading: Motor Vehicle Prosecution Cases

A Redditch car trader, trading as Purple Cars Ltd, who clocked cars and set up businesses using false details was jailed for 33 months and disqualified from being a company Director for 6 years after being prosecuted by WRS Trading Standards officers. The adjusted mileage for four vehicles totalled 222,444 miles. The aggravating features of the case were that the fraudulent activities were pre-planned and designed to target the financially vulnerable. The prosecution case included the fact that the defendant had deliberately altered his name in an attempt to disguise his identity. He had also destroyed documents that would have implicated him further. The defendant had been released from custody from his last sentence in February 2012 and the first offence on the Indictment occurred in May the same year. All but two of the offences occurred during the licence period and no doubt whilst he was still required to visit the probation service as part of his licence conditions. Priority Hire Ltd and its Director Loyd Chandler were prosecuted under the Consumer Protection from Unfair Trading Regulations 2008 in connection with two cars which had had their mileages reduced - an Audi A6 vehicle advertised in Autotrader with a mileage of 85,000 when it had actually travelled 142,624 miles and a BMW on Ebay with a mileage of 130,400 when it had actually travelled 200,327. The Director and company were both fined £1250 for each of 3 offences and costs of £3,788.12 were awarded. Mr Chandler was disqualified from being a Director for 5 years.

Food Standards: Food Substitution

A random sample of "Sizzling Monkfish with Black Bean Sauce" was purchased by a WRS Trading Standards officer from an Ombersley Chinese restaurant as part of a routine sampling programme. Investigations revealed that the fish used was in fact 'redfish', a type of perch that retails for £4.30 per kg whilst the price of monkfish is close to £20 per kg. The restaurant was found guilty of selling misdescribed fish and fined £2000 plus £1000 costs.

Following another routine food sampling exercise Massala Bite Limited, Rubery was prosecuted under the Food Safety Act for selling beef curries described as lamb. Redditch Magistrates Court heard, on Thursday 4 September, that the restaurant had been selling beef curries described as lamb for some time. The company director Mr Bodrul Mohammed Islam said the company had limited finances and therefore had used the cheaper meat. The company was ordered to pay £3489 including fines, costs and a victim surcharge.

Technical Pollution Team

Energy from Waste Plant, Hartlebury

WRS have been working in conjunction with Hitachi Zosen on managing the environmental impact of the construction phase of Severn Waste's Energy from Waste plant in Hartlebury. The development is presently the largest and most complex construction project in the county. The joint working and implementation of WRS demolition and construction best practice guide permitting system to extend working hours on the site has enabled Hitachi Zosen and their contractors to extend their normal working day which has saved them around 30 working days in lost site activity. In addition to the benefits time savings WRS can confirm that there have been no complaints from residents as a result of the implementation of the working strategy with regard to any adverse environmental impacts from this difficult phase of construction.

WRS will continue to work with Hitachi Zosen throughout the construction phase of the development to ensure that this project continues to progress along planned timescales without unnecessary impact on local residents in the nearby Hartlebury communities.

Planning Consultation

2014/15 saw a spike in the volume of consultation work that the team had to do with local planners on development matters. This spike seems to have coincided with the approval of the South Worcestershire Development Plan. Officers support the planning teams in reaching conclusions about what they recommend to members. WRS officers provide independent impartial advice on the potential environmental impacts of development.

Licensing

The Protection of Children and Young People.

The sexual exploitation of children has been identified as something that can happen anywhere and local authorities need to be taking action to both reduce risks and support the detection of this heinous crime. Worcestershire Regulatory Services recognises that it has a role to play in this, particularly in relation to some of the individuals and businesses that are licensed by partners. We are at the forefront of raising awareness of these real dangers by:

- Raising the awareness of over 2,500 Hackney Carriage and Private Hire drivers in relation to this issue. As members will be aware, in certain of these cases in the north of England, licensed drivers were involved in this criminality however, it is important that we do not leap to conclusions about the drivers we license. Evidence also suggests that they are often the eyes and ears of the community and as such they can play a crucial part in the fight against child sex exploitation by reporting potentially important information. We have written to individual taxi drivers, attended taxi forums to provide information and are making our own staff aware of signs to look out for and to pass these onto the trade.
- Evidence from the various reports produced following incidents in Rochdale, Rotherham and elsewhere suggests that pubs and clubs are often associated with such abuse and information is being provided to licence holders upon application, renewals, variations and when licensing staff visit premises to raise their awareness of the danger signs at their premises.

- We are liaising with the Police and other partners to ensure that the best intelligence can be gathered and shared to identify any potential hot spots or any sign that unlawful activity is taking place.
- Our own staff and Local Councillors are being given awareness training so that they at least able to recognise the areas in which such abuse can take place and the early warning signs.
- We have systems in place to ensure that any accusations against any licence holder can be dealt with immediately and, where necessary, the licence be suspended pending a formal hearing. This ensures that the public including vulnerable people are properly protected.

Anyone aware of or having suspicions about a child being at risk or about a premise that may be used to sexually exploit children should report this information to the Police using the non-emergency number 101 or to Crimestoppers 0800 555 111.

FINANCIAL MANAGEMENT

Budget 2014/15

Monthly financial monitoring reports have been presented to the Management Board and to each Joint Committee meeting. In addition, a robust ordering and authorisation process is in place to ensure the transparency and accuracy of costing. Good management of costs, income generation and the management of vacancies led to an underspend of £227,192 against the revenue budget of £4,637,000, which is 4.9%.

This budget position is subject to final Audit as part of the statutory arrangements for the Joint Committee.

Increasing income generation

Income was generated from a range of sources. The contract to provide pollution work for Tewkesbury Borough Council was extended into 2015/16, providing an income which is being re-invested in the service. WRS has also secured funding from the Worcestershire Local Enterprise Partnership to explore the potential for an Earned Recognition scheme for small producers and manufacturers which will enable them to seek new markets. Over 20 staff members of the Community Environmental Health team have undertaken Housing Health and Safety Rating Scheme training which provides the potential for extending the work of WRS into that sector

The Technical Pollution team were delivering Dog Warden services for two districts in the north of Gloucestershire and has subsequently been successful in tendering for the dog warden service for Tewkesbury, Cheltenham and Gloucester City. Income has been generated by providing contaminated land and air quality capacity for a number of local authorities, including Tewkesbury and South Gloucestershire. Surpluses have been re-invested in delivery or contributed to the underspend at year end.

The Trading Standards and Animal Health team earned over £57,000 in grant income from the Food Standards Agency via National Trading Standards Board for delivering Animal Feed inspections and sampling activity at premises in Worcestershire. This particular income stream has come about because of threatened action by the EU's Food and Veterinary Mission in relation to the UK's failure to undertake regulatory activity in relation animal feed. This grant scheme should remain in place for 2015/16 and 2016/17.

WORKFORCE PLANNING AND HUMAN RESOURCES MANAGEMENT

The WRS structure changed on 1st April 2014/15 and the same arrangement is taken forward into 2015/16. Pooling the resource delivering the County Council's Trading Standards and Animal Health functions within one team under the management of Chris Phillips has allowed us to maintain some economies of scale and support knowledge management within the team. David Mellors continues to lead the Community Environmental Health team, focused on Food Safety, Health and Safety and Statutory Nuisance (with some other minor areas.) Mark Cox remains the Acting Technical Pollution, Dog Wardens and Pest Control Manager managing Planning, IPPC, Contaminated Land, Air Quality and the County Council's Petroleum/ Explosives functions and finally Susan Garratt continues to head up our Licensing and Support Services team. Teams will continue to support one another on operations, providing additional pairs of eyes, hands and ears whenever it is necessary.

Sickness absence levels are running at 3.9 days per FTE person. This is significantly better than in previous years where we have had a significant amount of long term sickness, mainly due to unfortunate accidents and one or two serious illnesses. We will continue to use Bromsgrove's processes to try to ease the sickness rates, however, at a time of rapid change, there is likely to be some impact on staff sickness, even where managers are providing all of the relevant support to staff.

Turnover of staff has increased as we have been through both voluntary and compulsory redundancy processes. At 1st April 2014, the staff complement was 99.5 and, of those, 96 were funded via partner local authority contributions. To deliver planned savings for 2015/16, whilst much of this was delivered through the change of accommodation, some further savings had to be achieved through redundancy. Only one of these was compulsory. At the 1st April 2015, the total staff establishment was 87.5 FTE. Grant funding and income generation continue to sustain a small number of additional posts within the establishment maintaining WRS capabilities. Given the current financial situation and the savings indicated by partners for next year, another compulsory redundancy process is anticipated during 2015/16 unless a number of staff leave the service and/ or sufficient voluntary redundancy applications are received.

All staff participated in the Personal Development Review (PDR) process last year and this has been fed into a personal training plan for each officer and an overall training plan for the service. The latter allows us to look at opportunities for running training in-house (bringing the trainer to us) where there is sufficient need, which is significantly more cost effective than going to external providers. WRS Officers receive two performance reviews per annum through the service's formal PDR system. The annual detailed review and 6-monthly progress check is designed to identify development needs and discuss how each person contributes more widely to the service's key strategic priorities and service delivery. All PDR reports are countersigned by the next level of management to ensure consistency, openness and transparency and ensure that nothing is missed.

The staff survey had a good response with well over half of the team responding; an improvement on the 2013 survey. The performance indicator reported is a straightforward one based on those scoring 5 or above to the relevant question. In order to get a better picture, the net positive/ negative scores have been calculated by subtracting the number of respondents scoring 0-4 from those scoring 8-10. Score 5-7 have been excluded as these are considered neutral which is not where we want to be as an organisation

Management Team was able to review these initial results at its meeting in May and is very pleased that most are positive with many being strongly positive (+40 or more). There are however some clear areas of dissatisfaction:

- Teams within WRS working well with each other
- Using the ORB to keep updated on what's happening

- Providing customers/ business with a better level of service compared to 12 months ago

Management Team is committed to making WRS the best possible place to work it can be. This means addressing the findings of the workforce survey promptly and positively. It is essential for lasting positive change that the issues are owned by everyone in an organisation. To this end, the Management Team has invited feedback on these results from colleagues and their suggestions for the improvements will be fed into a plan that everyone can help to deliver. Contributions will be sought through team meetings, 1-2-1s and sharing of the plan as it evolves.

ACCOMMODATION

On 23rd April WRS re-located to Wyre Forest House, Finepoint Way, Kidderminster. Staff have settled quickly and are enjoying their new surroundings. The move was project managed on our behalf by Wyre Forest officers and their support was excellent.

The use of flexible and mobile working is generally now the norm, with staff frequently using home as their start and finish point for work in the field. Officers will come into the office two or three days per week to liaise with managers and colleagues or for meetings, and on the other days they work flexibly. The touch down points retained in each of the councils (we are looking to establish a new presence in Worcester,) have provided an excellent venue for licensing surgeries and these have been welcomed by the taxi trade in particular. This move has also enabled staff to strike a better work/life balance which is essential for good morale.

BUSINESS TRANSFORMATION (SERVICE DELIVERY)

As was pointed out by Capita during the Strategic Partnering procurement process, most of the transformation that could be done has been done now. It is very much now about embedding and normalising many of the slight changes to working practices that have been created, adopting the continuous improvement model of thinking.

Going forward, the use of intelligence will feature more and more, especially within the Trading Standards functions under the National Trading Standards Board's Intelligence Operating Model that seeks to embed the intelligence led approach at local, regional and national levels. We will also continue to look at how the model can be used with some Environmental Health functions. There will not be a full fit, but some elements of the model like its problem solving approach will be applicable. The Intelligence Unit within the service has helped to both direct the work of the service and to provide information for managers and members on outputs. This will continue to develop during the coming years.

There are some areas of the system like Public Access, where implementation remains an on-going process. The system is now in day to day use by staff and, whilst there are some niggles (which should be resolved by the latest version,) it is providing valuable performance data for the service and has been very useful in developing our fee-earner model, which members will see more of during 2015/16. One thing that this work has highlighted is the need for good time recording of activity to give accurate costings. The system can do this and managers will continue to work with staff to maximise the levels of information recorded.

RISK MANAGEMENT

WRS recognises that the development of policy, delivery of service priorities and the management of its services for seven partners attract risks.

In reviewing its service risks and the effects of management strategies and policies WRS seeks to;

- Identify, assess and manage risk
- Safeguard the services assets and equipment
- Focus on the delivery of its service to its customers

The Service aims to ensure that Risk Management becomes a natural component of its management process and that when and where appropriate; risks are avoided, reduced, transferred or retained. As part of these arrangements, a WRS risk register has been developed that can be integrated with partners own risk registers. This register will be maintained and reviewed periodically to assess current risks and identify forthcoming priorities. The current risk register appears as Appendix 3.

EQUALITY & DIVERSITY

WRS is committed to equality of opportunity and respect for diversity. The service links in with the hosts adopted Equality Standard for Local Government as a framework to help embed equality and diversity into everyday aspects of its work.

THE NEXT STEPS

As we head into the next period the service's principle challenge remains developing a service delivery model that meets all our partners differing financial pressures. The development of IT based solutions to promote self-help/ channel shift and increasing the ability of our newly created in-house Duty Officers to resolve problems at first point of contact are key threads in our proposals for increasing efficiency and delivering the service at lower cost.

Appendix 6 details the budget allocation for three years from 2015/16 to 2017/18 and identifies the savings currently highlighted by partners for delivery. It should be noted that, whilst all districts have highlighted savings for 2015/16, Bromsgrove, Redditch, Malvern Hills and Wychavon are all happy to take this spread over a two year period (15/16 and 16/17,) and only want efficiencies not reductions in levels of service delivery. The contribution from each partner is based on the revised % share developed during 2013/14 and outlined at the end of Appendix 6.

The budget for 2015/16 was developed to deliver the savings highlighted for this year. Much of the saving was focused on the move of accommodation and change of ICT hosting, which has allowed both a reduction in overall budget and a realignment of some partner contributions.

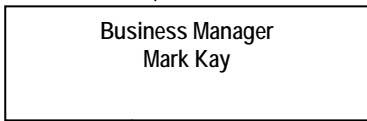
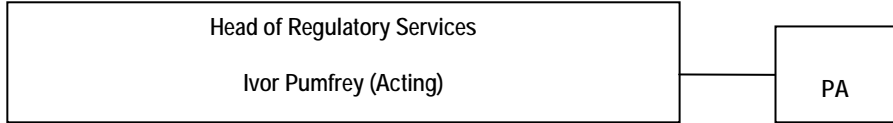
As we will continue to be in an ever changing environment, communications with staff will remain a key element of strategy for maintaining performance, so we will maintain our various channels of communication to keep them informed of developments and involve them in the change process.

Key Milestones for 2015/16

- Appointment of a new head of service for WRS
- Review of partnership, governance arrangements and management structure
- Refinement of the fee-earner approach to understanding WRS cost base
- Continued delivery of the WRS Business Plan 2015-2018 and our annual operational service plans
- Following our philosophy of continuous improvement, continue to review operations to improve marginal efficiencies,
- Identify how future savings can be delivered whether this is through efficiency, channel shift/ transformation or by service reduction,

- Continue the process of channel shift by increasing the customer's ability to use self-help, do transactions on-line and monitor progress of their piece of work on-line.
- Continue to look at ways of generating income for the service
- Deliver identified budget contribution reductions for partners

Appendix 1 –Structure 2014/15



Geographic Environmental Health Manager
David Mellors

- Food Safety
- Health and Safety
- Infectious Diseases investigation
- Food Poisoning investigation
- Accident Investigation
- Private Water Supplies
- Nuisances
- Drainage, Public Burials/Exhumations
- Alcohol Licensing enforcement
- Health and Wellbeing Projects

Trading Standards and Animal Health Manager
Chris Phillips

- Metrology
- Food (Composition & Labelling)
- Fair Trading
- Product Safety
- Underage Sales
- Internet Crime
- Counterfeiting and Scams
- Rogue Trading
- Enterprise Act Civil Enforcement
- Animal Health
- Animal By-Products
- Animal Feed
- Trader Register
- Intelligence Monitoring

Acting Technical Pollution, Dog Wardens and Pest Control Team Manager
Mark Cox

- Dog Warden
- Pest Control Contract Monitoring
- Environmental Permitting
- Petroleum and Explosives licensing enforcement
- IPPC
- Contaminated Land
- Air Quality
- Private Water Supplies
- Planning Consultations

Licensing and Support Services Team Manager
Susan Garratt

Administration of all Licensing Functions (Including Petroleum and Explosives)

- Hackney & Private Hire licensing enforcement
- Enforcement of Licensing Conditions for Animal Businesses
- Policy Development
- IT Support & Data Control
- Performance Monitoring
- Training and Development
- Communications
- Legal Administration
- Administrative Support
- Finance/Grants
- Business Continuity
- Public Information/Registers
- Risk Management

Appendix 2 – WRS Risk Register

Risk Description	Consequences	When is this likely to happen	Current Position			Control measures
			Likelihood	Impact	Matrix RAG Status	
Loss of Data through IT failures	Disruption to Service Provision. Inability to produce records and data.	On-going	Low	High	Green	Bromsgrove ICT have effective processes and business continuity plans in place.
Delays in implementing and deploying new single WRS IT System	Impact on work planning. Additional time taken in Data cleansing and developing new approaches i.e. self-help/ public access	April 2014 onwards	Low	High	Amber	Initial system implementation is virtually complete and had now been put into the support team as business as usual. The Project Board is disbanded. Further development of the system will be treated as business as usual, with priority going to public access and self-help/ self-service to continue the channel shift process.
Effective and efficient Business Continuity arrangements in place	Disruption to service if e.g. Major Power failures or other reasons that access to Wyatt House is not possible.	On-going	Very Low	Medium	Green	Staff are equipped for mobile/home working. Touchdown stations available in partner council locations.
Maintain our capacity to achieve service delivery	Disruption to service e.g Major staff sickness (e.g. flu pandemic) or Unable to recruit or retain suitably qualified staff.	On-going	Low	Medium	Green	Service priorities to be managed and partners informed of any changes to service. Consultants are available to provide short term cover and this has worked well where we have used them to cover peak demand periods. We are active within regional and sub regional groups to share resources if required. Effective training and development processes in place to ensure recruitment and retention of staff. Regular inventory and maintenance of equipment. In future budget for replace may be an issue but would be a relatively small amount for partners to share.
Pest and Dog Control contractors cease operations.	Disruption to service. Negative media coverage. Increased public health risks	On-going	Low	High	Green	New framework contract has 4 suppliers so the loss of one allows work to be moved to the other 3.
Effective and efficient contract arrangement for dog control	Disruption to service if no kennels available. Negative media coverage. Increased public health risks	On-going	Low	High	Amber	Budget available to use temporary staff or buy in use of other private sector providers in short term. New contracts are in place and Warden Service now fully in-house.

Robust arrangements in place in relation to obtaining legal advice and monitoring legislative changes.	Negative media coverage through loss of major case. Loss of confidence in the service. Financial loss	On-going	Low	Medium	Green	Use of competent staff to undertake investigations. Proper scheme of delegation to ensure authority to take decisions is clear and monitor for legislative changes. Clear enforcement policy in place & ensure compliance with legal procedures. Effective liaison with partner councils legal services departments.
Robust arrangements in place to respond to an environmental incident/disaster	Negative media coverage if major infectious disease incident or animal disease outbreak not handled well. Impact on other service areas. Well-being of staff.	On-going	Low	High	Amber	Processes for response to incidents clear. Effective liaison with government departments and agencies. Managers to deploy staff to support other teams. Mutual aid arrangements with neighbours in place for Animal disease outbreaks
Failure to maintain effective budgetary control	Financial loss Inability to pay staff/contractors Reputational damage	On-going	Low	High	Green	Effective delegation of financial decisions. Devolution of cost centres to managers. Monthly reporting within WRS. Quarterly reporting to management board and Joint Committee
Criticism or intervention by Government if they are unhappy with service provision. Achieve stable levels of contribution from partner authorities	Reputational damage. Level of support from constituent authorities for Regulatory Services will vary due to variations in income	On-going On-going	Very low Low	low High	Green Amber	Compliance with Bromsgrove's financial procedures. Keep key government stakeholders apprised of WRS plans and business transformation and address any concerns at an early stage. OK if partners conform with legal agreement on budgetary cost
Host provides high quality support services to ensure effective service provision	Cost of hosting may increase and level of support required may not be met resulting in the service performance being affected. Failure in host support	On-going	Medium	Medium	Amber	Ensure Management Board informed of significant failings Maintain on-going liaison with host authority Host authority to deal with issues in a timely fashion

Minimise any perceived or real democratic deficit	Members and citizens may perceive that the joint service is not as good as the previous one.	On-going	Low	Medium	Green	Ensure good communications back to the constituent authorities Ensure all publicity pushes the joint nature of services Maintaining some kind of "localism" in the operational delivery
Effective communication with internal partners	Some elements of the new service have key links back to services within the authorities e.g. Planning. These cannot be lost otherwise processes will not work properly	On-going	Low	Low	Green	Ongoing liaison with relevant parts in partner councils (eg Planning)
Development where possible of harmonised approach to service delivery by partners	Different conditions in different areas, Business customers operating in more than one area face different requirements from the same service. One system should create standard fees	On-going			Green	Gradually move towards a more standardised approach within the demands of individual local authorities for savings Have clear scripting for Customer Service staff so that they know the different provisions in each district

Agenda Item 8

Appendix 3 Performance Measures 2015/16

	Measure	Reporting Frequency	Background
1	% of service requests where resolution is achieved to customers satisfaction	Quarterly	An average score based on a number of questions contained in questionnaires send out to a significant number of members of the public who use the service.
2	% of service requests where resolution is achieved to business satisfaction	Quarterly	An average score based on a number of questions contained in questionnaires send out to a significant number of businesses inspected or otherwise contacted by the service.
3	% businesses broadly compliant at first assessment/ inspection	Annually	Based on the proportion of businesses meeting the key purpose from a regulatory perspective i.e. food businesses produce safe food.
4	% of food businesses scoring 0,1 or 2 at 1 st April each year	Annually	Based on proportion of businesses scoring 1-2 star on a national Food Hygiene Rating Scheme assessment (2 stars and below is deemed to be at risk of not producing safe food.)
5	% of applicants for driver licenses rejected as not fit and proper	6-monthly	Percentage of applications received during the year that end up at Committee and are rejected for not being fit and proper persons.
6	% of vehicles found to be defective whilst in service	6-monthly	Percentage of vehicles stopped during enforcement exercises that are required to be removed from service for remedial work before being allowed to carry on operating.
7	% of service requests where customer indicates they feel better equipped to deal with issues themselves in future	Quarterly	Based on questionnaires send out to a significant number of members of the public and businesses who have used the service.
8	Review of register of complaints and compliments	Quarterly	All are recorded Increasing compliments/ Reduced complaints
9	Staff sickness absence at public sector average or better	Quarterly	Sickness recorded using host processes. Public sector average 8.75 or better
10	% of staff who enjoy working for WRS	Annually	Taken from the staff survey.
11	% of licensed businesses subject to allegations of not upholding the 4 licensing objectives	6-monthly	New indicator, linked to Crime & Disorder agenda, requested by members
12	Rate of noise complaint per 1000 head of population	6-monthly	Previous indicator, re-introduced to address gap in performance relating to potential ASB.

Appendix 4: Detailed outrun for Regulatory Services 2014/15

	Summary - Full year Budget	Summary - Expenditure to March 2015	Summary - Variance
	£'000	£'000	£'000
Employees			
Salary	3,401,000	3,302,863	-98,137
Agency Staff	0	122,677	122,677
Recruitment	0	0	0
Subscription	3,000	4,879	1,879
Training	0	0	0
Employee Insurance	15,999	11,508	-4,492
Sub-Total - Employees	3,419,999	3,441,926	21,927
Premises			
Rent	70,000	69,600	-400
Room Hire	6,000	511	-5,489
Business Rates	40,000	37,569	-2,431
Cleaning	10,000	12,870	2,870
Repairs & Maintenance / Security	7,000	3,069	-3,931
Service Charges	19,000	3,300	-15,700
Secure Storage	17,000	7,637	-9,363
Utilities	17,000	8,658	-8,342
Water & Sewerage Services	3,000	1,492	-1,508
Sub-Total - Premises	189,000	144,706	-44,294

Transport

Vehicle Hire	14,000	9,336	-4,664
Vehicle Fuel	8,000	5,416	-2,584
Road Fund Tax	1,000	683	-318
Vehicle Insurance	3,000	2,650	-350
Vehicle Maintenance	3,000	2,721	-279
Car Allowances	131,002	117,279	-13,723
Sub-Total - Transport	160,002	138,084	-21,918

Supplies and Services

Furniture & Equipment	43,400	25,034	-18,366
Test Purchases	6,000	1,176	-4,824
Clothes, uniforms and laundry	4,000	568	-3,432
Printing & Photocopying	25,000	23,680	-1,320
CRB Checks (taxi)	25,000	23,208	-1,792
Publications	3,000	2,350	-650
Postage	11,000	14,320	3,320
ICT	69,000	36,101	-32,899
Legal Costs	7,000	0	-7,000
Telephones	38,999	38,881	-118
Training & Seminars	27,000	27,693	693
Car Parking & Subsistence	0	379	379
Insurance	30,000	25,703	-4,297
Miscellaneous Expenses	600	1,007	407
Third Party Payments			0
Support Service Recharges	225,000	226,300	1,300
Audit	5,000	3,600	-1,400
Sub-Total - Supplies & Service	519,999	449,998	-70,001

Contractors

Dog Warden	145,000	151,279	6,279
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Pest Control	40,000	73,781	33,781
Analytical Services - Trading Standards	25,000	35,478	10,478
Trading Standards	10,000	15,277	5,277
Licensing	22,000	11,531	-10,469
Other contractors/consultants	11,000	84,840	73,840
Water Safety	10,000	7,033	-2,967
Food Safety	5,000	122	-4,878
Environmental Protection	15,000	46,689	31,689
Taxi Tests	30,000	34,352	4,352
Grants / Subscriptions	22,000	15,733	-6,267
Advertisng	11,000	1,058	-9,942
Publicity & Promotions	2,000	118	-1,882
CRB Checks	0	0	0
Sub-Total	348,000	477,292	129,292
Income			
Training Courses / Bereavement / Works in Default / Sewer Baiting / Secondments etc	0	-288,297	-288,297
2013/14 Reserve - Strategic Partnering / Hub - Cont From MHDC	0	-68,000	-68,000
Sub-Total	0	-356,297	-356,297
	4,637,000	4,295,708	-341,292

Pension Deficit
Sub-Total

	114,100	114,100
0	114,100	114,100
4,637,000	4,409,808	-227,192

REGULATORY SERVICES BUDGET 2015/2016 - 2017/2018

Account description	Budget 2015 / 2016 £000's	Budget 2016 / 2017 £000's	Budget 2017 / 2018
Employees			
Monthly salaries - assumes savings made to fund incremental increase	3,147	3,168	3,168
Training for professional qualifications	2	2	2
Medical fees (employees')	2	2	2
Employers' liability insurance	16	16	16
Employees' professional subscriptions	3	3	3
Sub-Total - Employees	3,170	3,191	3,191
Premises			
Internal repair/maint.	0	0	0
Rents	55	55	55
Utilities	0	0	0
Business Rates	0	0	0
Room hire	12	12	12
Trade Waste	1	1	1
Cleaning and domestic supplies	0	0	0
Sub-Total - Premises	68	68	68
Transport			
Vehicle repairs/maint'ce	3	3	3
Diesel fuel	8	8	8
Licences	1	1	1
Contract hire of vehicles	5	5	5
Vehicle insurances	3	3	3

Van Lease	9	9	9
Fares & Car Parking	5	5	5
Car allowances	100	85	85
Sub-Total - Transport	134	119	119

Supplies & Service

Equipment - purchase/maintenance/rental	25	25	25
Materials/test purchases/vending	14	13	13
Clothing and uniforms	2	2	2
Laundry	1	1	1
Training fees	23	23	23
General insurances	30	30	30
Printing and stationery	25	20	20
Books and publications	3	3	3
Postage/packaging	11	11	11
ICT	69	69	69
Telephones	39	39	39
Taxi Tests	30	30	30
CRB Checks (taxi)	25	23	23
Legal fees	5	5	5
Support service recharges	112	100	100
IT Hosting	60	60	60
Audit	5	5	5
Sub-Total - Supplies & Service	479	458	458

Contractors

Consultants / Contractors' fees/charges/SLA's	261	251	251
Advertising (general)	11	11	11
Grants and subscriptions	22	22	22
Marketing/promotion/publicity	2	2	2
Sub-Total - Contractors	296	286	286

Savings to be identified to keep council targets

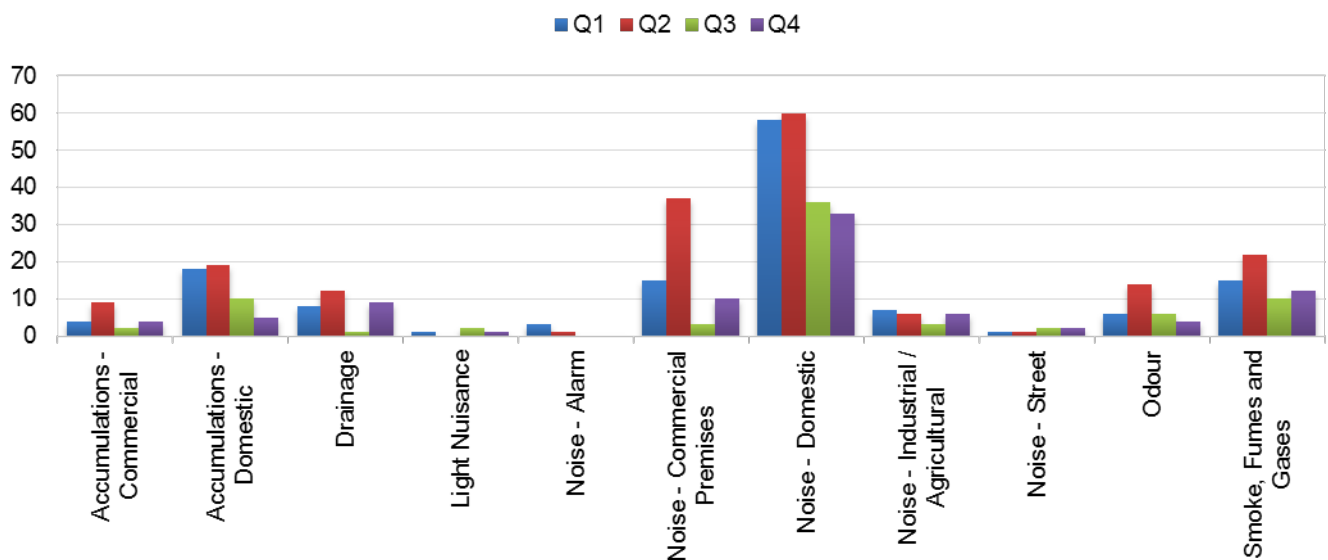
Pension Forward Funding	-66	-66	-66
Savings for partner councils		0	-606
Sub-Total - Savings to be identified	-66	-66	-672
PROPOSED BUDGET	4,081	4,056	3,450
Savings for Partner Councils			
Bromsgrove	0	-50	
Malvern	0	-27	
Redditch	0	-50	
Worcs City	0	-30	
Wychavon	0	-50	
Wyre Forest	0	-37	
County	0	-362	
Sub-Total - Savings for Partner Councils	0	-606	0
BUDGET ASSUMING ALL SAVINGS DELIVERED	4,081	3,450	3,450



Environmental Health

Complaints and Enquiries	2014/15	%
Dog Control	33	3.5
Environmental	490	52.2
Food	139	14.8
Health and Safety	34	3.6
Information Requests	167	17.8
Pest Control	67	7.1
Public Burial	6	0.6
Water Supply	3	0.3
Total	939	100

Nuisance Cases	2014/15	%
Accumulations – Commercial	19	4.0
Accumulations – Domestic	52	10.9
Drainage	30	6.3
Light Nuisance	4	0.8
Noise – Alarm	4	0.8
Noise – Commercial Premises	65	13.6
Noise – Domestic	187	39.1
Noise – Industrial / Agricultural	22	4.6
Noise – Street	6	1.3
Odour	30	6.3
Smoke, Fumes and Gases	59	12.3
Total	478	100

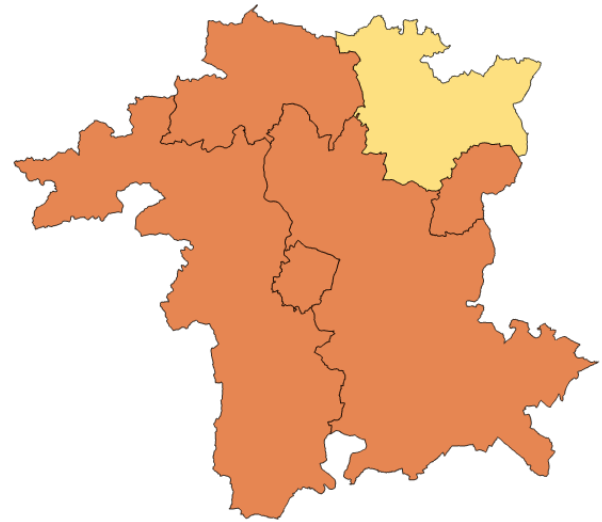


Dog Control	2014/15	%
Dangerous Dog	0	0.0
Contained Stray dog	193	74.2
Report of Lost Dog	48	18.5
Loose Straying Dog	19	7.3
Total	260	100

Accident Reports	2014/15	%
Dangerous Occurrence	2	3.5
Reportable Disease	0	0.0
Fatality	1	1.8
Major Incident	7	12.3
Over 7 Day Injury	25	43.9
Injury to Member of the Public	22	38.6
Total	57	100

*Dog control cases are in addition to those stated above

Planning - Consultation	2014/15	%
Air Quality	22	9.0
Contaminated Land	151	61.9
Deaths / Burials	0	0.0
Dogs, Pests, Gulls	0	0.0
Food	0	0.0
Health and Safety	0	0.0
Licensing	1	0.4
Nuisance / Noise	67	27.5
PPC	0	0.0
Private Water Supplies	0	0.0
Trading Standards	0	0.0



Planning – Request to Discharge		
Air Quality	0	0.0
Contaminated Land	2	0.8
Food	0	0.0
Health and Safety	0	0.0
Noise	1	0.4
Nuisance	0	0.0
Total	244	100

FHSR Inspections
 232
Infectious Disease Notifications
 155

Licensing

Complaints and Enquiries	2014/15	%
Animal	3	3.8
Caravan	0	0.0
Gambling	6	7.5
Licensing Act	54	67.5
Scrap Metal	0	0.0
Sex Establishments	0	0.0
Skin Piercing	2	2.5
Street	4	5.0
Taxi	11	13.8
Total	80	100

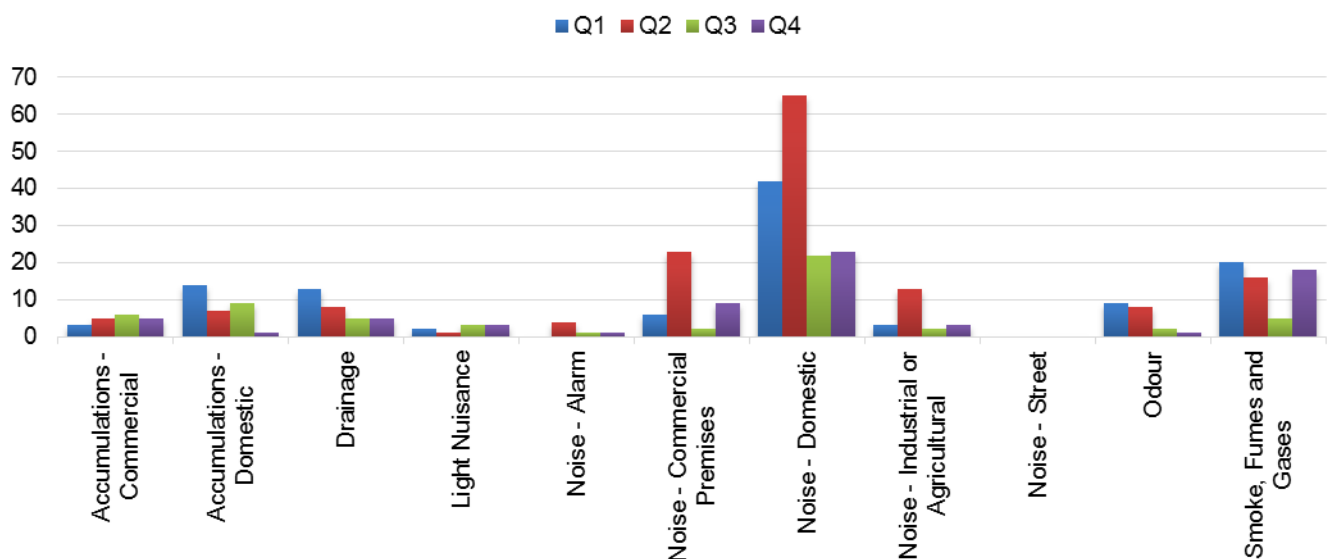
**Licensing complaints and enquires cover Q3 and Q4*

Applications	2014/15	%
Animal	14	1.6
Caravan	0	0.0
Charity	43	5.0
Gambling	20	2.3
Licensing Act	390	45.5
Scrap Metal	1	0.1
Sex Establishments	0	0.0
Skin Piercing	14	1.6
Street	8	0.9
Taxi	367	42.8
Total	857	100

Environmental Health

Complaints and Enquiries	2014/15	%
Dog Control	30	4.0
Environmental	398	52.9
Food	118	15.7
Health and Safety	49	6.5
Information Requests	124	16.5
Pest Control	0	0.0
Public Burial	5	0.7
Water Supply	28	3.7
Total	752	100

Nuisance Cases	2014/15	%
Accumulations – Commercial	19	4.9
Accumulations – Domestic	31	8.0
Drainage	31	8.0
Light Nuisance	9	2.3
Noise – Alarm	6	1.5
Noise – Commercial Premises	40	10.3
Noise – Domestic	152	39.2
Noise – Industrial / Agricultural	21	5.4
Noise – Street	0	0.0
Odour	20	5.2
Smoke, Fumes and Gases	59	15.2
Total	388	100



Dog Control	2014/15	%
Dangerous Dog	0	0.0
Contained Stray dog	195	64.1
Report of Lost Dog	87	28.6
Loose Straying Dog	22	7.2
Total	304	100

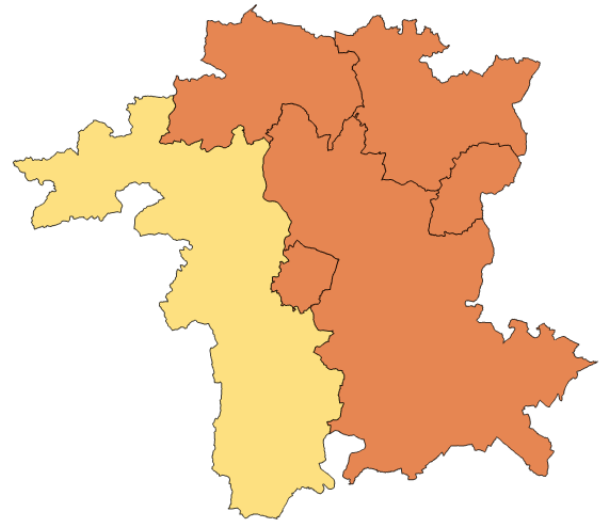
Accident Reports	2014/15	%
Dangerous Occurrence	1	3.3
Reportable Disease	0	0.0
Fatality	0	0.0
Major Incident	3	10.0
Over 7 Day Injury	11	36.7
Injury to Member of the Public	15	50.0
Total	30	100

*Dog control cases are in addition to those stated above

Planning - Consultation	2014/15	%
Air Quality	32	9.4
Contaminated Land	194	57.1
Deaths / Burials	0	0.0
Dogs, Pests, Gulls	0	0.0
Food	1	0.3
Health and Safety	0	0.0
Licensing	0	0.0
Nuisance / Noise	108	31.8
PPC	0	0.0
Private Water Supplies	1	0.3
Trading Standards	0	0

Planning – Request to Discharge

Air Quality	0	0.0
Contaminated Land	3	0.9
Food	0	0.0
Health and Safety	0	0.0
Noise	0	0.0
Nuisance	1	0.3
Total	340	100



FHRS Inspections	224
Infectious Disease Notifications	138

Licensing

Complaints and Enquiries	2014/15	%
Animal	4	5.8
Caravan	1	1.4
Gambling	2	2.9
Licensing Act	54	78.3
Scrap Metal	2	2.9
Sex Establishments	0	0.0
Skin Piercing	0	0.0
Street	1	1.4
Taxi	5	7.2
Total	69	100

*Licensing complaints and enquires cover Q3 and Q4

Applications	2014/15	%
Animal	13	1.7
Caravan	0	0.0
Charity	67	8.7
Gambling	10	1.3
Licensing Act	494	63.8
Scrap Metal	2	0.3
Sex Establishments	0	0.0
Skin Piercing	8	1.0
Street	0	0.0
Taxi	180	23.3
Total	774	100



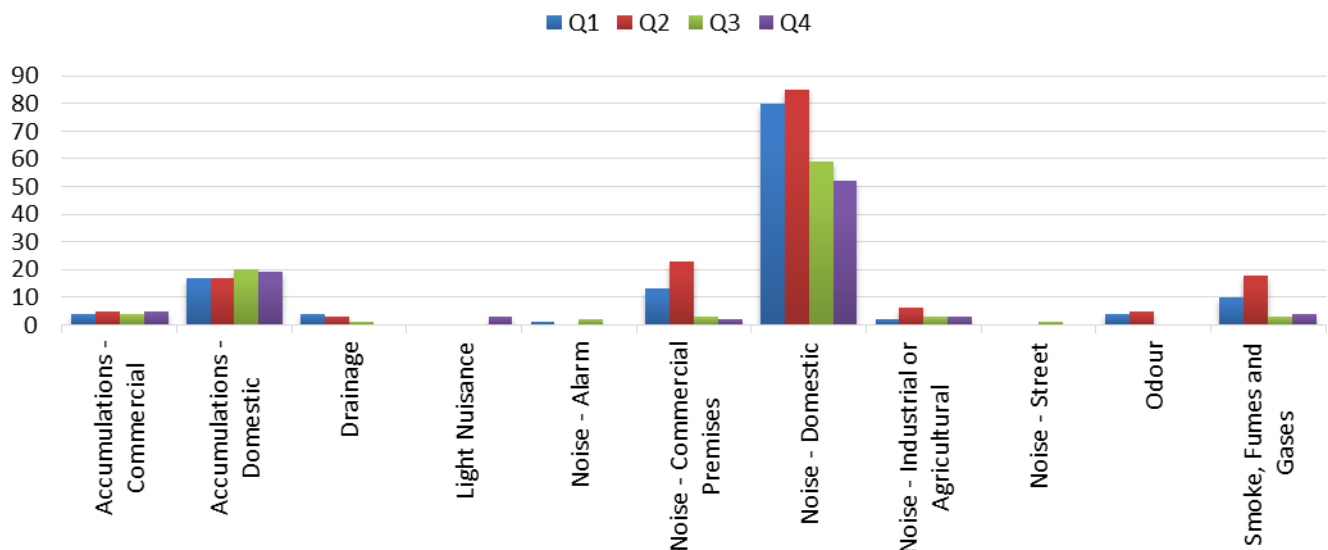
Worcestershire Regulatory Services

Supporting and protecting you

Environmental Health

Complaints and Enquiries	2014/15	%
Dog Control	35	4.3
Environmental	483	59.6
Food	82	10.1
Health and Safety	46	5.7
Information Requests	105	13.0
Pest Control	54	6.7
Public Burial	5	0.6
Water Supply	0	0.0
Total	810	100

Nuisance Cases	2014/15	%
Accumulations – Commercial	18	3.7
Accumulations – Domestic	73	15.2
Drainage	8	1.7
Light Nuisance	3	0.6
Noise – Alarm	3	0.6
Noise – Commercial Premises	41	8.5
Noise – Domestic	276	57.4
Noise – Industrial / Agricultural	14	2.9
Noise – Street	1	0.2
Odour	9	1.9
Smoke, Fumes and Gases	35	7.3
Total	481	100

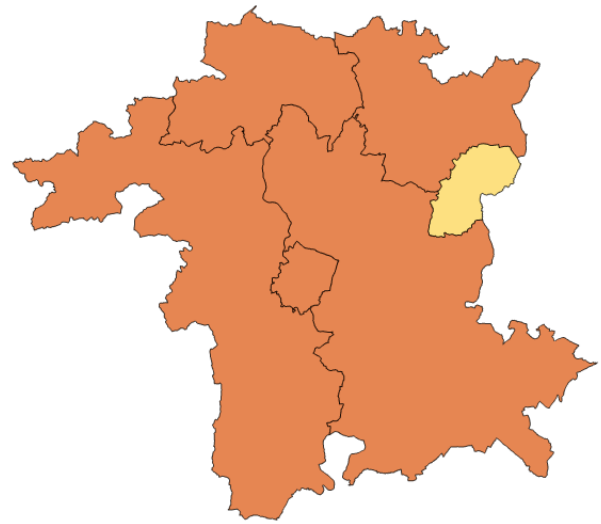


Dog Control	2014/15	%
Dangerous Dog	0	0.0
Contained Stray dog	242	70.6
Report of Lost Dog	75	21.9
Loose Straying Dog	26	7.6
Total	343	100

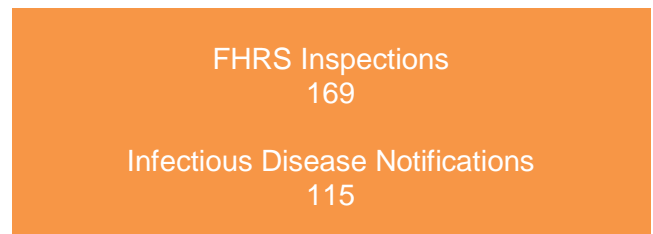
Accident Reports	2014/15	%
Dangerous Occurrence	2	7.1
Reportable Disease	0	0.0
Fatality	0	0.0
Major Incident	3	10.7
Over 7 Day Injury	10	35.7
Injury to Member of the Public	13	46.4
Total	28	100

*Dog control cases are in addition to those stated above

Planning - Consultation	2014/15	%
Air Quality	9	4.7
Contaminated Land	124	64.2
Deaths / Burials	0	0.0
Dogs, Pests, Gulls	0	0.0
Food	6	3.1
Health and Safety	0	0.0
Licensing	0	0.0
Nuisance / Noise	51	26.4
PPC	0	0.0
Private Water Supplies	0	0.0
Trading Standards	0	0.0



Planning – Request to Discharge	2014/15	%
Air Quality	0	0.0
Contaminated Land	2	1.0
Food	0	0.0
Health and Safety	0	0.0
Noise	0	0.0
Nuisance	1	0.5
Total	193	100



Licensing

Complaints and Enquiries	2014/15	%
Animal	0	0.0
Caravan	0	0.0
Gambling	1	1.3
Licensing Act	42	53.8
Scrap Metal	0	0.0
Sex Establishments	0	0.0
Skin Piercing	0	0.0
Street	0	0.0
Taxi	35	44.9
Total	78	100

*Licensing complaints and enquires cover Q3 and Q4

Applications	2014/15	%
Animal	5	0.4
Caravan	0	0.0
Charity	33	2.9
Gambling	4	0.4
Licensing Act	197	17.4
Scrap Metal	5	0.4
Sex Establishments	0	0.0
Skin Piercing	21	1.9
Street	0	0.0
Taxi	865	76.5
Total	1,130	100



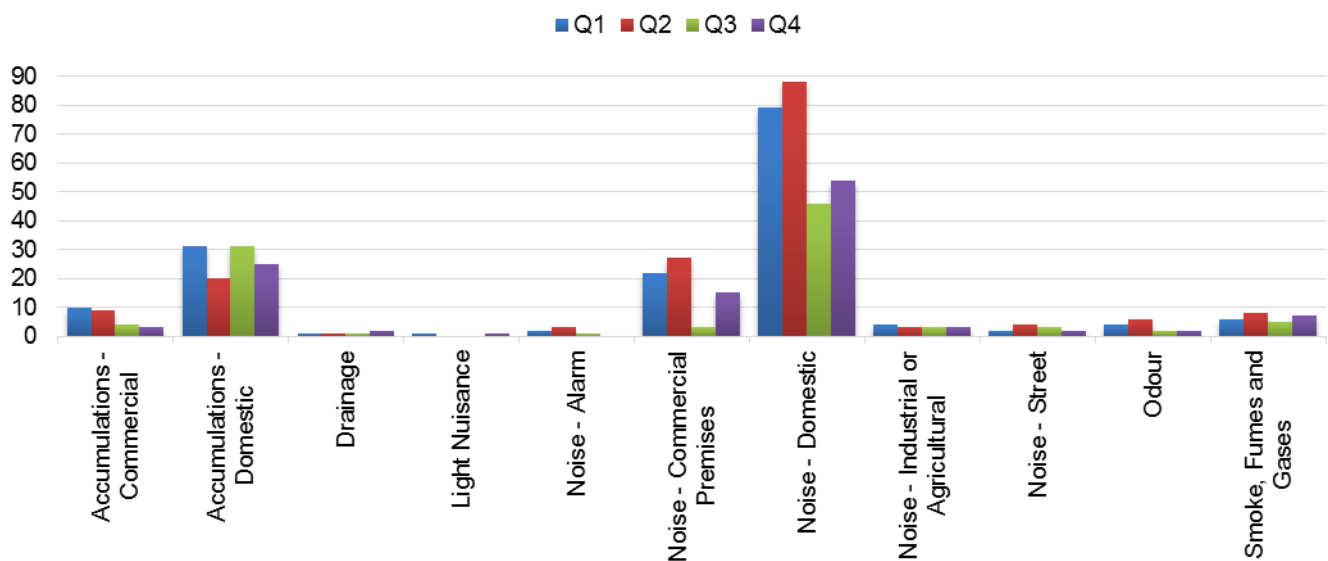
Worcestershire Regulatory Services

Supporting and protecting you

Environmental Health

Complaints and Enquiries	2014/15	%
Dog Control	43	4.5
Environmental	577	60.0
Food	157	16.3
Health and Safety	69	7.2
Information Requests	99	10.3
Pest Control	5	0.5
Public Burial	11	1.1
Water Supply	0	0.0
Total	961	100

Nuisance Cases	2014/15	%
Accumulations – Commercial	26	4.8
Accumulations – Domestic	107	19.7
Drainage	5	0.9
Light Nuisance	2	0.4
Noise – Alarm	6	1.1
Noise – Commercial Premises	67	12.3
Noise – Domestic	267	49.1
Noise – Industrial / Agricultural	13	2.4
Noise – Street	11	2.0
Odour	14	2.6
Smoke, Fumes and Gases	26	4.8
Total	544	100



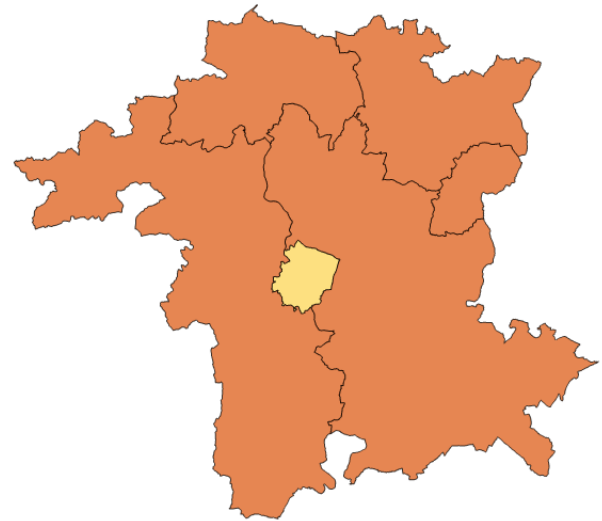
Dog Control	2014/15	%
Dangerous Dog	0	0.0
Contained Stray dog	240	71.4
Report of Lost Dog	58	17.3
Loose Straying Dog	38	11.3
Total	260	100

Accident Reports	2014/15	%
Dangerous Occurrence	3	9.4
Reportable Disease	0	0.0
Fatality	0	0.0
Major Incident	2	6.3
Over 7 Day Injury	15	46.9
Injury to Member of the Public	12	37.5
Total	32	100

*Dog control cases are in addition to those stated above

Agenda Item 8

Planning - Consultation	2014/15	%
Air Quality	17	11.3
Contaminated Land	18	11.9
Deaths / Burials	0	0.0
Dogs, Pests, Gulls	0	0.0
Food	1	0.7
Health and Safety	2	1.3
Licensing	1	0.7
Nuisance / Noise	106	70.2
PPC	0	0.0
Private Water Supplies	0	0.0
Trading Standards	1	0.7



Planning – Request to Discharge		
Air Quality	0	0.0
Contaminated Land	2	1.3
Food	0	0.0
Health and Safety	0	0.0
Noise	3	2.0
Nuisance	0	0.0
Total	151	100

FHRs Inspections
 266

Infectious Disease Notifications
 134

Licensing

Complaints and Enquiries	2014/15	%
Animal	1	0.6
Caravan	0	0.0
Gambling	4	2.4
Licensing Act	84	50.0
Scrap Metal	0	0.0
Sex Establishments	0	0.0
Skin Piercing	0	0.0
Street	8	4.8
Taxi	71	42.3
Total	168	100

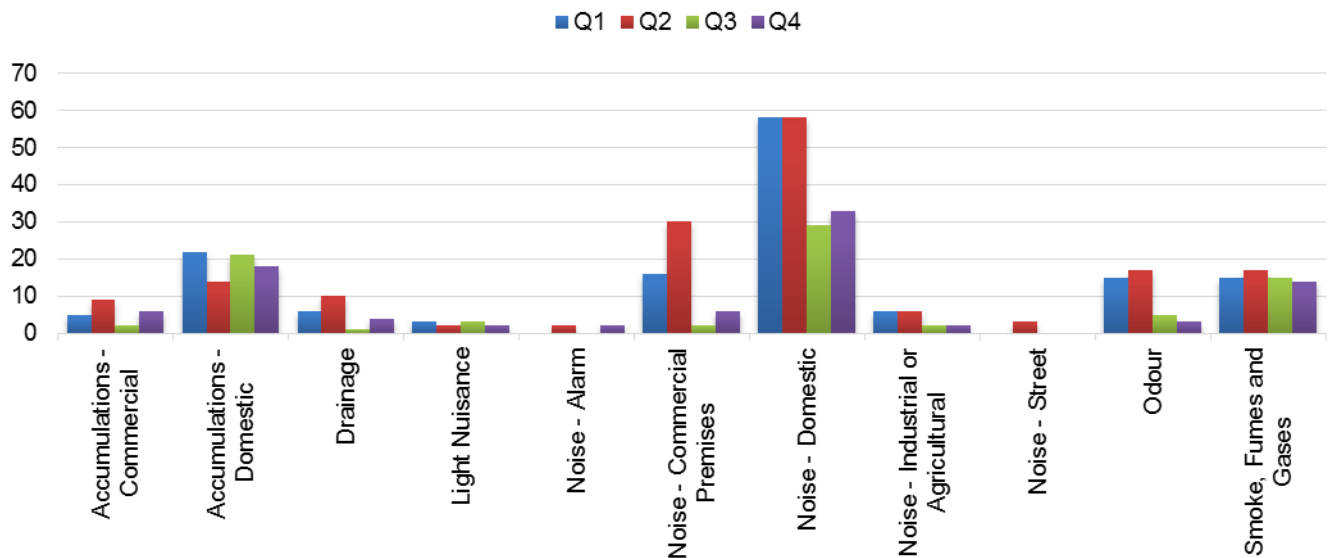
Applications	2014/15	%
Animal	8	0.6
Caravan	0	0.0
Charity	58	4.6
Gambling	47	3.7
Licensing Act	489	38.6
Scrap Metal	4	0.3
Sex Establishments	5	0.4
Skin Piercing	26	2.1
Street	52	4.1
Taxi	579	45.7
Total	1,268	100

**Licensing complaints and enquires cover Q3 and Q4*

Environmental Health

Complaints and Enquiries	2014/15	%
Dog Control	94	9.3
Environmental	501	49.4
Food	196	19.3
Health and Safety	69	6.8
Information Requests	111	10.9
Pest Control	30	3.0
Public Burial	7	0.7
Water Supply	7	0.7
Total	1,015	100

Nuisance Cases	2014/15	%
Accumulations – Commercial	22	4.5
Accumulations – Domestic	75	15.5
Drainage	21	4.3
Light Nuisance	10	2.1
Noise – Alarm	4	0.8
Noise – Commercial Premises	54	11.2
Noise – Domestic	178	36.8
Noise – Industrial / Agricultural	16	3.3
Noise – Street	3	0.6
Odour	40	8.3
Smoke, Fumes and Gases	61	12.6
Total	484	100



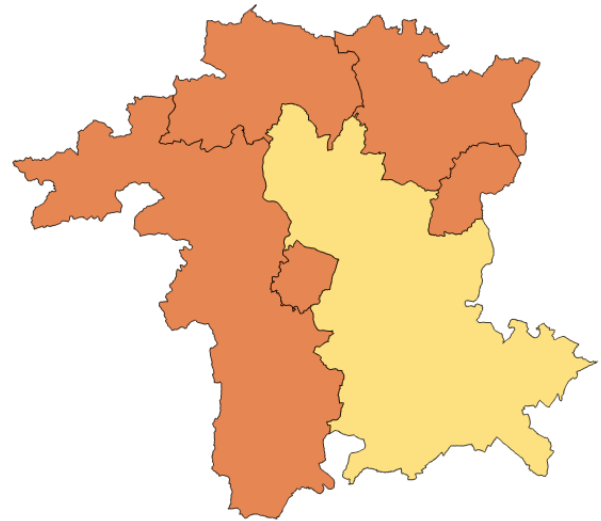
Dog Control	2014/15	%
Dangerous Dog	0	0.0
Contained Stray dog	378	72.4
Report of Lost Dog	109	20.9
Loose Straying Dog	35	6.7
Total	522	100

Accident Reports	2014/15	%
Dangerous Occurrence	0	0.0
Reportable Disease	0	0.0
Fatality	2	3.3
Major Incident	9	15.0
Over 7 Day Injury	26	43.3
Injury to Member of the Public	23	38.3
Total	60	100

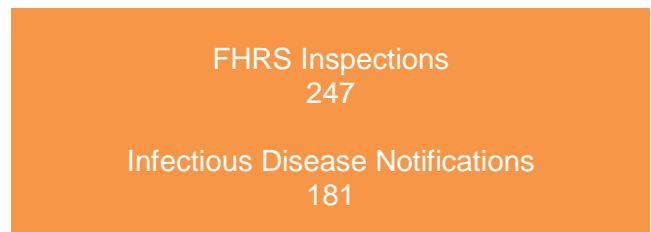
*Dog control cases are in addition to those stated above

Agenda Item 8

Planning - Consultation	2014/15	%
Air Quality	38	6.1
Contaminated Land	388	62.4
Deaths / Burials	0	0.0
Dogs, Pests, Gulls	0	0.0
Food	3	0.5
Health and Safety	0	0.0
Licensing	0	0.0
Nuisance / Noise	168	27.0
PPC	2	0.3
Private Water Supplies	0	0.0
Trading Standards	1	0.2



Planning – Request to Discharge		
Air Quality	3	0.5
Contaminated Land	10	1.6
Food	0	0.0
Health and Safety	0	0.0
Noise	6	1.0
Nuisance	3	0.5
Total	622	100



Licensing

Complaints and Enquiries	2014/15	%
Animal	10	5.7
Caravan	3	1.7
Gambling	8	4.6
Licensing Act	103	59.2
Scrap Metal	0	0.0
Sex Establishments	2	1.1
Skin Piercing	2	1.1
Street	6	3.4
Taxi	40	23.0
Total	174	100

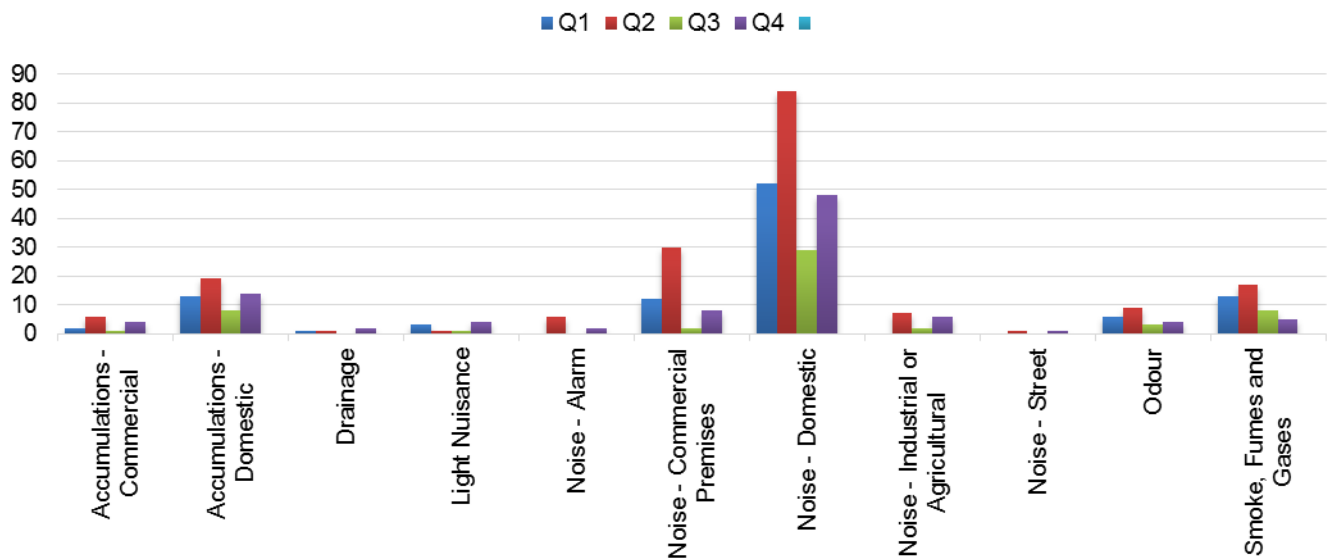
*Licensing complaints and enquires cover Q3 and Q4

Applications	2014/15	%
Animal	19	1.4
Caravan	11	0.8
Charity	77	5.6
Gambling	17	1.2
Licensing Act	646	47.2
Scrap Metal	0	0.0
Sex Establishments	2	0.1
Skin Piercing	4	0.3
Street	5	0.4
Taxi	587	42.9
Total	1,368	100

Environmental Health

Complaints and Enquiries	2014/15	%
Dog Control	32	3.1
Environmental	451	43.8
Food	138	13.4
Health and Safety	50	4.9
Information Requests	67	6.5
Pest Control	287	27.9
Public Burial	1	0.1
Water Supply	3	0.3
Total	1,029	100

Nuisance Cases	2014/15	%
Accumulations – Commercial	13	3.0
Accumulations – Domestic	54	12.4
Drainage	4	0.9
Light Nuisance	9	2.1
Noise – Alarm	8	1.8
Noise – Commercial Premises	52	12.0
Noise – Domestic	213	49.0
Noise – Industrial / Agricultural	15	3.4
Noise – Street	2	0.5
Odour	22	5.1
Smoke, Fumes and Gases	43	9.9
Total	435	100

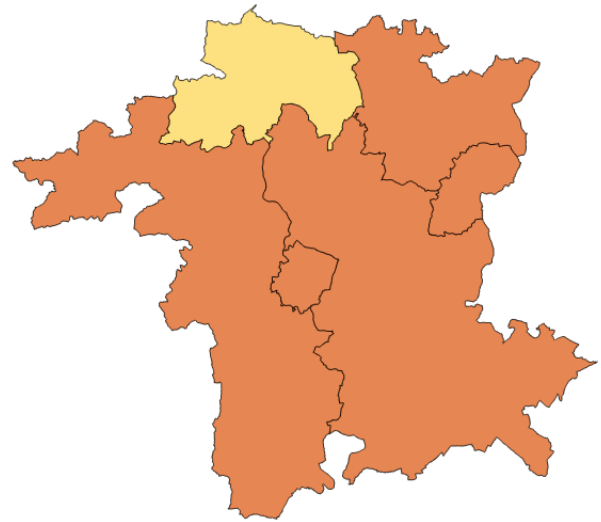


Dog Control	2014/15	%
Dangerous Dog	0	0.0
Contained Stray dog	305	72.1
Report of Lost Dog	90	21.3
Loose Straying Dog	28	6.6
Total	423	100

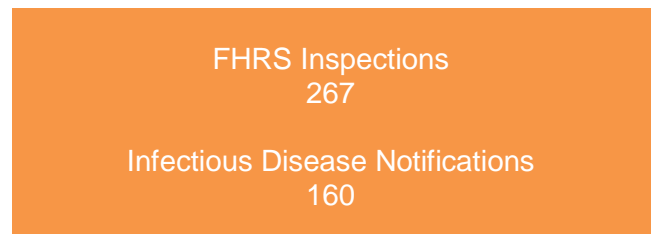
Accident Reports	2014/15	%
Dangerous Occurrence	0	0.0
Reportable Disease	0	0.0
Fatality	0	0.0
Major Incident	4	9.5
Over 7 Day Injury	23	54.8
Injury to Member of the Public	15	35.7
Total	42	100

*Dog control cases are in addition to those stated above

Planning - Consultation	2014/15	%
Air Quality	17	10.9
Contaminated Land	74	47.4
Deaths / Burials	0	0.0
Dogs, Pests, Gulls	0	0.0
Food	2	1.3
Health and Safety	1	0.6
Licensing	1	0.6
Nuisance / Noise	56	35.9
PPC	0	0.0
Private Water Supplies	0	0.0
Trading Standards	0	0.0



Planning – Request to Discharge		
Air Quality	0	0.0
Contaminated Land	4	2.6
Food	0	0.0
Health and Safety	0	0.0
Noise	1	0.6
Nuisance	0	0.0
Total	156	100



Licensing

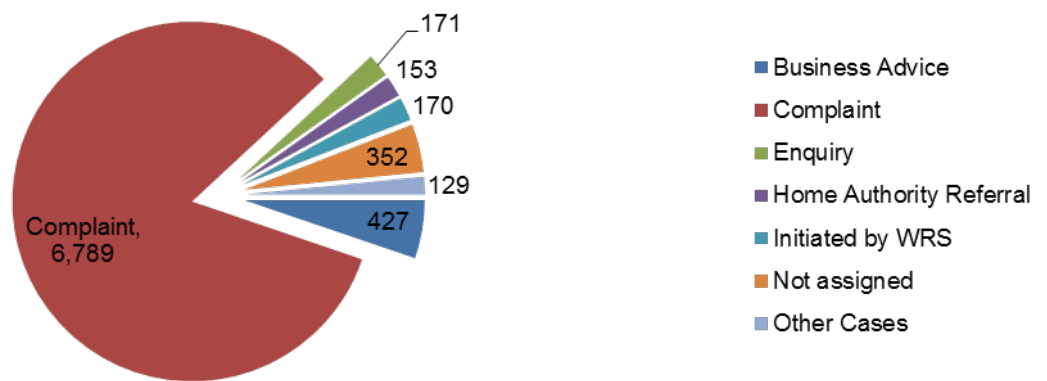
Complaints and Enquiries	2014/15	%
Animal	2	1.9
Caravan	0	0.0
Gambling	2	1.9
Licensing Act	51	48.1
Scrap Metal	1	0.9
Sex Establishments	2	1.9
Skin Piercing	0	0.0
Street	1	0.9
Taxi	47	44.3
Total	106	100

*Licensing complaints and enquires cover Q3 and Q4

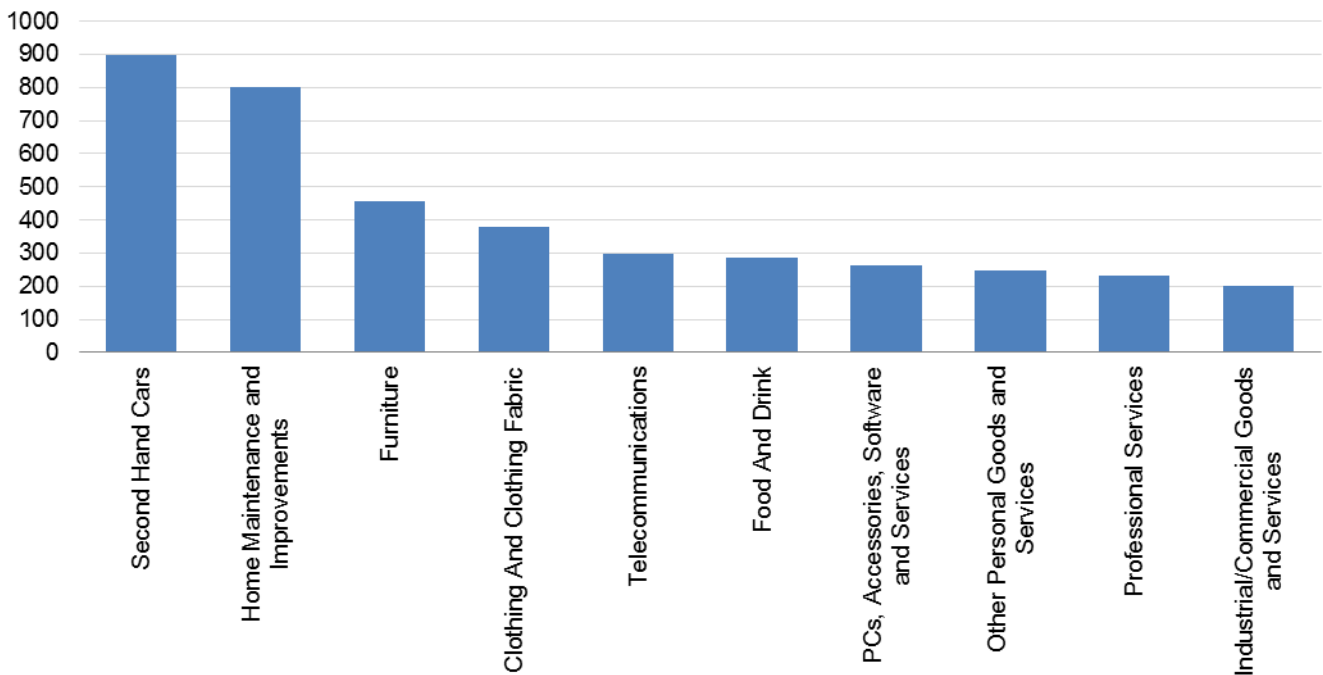
Applications	2014/15	%
Animal	13	1.7
Caravan	0	0.0
Charity	68	8.8
Gambling	18	2.3
Licensing Act	386	50.1
Scrap Metal	8	1.0
Sex Establishments	4	0.5
Skin Piercing	13	1.7
Street	7	0.9
Taxi	253	32.9
Total	770	100

Trading Standards

Cases received during 2014/15



Top 10 case categories



Worcestershire Regulatory Services

Supporting and protecting you

JOINT COMMITTEE

25th June 2015

Activity & Performance Data Quarters 1, 2 3 and 4 2014/15

Recommendation

1. That members note the report

2. That members use relevant forums within their authorities to share this information with all elected members

Contribution to Priorities

The report covers both district and county functionality so covers the wide range of local authority corporate priorities to which regulatory services contribute

Introduction & Report

Joint Committee members have asked the service to provide data on activity levels to help reassure local members that WRS continues to tackle issues broadly across the county.

Activity Data

The activity report attached as Appendix A comes in the new extended format put forward last year, providing members with wide ranging information across a number of parameters. It has now built into the full end of year activity report detailing all of the services main functional actions. It contains all of the cross-county comparators that members will be used to and also a section for each district covering each one's particular activities in more detail. The version attached to this report is an extract covering all of the key county-wide data. The full document, which members will be provided with electronically, has a section for each quarter so members can see all of the figures representing 12-months of WRS activity in their districts.

Each of the Team Managers has again provided a commentary on their areas of work to give members a flavour for what is happening and explaining some of the wider activity.

For the Technical Pollution Team, the annual reporting requirements for the District Councils continued to be undertaken in the production and submission to DEFRA of progress reports under the Local Air Quality Management Regime. These are important to complete with EU infraction proceedings continuing. In support of the UK Government's response, WRS on behalf of the District Councils provided DEFRA with a substantial amount of information this quarter demonstrating the work that is being undertaken to provide betterment in air quality. This information will form part of the Air Quality Action Plan Progress Reports for each District which are being completed currently. These reports provide updates on the actions being taken and form part of the reporting requirements to DEFRA. The amount of progress and large number of Air Quality Management Areas (AQMAs) covered by the WRS report caused some issues but it will be completed in due course.

The Smallwood Cadmium Survey drew to a close. Initially a large project covering over 300 properties in Redditch where it was uncertain whether contamination levels represented a risk to normal use of their rear gardens. Through systematic sampling and risk assessment, the number of properties considered to have contamination at levels of concern has been clarified at four. WRS are now in the process of communicating with those residents on the options available to them. Interestingly, the investigation has concluded that the contamination identified is likely to have been the result of resident activity rather than the battery factory initially investigated.

Planning obligations continue to be the main source of resolution for potential land contamination issues and the expertise that WRS holds in this regard has been utilised heavily with Worcestershire Planning consultations but additionally in generating income through contracts with Gloucester City Council and South Gloucestershire Council for Contaminated Land advice.

The Community Environmental Health team's activity this quarter has been focussed on the investigation of food safety, health and safety and nuisance offences. There are currently 15 case investigations either in the court system or in the final stages of working up prosecution reports. The food inspection programme has been completed with levels of broad compliance appearing in the Annual Report performance indicators. Poor performers continue to be found in all food sectors in all Districts. Businesses which only achieve a rating of FHRS L0-2 are now not only subject to revisits until conditions improve, but also to further action ranging from a letter from the Food Safety lead officer, to review meetings or more serious action. In the case of FHRS Level 0 premises (the poorest) the presumption is now that we move quickly to formal action where these are found. Two prosecutions are pending (a restaurant and a retailer) and four simple (formal) cautions have been issued, mostly for rodent infestations and

dirty conditions.

Health and safety investigations can be complex and take months, and sometimes years, to bring to completion. On-going investigations include a dangerous occurrence involving a child in a major retailer to incidents at builder's merchants and warehouses. One case is currently with the CPS for a possible corporate manslaughter charge.

The contract to provide nuisance investigation work for Tewkesbury Borough Council has been extended into May 2015, providing an income which is being re-invested in the service. WRS has also secured funding from the Local Economic Partnership to look at a possible Earned Recognition scheme for small producers and manufacturers which will enable them to seek new markets.

For Licensing, this is the second report where we have been able to give you a breakdown of the areas of activity being covered by our staff. As you will see from the tables, the two largest areas by far relate to taxis and to the Licensing Act 2003 (alcohol and entertainment.) This applies to both applications (new, renewals and the numerous variations that can be requested,) and for service requests. There was a small reduction in the number of both applications and service requests during quarter 4 compared with quarter 3 however this is likely to be a small seasonal variation. Obviously as the volume of licensing data increases we will understand better how these variations look.

For the Trading Standards and Animal Health team data, the bar charts show a reduction in the number of complaints during quarter 4. This is attributable to a computer glitch where the WRS IT system stopped communicating with the Citizens Advice Consumer Services (CACS) database and the complaints were not loaded onto our database for around a month. This was not a barrier to the service continuing as WRS officers could log into the CACS directly in order to identify complaints that required action by this service, so we were still able to react where necessary.

The chart shows that the main causes for complaint are second-hand cars, home maintenance and furniture. Priority areas for investigation by the team are rogue traders preying on vulnerable people, unsafe consumer products that have caused/have the potential to cause injury and issues involving significant economic detriment. Activity is also tasked where a trader has a significant number of complaints recorded against him/her.

Cases which came to fruition during quarter 4 included a Kempsey-based company and its director were ordered to pay fines and costs totaling £11,408 after being found guilty of reducing mileages on cars for sale.

Lloyd Chandler and Priority Hire Ltd appeared at Worcester Crown Court on Monday February 16 after earlier pleading guilty to offences under the Consumer Protection from Unfair Trading Regulations 2008.

An investigation by WRS Trading Standards officers revealed the company had advertised two clocked cars for sale where mileages had been reduced. One had been sold to a customer before Trading Standards officers swooped.

In mitigation, the court heard that Mr Chandler had employed someone to deal with the purchasing and sale of the vehicles and it had been them who were responsible for the altered mileage. This employee had been dismissed and Mr Chandler had no knowledge of the offences. In evidence Mr Chandler's eBay account had been used to advertise the cars.

The presiding Judge stated that consumer protection offences were strict liability offences designed to ensure that no company or individual could be allowed to "scam" the public. He went on to say that Mr Chandler was the sole director and he had therefore allowed the criminal activity to take place.

Mr Chandler was also disqualified from being a director for five years.

All of the service's press releases can be found on the service's website by following this link or pasting it into your search engine:

<http://www.worcsregservices.gov.uk/latest-news-press-releases.aspx>

Performance Indicators

The full set of Annual Performance Indicators is included in the Annual Report, so we have chosen not to duplicate them here. The Annual Report also provides a comparison with performance in previous years.

Financial Implications

None

Sustainability

None

Contact Points

Simon Wilkes
Business Manager
01527-548314



Background Papers

Appendix A: Activity Data Report

Appendix A: Activity Report
Attached as separate document

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Activity Report 2014/15

Produced by WRS Intelligence | wrsintel@worcsregservices.gov.uk

Service Overview

Welcome to the performance data for quarter four. We hope you find this informative once again. Each of the Team Managers talks a little about what their teams have been working on in the previous quarter. The report now covers all 4 quarters for 2014/15 offering members the most detailed breakdown of our activities for the year that WRS has ever produced. If you require any further information please contact either of us and please do share this information with other members in your Authorities to demonstrate the excellent work that the team is doing.



Simon Wilkes



Mark Kay



Environmental Health Overview - David Mellors (Community Environmental Health Team Manager)

The team's activity this quarter has been focussed on the investigation of food safety, health and safety and nuisance offences. There are currently 15 case investigations either in the court system or in the final stages of investigation. The investigation of several serious accidents arising from work activities (including a fatality) continues to put pressure on resources.

The food inspection programme has been completed with some 93% of premises being Broadly Compliant according to the Food Hygiene Rating Scheme. Poor performers continue to be found in all food sectors in all Districts. This year Redditch has had a higher number of problem businesses. Businesses which only achieve a rating of FHRS LO-2 are now not only subject to revisits until conditions improve, but also to further action ranging from a letter from the Food Safety Lead, to review meetings. In the case of FHRS Level 0 premises (the poorest) the presumption is now to formal action. Two prosecutions are pending (a restaurant and a retailer) and simple cautions have been issued, mostly for rodent infestations and dirty conditions. Whilst proactive health and safety inspections are no longer the norm due to service reductions and Central Government's drive to reduce the regulatory burden on business, officers have spent many hours investigating major accidents reported under RIDDOR and dealing with complaints. Health and safety investigations can be complex and take months, and sometimes years, to bring to completion. On-going investigations include a dangerous occurrence involving a child in a major retailer to incidents at builder's merchants and warehouses. One case is currently with the CPS for a possible corporate manslaughter charge.

Operational reviews have continued with the current focus being on Food Safety. Our purpose has been agreed as to "ensure food safety compliance" which reflects the flexibility to cover the spectrum of advice through to prosecution and closure and recognises a reduction in resources when we may have to focus less on advice and more on compliance.

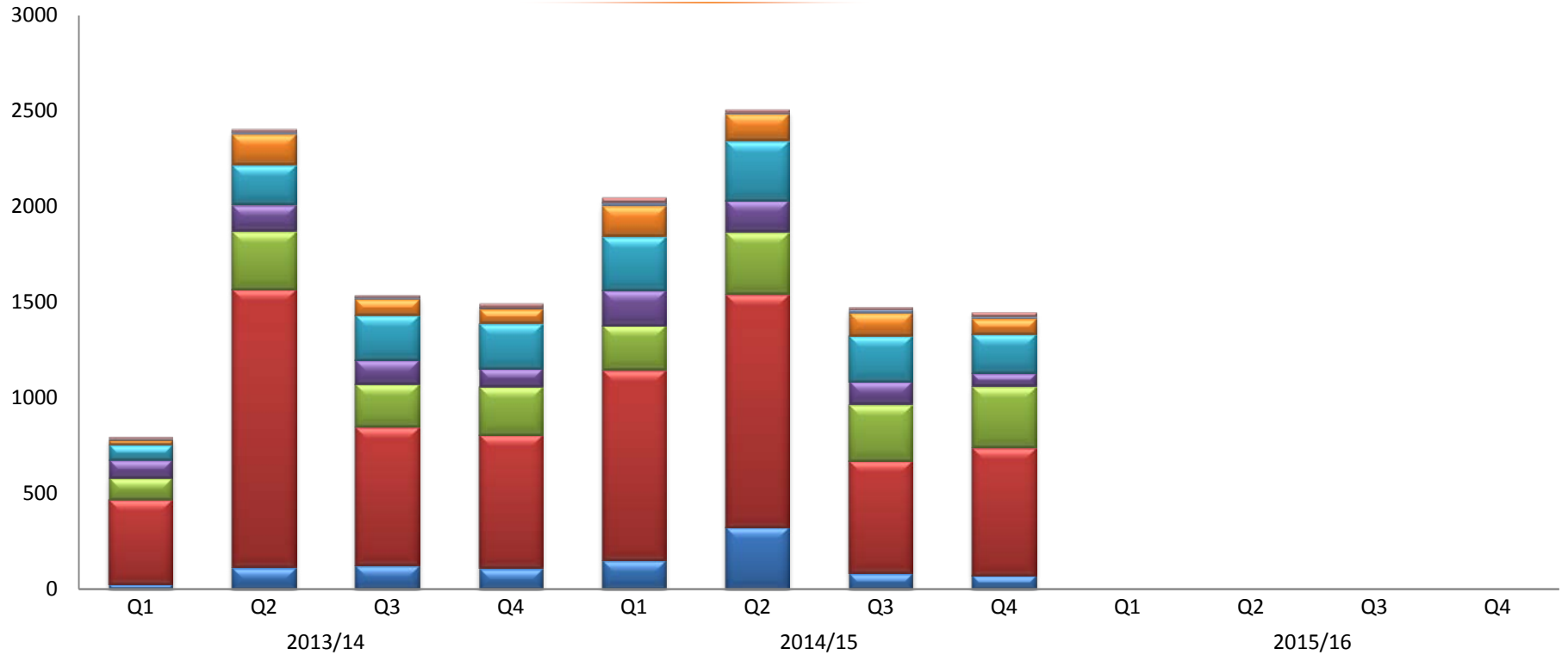
WRS has responded to Bromsgrove District Council's Street Amenity Consent Policy with a view to controlling the use of the pedestrianised part of the High Street in Bromsgrove to provide outdoor seating areas for cafes, pubs and restaurants.

Nuisance problems caused by motorsport continue to put pressure on resources and December saw the team working collaboratively with the Central operations team and Network Rail to keep to a minimum the nuisance caused to residents during essential construction works at Bromsgrove Station over the festive period. Since October Officers in the Central Operations team have also been working in conjunction with Hitachi Zosen on managing the environmental impact of the construction phase of Severn Waste's EFW plant in Hartlebury. The development is presently the largest and most complex construction project in the County which will continue until 2017.

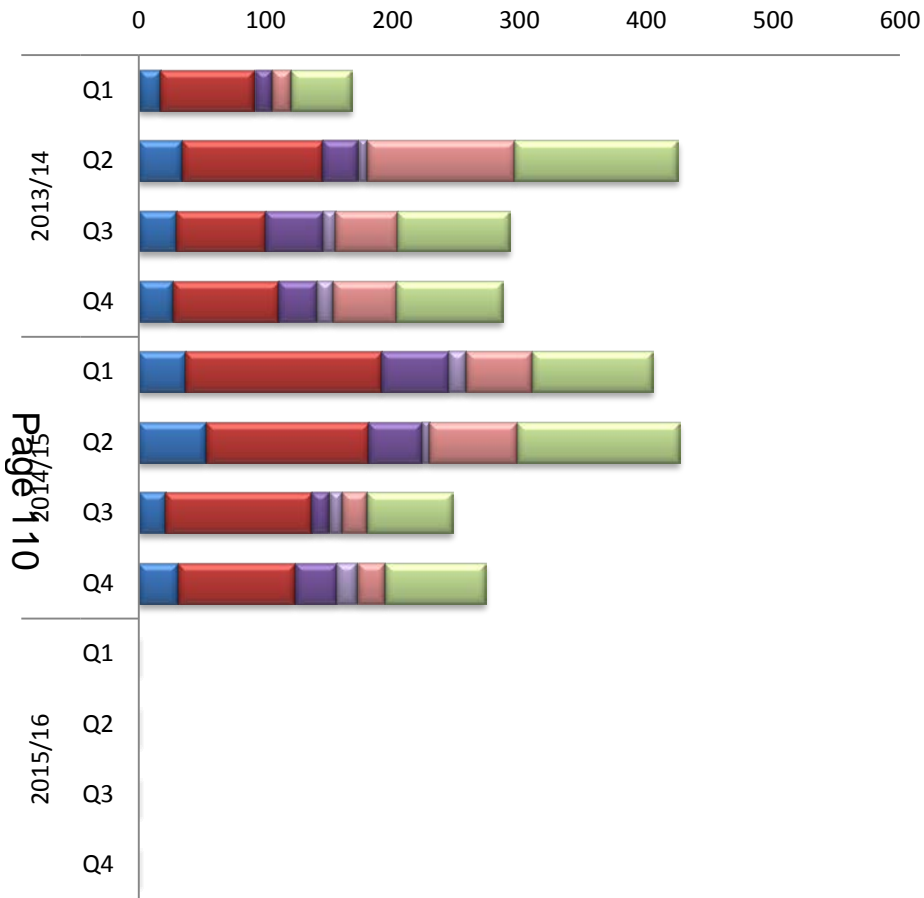
The contract to provide pollution work for Tewkesbury Borough Council has been extended into May 2015, providing an income which is being re-invested in the service. WRS has also secured funding from the Local Economic Partnership to look at a possible Earned Recognition scheme for small producers and manufacturers which will enable them to seek new markets. Over 20 staff members of the team have undertaken Housing Health and Safety Rating Scheme training which provides the potential for extending the work of WRS into that sector.

The fourth quarter also saw Senior WRS staff taking part in a successful exercise with partner organisations of the Local Resilience Forum designed to test and inform our preparedness for Ebola.

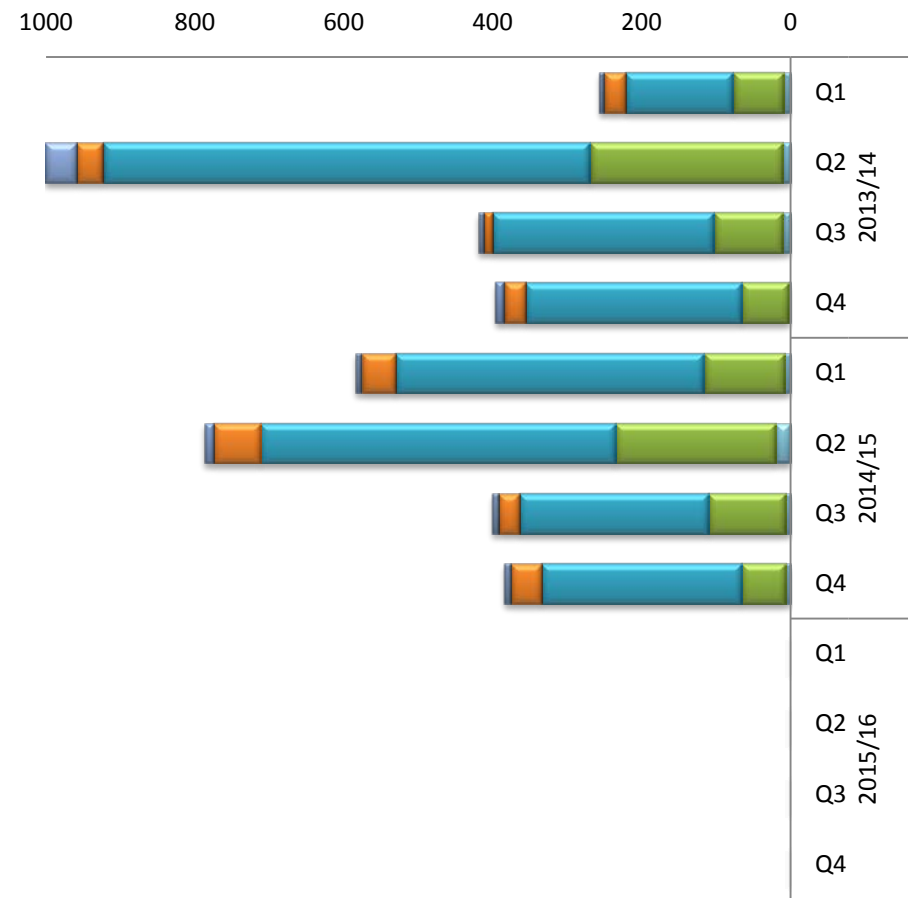
Service Requests



Nuisance Cases (excluding noise)



Noise Cases



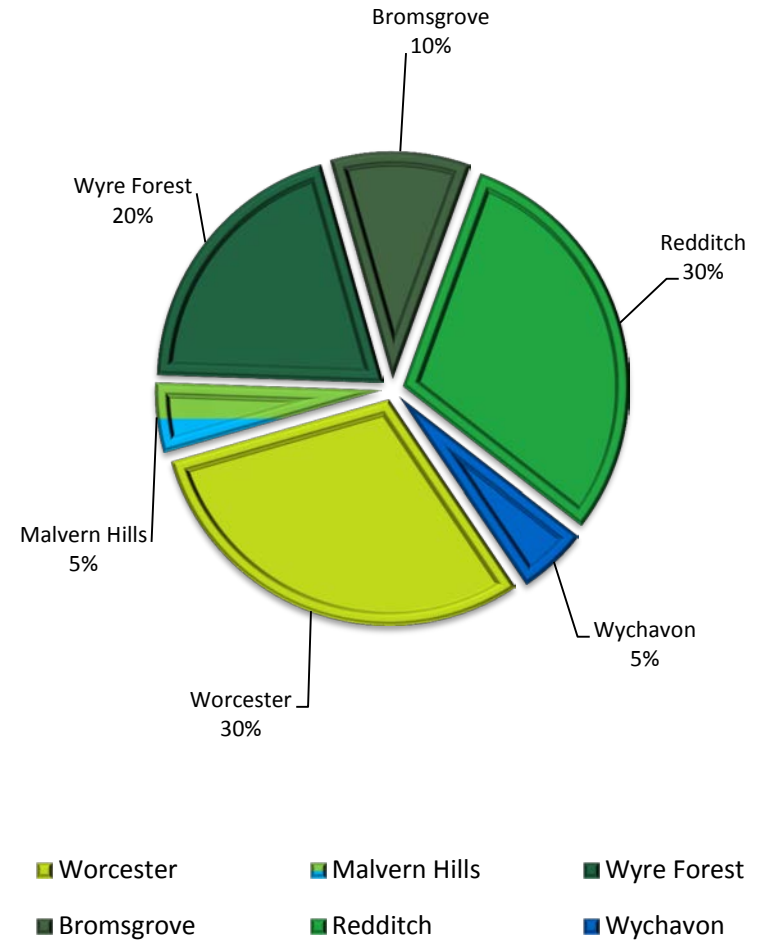
- Accumulations - Commercial
- Accumulations - Domestic
- Drainage
- Light Nuisance
- Odour
- Smoke, Fumes and Gases

- Noise - Alarm
- Noise - Domestic
- Noise - Industrial or Agricultural
- Noise - Commercial Premises
- Noise - Street

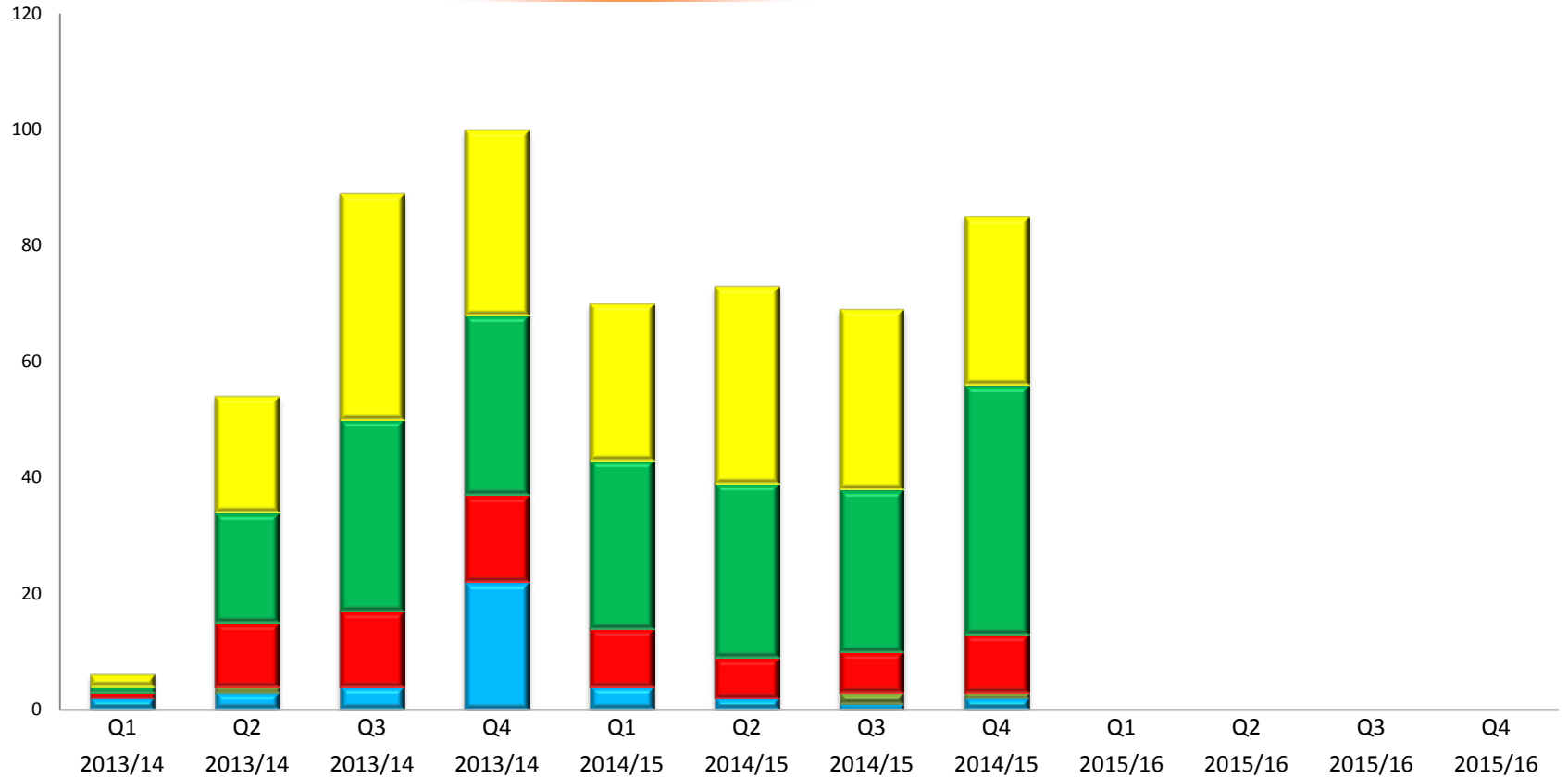
Noise Cases by Ward (top 20)

Ward	Population	Total	Rate (%)
Cathedral	10,372	96	0.93%
Winyates	8,409	46	0.55%
St Johns	5,025	46	0.92%
Greenlands	8,984	44	0.49%
Abbey	6,063	41	0.68%
Rainbow Hill	5,865	37	0.63%
Nunnery	8,103	36	0.44%
Headless Cross and Oakenshaw	8,706	35	0.40%
Warndon	5,812	34	0.58%
Church Hill	7,982	34	0.43%
Batchley and Brockhill	8,338	34	0.41%
Bengeworth	5,589	33	0.59%
Mitton	7,697	32	0.42%
Greenhill	8,003	32	0.40%
Broadwaters	7,936	31	0.39%
Charford	6,639	30	0.45%
Link	6,213	29	0.47%
Bedwardine	7,930	28	0.35%
Sutton Park	7,499	28	0.37%

% of top 20 noise cases by District

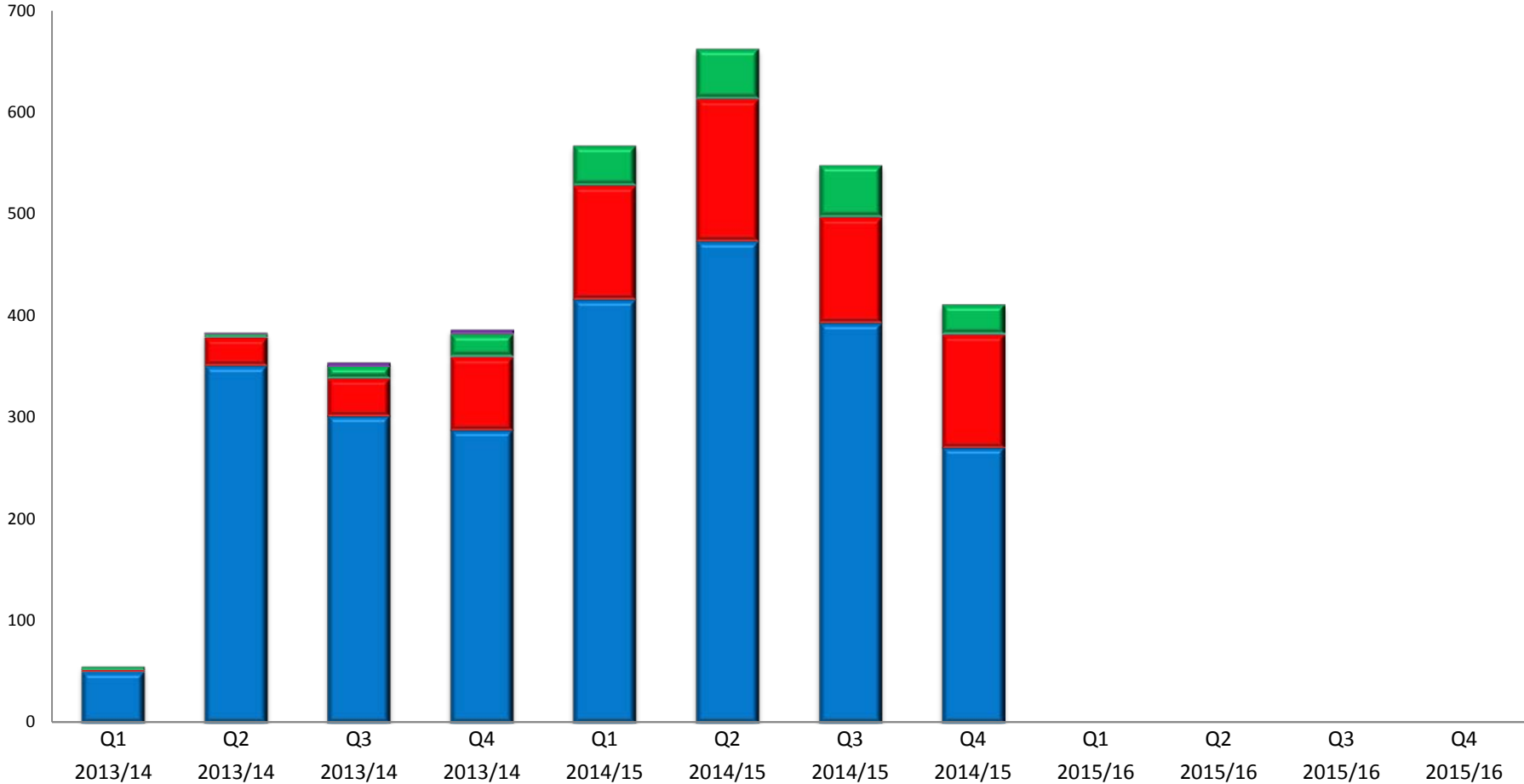


Accident Reports

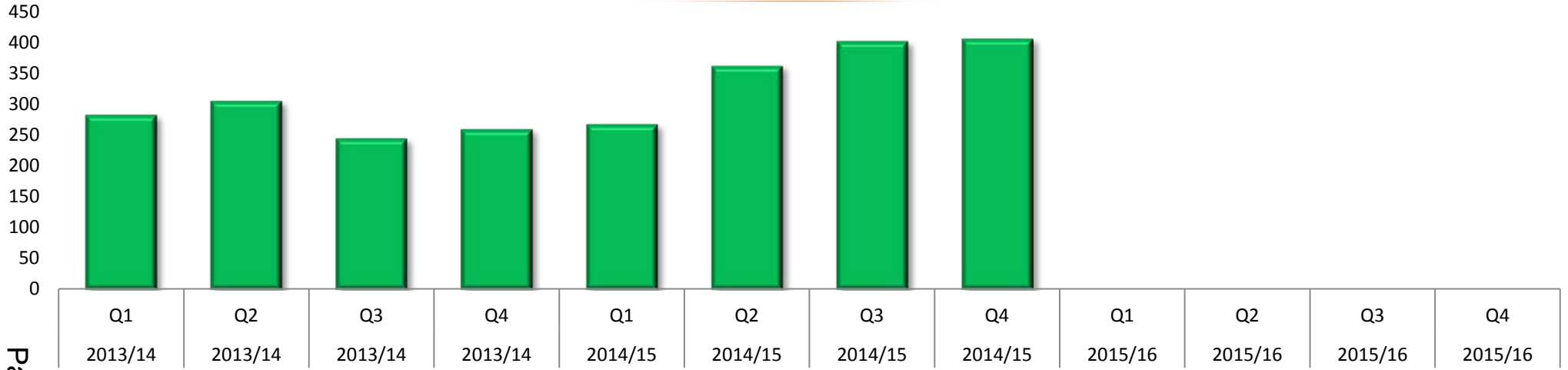


■ Injury to Member of the Public	2	20	39	32	27	34	31	29	0	0	0	0
■ Over 7 Day Injury	1	19	33	31	29	30	28	43	0	0	0	0
■ Major Incident	1	11	13	15	10	7	7	10	0	0	0	0
■ Fatality	0	1	0	0	0	0	2	1	0	0	0	0
■ Reportable Disease	0	0	0	0	0	0	0	0	0	0	0	0
■ Dangerous Occurance	2	3	4	22	4	2	1	2	0	0	0	0

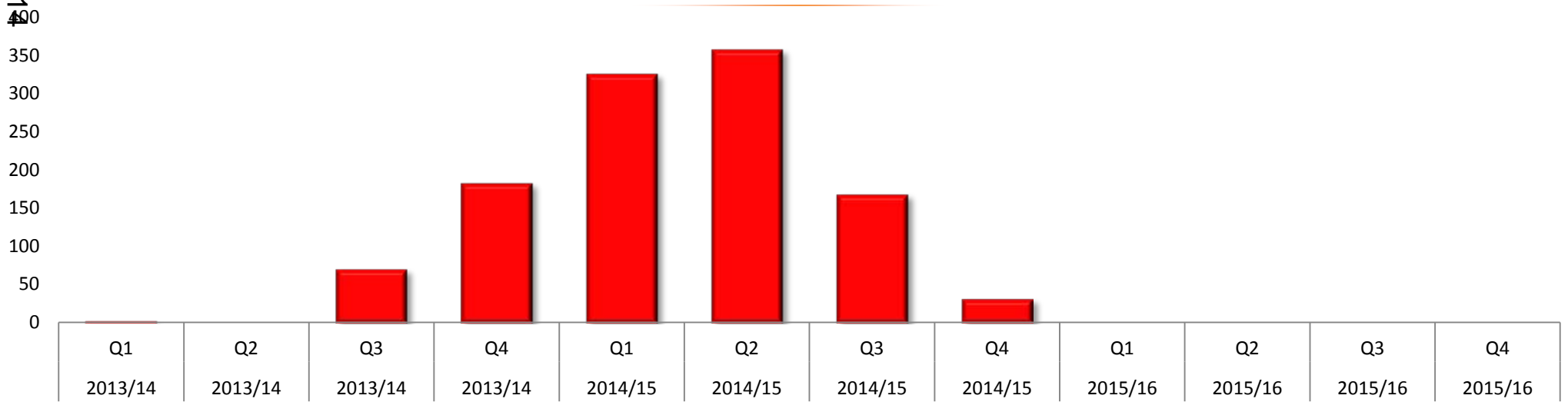
Dog Control



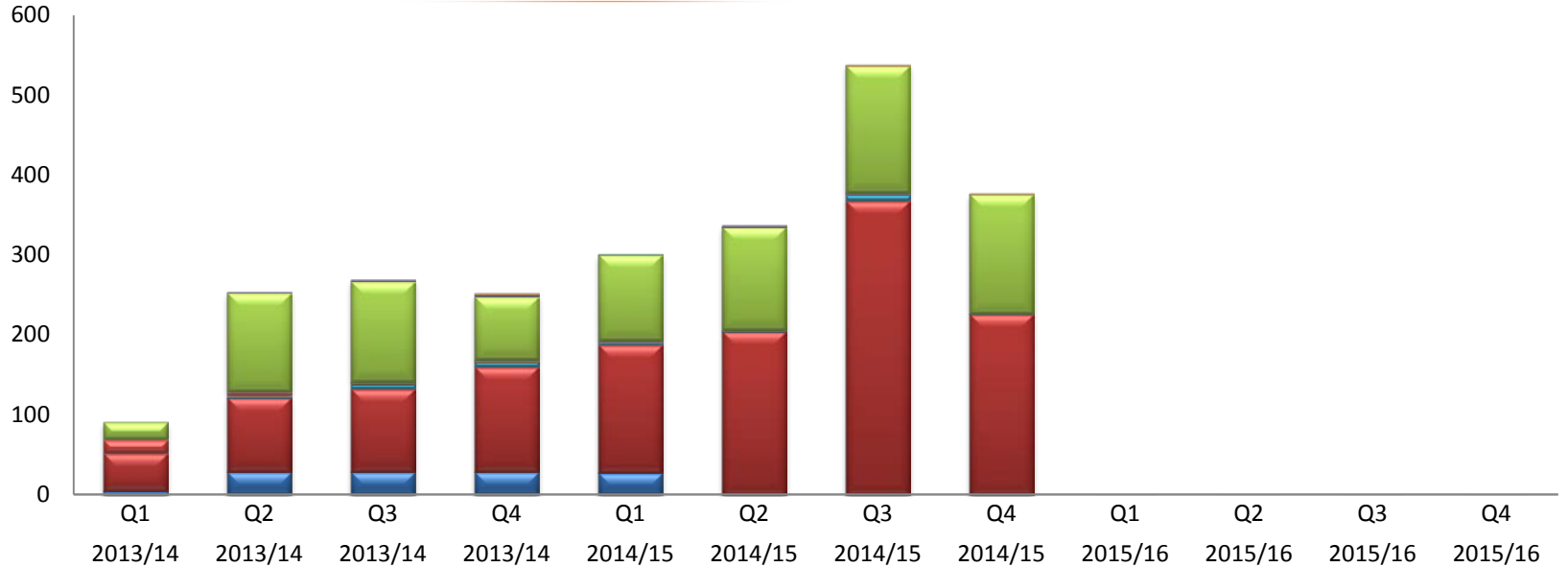
FHRS Inspections



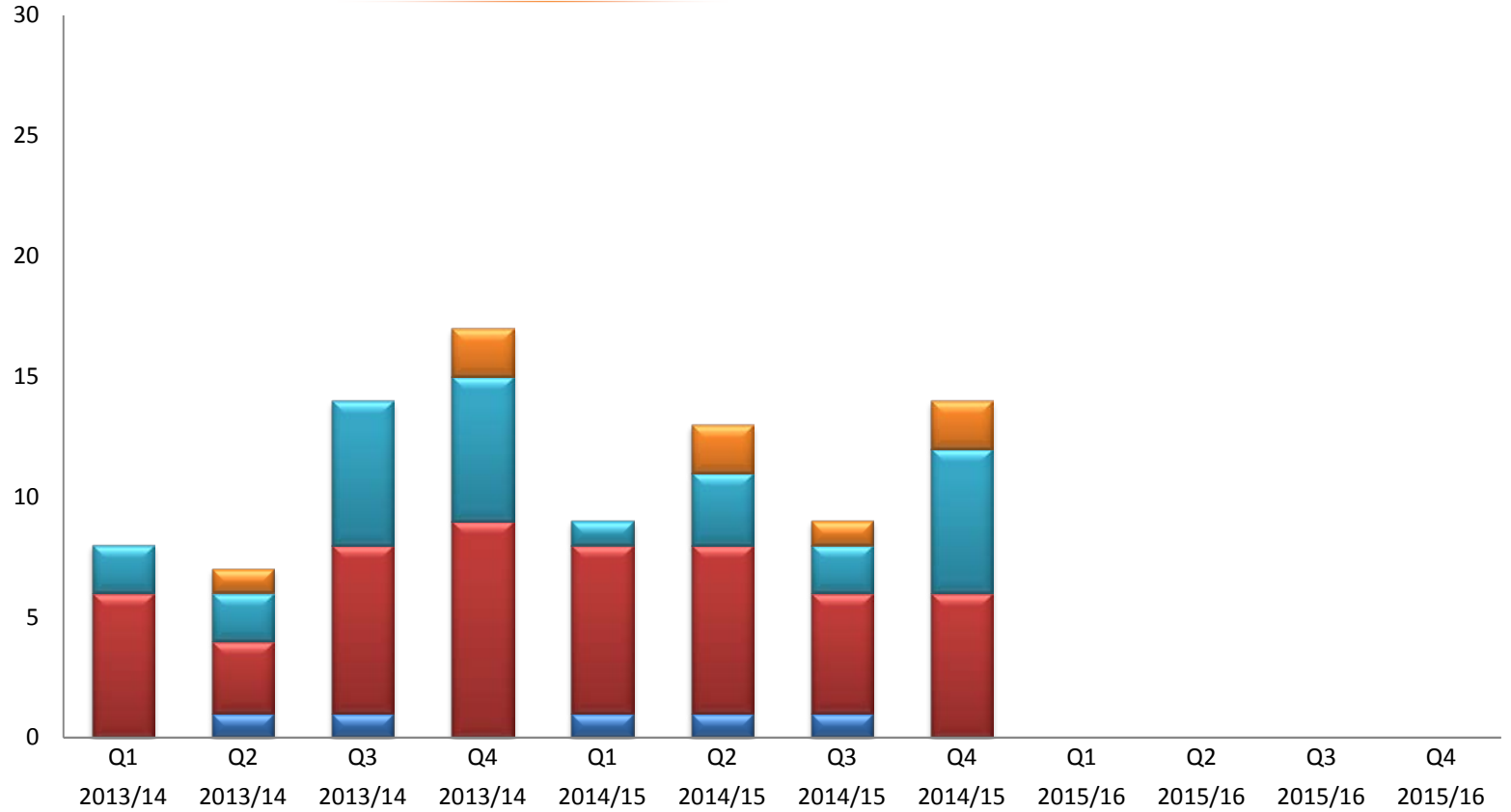
Infectious Disease Notifications



Planning Requests



Planning Requests (continued)





Air Quality Overview - Mark Cox (Team Manager – Technical Pollution)

The annual reporting requirements for the District Councils continued to be undertaken in the production and submission to Defra of Progress Reports under the Local Air Quality Management Regime. These are important to complete with EU infringement proceedings continuing. In support of the UK Government's response, WRS on behalf of the District Councils provided Defra with a substantial amount of information this quarter demonstrating the work that is being undertaken to provide betterment in air quality. This information will form part of the Air Quality Action Plan Progress Reports for each District which are being completed currently. These reports provide updates on the actions being taken and form part of the reporting requirements to Defra. The amount of progress and large number of Air Quality Management Areas(AQMAs) covered by the WRS report caused some issues but it will be completed in due course.

Particular focus has been on Stourport with the completion of a Detailed Assessment for nitrogen dioxide along the High Street. Recently developed skills and understanding has enabled complex modelling and interpretation to be undertaken in house to produce a robust and relevant report that demonstrates we do not have an air quality issue in this location. The report has been submitted to Defra for approval.

The complex arrangements in installing a Nitrogen Dioxide Continuous Analyser in Foregate Street, Worcester have continued and it is hoped will be concluded early 2015/16.

As construction work started on the Energy from Waste Facility in Hartlebury (Wychavon) WRS have had repeated requests for support and air quality monitoring. A contentious site, WRS have attempted to maintain a supportive role to the Parish Council whilst protecting the Partner Authority's interests.

Contaminated Land Overview - Mark Cox (Team Manager – Technical Pollution)

Focus for the last quarter of the year has been to tidy up existing work projects and push for completion.

The Smallwood Cadmium Survey draws to a close. Initially a large project covering over 300 properties in Redditch where it was uncertain whether contamination levels represented a risk to normal use of their rear gardens, through systematic sampling and risk assessment, the number of properties considered to have contamination at levels of concern have been clarified as four. WRS are now in the process of communicating with those residents on the options available to them. Interestingly, the investigation has concluded that the contamination identified is likely to have been the result of resident activity rather than the battery factory initially investigated.

WRS are working with a number of partner organisations to clarify unknown risk with several other sites:

At Marlbrook tip, WRS are providing an enhanced consultation for Bromsgrove District Council Planning Department because of the complex and contentious issues on the site. This has involved reviewing large quantities of gas monitoring data and consultant monitoring techniques and reports. Concerns were raised by WRS from the information reviewed and as a result of that we have organised a consultant to do additional monitoring on behalf of Bromsgrove to provide some confidence and clarity on the information submitted in support of the Planning obligations. This work continues and is likely to become more resource intensive in a bid to resolve the outstanding concerns to enable the Local Planning Authority to have confidence in the situation on site.

For a number of landfill sites in Bromsgrove District liaison continues with the Environment Agency to ensure sites falling out of the Waste Management Regime do not represent a significant contamination risk for residents. Where no landowner or company exists, the Environment Agency are not able to hold anyone to account on licence obligations such as risk from landfill gas. Rather than just revoking the licence, the EA have been working with WRS to ensure risks are assessed first jointly so resource is effectively used to manage the risks involved responsibly and effectively according to priority.

Planning obligations continue to be the main source of resolution for potential contamination issues and the expertise that WRS holds in this regard has been utilised heavily with Worcestershire Planning consultations but additionally in generating income through contracts with Gloucester City Council and South Gloucestershire Council for Contaminated Land advice.

Environmental Permitting Overview - Richard Williams (Senior Practitioner)

Defra annual PPC survey completed for each district and submitted to Defra.EPRTR (Pollutant Transfer Register) notices served on all A2 processes, submitted data checked and submitted to Defra. 2015-16 round of returns now being completed and Authorities will soon receive the fee scheme for each respective process.

Throughout the year inspections continue to be carried out along with administration of new applications / variations / transfers and surrenders of permits. Current major issues:

1. Wood Treatment Processes to become A2 processes, two applications due before the end of the year. There is not currently any published guidance so we have been involved with the Local Authority working group.
2. Mayfield farm Rendering Process, currently dealing with a Permit Transfer Application. The transfer has now been successfully completed to Phoenix Rendering Ltd. and amended. WRS are now awaiting notification of the re-commissioning of the plant. It is anticipated that this may take some time.
3. MPB Garden Buildings, MPB to convert process to water based 'decorative' coating material, they currently use a high VOC based coating. This work is on going and due to be completed in October 2015.
4. Application for an A2 Tyre Pyrolysis Process due any day. The application for A2 Tyre Pyrolysis Process was successfully made and will be subject to a schedule 4 notice until the processing operation is finalised. WRS continues to work with AVC who are currently commissioning this unique type of hydrocarbon cracking process, and will seek to fine tune the permit and report its outcomes to DEFRA and the Environment Agency.
6. Working with Wienerburger (Brick Manufacturer) on Hydrogen Fluoride emissions We have advised these companies on the current Defra guidance and varied the permit to reflect a more relaxed approach to regulation on the site. An average HF emission limit has been agreed with strict criteria and conditions.
7. A significant overhaul of the permitting scheme has taken place over the year in relation to database management and countywide processes are now maintained on one database. In addition to this all simplified permitting has been completed for several industry sectors ranging from car refinishing, concrete batching plants, petroleum vapour recovery and dry cleaners etc.

Trading Standards Overview - Christopher Phillips (Trading Standards & Animal Health Manager)

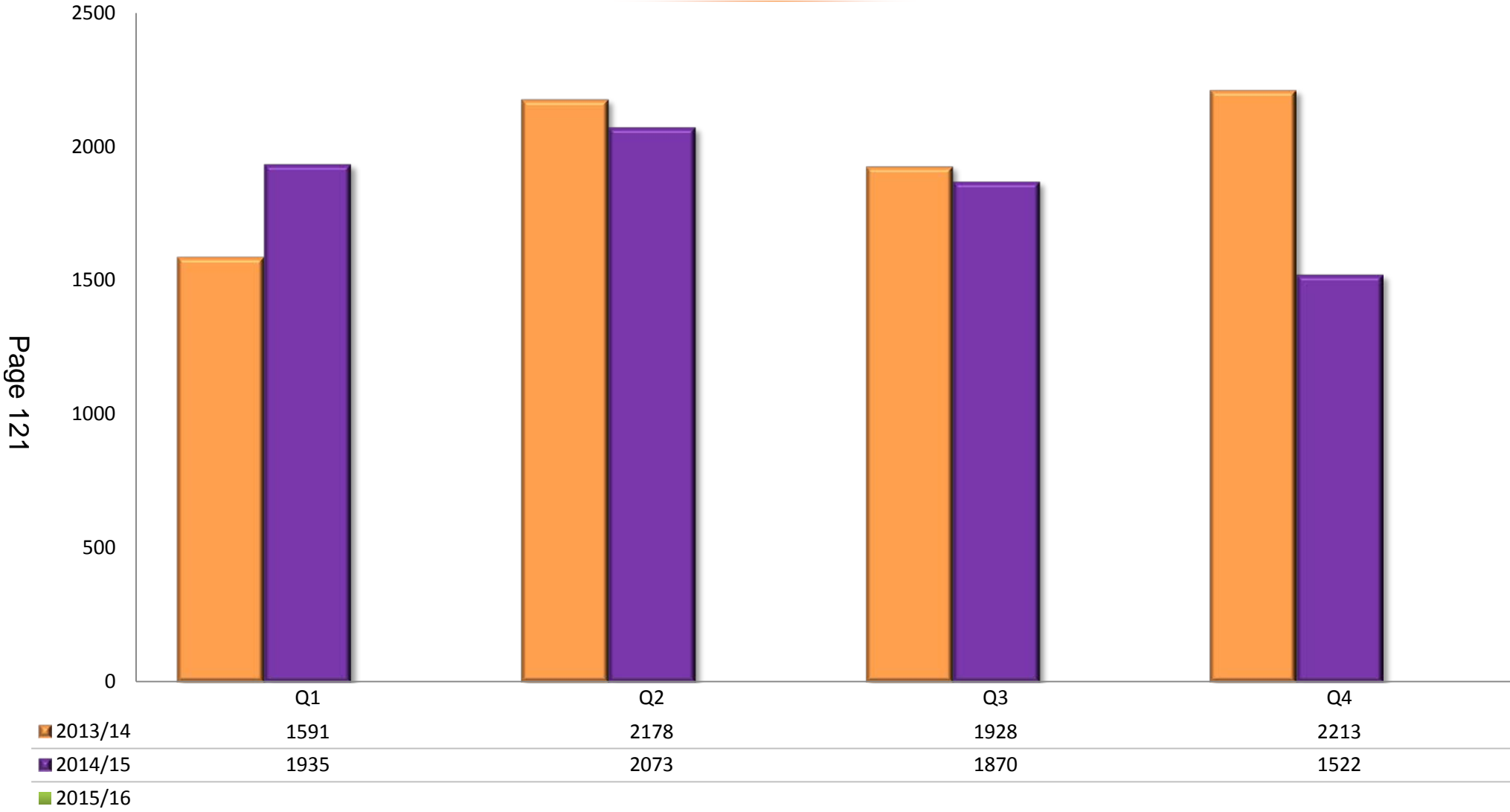
The bar charts show a reduction in the number of complaints. This is attributable to a computer glitch where the WRS IT system stopped communicating with the Citizens Advice Consumer Services (CACS) database and the complaints were not loaded onto our database for around a month. This was not a barrier to the service continuing as WRS officers could log into the CACS directly in order to identify complaints that required action by this service, so we were still able to react where necessary.

The chart shows that the main causes for complaint are second-hand cars, home maintenance and furniture. Priority areas for investigation by the team are rogue traders preying on vulnerable people, unsafe consumer products that have caused/have the potential to cause injury and issues involving significant economic detriment. Activity is also tasked where a trader has a significant number of complaints recorded against him/her.

One of the team's three Senior Practitioners left the service during March. This vastly experienced officer was a nationally recognised specialist in product safety and was also responsible for coordinating the externally funded animal feed activities. Her departure was a significant loss to the team. Prior to her departure she devoted a great deal of effort into ensuring that the feed inspection programme was completed. At the year-end 151 feed/ food hygiene inspections had been completed at primary production premises (primarily livestock farms) and 86 at non-primary production premises (primarily feed manufacturers and on-farm feed mixers) earning the service an excess of £57000.

Priority Hire Ltd and Loyd Chandler appeared at Worcester Crown Court on the 16th February and pleaded guilty to offences relating to an Audi A6 and a BMW with false mileage readings. The company was fined £3750, Mr Chandler was also fined £3750 and costs of £3,788.12 were awarded to the prosecution. Several other cases are in the court system awaiting hearings.

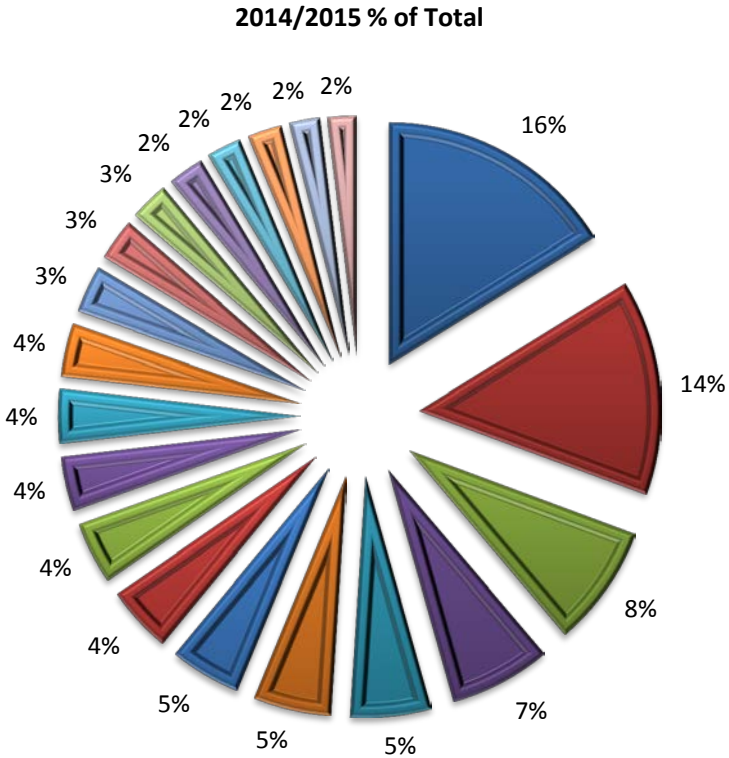
Consumer Complaints



Consumer Complaints (continued)

Top 20 Consumer Complaint Categories 2014/15 Total

Category	Total
Second Hand Cars	899
Home Maintenance and Improvements	802
Furniture	455
Clothing and clothing fabric	378
Telecommunications	299
Food and Drink	288
Personal Computers, accessories, software and services	264
Other Personal Goods and Services	247
Professional Services	232
Industrial/commercial goods and services	201
Large Domestic Appliances	200
Car repairs and servicing	197
Gardening products and services	178
Toiletries, perfumes, beauty treatments and hairdressing	156
Small Domestic Appliances	145
Audio-visual	135
Glazing Products and Installations	129
Petrol and Oil	128
Insurance	113
Pets and Veterinarian Products/Services	107





Licensing Overview - Sue Garrett (Licensing Manager)

The Licensing Office continues to undertake its duties in relation to all licensing matters on behalf of the District Council's within Worcestershire. As well as dealing with all general licensing enquiries received by WRS Duty Officers, details of which are highlighted in this Activity report there are a number of other activities which will be reported on in more detail, moving forward. Licensing Surgeries – Officers continue to attend licensing surgery's which are held in each district on a twice weekly basis. Surgeries are a popular route for applicants to be able visit and see a Licensing Officer for general advice and assistance on all licensing matters. Licensing Duty Officers – With the on-going review of licensing working practices the introduction of a dedicated Licensing Duty Officer to deal with all incoming telephone enquiries is proving very useful in reducing the amount of services requests being passed to individual officers, this had led to improved response rates and outcomes for customers.

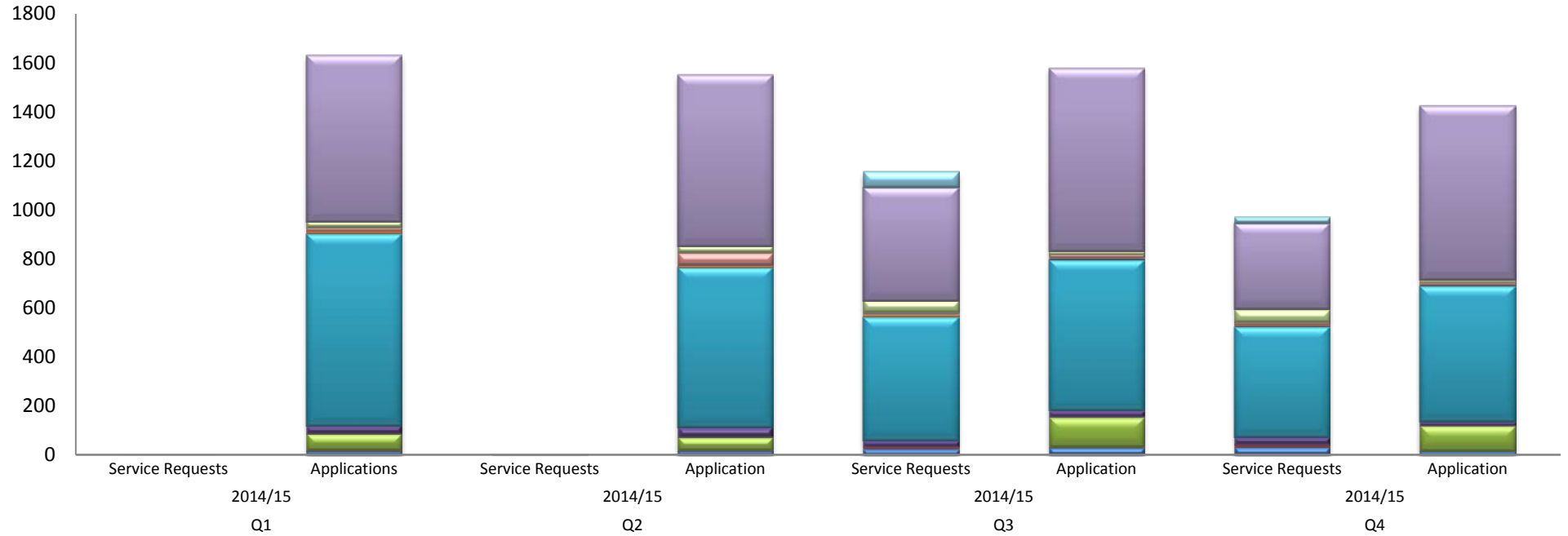
The two major areas of work for Licensing are the Licensing Act 2003 and Hackney Carriage and Private Hire licensing with over 2,230 licensed premises within Worcestershire and over 1,700 drivers, 1,500 vehicles and 110 Operators.

Performance indicators within the annual report show that approximately 7% of licenced premises ie. Pubs and clubs have been the subject of some form of complaint almost always related to noise during the year. Most of these complaints are very low level although the impact on the local community is high, the vast majority are settled by mediation carried out by licensing officers.

Performance indicators would indicate a safe fleet with a very small percentage of vehicle operating with mechanical or other defects (less than 1%) across the County. Vetting of drivers continues to be a priority and Licensing Authorities have prevented a small but important number of potential drivers from getting a licence by deeming them not to be fit and proper persons.

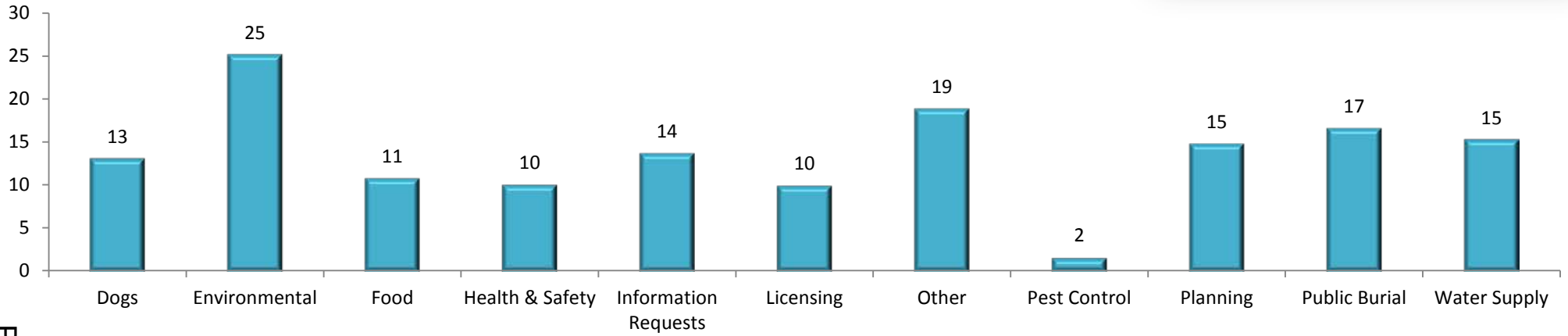
Licensing enforcement – Officers have undertaken a number of visits and enforcement duties relating to taxi, alcohol licensed premises and animal licensed premises throughout the county as indicated within the report.

Licensing

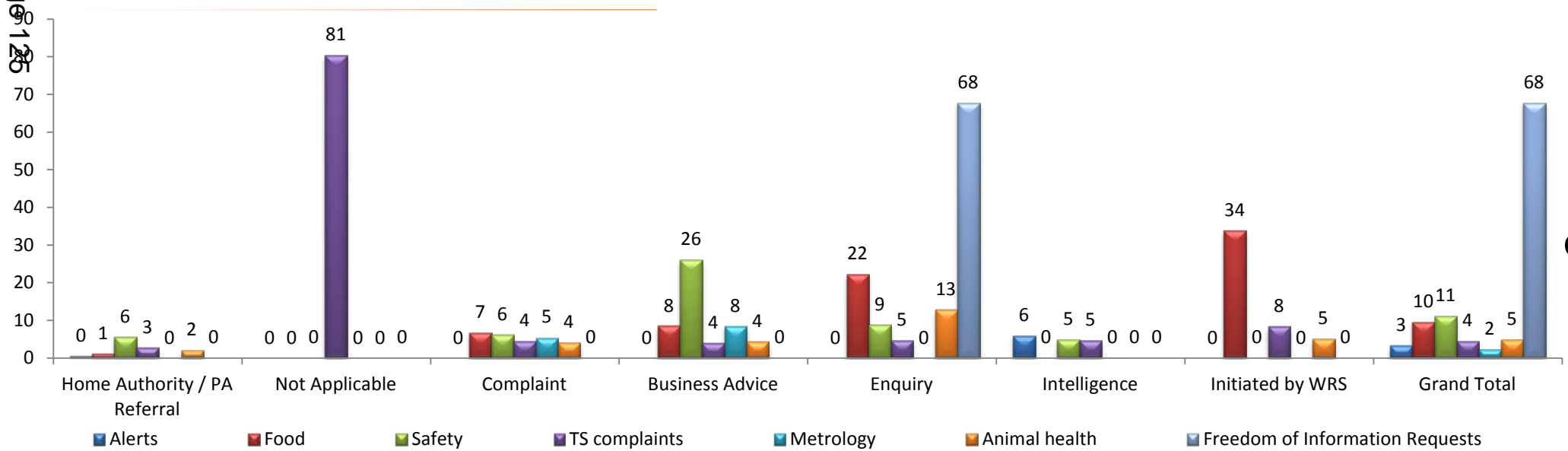


	2014/15 Q1		2014/15 Q2		2014/15 Q3		2014/15 Q4	
	Service Requests	Applications	Service Requests	Application	Service Requests	Application	Service Requests	Application
Surgery	0		2	0	63	0	26	0
Taxi		681	1	702	463	749	351	712
Street	0	25	0	27	46	12	52	10
Skin Piercing	0	12	0	50	6	15	10	9
Sex Establishment	0	1	0	2	3	4	3	4
Scrap Metal	0	10	0	7	9	2	6	2
Licensing Act		784	0	651	506	615	451	554
Gambling	0	33	0	42	25	27	31	17
Charity		68		53		123		103
Caravan	0	4	0	3	9	2	11	2
Animal	0	15	0	16	25	30	31	14

Environmental Health Average end-2-end time in days



Trading Standards average end-2-end times by category and Type



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Worcestershire Regulatory Services

Supporting and protecting you

JOINT COMMITTEE

Date: 25th June 2015

Accommodation and ICT Hosting Relocation Update

Recommendation

That the Joint Committee notes the progress on the change in accommodation and the migration of ICT hosting from Bromsgrove to Wyre Forest.

Background

As members will recall a decision was made to relocate the operating base from Wyatt house to Wyre Forest house at the joint Committee meeting on 27th November 2014.

The move to Wyre Forest house was project managed by Wyre Forest staff and was successfully completed on 20th March 2015 and WRS now occupies 58 workstations at the new location.

In conjunction with the change in accommodation the hosting of ICT for WRS was to move from Bromsgrove to Wyre Forest with a full transition target date of 1st July.

Report

The move to Wyre Forest house was successfully carried out on the 20th March and Wyatt House vacated at the same time and the Keys handed to the new owners/occupiers prior to the expiry of the lease on the 31st March. The Building was cleared and under the project management of Wyre Forest colleagues surplus furniture and fittings were disposed of to partners and then to charities.

All file storage has been transferred to Wyatt House and a secure store for seized goods as well as other equipment stores is available on site.

Telephony at the new site was available from day one and worked well using the existing number so the public were not aware of any change.

The licence agreement for the premises has been completed

with an overall cost for the accommodation plus storage at £60,000 pa. Compared with a total of £186,000 at Wyatt House offering a considerable saving to the service.

Staff are settling into the new accommodation and the feedback received is overwhelmingly positive.

In Tandem with the decision to relocate a decision was made to transfer the hosting for ICT from Bromsgrove to Wyre Forest with a target date of 1st July.

A project board consisting of representatives from the current and proposed hosts and WRS was established to ensure a smooth transition

At its last meeting on 14th May the project plan was reported to be on target with no costs which cannot be dealt with outside of allocated budgets, and it was reported that:

- GIS software had been successfully downloaded and training was being arranged for both WFDC and WRS staff.

Note however that GIS due to its complexity was identified as the highest risk factor in the transition process.

- Servers have now been built
- MoU signed off by Bromsgrove (will show how the two will work together in future)
- Citrix server now built

The project plan is currently on target and within allocated budgets with some risk around the GIS part of the project.

Financial Implications

There are currently no financial implications as all work can be carried out within allocated budgets.

Contact Points

Mark Kay/Simon Wilkes

Background Papers

01527548204 01527548314



Worcestershire Regulatory Services

Supporting and protecting you

JOINT COMMITTEE

Date 25th June 2015

Home Office Code of Practice on the Exercise of Powers of entry

Recommendation

It is recommended that the Joint Committee:

- 1.1 Agree to the adoption of the policy document attached at Appendix 1, which provides an operating framework for the use of statutory powers of entry and related powers by the officers of WRS, acting on behalf of its seven partners;
- 1.2 Consider recommending that partners adopt a similar approach for their retained regulatory service elements to ensure consistency of operation in all regulatory fields across the authorities in Worcestershire and to support joint operational working when it takes place.

Contribution to Priorities/ Recommendations

Exercising powers of entry is at the heart of all enforcement work and therefore vital to the functioning of the regulatory service. A Code of Practice governing the use of these powers was introduced by the Home Office under the Protection of Freedoms Act 2012. Local authorities need to provide a framework for their officers to operate within, to ensure that powers of entry and associated powers are deployed in the correct manner. The attached policy document provides such a framework.

Introduction/Summary Background

This report presents and proposes for adoption by the Joint Committee, a framework policy for the exercise by WRS officers of powers of entry and associated statutory powers, not subject to other codes. The Code also applies where legislation is silent on particular matters or where relevant legislation provides fewer safeguards than those provided in it.

Report

On 6 April 2015, a code of practice issued by the Home Office under section 48 of the Protection of Freedoms Act

2012 came into force. The code provides guidance and sets out considerations that apply before, during and after powers of entry and associated powers are exercised by a range of bodies including local authorities.

The purpose of the Code is to ensure “greater consistency in the exercise of powers of entry and greater clarity for those affected by them while upholding effective enforcement.”

The Code does not override already existing statutory codes e.g. PACE codes, Food Standards Agency codes, but it does have effect where no existing code covering the exercise of powers exists..

Paragraph 6.3 of the code states:

“There should also be a proper process of approval for the exercise of powers of entry, whether for specific visits or for programmes of visits. If an approval process is laid out in legislation, this should be followed, otherwise organisations should ensure that an approval process is in place for the exercise of powers of entry. Where routine inspections or visits for large scale operations are involved, processes should be agreed and approval granted by a senior official or manager (this should be someone sufficiently senior in the chain of command who is authorised to approve the exercise of powers). It is not necessary for every individual visit to be separately approved.”

Much of legislation enforced by WRS is silent as to the approval of the use of powers of entry. Given that the code indicates that not every individual visit needs to be approved, it is suggested that approval of service plans and team plans by managers, can fulfil the requirements of the code. The detailed team plans that sit below the service plan outline all of the proposed activities for the year and it is therefore possible for managers to give consideration to the use of powers at this stage and record the decisions that are made.

Two major changes in practice contained in the code are:

- The giving of notice prior to routine inspection where this would not frustrate the purpose of the visit; and
- The requirement to seek the consent of the occupier/ owner where this is practicable, unless this would frustrate the purpose of the visit (where consent is informed consent)

Whilst WRS officers do make appointments to visit premises where appropriate, the majority of inspection visits are unannounced. Food law provisions are governed by another statutory code and the EU Directive on food law



enforcement requires unannounced inspection as part of the control regime. WRS officers will continue to use this approach for district council food hygiene purposes or county council food standards purposes. However, the requirements of the code may make visits for multiple functions (e.g. Food Hygiene/ Health and Safety, or Food Standards and Weights and Measures) more problematic.

The Code outlines the way in which officers should conduct themselves whilst exercising powers. The requirements are no more than we would expect from an officer behaving in a way that meets our own code of professional conduct.

Generally, where a visit is undertaken with the consent of the occupier and no issues of significance are identified, a note of the legislation used and the power exercised should be recorded.

However, where a visit results in the identification of a more significant issue, which may result in some form of enforcement action, the code requires the officer exercising the power to ensure that the following is recorded:

- The statutory provision under which the power was exercised;
- The approval process that allowed for the exercise of the power of entry;
- Whether the power was exercised with or without a warrant;
- Whether the occupier granted consent and what attempts were made to obtain consent;
- The date time and duration that the powers were exercised;
- The address of the premise;
- Names of officers involved in exercising powers
- Names of other persons present (if known);
- Any grounds for the refusal of any requests made by an occupier;
- A list of any items seized and, if not covered by a warrant, the grounds for seizure;
- Whether reasonable force was used and, if so, why;
- Details of any damage caused and the circumstances for this;
- Details, where known, of premises crossed to gain access to other premise

There are further requirements for recording where the exercise of a power is done under a magistrates' warrant.

The code suggests that all of this information should be available in the form of a register which presumably would be subject to the provisions of the Freedom of Information Act. Given the level of activity of lobbying organisations in relation to the protection of freedoms agenda, it would seem sensible to try to use an IT based solution to ensure that, once recorded,

Financial Implications

this information can be easily extracted in response to the likely arrival of information requests.

This code of practice applies more widely than the regulatory functions delivered by WRS. It will impact on all local authority enforcement functions where there is no existing code for officers to follow. Given the desire for consistency of conduct by regulators from businesses and the fact that WRS staff often work on joint operations with officers from partner authorities in other regulatory teams, it would seem sensible for the Joint Committee to recommend that, within their retained regulatory functions, partners take a similar approach to the one recommended.

There are unlikely to be direct monetary implications from the Code, however, the additional data recording and the additional processes are an additional burden which the service will have to deal with.

Sustainability

NA

Contact Points

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Background Papers

Home Office Code
Proposed WRS policy and process document



Worcestershire Regulatory Services

Policy on the exercise of statutory powers of entry and associated powers

1. Background

In April 2015, the Secretary of State at the Home Office introduced a Code of Practice [“The Code”] under Sections 47 and 48 of the Protection of Freedoms Act 2012.

Section 47 of the Act requires this Code to be one, ‘containing guidance about the exercise of powers of entry and associated powers’. Section 51 of the Act states that a ‘relevant person’ must have regard to the Code. Authorised officers of Worcestershire Regulatory Service [“WRS”], no matter what activities they undertake on behalf of partners, are “relevant persons” for the purposes of the Act in relation to legislation for which they have enforcement responsibilities.

The Code states that local authorities should ensure that all relevant persons are familiar with its contents. The Code is admissible in respect of both criminal and civil proceedings and failure to adhere to its requirements may be taken into account in any such proceedings.

2. Aim of this policy and its relationship with the Service’s Enforcement Policy

The aim of this policy document is to:

- outline the approach that WRS will take in managing the exercise statutory powers of entry and associated powers, on behalf of its partners and customers (where contracts require WRS to operate within its own policy frameworks as opposed to those of the customer);
- ensure that officers at all levels of the service will be clear where the responsibility rests for making decisions around the exercise of these powers;
- clarify the recording requirements of the Code; and
- who will be responsible for monitoring and oversight of the decision making process.

The Code states that each use of powers does not need to be subject to a defined decision making process. This policy document will help officers to identify where they can continue to operate as previously using their authorised officer and delegated powers at their own discretion, and where their use should be subject to further scrutiny before deployment.

This policy does not supersede the Enforcement Policy but sits alongside it, supporting and helping to detail the use of powers in certain circumstances within this wider policy framework.

3. General Requirements of the Code

Where an operation, project, investigation or similar activity requires the exercise of statutory powers, the Code requires a proper process of approval for the exercise of powers, whether for specific visits or for programmes of visits and, for large scale operations, that this be granted by a senior officer

Within WRS, where proactive activities are developed for the purposes of the service's annual plan, the exercise of statutory powers will be identified in the individual project plan for that element of the service plan. As part of the planning process, officers and senior practitioners will give consideration to:

- Whether or not the exercise of powers is caught by the Code, and, if not, whether the provisions of the Code may be appropriately applied. For example, The EC Directive governing the inspection of premises for Food Hygiene purposes requires unannounced inspection therefore the use of certain of the provisions within the Code would be inappropriate.
- Where the exercise of powers is caught, officers and senior practitioners will consider whether or not the necessary objectives can be met by less intrusive means without the exercise of statutory powers
- This consideration and its outcome should be recorded within the project plan for each activity.

All project plans will be signed off by the Team Manager before the activity is undertaken. The service plan is reviewed by the Management Team and Head of Service on a regular basis and, from time to time, the Head of Service may review the explanation for the use of powers within any project plan.

Where the exercise of statutory powers may be necessary in relation to a reactive piece of work i.e. a service request or consumer complaint, the officer allocated the piece of work, along with their senior practitioner, will consider the appropriateness of exercising powers in relation to the matter in hand, and will only take appropriate and proportionate action.

For larger scale operations and investigations, an operational order or an investigation plan will be created, which identifies what action will be taken including the exercise of powers. These will be overseen by Senior Practitioners and reviewed by Team Managers in order to ensure the use of powers remains both necessary and proportionate during the process.

The exercise of powers will be done in a manner which is impartial and fair at all times, causes as little disruption to legitimate business operations and complies with any restrictions e.g. legally privileged material. Officers must notify their manager immediately if any situation arises which might be perceived as a conflict of interest.

4. Application of the Code Pre, During and Post Routine Visit Requirements

Where a routine visit (i.e. one where there is no established suspicion of non-compliance being present) is to be made using powers of entry that do not fall within the exemption section of this policy, and, where it is appropriate and practical to do so, reasonable notice (usually not less than 48 hours) will be provided to the occupier or landowner. Notice will, where practicable, be given in writing, which will include email. Where giving such notice would frustrate the purpose of the visit or where it is not practicable to do so, officers will still visit unannounced.

Where the Code applies, reasonable efforts will be made to try and carry out any routine visit or proactive inspection by consent, unless this would frustrate the purpose of the exercise, e.g. by causing undue delay. Attempts to gain consent and the response (or lack of one) to such approaches will be recorded.

Officers will do their best to ensure that consent is informed such that the occupier of a premise understands:

- : The purpose of the visit;
- What their powers of entry and associated powers are;
- How these powers will be used;

A notice of powers and rights relevant to the visit in question that complies with the provisions of the Code will be issued to a business at the beginning of the visit and officers will explain the nature of any relevant provisions.

Visits will be undertaken at reasonable hours, this being by reference to working hours of the business concerned. During such visits, only reasonable and proportionate numbers of personnel will be present sufficient to undertake any activity associated with the visit in an efficient, timely and cost effective manner.

Officers will produce their identification at the commencement of a visit so that the person can be certain who they are dealing with. Where any requirement for assistance from any occupier of a premise is required, this will be clearly explained in terms of what is required, why it is required and what sanctions may apply for non-compliance.

Where goods or documents are seized in accordance with powers exercised under this Code (rather than one such as PACE Code B,) the occupier will be provided with the following information:

- Details of the items seized;
- Procedures relating to the retention of property;
- Any appeal rights;
- How long items may be held until they are returned (although counterfeit, illegal or hazardous items may be destroyed);
- Any compensation procedures;

Seized items will be held securely and safely and reviewed within a reasonable amount of time to ensure their evidential value. Any items of no evidential value or not required for other reasons as part of the legal process will be returned to the occupier as soon after their review as is reasonably practicable.

Where a person is, for whatever reason, unhappy with the actual use or the manner of use of statutory powers, the officer exercising the powers will provide them with a copy of the service's complaints procedure, which explains in straightforward language, how to make a complaint. It will also include details of how a copy of the Code can be obtained

5. Visits to private dwellings

Where a visit is to a private dwelling, this will only be undertaken with informed consent unless a warrant has been obtained under judicial authorisation, or a warrant issued by a duty Inspector under the provisions of PACE. The timing of visits to private dwellings will be agreed with the occupier except where entry is made under one of the forms of warrant described above.

6. Exceptions

This policy document does not apply to entry to premises for purposes, and in circumstances, which are subject to a separate statutory Code of Practice, for example:

- Police and Criminal Evidence Act 1984 Code B
- Food Law (Code of Practice) England made under the Food Safety Act 1990

Also, where a UK legislative provision is derived from an EU provision requiring unannounced proactive visit processes as part of the control mechanism, WRS will continue

to use this method as part of its control strategy for these provisions. Other provisions of the policy may be followed to allow ease and consistency of recording.

There will be circumstances where the initial exercise of powers could be subject to the Code, but may later become subject to another Code of Practice, for example, if offending is identified, at which point the requirements of this Code will cease to have effect.

e.g. An officer is exercising a routine power of entry for inspection purposes in accordance with product safety legislation. During the course of that visit suspicion of an offence is formed and the purpose of the visit changes to one of gathering evidence.

At that point, this policy document will cease to be relevant and actions would follow the normal provisions of the Service's Enforcement Policy and any relevant provisions of PACE Codes.

7. Records of the use of powers

Where a visit is undertaken with the consent of the occupier and no issues of significance are identified, as part of the recording process for this activity, a note of the legislation used and the power exercised should be made.

Where a visit results in the identification of a more significant issue then the officer exercising the power will ensure that the following is recorded:

- The statutory provision under which the power was exercised;
- The approval process that allowed for the exercise of the power of entry;
- Whether the power was exercised with or without a warrant;
- Whether the occupier granted consent and what attempts were made to obtain consent;
- The date time and duration that the powers were exercised;
- The address of the premise;
- Names of officers involved in exercising powers
- Names of other persons present (if known);
- Any grounds for the refusal of any requests made by an occupier;
- A list of any items seized and, if not covered by a warrant, the grounds for seizure;
- Whether reasonable force was used and, if so, why;
- Details of any damage caused and the circumstances for this;
- Details, where known, of premises crossed to gain access to other premise

Where a warrant is executed, the officer in charge will ensure that the following information is recorded:

- Name of the justice of the peace or judge;
- Advice provided to the occupier about consequences of any obstruction;
- Information about any obstructive conduct by an occupier;
- Date and time the warrant was executed;
- Name of occupier or person in charge of the premises;
- Names of authorised persons executing the warrant and anyone accompanying them;
- Whether a copy of the warrant and a notice of powers and rights was handed to the occupier, or left at the premises and where;
- Whether any articles specified in the warrant were sought and their location;
- Whether any other articles were seized

Agenda Item 11

These records will be kept in such a manner that they can be retrieved if required without undue activity difficulty or cost being incurred, for example if they were requested as part of a Freedom of Information Act request.

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