

WORCESTERSHIRE DISTRICT COUNCILS AND COUNTY C O U N C I L

WORCESTERSHIRE REGULATORY SERVICES

MEETING OF THE WORCESTERSHIRE SHARED SERVICES JOINT COMMITTEE

THURSDAY 26TH NOVEMBER 2015 AT 4.35 P.M.

PRESENT: Councillors : B. Behan (Chairman), E. Stokes (Vice-Chairman), P. Whittaker, D. Chambers, J. Fisher, M. Johnson, A. Roberts, L. Hodgson, A. Blagg, M. King, S. Chambers and J. Hart

Observers: Mr. V. Allison, Deputy Managing Director, Wychavon District Council, Mr. D. Sutton, Worcester City Council and Mr. P. Smith, Worcester City Council

Officers: Mr. S. Wilkes, Mr. I. Pumfrey, Ms. C. Flanagan, Mr. M. Cox, Mrs. S. Garratt, Mr. D. Mellors, Ms. S. Morgan and Mrs. P. Ross

19/15 **APOLOGIES**

Apologies for absence were received from Councillors R. Laight, Bromsgrove District Council and B. Clayton, Redditch Borough Council.

20/15 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

21/15 **MINUTES**

The minutes of the meeting of the Worcestershire Shared Services Joint Committee held on 25th June 2015 were submitted.

Councillor M. Johnson, Worcester City Council referred to minute number 15/15, page 3, paragraph 3. At the invitation of the Chairman, Councillor M. Johnson said that he felt that the minutes did not accurately reflect the comments he had made. It was agreed that the minutes be amended as follows:-

Councillor M. Johnson, Worcester City Council, stated that Worcester City Council would look to see what WCC would do and at their exit strategy, Worcester City Council would also look at the SLA, as a council looking to outsource more services; before the paper agreed to be taken to each Council would go to a full Worcester City Council meeting. He would, however, reiterate that they were still part of the current partnership.

RESOLVED that subject to the amendment as detailed in the preamble above the minutes of the meeting held on 25th June 2015 be approved as a correct record.

22/15

PROGRESS ON RECONSTITUTION OF WORCESTERSHIRE SHARED SERVICES PARTNERSHIP OF WORCESTERSHIRE REGULATORY SERVICES

The Committee received an update on the progress on the reconstitution of Worcestershire Shared Services Partnership of Worcestershire Regulatory Services.

The Head of Worcestershire Regulatory Services (WRS) informed Members that he had taken over from the Acting Head of WRS, who had presented previous reports to Joint Committee Members.

The Head of WRS informed Members that partner councils were progressing with the approval of the recommendations from the Joint Committee meeting held on 25th June 2015, five of the district councils had completed the process, with Worcester City Council outstanding.

Discussions with Worcestershire County Council (WCC) remained on-going in relation to a contractual agreement with WRS. A report outlining senior management thinking at WCC on the delivery of its regulatory functions currently discharged through WRS, including Trading Standards and Animal Health, was presented at their Council meeting held on Thursday 12th November 2015. It was recommended and approved that authority be delegated to WCC, Director of Business, Environment and Community (BEC) to negotiate with WRS partners for WCC to give appropriate notice for withdrawal from the Joint Committee and to formally take back direct control of County regulatory functions and the staff delivering those functions.

Whilst this was different from what was originally envisaged, the delegation to senior managers at WCC did accord with the decisions made by the Joint Committee at the meeting held on 25th June 2015 and therefore further consideration or resolutions were not necessary for either the Joint Committee or the district partner councils.

The Head of WRS further informed Members that he would now work with the Director of BEC at WCC to facilitate this, using the currently agreed methodology of a short term service level / contractual agreement. This would be for the smooth transition from WRS delivery to a direct WCC delivery during the first quarter of 2016/2017, aiming for completion on 31st May 2016. The contract would have terms that indicated it was intended to run for twelve months with termination by either party by giving notice of one calendar month. This would allow for any slippage in timescales, however, managers currently envisaged the transition being completed no later 30th June 2016.

Alongside these discussions, there were on-going discussions, with regard to whether or not WCC should continue to utilise some of the facilities and software that WRS had procured and developed in the five years since it was

established. It was hoped that this could be realised and should result in an on-going services contract that would continue to benefit both members of the partnership and WCC.

In order to avoid an additional financial burden being imposed on district partners, WCC would pay a sum to cover the cost of the additional overheads and management that otherwise would have been covered by WCC contractual arrangement with WRS. This was going to be a substantial sum and should ensure that the service had a significant amount of time in which to either bring in other customers or to adjust its management and other overheads.

The loss of Trading Standards and Animal Health functions would make no impact on the services ability to deliver the Environmental Health and Licensing functions for the six district partner councils. The functions leaving the service were wholly separate.

The Head of WRS reiterated that as previously reported the six remaining district partners would have to enter into a new Shared Services Agreement to govern their future working arrangements. It was envisaged that this would be based on the existing Shared Services Agreement and that Bromsgrove District Council, Legal Services, would work with relevant officers in each partner authority on the new Shared Services Agreement.

A brief discussion followed on the time frames and more importantly that there would be no impact on the remaining district partners.

RESOLVED that the update on the progress on the reconstitution of Worcestershire Shared Services Partnership of Worcestershire Regulatory Services, be noted.

23/15

WORCESTERSHIRE REGULATORY SERVICES REVENUE
MONITORING APRIL TO SEPTEMBER 2015

The Committee considered a report which detailed the financial position for the period April to September 2015.

The Finance Manager, Bromsgrove District Council (BDC) introduced the report and in doing so informed the Committee that the report presented the final financial position for Worcestershire Regulatory Services (WRS) for the period April to September 2015.

The Finance Manager, BDC drew Members' attention to Appendix 1 to the report which highlighted a projected outturn underspend of £27,000. Members were asked to note that this was an estimate to the year-end, based on the current level of expenditure. The underspend was mainly due to:-

- Vacant posts within the service together with savings resulting from maternity leave, long term sick etc. Part of the underspend was offset by the costs associated with additional agency staff being used to cover the vacancies.

- There was a projected overspend on IT, this was due to the uncertainty with the ICT transfer. This may be reduced when arrangements are finalised.
- If the spend in April to September continued the same for October to March 2016 there would be a projected overspend on Pest Control of £30,000. Officers from WRS would continue to monitor and analyse the overspend for each district partner authority over the next few months.
- Income includes £60,000 worth of Disturbance Allowance, 50% to be recharged to Worcestershire County Council, with the remaining 50% to be split equally between the Districts. Contracts on Nuisance Work, Air Quality, Contaminated Land and Stray Dogs generated £92,000 and Feed Grant received from CEnTSA was £45, 000.
- Any grant funded expenditure was shown separate to the core service costs as this was not funded by the participating Councils.

ICT System Projected Costs - Members' attention was drawn to Appendix 2 to the report, which provided details of the expenditure for the one off costs associated with the implementation of the project for 2015/2016. Capital expenditure to September was £70,000 which was the costs associated with the ICT transfer to Wyre Forest District Council. Further capital budget will be spent on remote and mobile working, it was anticipated that this work would be completed by March 2016.

RESOLVED that the final financial position for the period April to September 2015, be noted.

24/15

WORCESTERSHIRE REGULATORY SERVICE BUDGETS 2016 / 2017

The Committee considered a report which detailed the Worcestershire Regulatory Service Budget (WRS) for 2016/2017.

The Finance Manager, Bromsgrove District Council presented the report and in doing so informed the Committee, that Appendix 1 to report, provided a detailed breakdown on the 2016/2017 draft budget. Page 22 in the report highlighted the assumptions that were made in relation to the projections.

The recommended budget was based on the draft new partnership agreement being developed in line with the recommendations as agreed by the Joint Committee at the meeting held on 25th June 2015.

Negotiations were being held with Worcestershire County Council for WRS to continue to run Trading Standards / Animal Welfare service for April to June 2016, although further work was required around these negotiations. It was anticipated that this would cost approximately £153,000.

Further discussion followed on the Service Level Agreement (SLA), Worcestershire County Council (WCC), with questions raised on the three month's income that was shown. The Head of WRS responded and informed Members that when the reports were prepared the period would have been three months income, he agreed, as highlighted the period was now two months. He would, however, reassure Members that there would be no risk to

the service for the remaining partners, as the Fee Earner model would be used to determine full cost recovery from WCC, as from 1st April 2016, until disengagement happened.

RESOLVED:

- (a) that the district partners gross expenditure budget of £3,394k as shown at Appendices 1 and 2 to the report, be approved;
- (b) that the proposed Worcestershire County Council budget of £153k be approved, whilst recognising that the terms of the Service Level Agreement (SLA) remained to be finalised and that therefore the final figure would be different and would be dependent on the number of months that the SLA covered;
- (c) that the district partners income budget of £216k as shown in Appendices 1 and 2 to the report be approved; and
- (d) that the district partners revenue budget allocations for 2016/2017 be approved, as detailed below:-

Bromsgrove	£439k
Malvern	£386k
Redditch	£529k
Worcester City	£507k
Wychavon	£701k
Wyre Forest	£463k
	£3,025k

25/15

WORCESTERSHIRE REGULATORY SERVICES MOBILE HOMES ACT 2013

The Committee considered a report on the principal legislation concerning the licensing of caravan sites and mobile home sites, the 'Caravan Sites and Control of Development Act 1960 (CSA 1960).

The Licensing and Support Manager, Worcestershire Regulatory Services (WRS) introduced the report and informed the Committee that the Caravan Sites and Control of Development Act 1960 (CSA 1960) had now been amended by the Mobile Homes Act 2013 (MHA 2013) and was introduced to provide greater protection to permanent occupiers of mobile home sites.

The changes introduced by the MHA 2013 came into force on 1st April 2014. These powers included the ability for local authorities to charge fees for their licensing functions in respect of relevant protected sites (sites that were wholly or partly residential)

Under the MHA 2013 there was an expectation that local authorities would inspect sites annually and use the additional powers to ensure compliance with relevant site licence conditions. Local authorities could charge a fee for different licensing functions, serve enforcement notices and publish any site rules which related to a site. In order to charge fees, local authorities would have to publish its Fees Policy and incorporate an annual review of those fees.

WRS currently administered caravan site licensing under the Caravan Sites and Control of Development Act 1960 (CSA 1960) on behalf of Wychavon District Council and Worcester City Council. Pages 29 and 30 in the report detailed the current position for Bromsgrove District Council, Malvern Hills District Council, Redditch Borough Council and Wyre Forest District Council.

The changes brought in by the MHA 2013 in respect of licencing and enforcement only related to “relevant protect sites” which by definition were privately owned parks that were occupied wholly, or in part, for permanent residential use. This included “mixed use” sites where there was both holiday and residential occupation of pitches.

The Chairman thanked the Licensing and Support Manager, WRS for the report.

RESOLVED that the development of a compliance / enforcement structure and fee policy as required by the Mobile Homes Act 2013, be endorsed, with a view to providing this service to Joint Committee Partners if required and other Local Authorities.

26/15

ACTIVITY & PERFORMANCE DATA QUARTERS 1 AND 2

The Committee considered a report that covered both district and county functionality and the wide range of each local authorities corporate priorities to which regulatory services contributed. The report detailed Worcestershire Regulatory Services Activity Data for Quarters 1 and 2, 2015/2016.

The Head of WRS introduced the report and in doing so informed Members that the most significant piece of data in quarter 2 was that the number of nuisance and noise related complaints had showed only a marginal increase over quarter 1. This could be due to the relatively poor weather during the summer period. The spread of noise complaints had not significantly altered with all districts having wards that appeared in the top twenty for the overall number of complaints.

The report highlighted the number of food hygiene inspections carried out and that the food hygiene inspection programme was on or ahead of schedule in all areas.

The focus during the last quarter for the technical pollution team was on air quality work and the production of the air quality action plan progress report to be submitted to the Department for Environment Food and Rural Affairs (DEFRA) this summer. As highlighted in the report planning consultations continued to make large demands in terms of numbers and complexity on the team. Numbers were down for the last quarter but significantly up on the same quarter last year. The team were working with district development control teams to lessen the number of referrals.

Licensing demand continued to be high but was consistent with previous quarters. Taxi and alcohol licensing continued to be the highest areas of demand. Trading Standards service requests were holding steady compared

with the last two quarters but were slightly down compared to the same quarter last year. Activity continued to be focussed on rogue traders who targeted vulnerable people, consumer products that were dangerous and could cause people harm and traders with a larger number of complaints against them.

The three top complaint categories were second hand cars, building work and clothing.

Customer satisfaction figures for quarter 2 was 77% which was down on the last quarter, but consistent with the overall satisfaction of 77% for all of the previous year. Business satisfaction for the quarter was 98%, the same as the last quarter, with 73% of customers feeling better equipped to deal with problems after speaking with officers from WRS.

The Head of WRS drew Members' attention to pages 35 and 36 of the report, 'Items of interest'.

The Chairman expressed her thanks to officers as she had enjoyed reading the report and the positive achievements as highlighted in the report; which included the Healthy Choices Food Award initiative.

The Chairman also thanked Members who had attended the WRS Joint Committee Members Workshop, which was held prior to the meeting commencing; and had provided Joint Committee Members with the opportunity to discuss with WRS Senior Managers the type of performance framework appropriate for WRS in the future.

RESOLVED that the Activity Data Report for Quarters 1 and 2, 2015/2016, be noted.

The meeting closed at 5.08 p.m.

Chairman