

WORCESTERSHIRE DISTRICT COUNCILS

MEETING OF THE WORCESTERSHIRE REGULATORY SERVICES BOARD

THURSDAY 13TH FEBRUARY 2020 AT 4.30 P.M.

PARKSIDE HALL, PARKSIDE, MARKET STREET, BROMSGROVE,
WORCESTERSHIRE, B61 8DA

MEMBERS: Bromsgrove District Council: Councillor A. Kent
Bromsgrove District Council: Councillor H. Jones
Malvern Hills District Council: Councillor J. Raine
Malvern Hills District Council: Councillor T. Wells
Redditch Borough Council: Councillor J. Grubb (Chairman)
Redditch Borough Council: Councillor W. King
Worcester City Council: Councillor J. Squires
Worcester City Council: Councillor L. Griffiths
Wychavon District Council: Councillor E. Stokes
Wychavon District Council: Councillor D. Morris
Wyre Forest District Council: Councillor H. Dyke (Vice-Chairman)
Wyre Forest District Council: Councillor P. Dyke

AGENDA

1. Apologies for absence and notification of substitutes
2. 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.
3. To confirm the accuracy of the minutes of the meeting of the Worcestershire Regulatory Services Board held on 14th November 2019 (Pages 1 - 10)
4. Worcestershire Regulatory Services Revenue Monitoring April - Dec 2019 (Pages 11 - 18)
5. Worcestershire Regulatory Services Business Plan 2020-2023 (Pages 19 - 50)
6. Worcestershire Regulatory Services Service Plan 2020/21 (Pages 51 - 84)
7. Worcestershire Regulatory Services Activity & Performance Data - Quarter 3 (Pages 85 - 120)

8. Worcestershire Regulatory Services - Information Report - Temporary Event Notices (Pages 121 - 126)
9. 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

Parkside
Market Street
BROMSGROVE
Worcestershire
B61 8DA

4th February 2020

WORCESTERSHIRE DISTRICT COUNCILS

MEETING OF THE WORCESTERSHIRE REGULATORY SERVICES BOARD

THURSDAY, 28TH NOVEMBER 2019, AT 5:00 P.M.

PRESENT: Councillors J. Grubb (Chairman), A. D. Kent (during Minute No's 19/19 to 23/19), H. J. Jones, J. Gallagher (substituting for Councillor J. Raine), T. Wells (during Minute No's part of 22/19 to 23/19). J. Squires, A. Stafford (substituting for Councillor L. Griffiths), E. Stokes, D. Morris, H. Dyke and P. Dyke

Partner Officers: Mr. P. Merrick, Malvern Hills District Council and Wychavon District Council, Mr. L. Griffiths, Worcester City Council and Mr. M. Parker, Wyre Forest District Council

Officers: Mr. S. Wilkes, Mr. R. Keyte, Mr. C. Forrester, Mr. M. Cox, Mr. D. Mellors and Mrs. P. Ross.

19/19 **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES**

Apologies for absence were received from Councillors J. Raine, Malvern Hills District Council and L. Griffiths, Worcester City Council, with Councillors J. Gallagher and A. Stafford present as substitute members respectively.

20/19 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

21/19 **MINUTES**

The minutes of the meeting of the Worcestershire Regulatory Services Board held on 26th September 2019, were submitted.

Councillor H. Jones, Bromsgrove District Council commented that she had not received a response to the two queries that she had raised at Minute Number 14/19.

The Head of Regulatory Services responded to both queries.

RESOLVED that the minutes of the Worcestershire Regulatory Services Board held on 26th September 2019, be approved as a correct record.

Due to the late commencement of the meeting and having been informed that two Members of the Board had to leave the meeting early, the Chairman altered the running order of the Agenda, in order for the Board to consider Agenda Item 5, Worcestershire Regulatory Services Budgets 2020/21 – 2022/23 and Agenda Item 4, Worcestershire Regulatory Services Revenue Monitoring April – September 2019 first.

22/19

WORCESTERSHIRE REGULATORY SERVICES BUDGETS - 2020/21 - 2022/23

The Financial Services Manager, Bromsgrove District Council, introduced the report and in doing so drew Members’ attention to the tabled amended Recommendations; and clarified that the vote was by majority and not unanimous, as detailed in the report.

In response to questions from Members:

The Financial Services Manager clarified that, the 1% pay award for 2021/22 and 2022/23, had been included in the budget; and was based on the pay award assumption made by the host authority Bromsgrove District Council (BDC). The Head of Regulatory Services further commented that BDC usually worked to a 1% assumption, however, moving forward he was happy to work with the Financial Services Manager to look at a higher level of pay award for 2021/22 and 2022/23 and the potential impact on WRS; with an information report being presented to a future meeting of the Board.

The Head of Regulatory Services explained that not all partner authorities included the taxi test within their licensing fees, some kept the taxi test fee separate from the licensing fee; hence taxi tests being included in the Supplies and Service section on Appendix 1 to the report.

The Financial Services Manager agreed to amend Appendix 1 to the report, in order to include the 2019/2020 figures. The Democratic Services Officer to be tasked to ensure that the amended appendix, Appendix 1, and the amended Recommendations tabled at the meeting to be provided to each partner authority, in order to be included in their budget setting and decision making process.

RECOMMENDED that partner authorities approve the following for 2020/21:

1.1 The base revenue partner contributions for 2020/21-2022/23

Bromsgrove District Council	£439k
Malvern Hills District Council	£386k
Redditch Borough Council	£529k
Worcester City Council	£499k
Wychavon District Council	£701k
Wyre Forest District Council	£463k

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Total	£3,017k
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1.2 The partner percentage allocations for 2020/21 onwards:-

	%
Bromsgrove District Council	14.55
Malvern Hills District Council	12.79
Redditch Borough Council	17.53
Worcester City Council	16.54
Wychavon District Council	23.24
Wyre Forest District Council	15.35

1.3 The additional partner liabilities for 2020/21 in relation to unavoidable salary pressure and increase in WRS pension forward funding rate.

Bromsgrove District Council	£13k
Malvern Hills District Council	£11k
Redditch Borough Council	£16k
Worcester City Council	£15k
Wychavon District Council	£21k
Wyre Forest District Council	£14k
Total	£90k

1.4 The additional partner liabilities for 2020/21 in relation to three additional Technical Officers.

Council	Tech Officer Primary Authority – 3 Months £000	Tech Officer Animal Activity £000	Tech Officer Gull Control £000
Bromsgrove District Council	1	6	

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Malvern Hills District Council	1	9	
Redditch Borough Council	1	1	
Worcester City Council	1	4	30
Wychavon District Council	2	9	
Wyre Forest District Council	1	4	
Total	7	33	30

1.5 The 2020/21 gross expenditure budget of £3,547k as shown in Appendix 1 to the report; and

1.6 The 2020/21 income budget of £530k as shown in Appendix 3 to the report.

23/19

WORCESTERSHIRE REGULATORY SERVICES REVENUE MONITORING APRIL - SEPT 2019

The Board considered the Worcestershire Regulatory Services (WRS) Revenue Monitoring report, April to September 2019.

The Financial Services Manager, Bromsgrove District Council (BDC), introduced the report and in doing so highlighted that the revenue report as detailed at Appendix 1 to the report, showed a projected outturn 2019/2020 of an £18k deficit. WRS officers would continue to work on income generation and would do their utmost to mitigate this excess as much as possible by the end of the financial year. It was appreciated that this was an estimation to the year end based on the assumptions, as detailed on page 11 of the main agenda report.

The Financial Services Manager, BDC reported that if April to September 2019 spend on pest control continued on the same trend for the rest of the year, that there would be an overspend on this service of £19k. WRS officers would continue to monitor and analysis this spend and advise of any changes in quarter 3.

The actual bereavements costs for April to September 2019 to be funded by partners, were charged on an as and when basis. Due to the nature of the charge it was not possible to project a final outturn figure.

Appendix 2 to the report detailed the income achieved by WRS from April to September 2019.

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With regard to questions raised on the additional Animal Activity licensing, the Head of Regulatory Services briefly explained that there had been an additional £23k worth of vet inspections, which was fully recovered.

The licensing of various animal-related establishments, Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 had come into effect on 1st October 2018, with specific procedural documents and guidance documents published by the Department for Environment, Food and Rural Affairs (DEFRA).

As a result of these new regulations a large number of licences already in force under the previous licensing regimes expired in December 2018 and new licence applications were also received. Each application made under the new regulations required an inspection to be undertaken, with some inspections requiring a vet to be in attendance.

The Head of Regulatory Services further responded to a question raised with regard to 'Works in Default'.

The Technical Services Manager, WRS, responded to questions with regard to the Dog Warden and explained that WRS had recently employed 2 new dog wardens who were very active and worked later into the evenings, therefore taking away some of the work previously carried out by 'out of hours' contractors.

RESOLVED:

- (a) that the final financial position for the period April – September 2019 be noted;
- (b) that partner councils be informed of their liabilities for 2019-20 in relation to Bereavements, as follows; and

Council	April – Sept 2019 Actual for Bereavements £000
Redditch Borough Council	3
Malvern Hills District Council	2
Worcester City Council	10
Bromsgrove District Council	7
Total	22

- (c) that partner councils be informed of their liabilities for 2019-20 in relation to Pest Control, as follows; and

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Council	Estimated Projected Outturn Recharge in relation to Pest Control 2019/20 £000
Redditch Borough Council	11
Wychavon District Council	7
Wyre Forest District Council	1
Total	19

(d) that partner councils be informed of their liabilities for 2019-20 in relation to three additional Technical Officers, as follows:

Council	Estimated Projected Outturn 2019/20 Tech Officer Primary Authority £000	Estimated Projected Outturn 2019/20 Tech Officer Animal Activity £000	Estimated Projected Outturn 2019/20 Tech Officer Gull Control £000
Redditch Borough Council	5	1	
Malvern Hills District Council	4	9	
Worcester City Council	5	3	30
Bromsgrove District Council	4	6	
Wychavon District Council	6	8	
Wyre Forest District Council	4	4	
Total	28	31	30

24/19

ACTIVITY AND PERFORMANCE DATA - QUARTER 2

The Environmental Health & Trading Standards Manager Worcestershire Regulatory Services (WRS), presented the Activity and Performance Data, Quarter 2 report.

The Environmental Health & Trading Standards Manager WRS, reported that the number of food safety interventions had remained on par with previous years. Complaints and enquiries were down over the summer compared with previous years and that there had been a notable dip in August, when officers would normally expect to

see a peak. This had enabled officers to task allergen work into the programme.

Health and Safety enquiries and complaints/service requests remained broadly in line with 2018/2019. The greater proportion of accidents related to injuries to members of the public or injuries to a worker being incapacitated for more than seven consecutive days. Several resource intensive formal investigations were ongoing with the likelihood of legal proceedings.

The number of requests for support from planning colleagues remained significantly up in quarter 2. During the last quarter the team reviewed and provided advice on over 500 potential sites for Strategic Housing and Employment Land Availability Assessment to inform the review of the South Worcestershire Development Plan.

Quarter 2 saw the Director of Public Health, Highways, WRS and County and district Sustainability team representatives attend the first comprehensive air quality action forum for Worcestershire. This was an exciting development and was the first time that all stakeholders had committed to having a role in improving health and air quality.

The Dog Warden Team had had another busy quarter with a total of 418 dogs being reported to WRS as strays. Over 300 were reunited with their owners and a further 67 were successfully rehomed by WRS through reputable charities. Sadly 8 of the dogs were welfare cases, where possible improvement notices were issued to owners. In addition to this a further 9 dogs required veterinary treatment for other ailments.

In general WRS had performed well against the agreed indicators. The percentage of service requests where a resolution was achieved to customer satisfaction was higher than it had been for some time at over 73%. Business satisfaction remained excellent at over 98%. The proportion of people who felt better equipped to deal with issues in the future following WRS interventions was also up on previous quarters at 63%.

The processing measure for taxi licences was over 75% within 5 working days and were all issued before the licences expired. This was slightly higher in the past so officers would look at to why this has slipped. The figure for defective vehicles whilst in service as taxis was similar to the figures at the end of last year (30 compared to 44), so slightly up on the half year figure last year (17). The Licensing Team have spoken with the garages carrying out the tests and have emphasised the need to feed this information back to Licensing officers as it was key intelligence as to how well drivers were maintaining their vehicles.

Sickness figures had increased slightly to 2.9 days per full time equivalent (PFTE), compared to 2.8 (PFTE) last year.

The income figure as a proportion of budget was 5.3% for 2019/2020. As previously highlighted WRS had yet to fill the gap left by the loss of one of the dog related contracts that was worth £60,000 per annum.

RESOLVED that the Activity and Performance Data report for Quarter 2, be noted; and that Board Members use the contents of the report to inform each of their partner authorities.

25/19

INFORMATION REPORT - AIR QUALITY UPDATE 2019

The Technical Services Manager, Worcestershire Regulatory Services (WRS), presented the Air Quality Update 2019, information report.

The Local Air Quality Management process (LAQM) was the Local Authority role with air quality that was set out in PART IV of the Environment Act 1995 and subsequent Technical Guidance and Policy documents. There were a number of health based objectives for pollutants but for Worcestershire it was nitrogen dioxide which was the primary pollutant of concern.

The objectives for that pollutant were an annual average of 40 microgrammes per metre cubed for a residential property or school and a one-hour average of 200 microgrammes per metre cubed for a property where someone would realistically spend an hour, such as outdoor seating of a café or a playground. WRS reported annually to the Department for Environment, Food and Rural Affairs (DEFRA) on behalf of all Districts on the current situation.

There were currently 7 AQMAs in Worcestershire. The focus of DEFRA Guidance to Local Authorities had been aimed at District and County Council's together with Public Health colleagues to deliver the measures to improve air quality that were included in their local Action Plans.

The Technical Services Manager, WRS, drew Members' attention to the summarised annual monitoring data for 2018 for each partner authority, as detailed on pages 66 and 67 of the main agenda pack.

The actual monitoring results for each district were reported annually in an 'Annual Status Report' (ASR) submitted to DEFRA. The report was produced between April and June with the previous year's monitoring data, following adjustment for location (to represent relevant exposure), analytical bias and any missing data (to represent a full year's worth of data). The ASR also provided details of all of the current measures in the Action Plan to address poor air quality. DEFRA recommended that 3 years' worth of robust data should be collated.

The Technical Services Manager, WRS, responded to questions from Members with regard to their specific authorities' information as detailed on pages 66 and 67 of the main agenda pack.

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The Technical Services Manager, WRS, briefly explained the European emission standards, Euro 4 for petrol driven vehicles and Euro 6 for diesel driven vehicles.

RESOLVED that the Air Quality Update 2019, Information Report be noted.

The meeting closed at 5.45 p.m.

Chairman

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WRS Board 13th February 2020

WORCESTERSHIRE REGULATORY SERVICES REVENUE MONITORING April – December 2019

Recommendation

It is recommended that the Board:

- 1.1 Note the final financial position for the period April – Dec 2019
- 1.2 That partner councils are informed of their liabilities for 2019-20 in relation to Bereavements

Council	Apr–Dec 19 Actual for Bereavements £000
Redditch Borough Council	5
Malvern Hills District Council	3
Worcester City Council	14
Bromsgrove District Council	8
Total	30

- 1.3 That partner councils are informed of their liabilities for 2019-20 in relation to Pest Control

Council	Estimated Projected Outturn Recharge in Relation to Pest Control 2019/20 £000
Bromsgrove District Council	1
Redditch Borough Council	10
Wychavon District Council	8
Wyre Forest District Council	1
Total	20

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1.4 That partner councils are informed of their liabilities for 2019-20 in relation to three additional Technical Officers

Council	Estimated Projected Outturn 2019/20 Tech Officer Primary Authority £000	Estimated Projected Outturn 2019/20 Tech Officer Animal Activity £000	Estimated Projected Outturn 2019/20 Tech Officer Gull Control £000
Redditch Borough Council	5	1	
Malvern Hills District Council	4	9	
Worcester City Council	5	3	27
Bromsgrove District Council	4	6	
Wychavon District Council	6	8	
Wyre Forest District Council	4	4	
Total	28	31	27

Contribution to Priorities

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

Introduction/Summary

This report presents the financial position for Worcestershire Regulatory Services for the period April – Dec 2019.

Background

The financial monitoring reports are presented to this meeting on a quarterly basis.

Report

The following reports are included for Board's Attention:

- Revenue Monitoring April – Dec 19 – Appendix 1
- Income Breakdown – April – Dec 19 – Appendix 2

Revenue Monitoring

The detailed revenue report is attached at Appendix 1. This shows a projected outturn 2019/20 of a £10k surplus . It is appreciated this is an estimation to the year end based on following

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assumptions:-

- There are three vacant posts within the service, two are in the process of being filled, we have assumed no recruitment to the Licensing Apprentice post before the end of the financial year. We have one employee on maternity leave, returning in March 20.
- If April to Dec 19 spend on pest control continues on the same trend for the rest of year, there will be an overspend on this service of £20k. WRS officers will continue to monitor and analyse this spend and advise of final recharges for 2019/20 as soon as possible. The projected outturn figure to be funded by partners is:-

Bromsgrove District Council	£1k
Redditch Borough Council	£10k
Wychavon District Council	£8k
Wyre Forest District Council	£1k

This income is included in the income projected outturn.

- The following is the actual bereavements costs Apr – Dec 19 to be funded by partners. These costs are charged on an as and when basis. Due to the nature of the charge it is not possible to project a final outturn figure:-

Redditch Borough Council	£5k
Malvern Hills District Council	£3k
Worcester City Council	£14k
Bromsgrove District Council	£8k

This income is included in the income projected outturn.

- Appendix 2 shows the detail of the income achieved by WRS April – Dec 19
- Any grant funded expenditure is shown separate to the core service costs as this is not funded by the participating Councils.

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

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WRS - Profit & Loss Report 2019/20

Total WRS - December 2019 / Period 9 - 2019/20

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	Revised Full Year Budget 19-20	Revised Budget - Apr - Dec 19	Committed Expenditure Apr - Dec 19	Variance	Projected outturn	Projected Outturn Variance
	£	£	£	£	£	£
Direct Expenditure						
Employees						
Salary	2,700	2,025	1,891	-134	2,528	-172
Agency Staff	0	0	82	82	114	114
Employee Insurance	25	18	9	-9	13	-12
Sub-Total - Employees	2,725	2,043	1,982	-61	2,654	-71
Premises						
Rent / Hire of Premise	54	41	40	-1	54	-0
Cleaning	1	1	1	-0	1	-0
Utilities	0	0	0	0	0	0
Sub-Total - Premises	55	41	40	-1	55	-1
Transport						
Vehicle Hire	13	9	1	-8	19	6
Vehicle Fuel	8	6	3	-3	4	-4
Road Fund Tax	1	1	1	-0	1	0
Vehicle Insurance	5	4	3	-1	4	-1
Vehicle Maintenance	3	2	1	-2	2	-1
Car Allowances	80	60	55	-5	75	-5
Sub-Total - Transport	109	82	63	-19	104	-5
Supplies and Services						
Furniture & Equipment	34	25	18	-7	42	9
Clothes, uniforms and laundry	2	2	0	-1	1	-1
Printing & Photocopying	17	13	16	3	21	4
Postage	11	8	12	3	15	4
ICT	40	30	36	6	66	26
Telephones	21	16	10	-6	10	-11
Training & Seminars	24	18	13	-5	21	-3
Insurance	20	15	7	-7	10	-10
Third Party Payments	144	108	108	0	144	0
Sub-Total - Supplies & Service	313	234	220	-14	330	18
Contractors						
Dog Warden	145	109	68	-41	90	-55
Pest Control	58	44	51	8	70	12
Taxi / Alcohol / & Other Licensing	62	47	70	24	85	23
Other contractors/consultants	3	2	0	-2	2	-2
Water Safety	5	4	5	1	7	2
Food Safety	2	2	0	-1	0	-2
Environmental Protection	12	9	37	28	41	29
Grants / Subscriptions	13	9	11	1	13	0
Advertising, Publicity and Promotion	6	4	1	-3	2	-3
Sub-Total	305	229	244	15	310	5
Income						
Training Courses / Bereavement / Works in Default / Sewer Baiting etc	-490	-367	-337	30	-446	44
Sub-Total	-490	-367	-337	30	-446	44
Overall Total	3,017	2,263	2,213	-50	3,007	-10

There are three vacant post, two are in the process of being filled within the service, one on maternity leave, who will be returning in March, resulting in a projected saving in salaries. This is offset by the costs associated with additional agency staff being used to cover the vacancies and maternity posts and to support the service where staff are working on additional income generation projects.

Service is planning to replace one of the dog vans by 31st March 20

Essential calibrations are required on noise and dust monitoring equipment. Pace recording equipment has broken and needs replacing.

ICT refresh is required to stay security compliant and replace obsolete equipment

£100k BDC hosting / £44k WFDC ICT hosting

With the loss of the PF22 Contract, the kennelling and veterinary charges were less than predicted. New working pattern of new staff has also meant more dogs collected in house rather than by contractor.

Due to change in Animal Activity licensing, additional £25k worth of vet inspections, which is fully recovered and also offset in the income line. 90% of the inspection were done in the first half of the year, therefore income significantly less during the last quarter of the year.

Bereavement / Works in Default to be charged to relevant partners, offset in Income

See Append 2

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Income from Partners	April to Dec 19
Budget	2,262,750
Bereavement/ Public Burials	30,923
Marlpool - Redditch	2,070
Pest Control Overspend - Wychavon / Wyre Forest & Redditch	14,361
Taxi Tests - Worcs City	2,800
Employee for Animal Activity - Apr - Dec 19	23,479
Employee for Primary Authority Work - Apr - Dec 19	20,930
Employee for Additional Gull Work - Apr - Dec 19 - Worcs City	19,828
	<u>2,377,141</u>
 Grant Income	
Severn Trent - Sewer Baiting	10,069
	<u>10,069</u>
 Other Income	
Stray Dog Income	36,674
County - Mgmt / Admin / Legal etc	44,468
Intelligence Services	1,000
Transcription Work	476
Planning Support Work	23,552
Contaminated Land Work	15,483
PPC Work	8,397
Primary Authority work	19,911
Training / Risk Assessments of Water Supplies / Burials etc	2,837
Vet Fee Inspection Costs Recovered	24,954
Licensing - Pre-App Advice	2,273
Food Training Courses / Certificates / Food Hygiene Rating	8,096
Savings incurred due to Bromsgrove District Council paying for forward funding pension costs 3 years in advance - year 3 of 3 savings	23,250
Taxi Admin Work / Victorian Fayre	1,030
	<u>212,401</u>
 Total	<u>2,599,611</u>
 Exclude Budget	-2,262,750
 Total Income Excluding Budget	336,861

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WRS Board

13th February 2020

Business Plan for Worcestershire Regulatory Services 2020-2023

Recommendation

That Board approve the updated approach outlined in the WRS business plan 2020-23

Report

The Business Plan for WRS was developed first in 2015 following on from the strategic procurement exercise. During the leadership training undertaken by the management team, it was determined that Worcestershire Regulatory Services needed a plan to ensure both the viability of the service and its ability to operate within the budgets available from the partners. This plan became the high level document that would inform the development of the service for the foreseeable future. It was last updated in 2017 following the changes to the partnership arrangement and, given developments and experiences during the last year it has been updated again, with the new time scale taking us through to 2023.

The Business Plan shows how WRS will:

- Seek to provide a viable service within projected partner budget allocations
- Understand what a base level of service looks like for partners.
- Support other partners to maintain service levels above this, where this is desired.
- Provide details of plans to increase income to maintain resilience in the face of continued austerity.
- Identifies the risks and potential costs if the income generation strategy at the core of the plan begins to fail to deliver the requisite levels of income to maintain the service.

Local government finance remains difficult. There is an on-going lack of certainty about what business rates retention, previously seen by central government as the key source of local government income going forward, will deliver for the partners in Worcestershire. Equally the talk of a new funding

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formula for local authorities has yet to bear fruit. Whilst some increases in public service funding has been indicated by government, little has been said about how or if local authorities will benefit. There is also mention of devolution being a potential priority but with no clarity of what this might mean at local level.

As we understand it currently, the six partners find themselves in somewhat different financial situations, with some appearing to be well set whilst others have financial pressures that they need to address. We have yet to be told whether WRS will need to be a source of the reductions that some partner may need to make.

Income generation will remain the key factor in the service's business strategy. It is possible that authorities may be encouraged to engage more with WRS and look more widely at contracting services to those who can offer expertise and resilience in service delivery. This will make the plan's challenging income targets more deliverable.

However, there is growing evidence that our current clients may be unwilling to engage with the service beyond their current commitments and some authorities are now focusing on the kind of income generation activities that WRS chose to follow some years ago. As we see more authorities adopting this strategy so we may see others entering the market that WRS occupies, albeit they are unlikely to be able to match WRS's scale individually. Support from partners at all levels, but particularly Director, Chief Executive and Leader level will be necessary in selling WRS in what remains a significantly more competitive environment.

By understanding our costs and with good support from the Host's Finance team, we have been able to forecast our income needs going forward. The first financial year of this plan will see an increase in partner contributions to cover unavoidable financial pressures from salary increases and pension adjustments. This is the first year that the partners have increased their contributions since the service came into being in 2010. For the period 2010 through to 2016, the service was delivering efficiencies through transformation for all partners and cuts for one or two to meet their financial aspirations. From 2016 through to 2020, all inflationary pressures including salaries were covered by expanding income generation.

To limit the need for future increases we will need to maintain the levels of income that we bring in and we will need to tap into new income streams, if the forecast requirements are to be achieved. This can only be done if the service retains its current flexibility to re-invest income in resources where necessary. We must also retain the current flexible and well-qualified staff cohort and build on it where we can.

Adding functions to the WRS structure may provide one way of offering savings in overall cost by rationalising the management and deliver of these activities. This has been raised in previous plans and the revised Business Plan identifies a number of areas where partners currently have in-house or slightly different shared arrangements where there may be some benefit in considering adding these to the WRS platform. This is something that WRS Managers will continue to discuss with officer members of the Board in the coming months as it is likely that business cases would have to be produced to demonstrate the potential benefits before partners could make such decisions.

Financial Implications

At the budget meeting in November 2019, members agreed to take back to their respective partners a WRS budget that included an increase in their contributions of around £90,000. This was to cover the 2% salary increase, which finance officers agree is the likely minimum that will be agreed nationally and a sum to cover pension funding as the factor for the calculation of forward funding has been increased. These financial provisions will be going into the process of financial decision making at the 6 partners at the time when this report is discussed.

There is a WRS reserve of somewhat over £100,000 that can be used to cushion the partners from financial shocks to the service. Members have previously agreed that the reserve can be used to cover small overspends at year-end should they occur. This would give the partner an opportunity to look at different options, whether funding or otherwise, to move forward with their regulatory functions.

Contact Point

Simon Wilkes, Head of Regulatory Services
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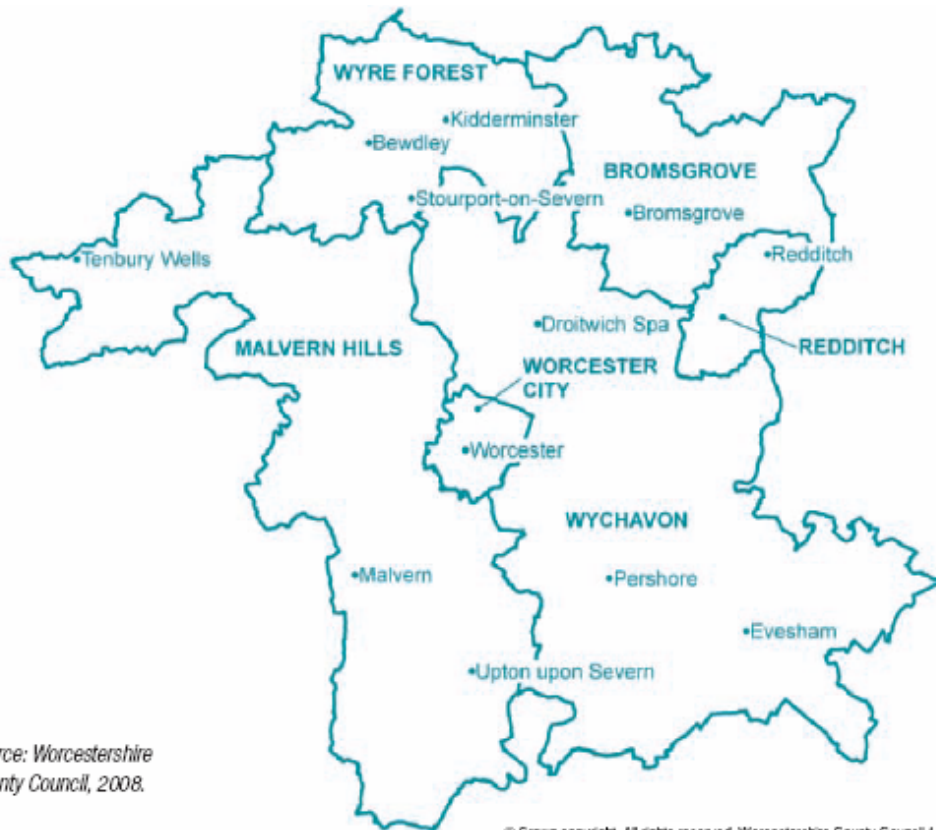
Background Documents

WRS Business Plan 2020-23

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Business Plan for Worcestershire Regulatory Services

2020-2023



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“A Local Government Solution to Local Government Challenges “

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Worcestershire Regulatory Services Vision

"That Worcestershire is a healthy, safe and fair place to live, where businesses can thrive"

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Executive Summary: Worcestershire Regulatory Services (WRS) has a history of delivering savings whilst continuing to deliver high quality services and remains a strong solution to the delivery of local authority regulatory responsibilities. Spending by the Worcestershire district councils on these aspects of regulation within the County fell from £5M at the birth of WRS in 2010/11 to just under £3.5M by the end of 2016/17. At £3.017M in 2019/20, the core spending had fallen by 40%, yet outcomes within Environmental Health and Licensing remain good and performance, in terms of customer satisfaction and business compliance, remain relatively high.

As we understand it currently, the six partners find themselves in somewhat different financial situations. Wychavon and Malvern Hills appear to be in good financial shape looking forward with limited pressures during the next three years. Bromsgrove and Worcester City appear to have some needs but currently no questions are being asked by these two of WRS's ability to deliver savings. Wyre Forest and Redditch both appear to have financial issues and appear to need to find savings looking forward to balance their budgets. We have yet to be told whether WRS will need to be a source of those reductions.

Whilst there are always small, marginal efficiency savings to be had, without a change in the paradigm for regulation, based around inspection, advice and investigation, further savings will be limited in the future and are unlikely to be at cashable levels. WRS is already an efficient well run organisation which offers excellent value for money, as pointed out by the potential private partners to our Strategic Partnering offer. They were also clear that the derivable margins in delivering regulatory service elements are small and unlikely to be hugely profitable. The benefits would come from, offering our services to other local authorities and expanding the footprint for WRS delivery as this would undoubtedly add to the resilience of the service for partners and new customers alike, and almost certainly help spread overhead costs further, with small margins being re-invested to support service delivery.

Going forward WRS will try to offer flexibility, in terms of its ability to respond to the wide range of changing partner needs and any changes to the operating environment, including its ability to respond to emergencies. Service levels will be tailored to individual partner budget envelopes where operating models and economies of scale permit, using time recording as an indicator of demand, within a wider framework of common delivery standards. The Service will offer its services more widely to other local authorities and public bodies, seeking to build on the economies of scale created by the formation of WRS, maintaining resilience for existing partners and offering a flexible cost-effective service to potential new customers that a single district council could not achieve on its own in the current economic climate.

The market has concluded that Regulatory Services is not a saleable commodity, and private sector service providers will now only take these services on if bundled with a range of others. This should add to the attractiveness of WRS as an option for others to consider as a vehicle for the delivery of these statutory functions; one that does not rely on the private sector and can be achieved outside the need to bundle it with other local authority functions with more commercial elements.

The shared service vehicle developed by the Worcestershire local authorities remains fit for purpose as a service delivery option for the next 3 years but there will be challenges for partners in agreeing budgets from 2020 onwards with so much uncertainty both financially and with the potential regulatory challenges emerging from the BREXIT process. The service has already demonstrated its flexibility by being able to accommodate variations in service delivery for its existing partners. Its delivery model that mixes geographically focused and centralised functions offers an expandable platform that could encompass anything from the delivery of new, individual service elements for partners or customers, even whole regulatory type services under contract for new local authority customers. With this in mind WRS remains the right local government solution to local government challenges in the regulatory environment.

Simon Wilkes

Head of Regulatory Services

December 2019

1. Introduction

This plan outlines how Worcestershire Regulatory Services will develop over the next 3 years to enable the service to:

- Respond to the financial pressures faced by the six partners
- Ensure the continued use of time recording as a reliable indicator of demand
- Continue to monitor the 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

The plan provides partners with a clear and deliverable way to continue to tackle the issues outlined above in a logical and cost effective way. It may mean some changes to the look of the service and to what and how certain elements are delivered but partners must accept that all but marginal efficiencies are exhausted within the existing operational paradigm for regulation and the delivery of further significant savings can only be based in mutually agreed changes in service levels.

WRS will meet the cost envelope indicated by partners by:

- Seeking further efficiencies where possible, especially in relation to using digital channels for access
- Whenever possible, continuing to develop new ways of working (streamlining processes and continue to innovate, first point of contact, etc.)
- Seek income by doing work for others and obtaining grant income for defined projects.

However, as members have discovered in 2019/20, shocks to the system like the 2% plus pay award and the uplift in pension contribution from 15.7% to 16.9% create financial pressures that the service cannot respond to immediately with income generation. Partners may need to accept that such increases in financial pressure may have to be found by the partner authorities in order to allow the income generation processes that underpin the level of service provided to continue.

The Strategic Partnering process in 2014 demonstrated how lean the WRS organisation already was. The levels of efficiency achieved should be a great selling point that will allow us to take on service delivery for other local authorities in those functional areas we already cover and potentially others that are aligned e.g. EH Private Sector Housing, Enviro-crime enforcement.

At the time of writing, we are awaiting the outcome of the general election and the uncertainty of BREXIT. The latter will bring both challenges and opportunities for the service. Businesses are likely to need additional long-term support to ensure they can export into the single EU market. This will create the potential for income, particularly with food exports. Britain's new status on the world stage also creates some challenges as Government moves into negotiating free trade agreements with other countries. Many already have agreements with the EU, which may provide a solid platform on which to build, especially if Government commits to some form of regulatory alignment with the EU. If it does not, and the US becomes a target, it is difficult to predict where the regulatory landscape will go and whether it will be required to change in order to accommodate products made under a very different regulatory environment. Government says this will not happen currently but only time will tell.

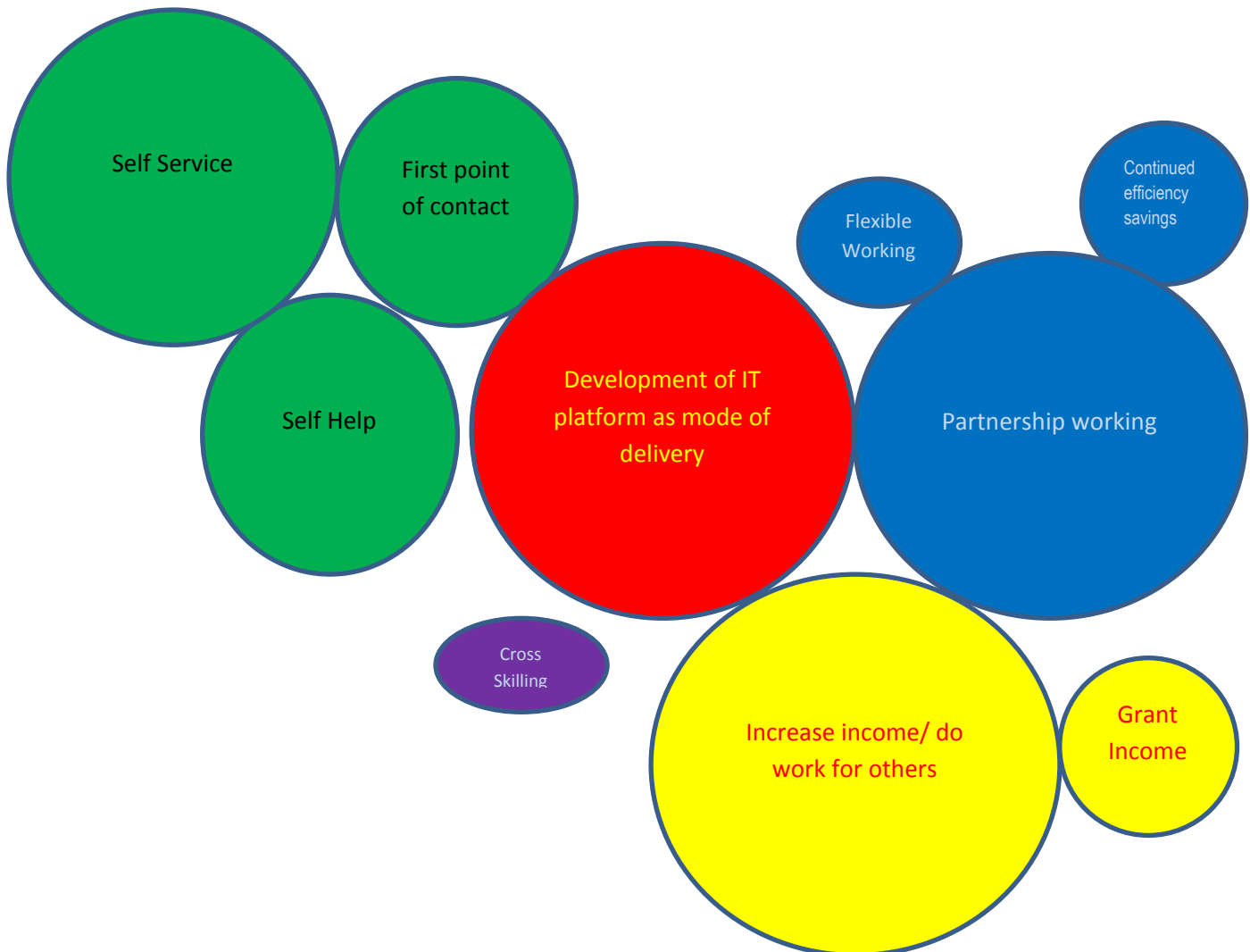
So, in these very uncertain times, Worcestershire Regulatory Services remains the local government solution to local government challenges in the regulatory environment.

2. Business Planning & Savings Realisation

2.1 Picture of the plan

The Business Plan remains a high level strategic document that outlines the framework within which the service will build and develop. The diagram below has been updated so that it can continue to illustrate the directions in which the service has and will continue to develop for the foreseeable future.

Fig 1: Size of bubble reflects potential contribution and/ or ease of introduction. Colours indicate work streams



The figure above outlines in a graphic format, the areas of work where the business will focus its efforts. These are:

- I) **Generating streams of income (grants, work for others, paid advice, etc.)**
- II) **On-going implement new ways of working (self-help, first point of contact, self service)**
- III) **Maintaining and creating new efficiencies through wider partnership working**

These three streams are all predicated on the successful development of the fourth:

- IV) **Continued development of a suitable digital front door linking directly to our IT platform, especially enabling payments to be taken**

Much of the cross skilling within the professions has been achieved, creating efficiencies across the services so there is little further scope for this delivering more savings without the partners adding functions to the delivery platform.

2.2 The Financial Picture for Partners

As we understand it currently, the six partners find themselves in somewhat different financial situations. Wychavon and Malvern Hills appear to be in good financial shape looking forward with limited pressures during the next three years. Bromsgrove and Worcester City appear to have some needs but currently no questions are being asked by these two of WRS's ability to deliver savings. Wyre Forest and Redditch both appear to have financial issues and appear to need to find significant savings looking forward to balance their budgets. We have yet to be told whether WRS will need to be a source of those reductions.

The current model does make offering individual savings difficult. Licensing services are based on full cost recovery and, since efficiencies have already been made in this area, further savings would necessitate a reduction in fees, which would be counterproductive for partners.

The Technical Services team is the heart of our income generation machine. Any reductions in these areas would create a risk for the service's income generation capacity and therefore have an impact on the partners more broadly. The only area that could be considered is the non-statutory planning support being undertaken as this would free up resource that could be redirected into income generation.

This would leave Community Environmental Health as the focus for any savings required. Currently each partner has the equivalent of somewhere between 3 and 4FTE discharging its Food Hygiene, Health and Safety at Work and Statutory Nuisance functions (plus a number of other smaller areas like private water supplies and public burials,) within this team. This is a very small resource for the volume of work being undertaken. Partners would need to specify carefully what functions they might wish to stop. One area that could be ceased is the commissioned pest control service for people on benefits as again this is not statutory.

The budget picture at Appendix B also demonstrates that, even without accounting for inflationary pressures, there are salaries and pension-related pressures that will create an increase in budgetary pressures over the next three years of the business plan, which continue into the 2020s. As a consequence, this means there will be a reduction in the WRS budget for each year.

3. Income Generation to meet the budget envelope 2020-23

3.1 Current Market for Local Authority Regulatory Services as a potential source of income generation

It has been clear for some time that the private sector will only take on regulatory services if it is bundled with a wider group of services for delivery. As a shared service, it would be virtually impossible for the partners to let this as a contract without them deciding to bundle a number of core services with it across the county such as the broad swathe often contain within an Environmental Services directorate.

The partners could consider entering this market in some way collectively to offer services to other local authorities. In such circumstances, WRS could be part of a broader organisation or be well placed to support any commercial activity that partners choose to undertake. However, the demise of Shropshire's wholly owned company from which it purchased various services including regulatory ones should also be a salutary lesson to local authorities that the private sector is not the right option for all functions. Also, the fact that Publica, the wholly owned vehicle for West Oxfordshire District Council and a number of the Gloucestershire authorities, has yet to look for work more widely might indicate limitations to this approach.

The sharing of services has become a tried and trusted model for Regulatory Services delivery. Three unitary authorities in South Wales have had a fully shared regulatory service for some time now. A number of London Boroughs are using the model for Trading Standards. A number of the unitary authorities in Berkshire have built on the collaboration between Wokingham and West Berkshire for a range of regulatory activities so this now covers many of Berkshire authorities. Devon and Somerset County Councils have been operating a shared Trading Standards service for some time now, with Torbay Council joining them last year and Buckinghamshire and Surrey County Councils have continued to operate their shared Trading Standards service successfully, with continuation appearing likely even if Buckinghamshire goes to unitary status.

Those authorities not considering these options, district councils in particular, continue to require experienced staffing resource that they struggle to retain themselves, mainly focused in specialist areas such as Air Quality, Contaminated Land and for the wider support of planning consultation. These are all areas where WRS has significant local and even national expertise. WRS is already providing cover activity for these services to a number of councils so is well placed to continue to bid for a range of opportunities should they arise. At the time of writing, WRS is carrying out work for other districts/organisations in the following functional areas:

- Dog warden services
- Air quality
- Industrial Pollution Control
- Contaminated Land
- Planning Consultation advice

During the last business plan cycle, WRS reached the point where it is turning away work in these areas as its capacity was insufficient. An invest to save business cases was made and Members agreed to the provision of an additional post within Technical Services with a view to this being funded by income within 2 years. At the time of writing it appears that this will be achieved. Further saleable capacity may be needed going forward to continue to build on this approach. The above options are the obvious areas for WRS to focus on in terms of district council activity

The original post 2016 Business Plan considered that bidding for district council grouped regulatory contracts would be at the heart of what WRS would look for. Our experience with competing for Stratford on Avon Borough Council's Environmental Health work indicated that an option to join a partnership was likely to be looked on more favourably than a purely commercial relationship. Even our elected members of the Joint Board at that time admitted that, all things

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being equal, they would consider partnership as a better vehicle than a contract were they in the same position as Stratford's members.

With this in mind, WRS Managers have continued to approach our near neighbours over the borders in Gloucestershire, Warwickshire, Staffordshire and the West Midlands conurbation with a view to collaboration. Unfortunately, there appears to be little appetite for these authorities to either join our partnership or to contract wholesale for service delivery. Whilst approaches will continue to be made, we may have to be satisfied with providing the kind of support that has generated income in these areas for a number of years. The majority of our customers have remained with us over an extended period of time so they clearly see the value in this.

The County Council's decision to remain engaged with WRS by buying management capacity, support and other functions is welcome. The team's move to being part of Public Health shows recognition of the contribution of their functions to this agenda and the increase in grant funding that this move will be accompanied by will mean a broader range of activities can resume. This may be a positive support for WRS income generation especially in the area of food as together the services can offer a comprehensive package of Primary Authority engagement. Officers will also continue to discuss the potential for County's re-engagement with the partnership more formally as this again would offer broader marketing capability for the shared service with both two tier and unitary councils.

Following discussions with our legal advisors at Bromsgrove, it became clear that offering to work for other public bodies was a relatively safe area to follow up as the law provides protections for public services that chose to contract together. We approached a number of hospitals about environmental permit support and this has yielded two jobs so far. We also quoted for a large piece of work for the Ministry of Defence and we are continuing to negotiate on this. We will continue to explore areas of work with the public sector where our skills and knowledge can add value and provide a reasonable return to the service for the work needed.

3.2 Other Public Sector Income

The service will continue to look at the potential for grant money from other public bodies to deliver related work. On-going austerity measures have limited the availability of funding from other public sector bodies and, currently there are limited areas for the service to access grants. This may widen in the future, and may include:

- Local Enterprise Partnerships
- The Police & Crime Commissioner
- Local Authority Public Health

The Worcestershire LEP worked closely with WRS on the strategic project that led to the creation of the Worcestershire Food and Drink Association and it sees how important our approach to regulation through the Better Business for All philosophy are in supporting sound economic growth within the county.. We will maintain strong links with the LEP through our engagement with Worcestershire Business Central, our local Growth Hub and other economic development forums across the County.

Health and Well-being project work will continue using external income sources, supplemented by a small residue of specific grant income as long as it is sustainable through cost recovery. The Healthy Eating Award programme is being refreshed in this way. The Triple 5 Award will also incentivise better run businesses to maintain their standards as both projects will focus on those consistently achieving 4-star and 5-star food hygiene ratings. This work of itself may reduce our need to visit these premises releasing resource to focus on the poor performers. Hence, the right kind of health and well-being interventions can also provide benefits to statutory areas of work. In the same way, we hope that our continued engagement with delivering the Worcestershire Works Well interventions on behalf of and funded by the

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County Council's Public Health team will improve workplace health and well-being, making for a safer working environment for many.

Beyond these areas of local engagement, the service has already started looking more widely at where our skill sets can add value to other public sector bodies. We have had success with a small number of Acute Health trusts with environmental permits and we are looking at similar work for the M.O.D. WRS has even been engaged to do work for the Gibraltar government, demonstrating that borders are no boundary to what WRS officers can deliver.

3.3 Commercial income generation opportunities

The report commissioned by WRS through the County Council Research and Intelligence team showed that, whilst businesses do spend a significant amount of money with private consultants, most of this was in the area of Health and Safety at Work which is already a well-serviced market. It is probably worth revisiting this piece of work given the time elapsed to see if there have been any changes to business's attitude to paying for advice from local regulators.

Whilst the legal advice provided to WRS made it clear that there were risks associated with charging regimes where the advisor might, at some point, have to become the enforcer with the same business, there are ways of overcoming these issues.

Business advice for District Council functions remains available free of charge for individual requests, however the service will look to move suitable businesses into Primary Authority relationships where the potential demands are high. The service will continue to offer paid-for training opportunities to businesses in areas like Food Hygiene in order to offset costs. Licensing training may also be an area for consideration, particularly outside of Worcestershire, to avoid conflict of interest allegations. The service is currently looking at what accreditations may be needed to set up a training centre for a number of courses related to licensed activity.

Pre-application advice for licensing is now offered with separation of functions so the person advising does not handle the application when it moves into the formal process. This has created a very small but steady stream of income. Pre-application advice for planning may also be an area that the service could develop alongside the current charging mechanisms used by the partners. Currently the service receives no part of the fee levied by planning colleagues although it can be required to contribute significantly to these processes. Clearly we would not do anything that might damage the current process so any proposed changes would only be implemented following consultation with planning colleagues

The service continues to expand its Primary Authority work as a means of recovering cost but this does have some limitations, especially the fact that it can only be a full cost recovery operation. We became the first service to provide Primary Authority support in the Environmental Permitting area and our first two companies are very pleased with what they have bought into so far. We will continue to push this area of work as it is one of our strengths and there is limited overlap with other regulatory functions. However, it still needs to be recognised that, up and down the Country, Primary Authority is only delivering income sufficient to support relatively small numbers of posts within services and it will never be a substitute for local authority funds. It should also be recognised the these more lucrative Primary Authority contracts also the most challenging and problematic and carry the greatest reputational risk

These factors have been recognised and, whilst the service will seek to develop paid for business advice as part of its income generation strategy, even with recent widening of what business types can have a Primary Authority it has been recognised that this income stream will be limited and that the service must avoid any allegations of conflicts of interest in its dealings with businesses.

3.4 Income Targets

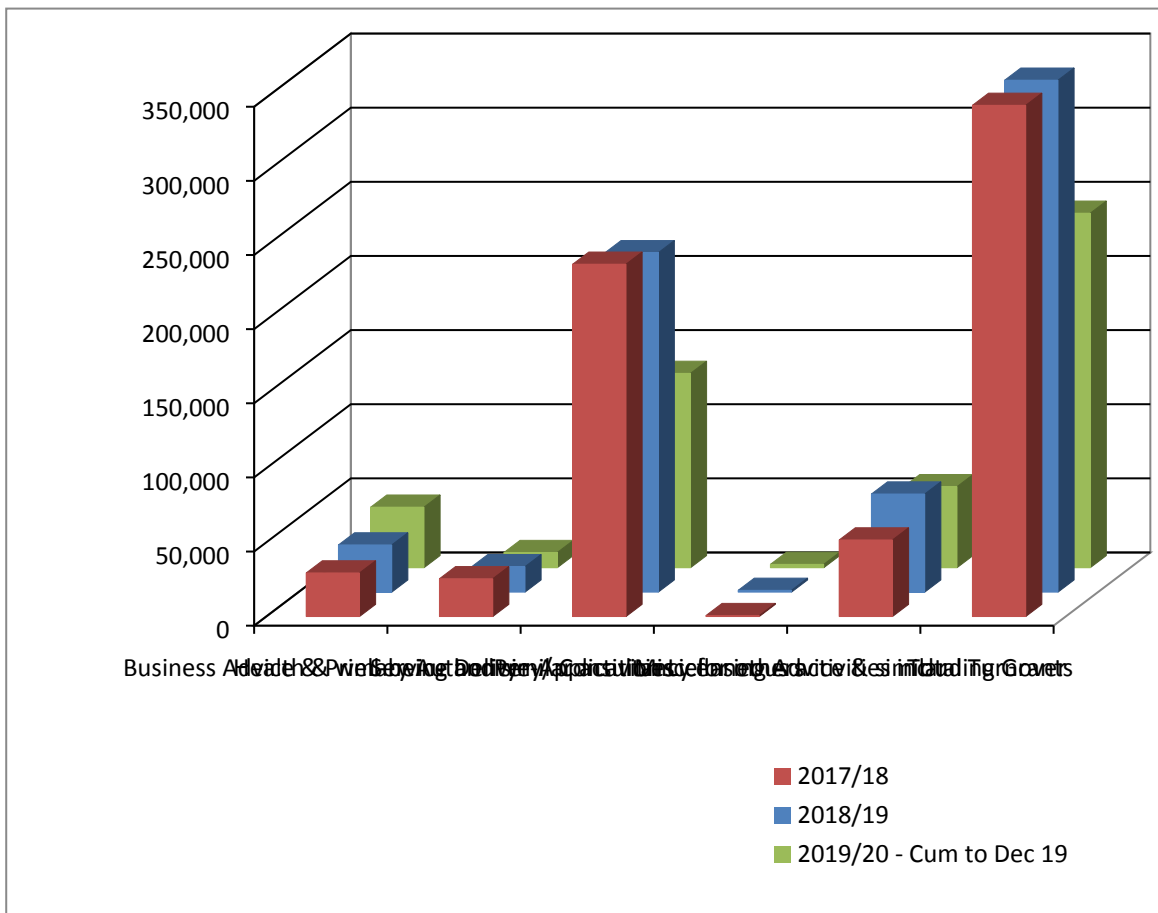
The table below outlines the annual turnover targets that need to be achieved in order to retain the current workforce capacity. It includes amounts that may be a commitment by the partners like monies for the Worcester City Gull work.

Year	Forecast Turnover Income Required
2019/20	£489,000
2020/21	£530,000
2021/22	£570,000
2022/23	£614,000
2023/24	£656,000
2024/25	£690,000

Until 2020/21, because of the cash standstill budget, the service had to accommodate the costs of inflation, salary increases and incremental spinal point increases for officers. There also continues to be pressure on pension funding relating to WRS staff past and present. The table above assumes that, following the provision of salary/ pension pressures in 2020/21 the partners return to the cash standstill assumption.

Without increased funding and with very limited scope for efficiencies, the only way to cover these shortfalls is with income. As has already been said, shocks to the system such as above 1% pay increases and large increases in pension forward funding are difficult to accommodate within the current financial model. Partners need to recognise this going forward, that cash standstill will not always be possible in an environment where this kind of growth in financial pressures is present.

The bar chart below identifies the income streams currently identified and the proportion they have contributed in recent years.



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In 2016/17, the Business and Relationship Manager, was appointed to work with other managers to help build income streams. The post has been used to develop and follow up leads for new business but it is still the case that much of the selling of services needs to be done peer to peer with professionals talking to their colleagues. Many local authorities are not as aware of their cost elements or have experience of the economies of scale that WRS may bring to their service elements, and so we have experienced resistance when looking to bring in work. As senior local authority officers become more aware of their financial position and the commercial options available, it is hoped that they will recognise the benefit of working with WRS. There may still be political resistance which will be difficult to overcome.

Whilst the Business and Relationships Manager post holder has been very successful at identifying leads and improving the approach being taken to a number of income generation activities, a proportion of the post holder's time has been spent on general service management. Management capacity within the service is at a premium so, with the departure of the Licensing and Support Services Managers from her role, we may look to experiment with these two roles over the coming 12 months to see how this might work out and deliver some savings.

For bigger pieces of work, a risk assessment will continue to be undertaken, in terms of potential financial yields versus the levels of investment required upfront and the on-going costs of any contract. There may be other factors such as reputation that need to be accommodated in terms of risks of failure during the contract, or customer dissatisfaction arising from poor performance. Consideration will also need to be given for the potential for partnership and the impact this would have on both the baseline income/ performance of the service and the loss of income streams should a customer become a partner.

The service needs to look for full cost recovery being the norm for all of its contracts as there needs to be an element of financial return for the existing partners, which the service will utilise to maintain resilience within the service.

3.5 Building on the WRS Platform

The option for widening the partnership under the right circumstances is one way of building on this successful model and the Management Team will work with officers from the WRS Joint Board to consider how this could work whilst seeking out potential interested authorities.

There also remains the option for partners to expand the functions delivered through the partnership. A number of enforcement related functions remain part of each partner authority that could sit within the WRS framework and be delivered alongside the existing functions. If partners are seeking savings opportunities going forward and can agree on functions to be added, the service could look to provide a contribution to those savings by rationalising and streamlining the approach being taken to a number of currently retained enforcement functions.

The current legal agreement does allow partners to add functions to the delivery platform, as long as funding arrangements are agreed. This could also create wider income generation activities for the service and provide partners with efficiency savings in those areas added. Functions previously mentioned as possibly benefiting from becoming part of the WRS platform have included:

- Private Sector Housing condition,
- Enviro-crime and Fly-tipping
- Planning enforcement
- Building Control
- Emergency Planning
- Land Drainage
- Contaminated Land (Worcester City only as WRS already does this for the other 5 partners.)

4. Organisation & Performance

4.1 Introduction

As an intelligence-led service, WRS produces an annual Strategic Assessment that reviews data from a wide range of sources to identify current trends and emerging threats in our key work areas. The work is undertaken by the WRS Intelligence Officer who will review all of the data and make recommendations to the management team on key strategic priorities and possible tactical responses that might maximise influence and outcomes. This leads directly into the development of the annual Service Plans that sit below this document.

There are no national indicators anymore, making it difficult for members to benchmark the performance of their service against others. Even CIPFA have suggested that 2015/16 would be their last year of collecting statistics on regulatory functions meaning there will be no national comparators for these functions at all beyond what the professional bodies collect from willing volunteers. The most recent addition to this area is the Association of Chief Trading Standards Officer's Impacts and Outcomes Framework for Trading Standards, which is a voluntary scheme. No similar schemes have been developed for Licensing or Environmental Health. The service has operated to a suite of outcome style measures for some time now, which address key areas of member concern. The outcome measures have been supplemented with activity data to provide members with reassurance that the service is addressing relevant issues in their areas.

Environmental Health and Licensing work programmes are beginning to be influenced nationally by use of the intelligence shared protocol and the service is embedding intelligence in its day to day operations. We are at the forefront of exploring how the intelligence-led approach can lead to better use of resources following on from its development for the delivery of Trading Standards and Animal Health activity some time ago. This approach is particularly relevant to try and develop preventive activities to help reduce demand on the service.

4.2 Core Level of Service.

Previously WRS outlined a model service that would deliver the statutory minimum level of service to all partners across the County. Without wishing to reproduce the detail of these explanations, it is safe to say that the service is effectively at this level now with one or two exceptions. The table below compares the current staffing cohort against the functions identified in the previous plans for Environmental Health.

Functional Areas	Estimated minimum required for core work	Current staff compliment allocated below Senior Practitioner level
Food Hygiene and Food Safety/ Infectious Diseases Health and Safety at Work Statutory nuisances and other	18.5 staff, mix of EHO and Technical Officer grades	18.4 FTE in Community Environmental Health Team
Technical Pollution	8.9 staff, mix of EHO, Technical Officer grades and a Technical Support Officer	8.9 FTE including invest to save post delivering this in Technical Pollution team as well as work outside the service in 5 other council areas.
Dog Warden Service	3 Dog Wardens	3FTE delivering services across the 6 partner districts plus 4 other districts outside Worcestershire.

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This level was being set by identifying the minimum common level of service required and taking into account any other significant efficiency that could be delivered. The additional resource in Technical Services is supported as an “invest to save” post to increase our ability to generate income. It is likely that this will report as positive outcome in early 2020. Also, whilst the results suggest that the original estimates for Dog Warden services may have been slightly high there are significant benefits from the economies of scale we have maintained as these are our key areas for deriving income.

4.4 Licensing

Licensing regimes are supposed to operate on a cost recovery basis so, as such, are not subject to the same financial pressures as other elements of regulation. However, WRS has sought to increase the efficiency of the licensing processes and it will continue to do this going forward. The more common approaches that can be adopted across the 6 districts, the more streamlined processes can be. In many areas, particularly around alcohol and gambling, policies are relatively similar already. The new animal activity regime is fully delegated to officers for decision making. The taxi regimes continue to be an area of relative diversity but over time and with the introduction of national standards, we should start to see these become more aligned.

At the beginning of the last business plan period we did a small scale review of Licensing and Support Services to better integrate the two teams to improve efficiency and reduce costs. This left a very lean administrative support arm linked to the licensing team where the focus is on work being done at the right cost.

Licensing administration has, where possible, been separated from the more difficult activities such as report preparation, committee work and enforcement, to ensure maximum efficiency. The decision in the Westminster case, which allows a reasonable amount of fee money to be allocated to compliance activities, means that savings will be re-invested in a better compliance regime for partners. It seems clear from our recent conversations with members and partners that licensing enforcement activity is a growing priority, whether that relates to the taxi trade or to premises selling alcohol and providing entertainment. Further work will be done over the coming period to look at how we can increase this capacity and better programme interventions using staff from various parts of the service.

As part of the service review mentioned above, the more specialist support officers, covering technical roles like IT and Legal Administration, were re-allocated from a line management perspective, to allow the Licensing and Support Services Manager more time to drive these changes and maximise the opportunities to derive income from licensing activities. This has worked well and these arrangements will remain in place.

4.5 Cost

The service is already at a point where the partner's total contributions do not cover the cost of maintaining the staffing cohort within the service. This is achieved by income generation and, as has already been indicated, the figure necessary to maintain the current staffing levels is £3,547,000 for 2020/21 and growing. Even accepting that two or three FTE could be shaved off the staffing compliment if the 6 partners were to only want the minimum required to deliver their own work at minimum levels, this saving is far exceeded by the income generated by these posts so it is safe to say that it is income generation that is enabling the partners to operate above the minimum levels required.

4.6 Performance

The service continues to operate to a suit of performance indicators which are supplemented by activity data tables to give reassurance to members as to activity levels in their areas. The table of PIs for 2016 onwards are outlined in Appendix D. These were developed in consultation with both Management Board and members of the Joint Committee in October 2015 and subject to further consultation with the Board members in October 2019. At the last review members felt that these remained suitable and sufficient for them to be confident in what was being delivered on their behalf.

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These measures are supplemented by the quarterly activity data reports, which are a regular feature at Joint Board meetings. These reports have had the desired effect of reassuring members about the work that is done by the service in all parts of the County. The service has also developed time recording data to calculate some of its unit costs.

5. Workforce and workforce planning

5.1 Current Workforce

A structure chart appears as Appendix A. It retains the Trading Standards functions as these are managed under contract. At 5 FTE the management team in WRS is virtually as lean as it could be given the current demands and far below the 11 envisaged in the original structure used to integrate all of the previous operational units (Head of Service, 3 Business Managers and 7 Operational Unit Managers.) However, we will explore whether working with 4 managers over the next 12 months is viable as this will free up some funding thereby reducing the need for additional income.

On 1st April 2019, the workforce will be approximately 68.5 FTE posts. Of this, 2.5FTE are supported with funding above the original budget. 1FTE is additional resource added to the service on the basis of the increased cost of the new Animal Activity Licensing regime. 1FTE is the post based on "invest to save" funding and the half FTE is funded by Worcester City to support work on gull control in their area only.

In a number of areas, the service has officers with a regional and national profile who are highly regarded technical experts in their respective fields. This enables WRS to deliver high quality, high value services and to do work for others. Again, losing these key individuals could have a serious impact on the service's ability to deliver, especially in relation to income generation.

5.2 Staff Retention

Managers have identified that staff are critical for the on-going high-performance of WRS and giving the best potential for income generation. Being able to continue to offer opportunities for professional development and the ability to engage with the wider professional environment will help to retain people. Managers will continue to support those willing and able to perform on the bigger stage, marketing the service and its achievements at a regional and national level. Those coming into WRS from other local authorities see how heavy their workloads are but revel in the positive atmosphere and relish the challenges offered by our innovative approach to delivery. They welcome the ability to use their broad skill base on a day-to-day basis enabling them to give of their best.

5.3 Staff Development and succession planning

It remains crucial that the service retains a reasonable training budget, both to ensure the competency of existing staff but also to ensure that we can develop staff for the future. There remain concerns about the age profile of the workforce as it is highly biased towards those over 40 and a significant proportion over 50. This introduces risk in terms of the potential to lose staff of significant value and the service needs to consider how to address this. With current budget constraints this is not easy. The service engaged its first apprentice in Licensing in April 2015. Government and the professional bodies have developed a Regulatory Apprentice scheme, and over the next 12 months WRS will look at how best this might be used in consultation with the Trading Standards team, which has a similar age profile. It may be that this shared approach would allow the pressure of training new officers for the future to be shared.

With the need to focus on income generation, there has been some emphasis on developing the commercial acumen of staff. The steps previously taken will be built upon in order that staff can recognise commercial opportunities when they arise.

5.4 Staff Appraisal

The service continues to follow the standard pattern of Personal and Professional Development Reviews on an annual basis, with a 6-monthly update, to ensure staff are competent. The new computer and performance management systems enable managers to review the performance of their staff in more detail, allowing individual performance to be scrutinised and assessed. Managers can now see who their best performers are and identify those needing additional support and improvement. Going forward this will continue to improve performance at both individual and service level, albeit resources are already at a premium.

6. Evolution of the Business Model & Risk

Our Fee-Earner model has stood us in good stead for four years now. Whilst it was resource intensive to create with the support of the Host's Finance Officer, it has allowed us to model changes in our own structures and how these would impact financially, as well as allowing us to accurately calculate the cost of jobs. We have even devised cost models for the potential of additional partners joining the service to help us calculate what kind of benefits might accrue against the implications for further sharing of delivery.

The new legal agreement requires that the service continue to develop its time recording protocols and approach to the point where there was the possibility of moving to a charging model based on demand addressed rather than the historic investment levels. Whilst there may be logic in this approach there are also risks in creating the potential for a situation where some partners are winners and losers.

It is in the nature of any partnership that a certain quid pro quo is accepted. The simple fact is that the big issues could hit any of the partners at any time and, with current levels of investment, an individual authority would struggle to respond to large scale pollution or nuisance issues or a large scale food or health and safety incident. These can only be dealt with under the current model because of the economies of scale achieved. Sharing the risks of these incidents may be more palatable than achieving a more accurate allocation of cost based on demand, which will only deliver small changes in payment but risk more serious damage to relationships.

Beyond this, the main risks faced by the service going forward will be:

- Risk to sustainability of the service if partners cannot maintain core funding if the period of austerity continues,
- Achieving income targets where non-partner local authorities may be reticent about outsourced delivery in these areas and prefer to develop new partnerships along WRS lines with their neighbours
- Retaining our highest quality staff and maintaining the range of competences necessary across the very broad range of functions required
- Changes to partner specifications for service fail to meet customer expectations of what should be offered creating a risk for the service's reputation with both customers and back-bench elected members

The existing service risk register is attached as Appendix C.

Appendices:

A: Current WRS structure

B: 3 year budgets

C: Risk Register

D: Performance Indicators

Appendix A: STRUCTURE at 1st April 2020

Head of Regulatory Services
Simon Wilkes
01562-738088

Community EH and Trading Standards Manager
David Mellors
01562-738060

Technical Services Manager
Mark Cox
01562-738023

Licensing and Support Services Manager
Kiran Lahel (Acting role)
01527 738067

Business & Relationship Manager
Vacant due to Acting Up. Covered by other managers

Community Environmental Health Functions

- Food (Safety)
- Health and Safety at work
- Infectious Diseases
- Food Poisoning
- Accident Investigation
- Street Trading
- Private Water Supplies
- Nuisances
- Drainage, Etc
- Public Burials/Exhumations
- Alcohol Licensing Enforcement
- Health and Wellbeing
- Legal Admin

Trading Standards & Animal Health

- Metrology
- Food (Labelling & Composition)
- Fair Trading
- Product Safety
- Underage Sales
- Doorstep Crime
- Internet Crime
- Counterfeiting and Scams
- Rogue Trading
- Consumer Advice
- Redress Facilitation
- Civil Enforcement
- Animal Health and Welfare
- Notifiable Animal Disease responses
- Animal By-Products
- Environmental Packaging & Labelling
- TS related work in Home Authority/ Primary Authority/ Manufacturers & Importers

Technical Services

- Dog Warden
- Domestic Pest Control
- Enforcement of Licensing Conditions for Animal Businesses
- Contaminated Land
- Air Quality
- Planning Consultations
- IPPC
- Environmental Permitting
- Management of Gull Control Contract
- IT Support & Data Control

Licensing and Support functions

All Licensing Functions other than general enforcement and includes taxi licensing enforcement

- Service First Contacts
- Performance Monitoring
- Training and Development
- Communications
- Administrative Support
- Finance
- Public Information/Registers

Business and Relationship Management

Management of existing business relationships and development of opportunities for new business and performance reporting,

Intelligence Unit

- Intelligence Unit

Appendix B: WORCESTERSHIRE REGULATORY SERVICES BUDGET 2020-21 - 2022-23

Account description	Budget	Budget	Budget
	2020 / 2021	2021 / 2022	2022 / 2023
	£000's	£000's	£000's
Employees			
Monthly salaries	2,749	2,789	2,833
Training for professional qualifications	0	0	0
Medical fees (employees')	2	2	2
Employers' liability insurance	40	40	40
Employees' professional subscriptions	2	2	2
Sub-Total - Employees	2,793	2,833	2,877
Premises			
Rents	52	52	52
Room hire	2	2	2
Trade Waste	0	0	0
Sub-Total - Premises	54	54	54
Transport			
Vehicle repairs/maint'ce	3	3	3
Diesel fuel	8	8	8
Licences	1	1	1
Contract hire of vehicles	4	4	4
Vehicle insurances	5	5	5
Van Lease	9	9	9
Fares & Car Parking	5	5	5
Car allowances	70	70	70
Sub-Total - Transport	105	105	105

Supplies & Service

Equipment - purchase/maintenance/rental	22	22	22
Materials	9	9	9
Clothing, uniforms & laundry	2	2	2
Training fees	23	23	23
General insurances	5	5	5
Printing and stationery	18	18	18
Books and publications	2	2	2
Postage/packaging	11	11	11
ICT	40	40	40
Telephones	21	21	21
Taxi Tests	22	22	22
CRB Checks (taxi)	26	26	26
Support service recharges	100	100	100
Support service recharges - ICT	44	44	44
Sub-Total - Supplies & Service	344	344	344

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**Budget
2019 / 2020
£000's**

**Budget
2020 / 2021
£000's**

**Budget
2021 / 2022
£000's**

Contractors

Consultants / Contractors' fees/charges/SLA's	234	234	234
Advertising (general)	5	5	5
Grants and subscriptions	11	11	11
Marketing/promotion/publicity	2	2	2
Sub-Total - Contractors	252	252	252

Income

Grants / Primary Authority / Food Training / Contaminated Land / Stray Dogs / Ad Hoc	-310	-310	-310
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Sub-Total - Income	-310	-310	-310
Income			
From partners for Technical Officers	-70	-64	-66
Sub-Total - Income	-70	-64	-66
Additional Income			
Income to be Determined	-60	-60	-60
Income to be found due to unavoidable salary pressures	-90	-136	-178
Sub-Total - Income	-150	-196	-238
DISTRICT PARTNERSHIP BUDGET	3,017	3,017	3,017

20-21 Partner Percentages

Bromsgrove District Council	14.55%
Malvern Hills District Council	12.79%
Redditch Borough Council	17.53%
Worcester City Council	16.54%
Wychavon District Council	23.24%
Wyre Forest District Council	15.35%
Total	100.00%

Additional costs for posts for new or additional activities will be allocated using this formula unless the work is requested by either one partner or a group of partners, in which case the relevant partners will agree a formula for cost allocation.

The table below covers off the additional payments that are likely to flow from the current allocations of additional funding for the additional Technical Officer capacity required for a number of pieces of work and also to cover the salary and pension pressures going forward. The latter elements may need to be addressed on a year by year basis.

	Budget	Contribution Technical Officers	Partner Contribution	Unavoidable Salary Pressure	Total Partner Contribution
	2020 / 2021	2020 / 2021	2020 / 2021	2020 / 2021	2020 / 2021
Budget 2020 / 21	£000's	£000's	£000's	£000's	£000's
Bromsgrove District Council	439	7	446	13	459
Malvern Hills District Council	386	10	396	11	407
Redditch Borough Council	529	2	531	16	547
Worcester City Council	499	35	534	15	549
Wychavon District Council	701	11	712	21	733
Wyre Forest District Council	463	5	468	14	482
Total	3,017	70	3,087	90	3,177
	2021 / 2022	2021 / 2022	2021 / 2022	2021 / 2022	2021 / 2022
Budget 2021 / 22	£000's	£000's	£000's	£000's	£000's
Bromsgrove District Council	439	6	445	20	465
Redditch Borough Council	529	1	530	19	549
Wyre Forest District Council	463	5	468	23	491
Wychavon District Council	701	9	710	25	735
Malvern Hills District Council	386	9	395	27	422
Worcester City Council	499	34	533	22	555
Total	3,017	64	3,081	136	3,217
	2022 / 2023	2022 / 2023	2022 / 2023	2022 / 2023	2022 / 2023
Budget 2022 / 23	£000's	£000's	£000's	£000's	£000's
Bromsgrove District Council	439	6	445	26	471
Redditch Borough Council	529	2	531	26	557
Wyre Forest District Council	463	5	468	30	498
Wychavon District Council	701	9	710	35	745
Malvern Hills District Council	386	10	396	32	428
Worcester City Council	499	34	533	29	562
Total	3,017	66	3,083	178	3,261

Appendix C: Risk Register 2019/20

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	Wyre Forest ICT has effective processes and business continuity plans in place. WFDC upgraded relevant systems including Windows, and staff hardware going through update process across 2019 and 2020.
Issues with the WRS database system	Impact on work planning. Self-help may not enable savings required	On-going	Low	High	Green	Re-tendering of the system is scheduled during 2020/21. Beyond this all work on 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. Service website remains key access point and an upgrading process started in 2019. Tested disaster recovery of our Uniform back up and fail over to the business continuity server. Has been completed.
Effective and efficient Business Continuity arrangements in place	Disruption to service if e.g. Major Power failures or other reasons that access to Wyre Forest House is not possible.	On-going	Very Low	Medium	Green	Staff are equipped for mobile/home working. Touchdown stations available in partner council locations. Working from WFDC new depot successfully tested over Christmas period 2019. Staff used the old depot site during previous shut down of Wyre Forest House and the location was workable.
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	Amber	In such event, 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. However, having taken

						<p>on contracts with additional authorities the demand has increased and neighbouring authorities have lost the ability to be able to assist with technical specialisms.</p> <p>Regional and sub-regional groups are in place so can provide shared resources for local authorities if required. Effective training and development processes are in place to ensure recruitment and retention of staff. There is increased training budget pressure, reduced technical knowledge in neighbouring authorities and increased importance in maintaining heightened skills for contractual obligations and commercial edge.</p> <p>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.</p>
Pest contractors cease operations.	Disruption to service. Negative media coverage. Increased public health risks	On-going	Low	High	Green	Framework contract has multiple pest control suppliers so the loss of one allows work to be moved to the others.
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 buy in use of other private sector providers in short term. Contracts tendered. The Dog Warden contracts are robust but we have one less kennel contractor but an additional three District Councils that we provide the service for.
Hosting support does not deliver necessary financial and HR support to ensure efficient management	Efficiency of management reduced; staffing issues remain unaddressed and performance suffers	On-going	Low	High	Amber	Issues around access to the financial system from Wyre Forest House should be relieved with new BDC finance system procurement. Workarounds remain in place in the interim.
One or more partners continue to be under great financial pressure and may consider alternatives to the partnership to deliver their	Creates reputational issues for remaining partners and increases the need to manage overheads. Difficulties in delivering highly varied	On-going	Medium	High	Amber	New legal agreement limits variations in contribution before partners have to move to contractual relationship but this is quite high before it kicks in (20%.) Leanness of organisation minimises overheads and focuses resource at the front line. Growth strategy

service	levels of service					should generate income to support partners in the future but capacity may be needed going forward to grow income streams.
Robust arrangements in place in relation to obtaining legal advice and monitoring legislative changes.	Loss of cases is costly and damages reputation.	On-going	Low	Medium	Green	Continued close working with BDC legal team and other partners who don't use BDC for advocacy. Technical and legal training days for staff. Difficulty in keeping informed of Case Law developments. Membership and attendance of Officer Technical Groups outside the County does assist.
Service provision complies with Government requirements	Adverse comments following audits e.g. FSA Intervention by Government bodies i.e. FSA, whilst highly unlikely, is damaging to reputation.	On-going	Low	High	Amber	Limited detail of what statutory minima are. LGA clearly aware of impact of budget reductions on regulation and has made it clear Government cannot expect what it had previously. Fewer interventions/ audits by government. Service has developed systems that follow the principles of the requirements of bodies like FSA so can show some level of compliance but service isn't operating to the letter of the current Code. The Code is however currently going through major changes. Environmental reporting for Local Air Quality Management, Pollution Prevention and Control and Private Water Supply Inspection reports to Defra and DWI have received positive responses with no issues of concern raised by these bodies.
Failure to deliver external contract work at the level expected by the business or local authority with whom we have the contract	Damage to reputation, loss of future income streams, financial impact of paying damages	On-going	Low	High	Green	Ensure contract negotiations are clear on performance criteria and these are clearly recorded in the final documentation. Monthly reviews against performance criteria. Select staff to ensure competence of those undertaking work outside Worcestershire. Maintain strong links with the customer's monitoring staff. Intervene early with corrective action

Appendix D; Table of Performance Indicators

	Measure	Reporting Frequency	Background
1	% of service requests where resolution is achieved to customers satisfaction	Quarterly	Based on 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	Based on questionnaires send out to a significant number of businesses inspected or otherwise contacted by the service.
3	% food 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 drivers licence renewal applications issued within 5 working days.	6-monthly	Based on the proportion of drivers licence renewals issued within 5 working days of receipt of application.
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	Indicator, linked to Crime & Disorder agenda, looking at performance of premises license holders and control on their activity.
12	Rate of noise complaint per 1000 head of population	6-monthly	Place indicator, potential link to quality of life and health and well-being.
Page 50	Total income	6-monthly	Expressed as a % of district base revenue budget (16/17 onwards)
	Cost of regulatory services per head of population	Annually	Will be total spend divided by the total population, based on the most recent mid-year estimate available at the time of publication. NB: Calculation will offset income against revenue budget to account for external income sources

WRS Board 13th February 2020

Worcestershire Regulatory Services Service Plan 2020/21

Recommendations

That members of the Board:

- (i) Approve the WRS service plan for 2020/21
- (ii) They specifically note the level of work to be undertaken by the service this year in relation to the partners' roles as local food authorities.

Report

The Board signs off on the service plan for WRS each year. The process helps to make members aware of what the service is proposing for the relevant financial year and provides a sign off that some central government bodies like to see in relation to service delivery plans e.g. the Food Standards Agency.

The plan follows very much the pattern of previous years and has an Executive Summary to pick up the main points. The service will continue to shape its work around the strategic priorities for local authority regulatory services provided more than 5 years ago now, by the BEIS Regulatory Delivery team, as these provide a framework that allows WRS to have a golden thread back to the priorities of the partners and also to link to the requirements of the various national bodies that oversee our work.

A range of high level activities are identified within the plan so that members will be aware of the general focus of activity. Below this will sit a number of team plans that will be used to drive the actual business activities.

The plan has been devised in the face of on-going financial uncertainty in local government generally. Working with businesses and other partners is a key theme for both generating income to mitigate financial risk but also to ensure that outcomes are delivered that match the priorities of partners and stakeholders.

Delivery for other local authorities remains a key income generation strategy, supported by work for the private sector and specific grant monies. Whilst the service has yet to be impacted by competitors entering the market pace, it is likely

that other authorities or groups of authorities may come into the market creating a need for WRS to remain competitive and to retain its particular expertise to sell

The structure provided at Appendix A of the plan reflects the current management arrangements. With the retirement of the previous Licensing and Support Services Manager, a vacancy was created. We will look for much of this year to cover this with the post-holder from the Business and Relationships Manager role. Whilst this will create some pressure on management capacity, it will lead to a saving that will help to reduce the pressure on income generation at least temporarily. The situation will be reviewed in September 2020.

Following consultation with Board members, the performance indicators suite generated for 2017/18 are retained to give continued comparability of performance across the years. In the same consultation members indicated a number of things that they would like to see. From an operational perspective, closer working with other regulatory colleagues at the districts and a cross service focus on premises licensed for alcohol and entertainment are both to be included in next year's work plan.

The Risk Register has been updated to reflect the current position in areas like IT provision and development, staffing levels, and our reliance on contractual relationships for income.

As with last year, more detail than in the plans before 2018 is provided in relation to the Food Hygiene work of the service. This is to meet one of the recommendations of the auditors from the Food Standards Agency who visited the service in May 2017. They were keen that members have a better understanding of the demand in this service area when they authorised the plan for this and future years. Members are particularly asked to note the proposed numbers of inspections and similar activities proposed for the new financial year that will be undertaken to discharge the statutory duties of the 6 partners in relation to food control.

Financial Implications

The budget provided in the plan document reflects the one agreed by the Board at its November meeting.

Sustainability

NA

Contact Points

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Background Papers

Service Plan 2020/21 including Risk Register

Service Plan 2020/21

Worcestershire Regulatory Services Vision

"That Worcestershire is a healthy, safe and fair place to live, where businesses can thrive"

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EXECUTIVE SUMMARY

The plan broadly follows previous years and outlines:

- How the service will operate over the following 12 months to deliver on both national and local priorities, some of which are highlighted in the plan,
- What activities the service will carry out to achieve or address those priorities and how success will be measured.

The Service will enter 2020/21 with a total agreed budget from the district partners of £3.177M. This includes a budgetary uplift to cover the full 2% pay increase in this year and the cost of increased pension contribution by the employer. It also includes funding for a number of posts for specific work either in a particular function or for a particular partner. The £90,000 contribution for salary and pension costs represents the first uplift of general WRS funding since the service came together in 2010. Previously additional funding had only been provided for specific activities. Partners have recognised that there is a ceiling to the potential for income generation with the current officer capacity so the uplift in budget is welcome.

A new 3-year business plan, which has a number of strands for continuing the Service's development, has been created to guide the service through the immediate future. Key areas of focus will be:

- Continuing to develop new and existing income streams,
- Improve the use of the website, especially for transactions and payments so that efficiency can be increased,
- Better integrating enforcement activity across Community Environmental Health and Licensing to deal with problematic premises,
- Finding a better way to deliver licensing enforcement activity to meet the needs of partners,
- Ensuring staff have a better understanding of who local members are and what support they may need (obviously within resourcing constraints.)

The service will also continue to pursue work for other local authorities going forward with a view to obtaining longer commitments from those buying our services to give some stability and certainty to the financial situation. In making decisions regarding service delivery, the service will continue to risk assess what it does taking into account the following criteria:

- a) Is there a positive/negative impact on the local economy?
- b) Are vulnerable people impacted?
- c) Are health and wellbeing issues involved?

Whilst risk remains a key criterion against which we deploy resources, using an intelligence-led approach is adding an additional dimension to how the service works and allowing it to integrate better with other enforcement services. By gathering data and understanding issues, rather than simply rushing out to deal with problems, we will focus resources on where they deliver the best outcomes, with better long term solutions.

Simon Wilkes
Head of Worcestershire Regulatory Services

Jayne Pickering
Director of Finance, Bromsgrove DC

1. INTRODUCTION

This is the tenth formal annual service plan to be produced by Worcestershire Regulatory Services and follows a similar format to the previous plans with an Executive Summary and much of the detail in appendices that follow on from the commentary. The financial information covers the three year accounting period 2020/21, 2021/22, and 2022/23 however the operational detail reflects the planned activities that the service will undertake in 2020/21.

2019/20 was again very busy and successful for WRS. The service managed to maintain its local authority customer base and increased its Primary Authority activity, in particular with businesses for Environmental Permitting support. This very much reflects the service's leading position in this technical area. In these financially challenging times, officers have continued to deliver excellent work with a number of legal files being prepared for prosecution this year. Full details of activity will be reported in the Annual Report to be produced at the end of May 2020 and reported to the Board in June.

The coming year is likely to be dominated by:

- Seeking new and maintaining existing income streams to help support local delivery,
- The further development of the WRS website to better enable customer interactions and transactions,
- Developing the self-service model further for wider service elements
- Continue to develop and review practical procedures to maintain resilience and the benefits from service elements such as Legal Support and the Intel Unit that provide operational support to both WRS and Trading Standards functions,
- Supporting some of our businesses as they deal with the realities of BREXIT.

The focus on income generation will be to target areas of greatest benefit in terms of economies of scale, the required resource intensity and income reward. It is important that only those opportunities meriting our focus are pursued as the scoping and drafting of tender documents are time consuming and onerous.

For existing partners, managers will continue to identify any changes that can be made to service delivery to either improve marginal efficiency or improve service. This is particularly relevant for areas of high demand such as planning referrals and areas of significant officer resource, such as long-standing complaints or enforcement action. This will require close working relationships to support and assist partner colleagues to ensure that we are all working as effectively as possible together.

Improvements to our website will continue. The focus has been the development of tailored information to enable the public to self-serve which will continue. Moving the website onto an updated version of the software platform on which it is built should also allow us to improve the look and functionality of the system.

2. OPERATING ENVIRONMENT

2.1 Political

The political landscape continues to be dominated by the withdrawal of the UK from the European Union (EU), commonly known as 'Brexit'. The UK is due to leave on the 31st January 2020. The nature of our exit is still to be determined. Whilst Government departments, business and the general public have been urged to prepare for Brexit, including the possibility of a 'no deal' scenario, it is unclear how the UK intends to operate in spite of the Chancellor's indication that the UK will not be a rule taker. How this translates into actual legislative measures remains unclear. The wider implications of Brexit are also unclear, although much speculated upon; with some reports indicating an adverse effect on the UK economy and a period of uncertainty or fluctuation. Furthermore, the medium-term future of the UK's laws is also uncertain, particularly where they originate from EU directives such as those relating to air quality and food safety.

Whilst Government has indicated an end to its austerity measures, the funding for local authorities remains uncertain with the move to business rates and council tax being the major funding streams at least a little opaque. A number of local authorities now face a significant financial challenge, which is compounded by rising costs in areas such as social care and children's services.

West Mercia Police are in the process of withdrawing from the strategic alliance with Warwickshire Police. The reasons cited for this decision include delivering more effective and efficient services to communities and ensuring the public get better value for money. It is not known what impacts, if any, this will have on the tactical activity undertaken by WRS.

2.2 Economic

As the UK seeks post Brexit trade deals, particularly with countries outside the EU, food and drinks manufacturers are expected to seek to export a greater volume of food and drink products. A greater volume of exports will result in a higher number of requests for export health certificates; something which has already been seen by WRS. In the event the UK is not part of the European Economic Area (EEA) and the European Free Trade Association (EFTA), the international food code set by the World Health Organisation and the United Nations, will become the international food standard by which UK food producers, processors and national food control agencies would have to operate.

Economic uncertainty and fluctuations in the value of sterling have an impact on the price of commodities. An increase in the price of goods, particularly food products and ingredients, means a greater risk of substitution and/or fraud. This becomes even more pertinent when considering the slow wage growth currently seen across the UK and the need for businesses to provide cheaper alternatives to consumers.

The Strategic Economic Plan and the Industrial Strategy for the West Midlands Combined Authority is likely to bring investment into the conurbation, which will influence developments in Worcestershire. Developments have been proposed in the South of Birmingham and around the airport that are likely to bring further business opportunities into the county along the M42 corridor. In addition, the development of Worcester Parkway and the electrification of the line through Worcestershire to Birmingham, providing a link to HS2 and shorter journey times to London, will also draw businesses to the area. Such developments are likely to lead to housing developments and the drive for affordable housing remains a national priority. As each of the Worcestershire districts strive to reach housing targets, developments are being considered on any available land including Greenfield and brownfield sites. Any developments (commercial or residential) will impact upon the volume of planning enquiries.

The previous air quality analysis identified a significant increase in the number of planning enquiries received from Worcestershire authorities. Such increases however, have also been identified in relation to contaminated land and nuisance enquiries. The number of planning enquiries received during the previous year represents an increase of 56% since 2016. It is believed that an increased proportion of cases have been incorrectly referred by authorities who are failing to use the 'planning checklist'. This checklist was created by WRS to assist planning officers in determining whether a consultation should be made to Environmental Health. The increase in planning enquiries was identified as an emerging threat to WRS service planning in the Strategic Assessment 2019-20.

The Better Business for All philosophy developed by BEIS's Regulatory Delivery arm (now called the Office for Product Safety and Standards) will continue to inform our approach to the regulation of legitimate traders. Whilst local business continue to have a limited appetite for paying local regulators for the advice that they have received previously without charge, the Primary Authority scheme, where the advice given is deemed assured and there are additional potential protections for businesses if this advice is followed remains popular with larger businesses and the service will continue to look to grow this area of work. Government sees this as a key regulatory tool for achieving compliance and growth at a local level for strategic businesses. We will also continue to work with bodies like the Worcestershire LEP to engage with businesses where possible.

2.3 Social

Latest data suggests that there is a slight increase in the level of deprivation across Worcestershire; with a greater number of neighbourhoods within the top10% of deprived areas nationally. Recent intelligence products have identified links between certain types of complaints (e.g. domestic noise) and deprivation therefore; an increase in the level of deprivation could result in a greater number and/or concentration of complaints or problematic areas.

On a biannual basis, the FSA publish the results of the public attitudes survey. The most recent survey was completed during May 2018 and encompassed 2,004 adults in England. The top food safety issues of concern were food hygiene when eating out, chemicals from the environment, food additives (29%) and food poisoning. Other key findings included; 45% of respondents being concerned about food safety in restaurants, pubs, cafes and takeaway, 82% being aware of hygiene standards in places they eat at or buy from and 15% being aware of specific rules about allergens . An increase in the level of public awareness is likely to lead to an increase in complaints.

There is also a perceptible shift in the public's willingness or otherwise to accept the views of our officers. Expectations of what the service can achieve are outgrowing the legal framework that determines what the service can or cannot do. This is creating increased pressures in terms of both officers having to explain to people why they cannot act in the manner that is requested and an increased demand on manager's time to deal with these issues at a corporate level.

2.4 Technological

The increased use of technology to commit or facilitate crime continues to pose a threat to local authorities, who are often ill-equipped to investigate such matters. Examples pertinent to WRS include the use of social media by persons or businesses to advertise services they are not legally allowed to offer. This includes using Facebook 'buy and sell' pages to advertise private hire or animal boarding services, and using social media feeds to find a lost dog or locate the owner of a dog found to be straying. The latter is problematic as, aside from an offence being

committed, dogs can be held in potentially unsafe environments or returned to individuals who are not the actual owners.

App-based private hire booking systems are becoming more prevalent both locally and nationally. This brings regulatory challenges as the legislation governing the taxi trade, as highlighted by the Local Government Association in 2017, is outdated. App-based booking systems also facilitate more instant “pre-bookings” which blur the lines between the hackney carriage and private hire trades. Furthermore, booking systems working across a number of district council areas help facilitate legitimate “cross-border” hiring to the annoyance of some areas of the trade.

Previous intelligence has suggested food safety offences are being facilitated by third party websites such as Deliveroo, JustEat and Uber Eats. It was previously identified, for example, that non-compliant food businesses were trading via JustEat, with consumers being unaware of the low food hygiene rating. An intelligence product to assess the threat of such websites is scheduled for completion during the year and is due to encompass Environmental Health, Licensing and Trading Standards functions.

Whilst technology poses a threat to local authorities, it also provides opportunities as WRS can promote its services and circulate guidance to a wider audience through its website and social media feed. It can also operate more efficiently by accepting online payments and accepting demand through alternative channels.

2.5 Environmental

In July 2017, the government published its revised UK plan for tackling roadside nitrogen dioxide concentrations. This outlined, alongside existing measures, a number of additional actions to be undertaken by government departments and local authorities including; the creation of ‘clean air zones’, a focus on alternatively fuelled vehicles and electric vehicles, a potential taxation on diesel vehicles, additional testing of commercial vehicles and a greater emphasis on cycling and walking schemes . In January 2019, Government launched the Clean Air Strategy which aims to improve air quality by reducing pollution from a wide range of sources including transport, at home, farming and industry. There is a desire to improve air quality generally, but the focus of air quality work for WRS must remain the improvement of air quality where current national objectives are being breached, based on values relating to health based criteria. WRS will however assist with promotion of the wider air quality agenda of partner authorities.

The Environmental (Principles and Governance) Bill includes provisions to maintain the level of environmental protection once the UK leaves the EU. In particular, it proposes to establish an Office for Environmental Protection; to uphold environmental legislation and hold government and public bodies to account over environmental standards. This includes receiving complaints that may relate to weak enforcement of environmental law which, from a WRS perspective, could include complaints from residents living in air quality management areas. The bill also proposes the inclusion of ‘environmental principles’ into domestic legislation, and giving the 25 Year Environment Plan’ statutory status.

Climate change continues to impact upon Worcestershire, like all areas of the UK. Mild winters and, in particular, hot summers are likely to result in a greater volume of nuisance complaints as residents spend greater time in outdoor spaces. As outlined previously, this is especially pertinent for areas with higher population densities. Flooding is also likely to continue to impact with more frequent severe weather events.

2.6 Legal

The European Commission put forward its EU Data Protection Reform in January 2012 to make Europe fit for the digital age. More than 90% of Europeans said they wanted the same data protection rights across the EU – and regardless of where their data is processed. As a result, the General Data Protection Regulation entered into force during May 2016 and was applied in May 2018. Whilst broadly similar to existing data protection laws, the regulation places an emphasis on consent, lawful bases for processing data and individual rights such as those to erasure and access. It is realistic such regulations will lead to a greater number of enquiries from the general public.

The Investigatory Powers Act 2016 received Royal Assent towards the end of 2016 and, from a WRS perspective, consolidated existing powers available to law enforcement to obtain communications and data about communications. It also overhauled the way these powers were authorised and overseen and created an Investigatory Powers Commissioner to oversee how powers are used. Whilst Regulatory Services have historically had restricted access to communications data, access is now confined to cases such as food fraud where the threshold for ‘serious organised crime’ can be met.

Government’s approach to regulation is encapsulated in the Cabinet Office’s Regulatory Futures review, and includes:

- Embracing outcome based approaches to regulation,
- Increasing reliance on self-assurance and earned recognition,
- Having charging regimes such that business pays the cost of regulation,
- Ensuring better information and data sharing between regulators.

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The Food Standards Agency is, of our associated regulatory bodies, furthest down the road to reform and this could lead to dramatic changes to inspection regimes or other programmes of work. The Agency is in the process of revising all of its codes and there will be a greater emphasis on the use of intelligence to determine the nature of interventions required. At this time some of the more radical proposals such as the use of private sector authorised auditors as an alternative to local authority inspection have been shelved. Neither the professional stakeholders nor the public who were consulted on these provisions were happy with this proposal. It also seems likely that, in two tier areas, the division between the County Council and the district councils in terms of their roles as food authorities will remain with districts focusing on hygiene standards and county councils focusing on composition, labelling and animal feed.. .

2.7 Organisational

Since its inception, the budget for WRS has primarily comprised of contributions from its strategic partners. With local authorities facing significant financial challenges however, future budgets for the service are continually ‘subject to potential change’. The on-going challenge for WRS is to offset any future reductions through income generation whilst being able to fulfil its statutory responsibilities. With an intelligence-led approach now preferred, the level of risk and the known intelligence picture should be considered throughout decision making processes. A failure to understand, and therefore undertake, such processes risks undermining the effectiveness of future enforcement activity.

Analysis undertaken for the latest Strategic Assessment has identified a number of ‘gaps’ which could hinder future intelligence analysis. Most notable is the absence of temporal data, specifically the hours when incidents occur, which is critical for the assessment of functions such as nuisance and alcohol licensing. A further limitation is the limited number of intelligence reports generated in relation to tactical activity. This, in

turn, raises further questions as to which sources of information and intelligence are being utilised during investigative processes.

Staff have been effectively using a single IT system for some time now and this has significantly improved our ability to provide performance and activity data to members. Officers are already working flexibly, which helps to control the mileage bill and allows staff to have a better work/ life balance. Significant improvements have been made in officer time allocated to specific work streams or client authorities which is enabling a detailed emerging picture of resource allocation.

WRS will continue to look for marginal efficiencies where possible and look to generate income to assist with the offsetting of budget shortfalls, particularly where economies of scale produce a benefit far greater than the cost of delivery. As was previously established during the Strategic Partnering exercise, there are no longer significant profit margins available or easy wins for the delivery of cost saving efficiencies left within the shared service

3. STRATEGIC PRIORITIES

In 2011, the Government tasked what was then the Local Better Regulation Office (now the Office for Product Safety and Standards, part of BEIS,) with developing Priority Regulatory Outcomes for England for local authorities to consider when undertaking their service planning processes. These are outlined below:

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1. support economic growth, especially in small businesses, by ensuring a fair, responsible and competitive trading environment
2. protect the environment for future generations including tackling the threats and impacts of climate change
3. improve quality of life and wellbeing by ensuring clean and safe neighbourhoods
4. help people to live healthier lives by preventing ill health and harm and promoting public health
5. ensure a safe, healthy and sustainable food chain for the benefit of consumers and the rural economy

Whilst these are now years old and no longer used by OPSS, they still provide a useful framework with which WRS can link back into key partner priorities without having to list things six times. All of our partners have priorities around supporting economic growth, protecting the environment, residents and neighbourhoods and improving health and well-being in communities. As long as our work meets one or more of these aims we know we are delivering what partners want.

Work by our Intelligence Officer on creating our Strategic Assessment, the key document that helps us determine priorities has demonstrated that these 5 priorities also remain at the heart of what the data is saying we should focus on. The Strategic Assessment looks at a broad swathe of local, regional and national data, and this is used to help identify the key issues to be tackled over a 2-year period, with an annual sense check to ensure the environment has not changed significantly. The priorities identified in the Strategic Assessment are reflected in the detail of operational activities later in the plan.

The service will be faced with a challenging financial situation for the foreseeable future. In the past this was addressed through transforming how things are done. Moving forward, with the financial environment continuing to be difficult, for the service to continue to deliver against national and local priorities there is no question that further changes will be an inevitable consequence. We will need to prioritise what is delivered, to whom

and how. To assist in this decision making, the service will continue to use 3 key criteria to consider when making decision on service provision:

- a) Are vulnerable people impacted
- b) Are there Health and Well Being issues involved,
- c) Is there a positive/negative impact on economic activity.

We will also continue to develop our use of intelligence to support this. There remains a risk that demand which can no longer be met by WRS is simply re-directed to partners in other ways e.g. via complaints. At this stage, with the reductions we have seen so far, the risk of district partners facing challenges relating to whether or not they are meeting their statutory obligations are low and the position remains defensible.

4. PURPOSES

Following its Systems Thinking work, WRS adopted 3 purposes to underpin service delivery and provide a common thread to run through all of its functions.

1. Help me resolve my problem and stop it from happening to anyone else,
2. I want to assume everything is ok
3. Help me trade well and ensure my competitors do the same.

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These purposes are expressed in terms a customer (member of the public or a business,) might use, provide a focus for staff and were agreed by the previous Joint Committee. These purposes, combined with the priority outcomes encapsulate the Service's contribution to the wider community agenda, reflecting as they do the broad themes relevant to all partners.

5. FINANCE

A summary of the budget position for 2020/21 is shown at Appendix B, along with the proposed budgets for the following two years. A more detailed breakdown will be available to the Joint Board in its regular financial reports. Income levels are difficult to estimate but we have set ourselves income targets going forward in order to maintain a greater resilience than would otherwise be possible.

6. AUDIT ARRANGEMENTS

The Internal Audit Service will be provided under the current arrangement by Worcester City Council to the Host Authority. The participating authorities S151 Officers consider the Audit Plan of the Host to ensure adequate arrangements are in place. Changes to the level of funding mean that WRS accounts no longer need to be audited separately, so they will be done within the accounts of the host Authority and the Joint Board will be provided with relevant report information to give them the necessary assurances. The deadline for this remains the end of June.

Where broad and in-depth scrutiny of the service is requested, member Authorities will liaise about requests from their Overview and Scrutiny Committees and will use reasonable endeavours to agree joint scrutiny arrangements with a view to avoiding duplication of effort. However, WRS has developed good working relationships with several of the district partners' Overview and Scrutiny Committees and this has led to the positive

re-enforcement of performance in those areas. This approach will be continued where it offers benefit to all partners by helping to give confidence to the wider memberships.

The service’s ability to provide bespoke support to individual partners is highlighted by the work done with task and finish groups of the City Council’s Environmental Health and Licensing Committee, particularly the ones on Air Quality and the Taxi Strategy. Whilst the service could not support this kind of activity for all partners at the same time, we do hope to be able to offer this type of work more widely when it can be scheduled. Engaging with the City in this way and with projects like the future vision for Worcester has helped to build and maintain relationships with officers at the City Council and helped to highlight the important role of regulation when looking at wider, long term policy development.

7. ACTIVITIES & OUTCOME MEASURES

The service’s IT system allows accurate reporting on activities. The service has continued to work with members to demonstrate the service’s performance and the service’s current core performance indicators are listed as Appendix C. Over time, with one or two notable exceptions, we have seen improvement or maintenance of most of these indicators, which we hope will continue in 2020/21. Concerns still remain around the non-business customer satisfaction figures and work will continue to try to improve these during the coming year. A number of internal performance indicators will be introduced that should help with some of the issues raised by customers.

The activities outlined below are examples of what is planned by the service. We believe that activity data combined with the core performance indicators will give Members the confidence that the Service is performing well, given the current financial constraints, and contributing to the wider local agenda. The approach is very much in line with Government thinking in terms of reducing burdens on and supporting local businesses whilst tackling rogues who would ignore their responsibilities and criminals who use business as a model for generating criminal assets. It also addresses the significant demand that comes into the service as complaints/ service requests, covering a wide range of issues and concerns from residents, visitors, businesses and the other departments of partner authorities within Worcestershire.

	OUTCOME	WHAT WE WILL DO	PURPOSE	NATIONAL PRIORITY	MEASURES
1	Businesses are supported to become economically successful and compliant with the law (Pollution, H&S, Food Safety, Licensing)	Provide businesses with advice and assistance using a range of channels. Conduct risk based/ intelligence-led interventions with businesses; targeting resources towards potentially non-compliant businesses.	I want to assume everything is ok. Help me trade well and ensure my competitors do the same	1, 2, 3 and 5	% food businesses broadly compliant at first visit/ inspection % of service requests where resolution is achieved to business satisfaction % of food businesses scoring 0,1,2* at 1 st April each year

2	<p>Ensuring that nuisance and other pollution related issues are tackled</p>	<p>Respond to complaints and take appropriate action</p> <p>Provide relevant advice and information, available through a range of channels.</p>	<p>Help me to solve my problem and stop it from happening to anyone else</p> <p>Help me trade well and ensure my competitors do the same</p>	2, 3 and 4	<p>% of service requests where resolution is achieved to customers satisfaction</p> <p>Rate of noise complaint per 1000 head of population</p>
3	<p>Protecting the environment and the public through monitoring air quality, and ensuring that contaminated land is suitable for development.</p> <p>Controlling environmental emissions leading to reduced environmental damage and better health</p>	<p>Conduct risk based/ intelligence-led interventions with businesses, especially permitted premises</p> <p>Air quality monitoring & responding to contaminated land issues</p> <p>Supporting the planning system</p>	<p>I want to assume everything is ok</p>	2 and 4	<p>% permitted businesses broadly compliant at first visit/ inspection</p> <p>Monitoring of the County-wide Air Quality strategy is delivered</p> <p>% of service requests where resolution is achieved to customers satisfaction</p>
4	<p>Licensed premises cause no significant alcohol-fuelled crime/ disorder and ASB.</p> <p>Page 65</p>	<p>Respond to complaints regarding alcohol and similar licensing related issues e.g. underage sales, breach of conditions, poor conduct of licence holders, etc.</p> <p>Provide businesses with advice and assistance</p> <p>Monthly alcohol profile to be shared with partners, reviewed and suitable work tasked</p>	<p>I want to assume everything is ok</p> <p>Help me to solve my problem and stop it from happening to anyone else</p> <p>Help me trade well and ensure my competitors do the same</p>	1 and 3	<p>% of licensed businesses subject to allegations of not upholding the 4 licensing objectives</p>
5	<p>Hackney Carriage and Private Hire Drivers Licence applications are processed in a timely manner and that all drivers and operators granted licenses meet the fit and proper test.</p> <p>Vehicles in use by the Taxi trades are fit whilst in service</p>	<p>Safeguard and ensure that all licence applications are processed in a timely manner and those granted meet the fit and proper test.</p> <p>Undertake a number of enforcement interventions to test compliance</p>	<p>I want to assume everything is ok</p> <p>Help me to solve my problem and stop it from happening to anyone else</p> <p>Help me trade well and ensure my competitors do the same</p>	1 and 3	<p>% of drivers licence renewal applications issued within 5 working days.</p> <p>Vehicles requiring work or taken off the road following intervention (Number and % of the total fleet.)</p>

6	Consumers able to make informed choices on where to eat or purchase food through published food hygiene ratings.	<p>Implement and promote the FHRS and publish hygiene ratings and accrediting those which improve health and wellbeing of their workforce.</p> <p>Incentivise maintaining star ratings through the Healthy Eating Award and Triple 5 Award</p> <p>Support food exporters through the BREXIT process</p>	<p>I want to assume everything is ok</p> <p>Help me trade well and ensure my competitors do the same</p>	4 and 5	<p>% businesses meeting purpose at first assessment/ inspection</p> <p>Number of 4* and 5* business signing up for the Healthy Eating Award</p>
7	High levels of customer satisfaction	<p>Respond to complaints and take appropriate action</p> <p>Building our ability to resolve issues or re-direct callers on their first contact with us</p> <p>Maintain a register of compliments and complaints with actions taken</p>	<p>I want to assume everything is ok</p> <p>Help me to solve my problem and stop it from happening to anyone else</p> <p>Help me trade well and ensure my competitors do the same</p>	1, 2, 3 and 5	<p>% of service requests where resolution is achieved to customers satisfaction</p> <p>% of service requests where resolution is achieved to business satisfaction</p>
8	Having engaged and satisfied staff who have the right skills, tools and support	<p>Ensure necessary training is identified and delivered</p> <p>Undertake annual staff survey.</p> <p>Undertake annual staff performance reviews with regular feedback sessions from supervisors and managers</p>	<p>All officers must be able to undertake a range of activities that address our strategic priorities focusing on ensuring that the three purposes are met by/ for customers</p>	1, 2, 3, 4 and 5	<p>Staff sickness and absence at public sector national average or better</p> <p>% of staff who enjoy working for WRS</p>
9	Maintained preparedness for response to emergencies, including disease outbreaks.	<p>Maintain links with county-wide TCG.</p> <p>Take part in partner exercises to test plans, as appropriate</p> <p>Respond to disease notifications and outbreaks</p>	<p>I want to assume everything is ok</p>	1 2, 3, 4 and 5	<p>Disease response plans are maintained, reviewed and updated on a regular basis</p> <p>Business Continuity plans are maintained, reviewed and updated on a regular basis</p>

As well as the table above, the Strategic Assessment has made a number of recommendations for activity which will form part of the detailed plan that will sit below this. With a number of intelligence gaps or limitations identified, it is recommended these are considered and, where necessary, action to taken to address them. This could include the introduction of several 'intelligence development' days where resources from across the service will conduct a range of activities in relation to an agreed function and/or theme. Specific recommended activities include:

- **A monthly assessment of alcohol premises**

With alcohol premises, particularly pubs/clubs, featuring within the analysis of alcohol licensing, food safety and nuisance; it is recommended a routine assessment is produced to assess cross service breaches of the licensing objectives, and identify persistent offenders.

- **Review investigative processes in relation to the retail sector, particularly where complaints relate to the night time economy and/or food premises**

Following on from the previous recommendation, it is suggested that processes are reviewed to ensure cross service breaches are considered before part of a problem is investigated. This is specifically recommended for certain sectors (pubs, clubs, restaurants, takeaways etc.) but is of course dependent on the level of risk.

- **A project focussing on microchipping and dog ownership**

With a significant proportion of stray or lost dogs having no means of identification, particularly where there are welfare concerns, it is recommended that a promotional project is undertaken to inform and/or remind dog owners about their responsibilities in terms of microchipping and updating ownership information.

- **An intelligence product relating to the welfare of stray/lost dogs**

With the rate of welfare cases for stray and lost dogs increasing, albeit slightly, it is recommended that intelligence analysis is undertaken to assess any similarities between cases and identify opportunities for prevention and/or enforcement action.

- **A food safety project targeting takeaways**

With takeaways consistently identified throughout the assessment of food safety data, it is recommended that a project is undertaken to provide advice to relevant businesses owners on commonly identified issues. It is also suggested that an project should include, or be considered by, Worcestershire Trading Standards Service.

- **A combined food safety/health and safety project targeting residential care homes**

With residential care homes identified within the analysis of food safety interventions and health and safety accidents, it is recommended that a dual project should be considered to assess the level of compliance.

- **Review the domestic noise profile**

With a significant proportion of nuisance complaints relating to domestic noise, and an intelligence product recently completed, it is recommended the key findings, assessments and intelligence gaps are reviewed, and appropriate measures taken forward.

- **An intelligence product relating to taxi licensing**

With a potential inconsistencies identified in relation to taxi licensing complaints and officer enforcement visits, it is recommended that an intelligence product is completed in order to explore incident locations and identify opportunities for intervention.

FOOD SERVICE DELIVERY

One of the outcomes from the Food Standards Agency audit of the service in relation to the work done on behalf of Wyre Forest was the suggestion from Agency colleagues that the service needed to be clearer with members on what work the service faced each year. Whilst the Agency had no significant concerns regarding what the service was doing, they felt that members should be more aware of what the service intended to deliver each year so that, when approving the service plan, members were also giving their approval to the level of commitment in relation to food law enforcement.

Because this plan is being written ahead of the end of the financial year, the service cannot be exact about the numbers of visits intended as this may vary slightly if premises inspected in Q4 of 2018/19 find themselves with a lower rating and therefore need another inspection next year. On that basis, the currently anticipated level of food work is:

Estimated number of Food Hygiene visits scheduled for 2020/21 (based on the Food Hygiene rating system.): 1364

Estimated number of premises scheduled for alternative approaches to inspection during 2020/21: 400

Estimated number of new registrations/ unrated premises that will require inspection during 2020/21: 700

Estimated number of overdue premises assessed as requiring a visit during 2020/21: 800

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The overdue number will be less than this by 1st April as work is on-going on these premises. All are low risk premises that are dealt with by alternative measures such as survey letters. These figures should give members a reasonable picture of the volume of pro-active food hygiene related activity that should take place during 2020/21.

8. PERFORMANCE REPORTING

Performance against outcomes will be reported to the WRS Board, quarterly, six-monthly or annually, depending on the individual measure. The IT platform enables the collection and analysis of data which is both accurate and robust and recent improvements in data extraction have increased the frequency with which a number of measures can be reported. The service's ability to provide activity data has continued to improve as the benefits of the IT platform have been implemented. Use of time recording to give a better understanding of how much it costs to undertake particular activities is continuing to be refined. Members participated in a session in October 2019 with officers part of which was to consider the suite of current measures and it was agreed that no changes were required currently.

9. STRUCTURE

In terms of posts, the Management Team structure implemented in October 2015 is retained with one minor change which is included in the chart outlined at Appendix A. The WRS team's functions are as follows:

- 1) The Community Environmental Health team provides Food Hygiene, Health and Safety at Work, Public Health and Nuisance functions using three teams. Three teams operate on a geographical split covering Redditch/ Bromsgrove, Wychavon/Malvern Hills, Worcester City/ Wyre Forest. The teams rotate around the three geographical areas on a quarterly basis so officers experience and become familiar with the whole county. The geographical teams are organised to reflect the balance of demand across the County. The legal support role also sits in this team as the majority of casework emanates from here.
- 2) The Technical Services team provides all environmental health support around planning matters, delivers IPPC inspection, Air Quality and Contaminated Land Regime work, manages the pest control contracts and directly delivers the Dog Wardens service. The internal IT support and system management roles, due to the complex technical nature of the work and the in-house first-contact team of Duty Officers also sit within this team.
- 3) The Licensing and Support Services unit delivers all WRS licensing administration and licensing enforcement, along with the wider in-house clerical/ administrative support that is required.
- 4) Business and Relationships Management: Supports the Head of Service and Team Managers in their efforts to bring in new business and maintain existing contracts, provides Line Management to our Intelligence Officer.

The arrangement has successfully provided the necessary management cover and support, as well as promoting income generation in many areas of the service.

However, the departure of the incumbent in the Licensing and Support Services Manager post has created a gap. Initially the intention is for this role to be fulfilled by the current post holder in the Business and Relationships Manager post, with her normal duties being picked up by other members of the management team. This will be a test of resilience for current arrangements but also provides the opportunity of reducing the pressures on the budget. The vacant post will be retained unfilled during 2020/21 with a decision being made on whether to move permanently to the revised arrangement towards the end of the financial year.

The Trading Standards element has been retained in the structure chart as, since October 2016, the Community EH Manager and the Head of Regulatory Services have been providing management support to the Trading Standards team. This will continue through 2020/21 with the County Council being very happy with the arrangement. The support of management across the Trading Standard functions by WRS provides additional benefits with cross team working and knowledge, especially in areas of income generation and business support, to the benefit of both WRS partners and the County Council.

10. TRAINING AND DEVELOPMENT

Changes to the legal framework occur reasonably frequently and the increased income generation work requires highly competent individuals. To maintain the competence of its staff, meet contractual obligations and ensure that the partner's statutory duties are correctly discharged, the service must maintain a training budget for its staff. Over the life of WRS this has been massively reduced reflecting the financial realities that the service faces and the service uses various approaches to ensure the money is spent wisely. Developing staff to ensure there are opportunities to plan succession is also essential.

In recent years, there has been a focus on enabling staff to work across the Environmental Health professional areas. Few officers only remain competent for one of the professional disciplines.

Within Licensing, the focus has been on getting work done at the most effective cost, so administration is done at administrative rates and the more complex issues handled by qualified and competent professionals, with both being done across a number of districts so that no officer only has experience of a single local licensing regime. In pursuit of this, a competency framework for Technical Officers was developed and it will continue to be used with the aim of identifying training needs and developing the competency of officers more widely. Broader competencies will allow a wider range of people to deliver technical work and enable the service to tender for such contracts outside of the existing Partnership arrangements.

The size of the officer cohort in the service makes buying in trainers to deliver technical training to our teams economically viable for the service. A lot of aspects of professional practice and process are common across the enforcement professions so we can continue to offer this as an option to colleagues within Trading Standards and some of our neighbours where we have spaces available on the courses that we arrange. We ran a number of food forums and other training sessions during last year that were attended by officers from outside of the County.

The regional heads of Trading Standards Group (CEnTSA,) run a significant number of training courses through its regional co-ordination unit which we will use where we can and the regional Heads of Environmental Health Group (CEnEHMB,) is set to start working with the CEnTSA Co-ordination unit to offer more bespoke professional courses. WRS has been approached by CEnTSA, due to our proactive and innovative intelligence led approach to Environmental Health work, to deliver regional training on their behalf. Engagement with colleagues across the region remains essential to ensure co-ordinated responses to government and a common approach to businesses, thus ensuring the level playing field for competition.

11. BUSINESS CONTINUITY

Business continuity plans for the service have been developed and shared with the relevant Emergency Planning teams in the partner authorities. If the impact of the on-going financial constraints is that partners require reductions that are not currently envisaged, this will threaten our ability to maintain the full range of interventions across these functions whilst responding to large scale events and delivering contractual obligations. Priorities have therefore been established as part of the Business Continuity Planning process so the service is clear what will stop and what will continue in event of an emergency and how the service would respond to incidents such as the potential destruction of our office base or at least it temporarily being out of action. Additional consideration is required where reductions are suggested to ensure the impact on income generation is understood and this item is included in the current Risk Register, discussed below.

Despite Trading Standards returning to County Council control, the Community Environmental Health team and the Trading Standards and Animal Health unit will continue to work closely together to ensure that, in event of an emergency or capacity shortage, officers can support each other when necessary. Having the teams managed by the same Manager on a day to day basis, together under one roof and in one office space will continue to allow both teams to utilise pairs of hands, extra eyes and ears and boots on the ground, to tackle any incident or alteration to work demands that may require additional resource or a different workforce allocation. In event of a significant issue like an animal disease outbreak, the County Council has previously agreed that any support required from WRS staff will be paid for.

12. LOCAL ENTERPRISE PARTNERSHIPS

The service has remained engaged with the Worcestershire Local Enterprise Partnership with the aim of improving our relationships with local businesses and identifying their needs with a view to contributing to the growth of the local economy. The Business Charter for Regulators, launched during 2012, clearly outlines the relationship that we are seeking to have with the business community in Worcestershire. The LEP has assisted us with the Worcestershire Food and Drink Project and this will hopefully come to fruition in the near future.. It is an initiative to put the County on the map and be at the forefront of promoting food producers and manufacturers in Worcestershire. The LEP was also responsible for putting the service forward for an award (the work we have done with the Bangladeshi Catering trade in Worcestershire and our Healthy Eating Award.) Currently there is much interest in the development of the local Industrial Strategy that is being led by the LEP. Clearly Government sees this as a way of translating national policy on creating economic growth into local action and, where possible, we will look to support the relevant sectors identified by the LEP.

13. OTHER PARTNERSHIPS

The service continues to need to work closely with a range of partners to deliver what is required against a number of agendas. The importance of the six local authority partners is recognised and we will continue to maintain our existing interfaces with other elements of these organisations e.g. Planning, Worcestershire Growth Hub, Economic Development teams, etc.

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With the County Council having taken back direct control of Trading Standards functions, it has been essential to retain the strong links between both groups of staff. This is facilitated by the current co-location of teams, with Trading Standards and Animal Health continuing to occupy a section at Wyre Forest House for the foreseeable future. This is particularly relevant for the two Intelligence Officer posts that are split between the two organisations.

Customer demand will have a significant impact on the nature of our interactions with partners as we move the service forward. Close partnership working with a range of professional and community groups is essential to ensure deliver of the outcomes required by partners. Key partners for engagement include:

- West Mercia Police & West Mercia Police and Crime Commissioner
- The Environment Agency
- The Health and Safety Executive
- Public Health England
- Local Partnership bodies e.g. Community Safety Partnerships, Safer Communities Board, Health and Well-being Board
- Adult and Children Safeguarding Boards
- Hereford & Worcester Fire & Rescue Service
- Citizens Advice Consumer Service, local Citizens Advice Bureaux and other 3rd sector organisations
- County Council Public Health team
- Regional Regulatory Partnerships and National Bodies (CIEH, MJAC, CEnEHMB, CEnTSA, CTSI, ACTSO, NTSB,).

Existing links to these bodies will be maintained. Additionally, to ensure WRS provides an attractive product for external clients, engagement with equivalent partners in other geographical regions will be pursued, which will include the collation/interpretation and review of intelligence data in such areas.

14. CONSULTATION & ENGAGEMENT

In relation to national consultations on legislative changes, we address these through the relevant professional channels at local, regional and national level. We will continue to engage local members in relation to local policy issues, especially around licensing matters. For general engagement with the wider community of elected members, we will provide a number of Member Newsletters per year so that all are updated on the various activities that the service undertakes across the County. We will try to make this information specific to districts where it is relevant, to reassure members that our activities are seeking to protect everyone and support businesses across the whole of Worcestershire. It is hoped that the Activity Data reports that will continue to be provided to the WRS Board will provide elected members on the Board with sufficient information to also feedback to the wider membership in their respective authorities.

In terms of business engagement, we will continue to work with colleagues at Worcestershire LEP and Worcestershire Business Central on engaging with our business customers to improve our ability to address their needs. The approach outlined in our business charter will provide the basis for our interactions with the business community.

For members of the public, we will continue to survey customers who have used the service to look at how we dealt with their issues, not only from a satisfaction point of view, but also to see if they feel better equipped to deal with future problems. We will look at ways of making this more efficient using digital channels but previous experience showed a drastic fall in responses when this was used as the only route for getting feedback. For now we will have to continue with a mixed model of paper surveys and digital feedback.

Helping people to help themselves is at the heart of model of public service engagement we are pursuing and it is essential we move people down this route and reduce the expectation that we will always do it for them. This idea is now developing further with all partners signing up to the “digital first” concept that, where possible, initial contact with partners will always be via a digital channel rather than necessarily requiring either telephony or face-to-face interactions. The new format of the WRS website is being tailored to suit the various digital devices used to access services on-line.

15. GOVERNANCE

At the June 2015 meeting of the previous Joint Committee, it was agreed that the majority of the terms of the original 2010 partnership agreement remained relevant to the six district partnership following the exit of the County Council in 2016), as this should be used as the basis for the continued partnership. The service continues to operate under a Joint Board in accordance with Section 101 of the Local Government Act 1972 and Section 20 of the Local Government Act 2000, although the new Board comprised of both officers and members, with members having voting rights. The current arrangements came into force on 1st April 2016.

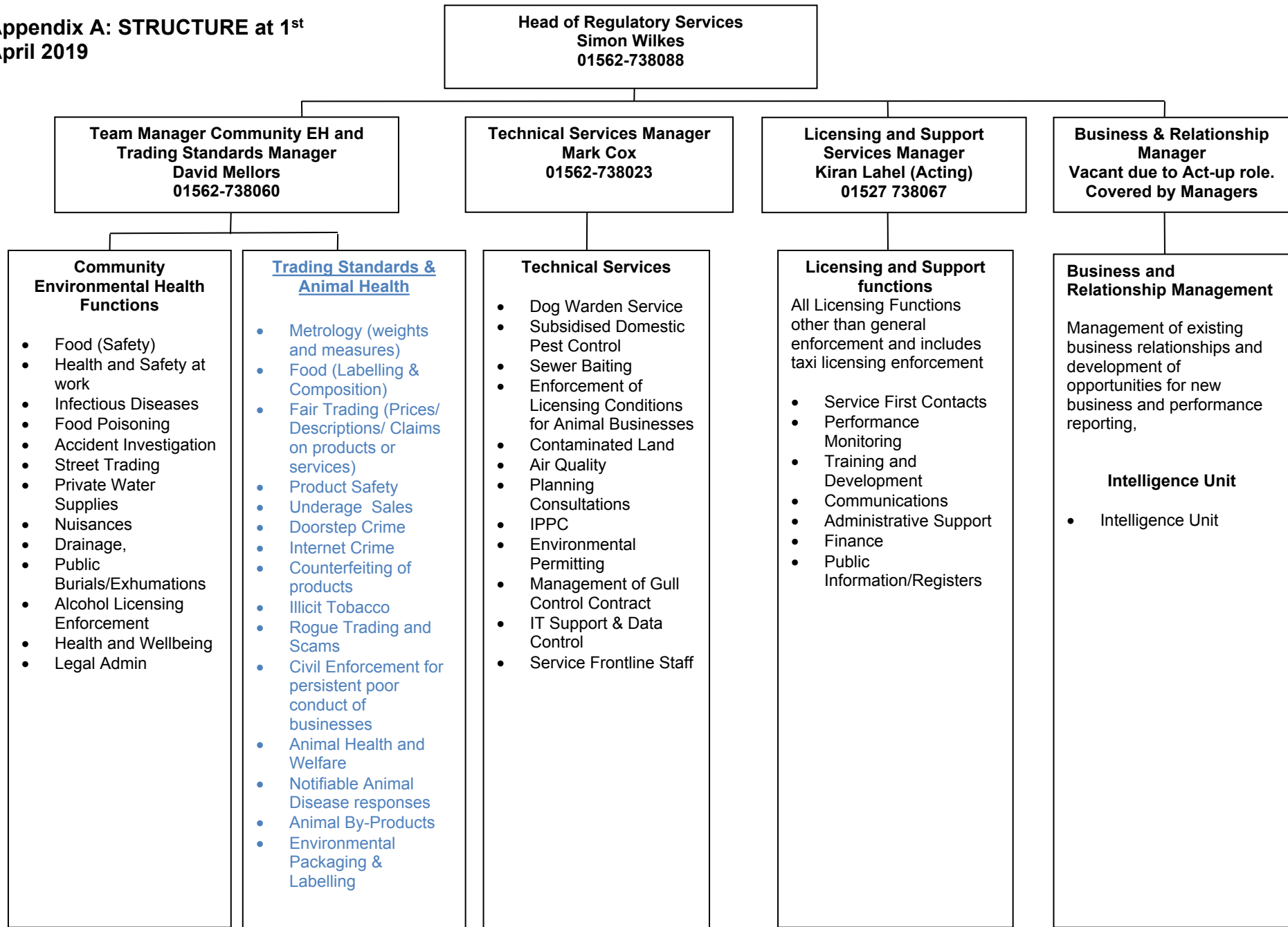
The original legal agreement indicated that partners would pursue the shared services model for a period of at least 10 years. The 2016 agreement re-iterated this but it contains no formal end date. Officers have asked the Legal Officers from the partner councils to look at this and the view from the majority of Legal Officers is that review is not required and that the current agreement can, in theory continue in perpetuity.

Officer members of the Board will need to keep a watching brief on the service and perhaps look at reviews every few years to ensure the service is continuing to deliver.

16. RISKS

A copy of the current Risk Register is appended at Appendix D and has been reviewed and updated for this plan. The increased number of commercial contracts and obligations increases some risks, particularly where sub-contractors or skilled technical staff are involved. This recognises the wider geographical area that the service now covers and level of technical expertise that has to be maintained.

**Appendix A: STRUCTURE at 1st
April 2019**



Appendix B: 3 years of budgets (figures in £000's)
Account description

	Budget	Budget	Budget
	2020 / 2021	2021 / 2022	2022 / 2023
	£000's	£000's	£000's
Employees			
Monthly salaries	2,749	2,789	2,833
Training for professional qualifications	0	0	0
Medical fees (employees')	2	2	2
Employers' liability insurance	40	40	40
Employees' professional subscriptions	2	2	2
Sub-Total - Employees	2,793	2,833	2,877
Premises			
Rents	52	52	52
Room hire	2	2	2
Trade Waste	0	0	0
Sub-Total - Premises	54	54	54
Transport			
Vehicle repairs/maint'ce	3	3	3
Diesel fuel	8	8	8
Licences	1	1	1
Contract hire of vehicles	4	4	4
Vehicle insurances	5	5	5
Van Lease	9	9	9
Fares & Car Parking	5	5	5
Car allowances	70	70	70
Sub-Total - Transport	105	105	105
Supplies & Service			
Equipment - purchase/maintenance/rental	22	22	22

Materials	9	9	9
Clothing, uniforms & laundry	2	2	2
Training fees	23	23	23
General insurances	5	5	5
Printing and stationery	18	18	18
Books and publications	2	2	2
Postage/packaging	11	11	11
ICT	40	40	40
Telephones	21	21	21
Taxi Tests	22	22	22
CRB Checks (taxi)	26	26	26
Support service recharges	100	100	100
Support service recharges - ICT	44	44	44
Sub-Total - Supplies & Service	344	344	344

Contractors

Consultants / Contractors' fees/charges/SLA's	234	234	234
Advertising (general)	5	5	5
Grants and subscriptions	11	11	11
Marketing/promotion/publicity	2	2	2
Sub-Total - Contractors	252	252	252

Income

Grants / Primary Authority / Food Training / Contaminated Land / Stray Dogs / Ad Hoc	-310	-310	-310
Sub-Total - Income	-310	-310	-310

Income

From partners for Technical Officers	-70	-64	-66
Sub-Total - Income	-70	-64	-66

Additional Income

Income to be Determined	-60	-60	-60
Income to be found due to unavoidable salary pressures	-90	-136	-178
Sub-Total - Income	-150	-196	-238
DISTRICT PARTNERSHIP BUDGET	3,017	3,017	3,017

20-21 Partner Percentages

Bromsgrove District Council	14.55%
Malvern Hills District Council	12.79%
Redditch Borough Council	17.53%
Worcester City Council	16.54%
Wychavon District Council	23.24%
Wyre Forest District Council	15.35%
Total	100.00%

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Additional costs for posts for new or additional activities will be allocated using this formula unless the work is requested by either one partner or a group of partners, in which case the relevant partners will agree a formula for cost allocation.

The table below covers off the additional payments that are likely to flow from the current allocations of additional funding for the additional Technical Officer capacity required for a number of pieces of work and also to cover the salary and pension pressures going forward. The latter elements may need to be addressed on a year by year basis.

	Budget	Contribution Technical Officers	Partner Contribution	Unavoidable Salary Pressure	Total Partner Contribution
	2020 / 2021	2020 / 2021	2020 / 2021	2020 / 2021	2020 / 2021
	£000's	£000's	£000's	£000's	£000's
Budget 2020 / 21					
Bromsgrove District Council	439	7	446	13	459
Malvern Hills District Council	386	10	396	11	407
Redditch Borough Council	529	2	531	16	547
Worcester City Council	499	35	534	15	549
Wychavon District Council	701	11	712	21	733
Wyre Forest District Council	463	5	468	14	482
Total	3,017	70	3,087	90	3,177
	Budget	Contribution Technical Officers	Partner Contribution	Unavoidable Salary Pressure	Total Partner Contribution
	2021 / 2022	2021 / 2022	2021 / 2022	2021 / 2022	2021 / 2022
	£000's	£000's	£000's	£000's	£000's
Budget 2021 / 22					
Bromsgrove District Council	439	6	445	20	465
Redditch Borough Council	529	1	530	19	549
Wyre Forest District Council	463	5	468	23	491
Wychavon District Council	701	9	710	25	735
Malvern Hills District Council	386	9	395	27	422
Worcester City Council	499	34	533	22	555
Total	3,017	64	3,081	136	3,217
	Budget	Contribution Technical Officers	Partner Contribution	Unavoidable Salary Pressure	Total Partner Contribution
	2022 / 2023	2022 / 2023	2022 / 2023	2022 / 2023	2022 / 2023
	£000's	£000's	£000's	£000's	£000's
Budget 2022 / 23					
Bromsgrove District Council	439	6	445	26	471
Redditch Borough Council	529	2	531	26	557
Wyre Forest District Council	463	5	468	30	498
Wychavon District Council	701	9	710	35	745
Malvern Hills District Council	386	10	396	32	428
Worcester City Council	499	34	533	29	562
Total	3,017	66	3,083	178	3,261

Appendix C: Performance Measures Relating to Outcomes

	Measure	Reporting Frequency	Background
1	% of service requests where resolution is achieved to customers satisfaction	Quarterly	Based on 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	Based on 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 0 1 or 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 drivers licence renewal applications issued within 5 working days.	6-monthly	Based on the proportion of drivers licence renewals issued within 5 working days of receipt of application. Note new applicants all require DBS checks and time frames for these fall outside of WRS control, hence they are not included.
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. The last figure obtained by the host's HR team was that the Public sector average was 8.75
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	Indicator, linked to Crime & Disorder agenda, looking at performance of premises license holders and control on their activity.
12	Rate of noise complaint per 1000 head of population	6-monthly	Place indicator, potential link to quality of life and health and well-being.
13	Total income	6-monthly	Expressed as a % of the base district contributions to the revenue budget for this year
14	Cost of regulatory services per head of population	Annually	Will be total spend divided by the total population, based on the most recent mid-year estimate available at the time of publication. NB: Calculation will offset income against revenue budget to account for external income sources

Appendix D: Risk Register 2019/20

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	Wyre Forest ICT has effective processes and business continuity plans in place. WFDC upgraded relevant systems including Windows, and staff hardware going through update process across 2019 and 2020.
Issues with the WRS database system	Impact on work planning. Self-help may not enable savings required	On-going	Low	High	Green	Re-tendering of the system is scheduled during 2020/21. Beyond this all work on 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. Service website remains key access point and an upgrading process started in 2019. Tested disaster recovery of our Uniform back up and fail over to the business continuity server. Has been completed.
Effective and efficient Business Continuity arrangements in place	Disruption to service if e.g. Major Power failures or other reasons that access to Wyre Forest House is not possible.	On-going	Very Low	Medium	Green	Staff are equipped for mobile/home working. Touchdown stations available in partner council locations. Working from WFDC new depot successfully tested over Christmas period 2019. Staff used the old depot site during previous shut down of Wyre Forest House and the location was workable.
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	Amber	In such event, 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

						<p>cover peak demand periods. However, having taken on contracts with additional authorities the demand has increased and neighbouring authorities have lost the ability to be able to assist with technical specialisms.</p> <p>Regional and sub-regional groups are in place so can provide shared resources for local authorities if required. Effective training and development processes are in place to ensure recruitment and retention of staff. There is increased training budget pressure, reduced technical knowledge in neighbouring authorities and increased importance in maintaining heightened skills for contractual obligations and commercial edge.</p> <p>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.</p>
Pest contractors cease operations.	Disruption to service. Negative media coverage. Increased public health risks	On-going	Low	High	Green	Framework contract has multiple pest control suppliers so the loss of one allows work to be moved to the others.
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 buy in use of other private sector providers in short term. Contracts tendered. The Dog Warden contracts are robust but we have one less kennel contractor but an additional three District Councils that we provide the service for.
Hosting support does not deliver necessary financial and HR support to ensure efficient management	Efficiency of management reduced; staffing issues remain unaddressed and performance suffers	On-going	Low	High	Amber	Issues around access to the financial system from Wyre Forest House should be relieved with new BDC finance system procurement. Workarounds remain in place in the interim.
One or more partners continue to be under great financial pressure and may consider alternatives to the partnership to deliver their	Creates reputational issues for remaining partners and increases the need to manage overheads. Difficulties in delivering highly varied	On-going	Medium	High	Amber	New legal agreement limits variations in contribution before partners have to move to contractual relationship but this is quite high before it kicks in (20%.) Leanness of organisation minimises overheads

service	levels of service					and focuses resource at the front line. Growth strategy should generate income to support partners in the future but capacity may be needed going forward to grow income streams.
Robust arrangements in place in relation to obtaining legal advice and monitoring legislative changes.	Loss of cases is costly and damages reputation.	On-going	Low	Medium	Green	Continued close working with BDC legal team and other partners who don't use BDC for advocacy. Technical and legal training days for staff. Difficulty in keeping informed of Case Law developments. Membership and attendance of Officer Technical Groups outside the County does assist.
Service provision complies with Government requirements	Adverse comments following audits e.g. FSA Intervention by Government bodies i.e. FSA, whilst highly unlikely, is damaging to reputation.	On-going	Low	High	Amber	Limited detail of what statutory minima are. LGA clearly aware of impact of budget reductions on regulation and has made it clear Government cannot expect what it had previously. Fewer interventions/ audits by government. Service has developed systems that follow the principles of the requirements of bodies like FSA so can show some level of compliance but service isn't operating to the letter of the current Code. The Code is however currently going through major changes. Environmental reporting for Local Air Quality Management, Pollution Prevention and Control and Private Water Supply Inspection reports to Defra and DWI have received positive responses with no issues of concern raised by these bodies.
Failure to deliver external contract work at the level expected by the business or local authority with whom we have the contract	Damage to reputation, loss of future income streams, financial impact of paying damages	On-going	Low	High	Green	Ensure contract negotiations are clear on performance criteria and these are clearly recorded in the final documentation. Monthly reviews against performance criteria. Select staff to ensure competence of those undertaking work outside Worcestershire. Maintain strong links with the customer's monitoring staff. Intervene early with corrective action

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WRS Board **13th February 2020** **Activity and Performance Data Quarter 3**

Recommendation

That the Board notes the Report and that members use the contents of the activity data in their own reporting back to fellow members of the partner authorities.

Background

The detail of the report focuses on Q3 but the actual data allows comparison with previous quarters and previous years.

Contribution to Priorities

Board 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

Report

Activity Data

The number of food safety interventions has remained on a par with previous years. Complaints and enquiries followed the trends of the summer in that they were below what was seen in previous years, albeit following a similar pattern.

Health and Safety enquiries and complaints/service requests remain broadly in line with 2018/19. The greater proportion of accidents relate to injuries to members of the public or injuries to a worker being incapacitated for more than seven consecutive days. Several resource intensive formal investigations are ongoing, including one fatality, with the possibility of legal proceedings to follow.

Pollution and public health complaints received by WRS during quarter 3 again remain low, albeit on the same trend pattern as previous years. Environmental information requests also remain low for a third quarter in a row.

In November the Community Environmental Health Team responded to the floods in Evesham. We contacted all affected food businesses providing pre-opening advice and support and followed up with visits to ensure that good hygiene conditions were met before they re-opened.

In preparation for Brexit your Team contacted all potential food exporters to appraise their needs in the event of a “no deal” Brexit.

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Contingency plans were put in place which involved stakeholder engagement and a plan to identify where support was needed. With food products the issue is that many are high risk with short shelf life so there cannot be any delays in providing a certification service. We have provided a strategic single point of contact for Brexit work and the Food Lead within the Team has taken operational responsibility. Liaison arrangements are in place with Worcestershire Trading Standards who are responsible for Food Standards and Website information has been updated to ensure that businesses can readily access current information. Duty Officers with expertise on the export process are available to take relevant calls. WRS have also contributed to the West Midlands CEO response to Government in respect of Food Safety implications of a no deal Brexit.

A simple Caution was issued to a mobile food business in the north of the county for food hygiene contraventions and several nuisance cases are working their way through the legal system including two regarding barking dogs, one in respect of the accumulation of dog faeces in a domestic garden and others for dark smoke emission and noise from a car wash.

Licensing has had a very busy quarter with a number of partnership working initiatives taking place alongside planned enforcement activity.

WRS were asked, and took up the opportunity, to work with the West Midlands Safari Park on testing their emergency plan. We helped arrange and facilitate a number of exercises with a variety of stakeholders including the police, fire and rescue, highways and local authority representatives to name a few with a view to test the plan of action in an emergency situation.

December saw us asked again to carry out enforcement work at the Victorian Christmas Fayre which, like previous years, received a very positive response from all involved. This has been beneficial to both officers at WRS and those involved in the organisation of the fayre.

In October WRS licensing officers undertook a test purchase plying for hire exercise in Worcester City Centre. The exercise was arranged in response to concerns being raised by Worcester licensed HC drivers that vehicles and drivers licensed by neighbouring LA were operating illegally in Worcester City Centre. The exercise consisted of officers approaching HC/PH vehicles who were not licensed by Worcester City and who appeared to be parked in and around the city centre waiting for a booking. Upon approaching the vehicle officers explained to the driver that they had not made any booking and asked to be taken to a pre-arranged destination. Upon arrival at the destination the driver was greeted by two further licensing officers, who informed him that he had just picked up two licensing officers illegally and that he would be reported for the offence of plying for hire and no insurance. On that evening officers undertook two un-booked journeys by two WDC licensed drivers, both drivers are being reported to WC for further legal action.

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December saw Technical Services officers reporting on the first phase of Worcester City's Low Emissions Strategy, with commitments given to explore the feasibility of introducing emissions standards for taxis, the procurement of council vehicles that have ultra low emissions to development of EV charging infrastructure in the community and council car parks.

Work was also undertaken to gather additional traffic data for the purpose of Modelling the air quality around the crossroads junction of Comberton Hill and Chester Road, Kidderminster; this is to facilitate accurate modelling to determine whether the council needs to consider taking further action to address any air quality issues in the area. It is anticipated that the modelling work will be completed in Q4.

As part of the Director of Public Health Air Quality partnership group on Public Health interventions to improve air quality, Officers have begun exploring methods of improving access to local air quality information for residents and are currently engaging industry experts on the development of a service to residents.

On going work continues with developers and their specialists at the Longbridge East Works where preparation of the land is being completed in several stages to ensuring that the land is suitably cleaned and developed safely for future residents.

WRS officers have been commissioned to advise Worcester City Council on the management of the land contamination at the old Sansome Walk Swimming baths that are scheduled for demolition later on in 2020.

The Dog Warden Team has once again had a reasonably busy quarter with a total of 326 dogs being reported to us as strays many of which have spent time at our kennels or vets. Of these over 200 were reunited with their owners and a further 67 were successfully rehomed by WRS through reputable charities.

Sadly, this quarter saw 4 welfare cases come in and one dog was identified to be a banned breed and was therefore required to be put to sleep. In addition to this a further 9 dogs required vet treatment for other ailments.

We have also collected and boarded two dogs and a cat on a commercial basis, on behalf of owners who have had to spend time in hospital and not been able to get alternative care. Sadly, the owner of one of the dogs passed away whilst her dog was in our care. We have since re-homed the dog to a member of the family.

The owner of the dog and the cat has now returned home, however due to an ongoing medical condition with the dog we have arranged for the dog to be rehomed by us to ensure the best care for the dog, the cat has recently been returned to the owner.

Performance

In quarter 3 there is more limited reporting of the indicators.

In general, we have performed well against the agreed set. The percentage of service requests where a resolution is achieved to customer satisfaction remains at around 73%. Business satisfaction remains excellent at 97.6%. The proportion of people who feel better equipped to deal with issues in the future following our interventions is also remains reasonably stable at 62%.

The number of businesses broadly compliant and those scoring 0, 1 or 2 are the reverse of each other and are the same as the last quarter at 97.4 and 2.6 respectively.

The ratio of complaints to compliments remains positively in favour of the latter. Staff sickness remains relatively low at 3.82 days per FTE and in line with last year.

Contact Points

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Background Papers

Appendix A: Activity Report (separate document)
Appendix B: Performance indicators Table

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Indicator	Reporting period	Q1	Q2	Q3	Q4/ Outrun
1. % of service requests where resolution is achieved to customers satisfaction	Quarterly NB: fig is cumulative	70.7	73.6	73.5	
2. % of service requests where resolution is achieved to business satisfaction	Quarterly NB: fig is cumulative	98.3	98.3	97.6	
3. % businesses broadly compliant at first assessment/ inspection	Annually	97.4	Bromsgrove 96.8 Malvern Hills 98.5 Redditch 95.3 Worcester City 97.5 Wychavon 97.5 Wyre Forest 98.0 Worcestershire 97.4	97.4	
4. % of food businesses scoring 0,1 or 2 at 1 st April each year	Annually	2.6	Bromsgrove 3.2 Malvern Hills 1.5 Redditch 4.7 Worcester City 2.5 Wychavon 2.5 Wyre Forest 2.0 Worcestershire 2.6	2.6	
5 % of drivers licence renewal applications issued within 5 working days of receipt of a complete application	6-monthly	NA	78.5%	NA	
6 % of vehicles found to be defective whilst in service Number of vehicles found to be defective by district and the percentage this represents of the fleet county-wide	6-monthly	NA	Bromsgrove 9 Malvern Hills 0 Redditch 14 Worcester City 4 Wyre Forest 2 Wychavon 1 30/1572 vehicles county-wide =1.9% of fleet	NA	
7 % of service requests where	Quarterly NB: fig is cumulative	58.6	63	62	

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	customer indicates they feel better equipped to deal with issues themselves in future					
8	Review of register of complaints/compliments	Quarterly NB: fig is cumulative	10/50	22/91	34 /138	
9	Annual staff sickness absence at public sector average or better	Quarterly NB: figure is cumulative	0.85/ FTE	2.91/ FTE	3.82/ FTE	
10	% of staff who enjoy working for WRS	Annually	NA	NA	NA	
11	% of licensed businesses subject to allegations of not upholding the 4 licensing objectives	6-monthly	NA	Bromsgrove 4.7 Malvern Hills 3.6 Redditch 6.1 Worcester City 5.6 Wychavon 4.0 Wyre Forest 6.5 Worcestershire 4.9	NA	
12	Rate of noise complaint per 1000 head of population	6-monthly	NA	Bromsgrove 0.66 Malvern Hills 0.64 Redditch 0.86 Worcester City 1.01 Wychavon 0.89 Wyre Forest 0.91 Worcestershire 0.85	NA	
13	Total income expressed as a % of district base revenue budget (16/17)	6-monthly	NA	5.3% i.e. £160,534/3,017,000	NA	
14	Cost of regulatory services per head of population (Calculation will offset	Annually	NA	NA	NA	

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income against revenue budget)					
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Worcestershire
Regulatory Services
Supporting and protecting you

Activity Report | 2019/20



Bromsgrove
District Council
www.bromsgrove.gov.uk

Malvern Hills
District Council
www.malvern hills.gov.uk

REDDITCH BOROUGH COUNCIL
making a difference
www.redditchbc.gov.uk

Worcester
CITY COUNCIL

WYCHAVON
DISTRICT COUNCIL
good services, good value

Wyre Forest
District Council

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Redditch Borough Council
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Wychavon District Council
Wyre Forest District Council

Contract Authority Summaries

Foreword

Welcome to the third activity data report for 2019/20.

Quarter 3 has seen numbers of food safety, public health and nuisance complaints down on the similar periods in the previous two years albeit, in the main, in line with the normal trend patterns. Give that the Summer was quiet for no obvious reason, we can only assume that this year has been a relatively quiet year generally. We do continue to see some fairly complex nuisance cases and have had a number of challenges over our response to some of these. Officers are also dealing with a fatality, although there is some one-gonig discussion over whether it sit with us or the HSE.

Licensing complaints and enquiries were also lower than previous years but applications were comparible in all areas. Planning continues to create a high level of demand although there was a slight dip in demand in November. The Technical Services team continues to be heavily involved with planning colleagues across Worcestershire but also servicing contracts with other local authorities further afield.

By the time you read this, the UK will officially have moved into the transition period for our departure from the EU. Parliament has ratified the agreement and all seems to be moving forward. Our own preparations for supporting food busineeses continue to develop. Officers have spoken to over 100 exproters about what they might need and 25 have been identified as potentially high volume exporters of highly perishable products, needing particularly intensive support in terms of certification of consignments. We will keep members informed of how this work is progressing.

We hope you find the report interesting and if you've any questions please do contact myself or one of the Management team.



Headlines - Quarter Three

Dog Warden Update

The Dog Warden Team has once again had a reasonably busy quarter with a total of 326 dogs being reported to us as strays many of which have spent time at our kennels or vets. Of these over 200 were reunited with their owners and a further 67 were successfully rehomed by WRS through reputable charities. Sadly this quarter saw 4 welfare cases come in and one dog was identified to be a banned breed and was therefore required to be put to sleep. In addition to this a further 9 dogs required vet treatment for other ailments. We have also collected and boarded two dogs and a cat on a commercial basis, on behalf of owners who have had to spend time in hospital and not been able to get alternative care. Sadly the owner of one of the dogs passed away whilst her dog was in our care. We have since rehomed the dog to a member of the family. The owner of the dog and the cat has now returned home, however due to an ongoing medical condition with the dog we have arranged for the dog to be rehomed by us to ensure the best care for the dog, the cat has recently been returned to the owner.

Licensing Update

Licensing have had a very busy quarter with a number of partnership working initiatives taking place alongside planned enforcement activity.

WRS were asked, and took up the opportunity, to work with the West Midlands Safari Park on executing their emergency plan. We helped arrange and facilitate a number of exercise's with a variety of stakeholders including the police, fire and rescue, highways and local authority representatives to name a few with a view to test the plan of action in a emergency situation.

December saw us asked again to carry out enforcement work at the Victorian Christmas Fayre which, like previous years, received a very positive response from all involved. This has been beneficial to both officers at WRS and those involved in the organisation of the fayre.

In October WRS licensing officers undertook a test purchase plying for hire exercise in Worcester City Centre. The exercise was arranged in response to concerns being raised by Worcester licensed HC drivers that vehicles and drivers licensed by neighbouring LA were operating illegally in Worcester City Centre. The exercise consisted of officers approaching HC/PH vehicles who were not licensed by Worcester City and who appeared to be parked in and around the city centre waiting for a booking. Upon approaching the vehicle officers explained to the driver that they had not made any booking and asked to be taken to a pre-arranged destination. Upon arrival at the destination the driver was greeted by two further licensing officers, who informed him that he had just picked up two licensing officers illegally and that he would be reported for the offence of plying for hire and no insurance. On that evening officers undertook two un-booked journeys by two WDC licensed drivers, both drivers are being reported to WC for further legal action.

During April, MHDC LSC made the decision to revoke the licence of a dual HC & PH driver on Medical grounds. The driver had been referred to the LSC as he was unable to meet the “group 2 medical standards” as required by MHDC, due to the onset of dementia. Upon listening to the case members made the decision to revoke his dual hackney carriage and private hire drivers licence.

The driver exercised his right of appeal, lodging an appeal with the Magistrates courts against the decision of the LSC. On 19 July 2019 the Magistrates at Worcester considered the drivers appeal and upon listening to all of the evidence present by the driver and WRS on behalf of MHDC dismissed the appeal, upholding the decision of the LSC.

The driver exercised his right of appeal against the decision of the Magistrates court, lodging an appeal to the Crown Court against the decision of the Mags. On 4 Oct 2019 Worcester Crown Court considered the drivers appeal and upon listening to all of the evidence present by the driver and WRS on behalf of MHDC again dismissed the appeal, upholding the decision of Mag's and the original decision of MHDC's LSC.

Finally Worcester City Council successfully prosecuted a taxi driver who refused to carry an assistance dog earlier this year. The driver arrived to collect a pre-booked fare but then refused to pick up his blind passenger as they had an assistance dog with them and he claimed to suffer from allergies that meant he could not carry the animal. Despite his claims, he had never requested a certificate from the Council exempting him from the requirement to carry assistance dogs on medical grounds.

Community Environmental Health Update

In November the Team responded to the floods in Evesham. We contacted all affected food businesses providing pre-opening advice and support and followed up with visits to ensure that good hygiene conditions were met before they re-opened.

In preparation for Brexit your Team contacted all potential food exporters to appraise their needs in the event of a “no deal” Brexit. Contingency plans were put in place which involved stakeholder engagement and a plan to identify where support was needed. With food products the issue is that many are high risk with short shelf life so there cannot be any delays in providing a certification service. We have provided a strategic single point of contact for Brexit work and the Food Lead within the Team has taken operational responsibility. Liaison arrangements are in place with Worcestershire Trading Standards who are responsible for Food Standards and Website information has been updated to ensure that businesses can readily access current information. Duty Officers with expertise on the export process are available to take relevant calls. WRS have also contributed to the West Midlands CEO response to Government in respect of Food Safety implications of a no deal Brexit.

A simple Caution was issued to a mobile food business in the north of the county for food hygiene contraventions and several nuisance cases are working their way through the legal system including two regarding barking dogs, one in respect of the accumulation of dog faeces in a domestic garden and others for dark smoke emission and noise from a car wash.

Your Officers remain engaged in several long standing and complex health and safety investigations with another fatality and a near miss being reported this quarter.

The team also showcased the work done to date with the Worcestershire LEP and local food businesses and producers in creating the Worcestershire Food and Drink Association at the London HQ of the Department for Business, Energy and Industrial Strategy at their Best Business for All conference.

Air Quality & Contaminated Land

December saw officers reporting on the first phase of Worcester City's Low Emissions Strategy, with commitments given to explore the feasibility of introducing emissions standards for taxis, the procurement of council vehicles that have ultra low emissions to development of EV charging infrastructure in the community and council car parks.

Work was also undertaken to gather additional traffic data for the purpose of Modelling the air quality around the crossroads junction of Comberton Hill and Chester Road, Kidderminster; this is to facilitate accurate modelling to determine whether the council needs to consider taking further action to address any air quality issues in the area. It is anticipated that the modelling work will be completed in Q4.

As part of the Director of Public Health Air Quality partnership group on Public Health interventions to improve air quality, Officers have begun exploring methods of improving access to local air quality information for residents and are currently engaging industry experts on the development of a service to residents.

On going work continues with developers and their specialists at the Longbridge East Works where preparation of the land is being completed in several stages to ensure that the land is suitably cleaned and developed safely for future residents.

WRS officers have been commissioned to advise Worcester City Council on the management of the land contamination at the old Sansome Walk Swimming baths that are scheduled for demolition later on in 2020.

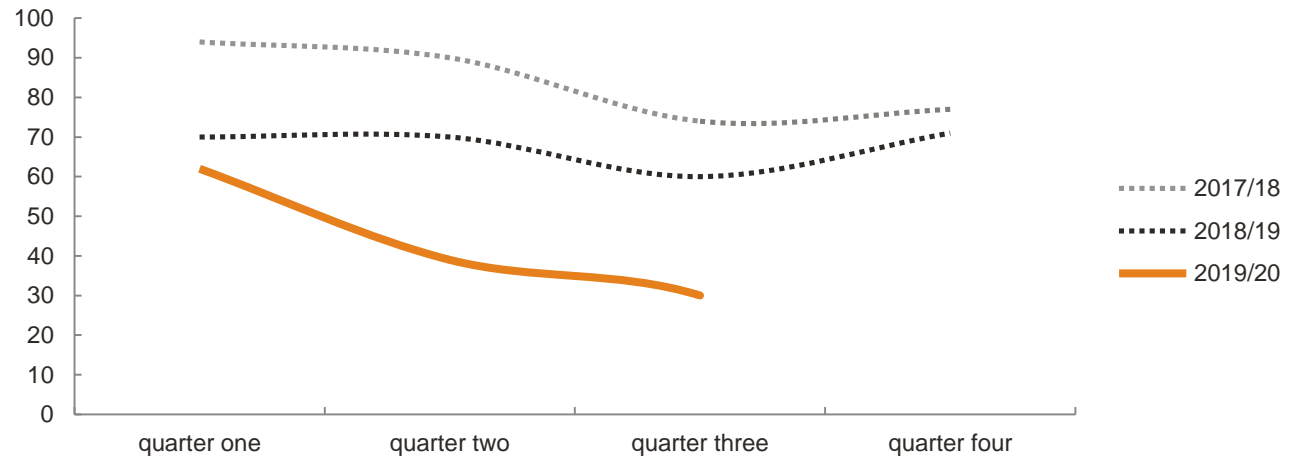
Dog Control

The chart (top right) shows the number of complaints and enquiries recorded by WRS over a three year period relating to dog control. Types of cases recorded under this category include fouling and persistent straying, dangerous dogs and welfare. The chart (bottom right) shows the number of dogs recorded by WRS as lost, found or seen straying.

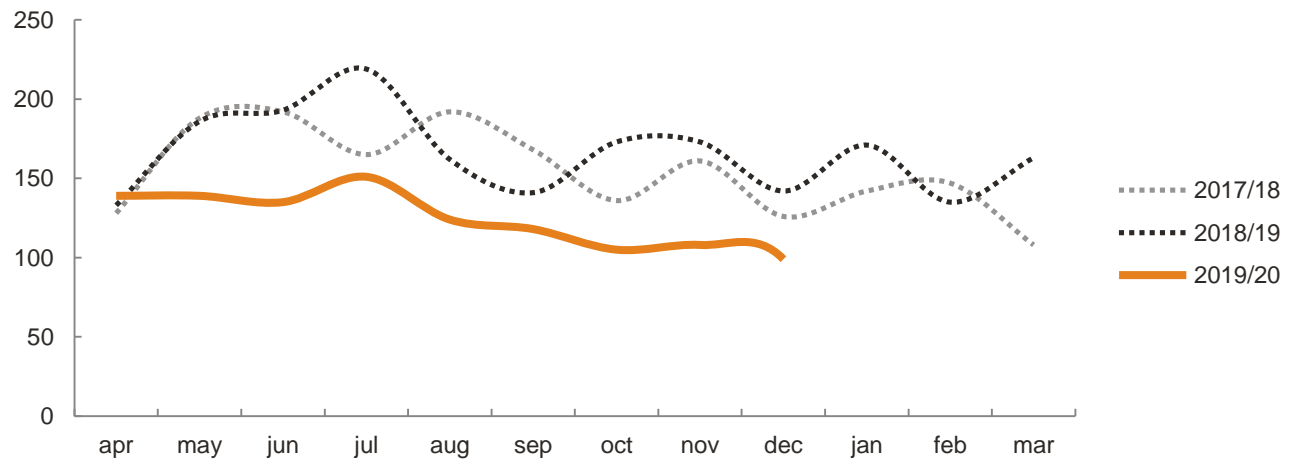
The number of stray or lost dogs reported to WRS continues to decline with the number recorded this year a reduction of between 23% and 26% compared to previous years. The type of cases recorded remains consistent however, with 67% relating to 'contained' stray dogs. This means dogs were found and held by, for example, a member of the public.

In general, WRS receives very few dog control complaints. Based on the 94 complaints recorded in the year to date, 42 related to dangerous dogs, 40 to fouling and persistent straying and 12 related to welfare concerns.

complaints and enquiries



lost, found or stray dogs



Environmental Permitting

The majority of inspection work has been completed for Worcestershire businesses for this year including Gloucester City's permits. The finance departments will be informed of the new charging structure in March ahead of the new financial year. It is anticipated that there will be no immediate change in statutory charging regime for 2020-21 however it is understood that a review will take place at some juncture next financial year.

Primary Authority

Last quarter saw officers undertaking further auditing at Wienerberger's Sandytoft tile works in North east Lincolnshire. We have also been auditing their Environmental management Systems. Officers have also been training Newport Council staff in South Wales as the new link authority for Cemex in the principality.

Contract Work

DEFRA hold WRS permitting team in high esteem and we were flattered when requested if we could undertake paid permitting work on behalf of the Gibraltar Authority. Over the Christmas period officers have been preparing the permit for the main dockyard for the territory which has large solvent based processes. It is anticipated that the permits will be issued in February 2020.

Commercial work continues as we deliver permit application work for several NHS trusts (Warwick, Royal Devon & Exeter and Yeovil) to ensure that they comply with the Medium sized Combustion Plant directive. Following a submission of a bid to undertake MCP compliance work on behalf of the Ministry of Defence in early October WRS officers met with the DIO (Defence Industry Organisation) in December to discuss the development of internal technical guidance for the MoD. WRS is optimistic that this will take place in Q4.

Food Safety

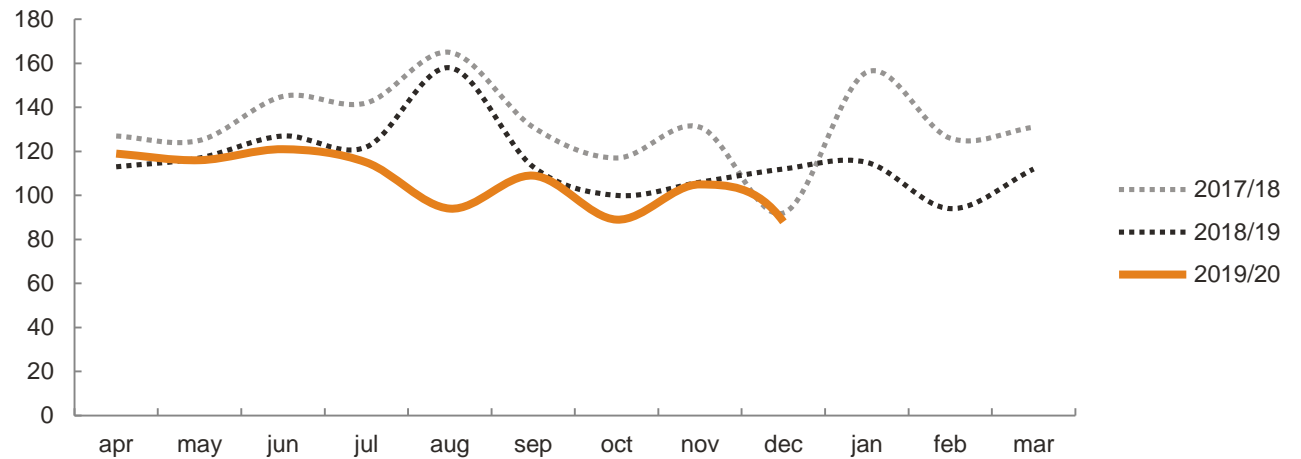
The chart (top right) shows the number of complaints and enquiries recorded by WRS over a three year period relating to food safety. Types of cases recorded under this category include complaints about food products, hygiene of premises complaints and requests for business advice. The chart (bottom right) shows the number of interventions conducted by WRS at premises included in the Food Hygiene Rating Scheme, commonly known as FHRS.

With the exception of August, the number of food safety requests received during this year has been largely in line with 2018/19. Approximately 50% of cases have been complaints; with three quarters relating to food products and a quarter to hygiene concerns at food businesses.

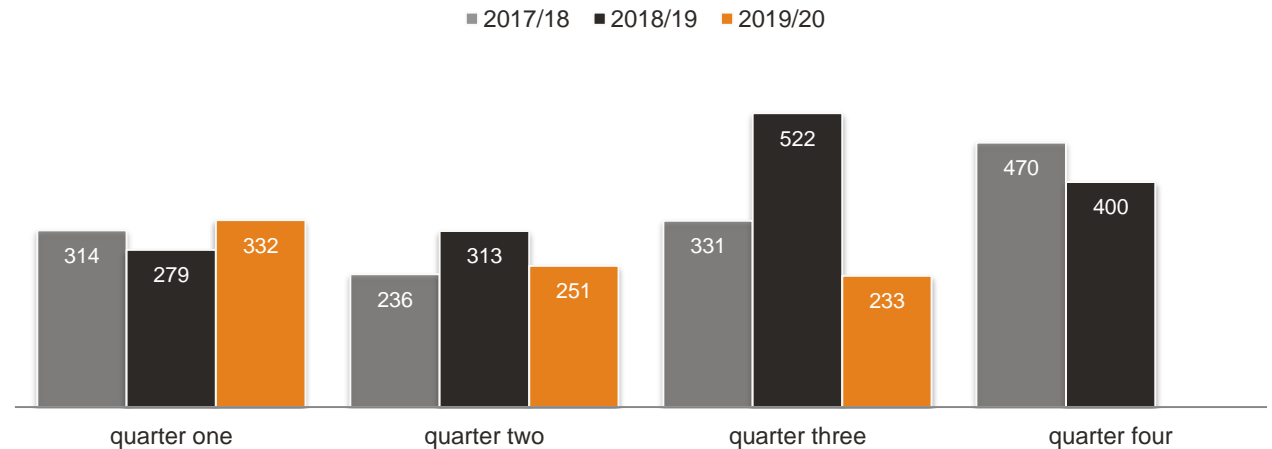
The remaining 50% of cases have largely been enquiries, but also includes requests for export health certificates and requests for re-ratings.

Based on the 816 interventions undertaken this year, approximately 7% have led to a non compliant rating. The majority of these businesses however have since been brought into compliance. Food interventions are down on the same quarter last year where we introduced a project enabling the team to focus on the food inspection programme. We plan to repeat this focus in Quarter 4 to bring the programme back on track.

complaints and enquiries



fhrs interventions

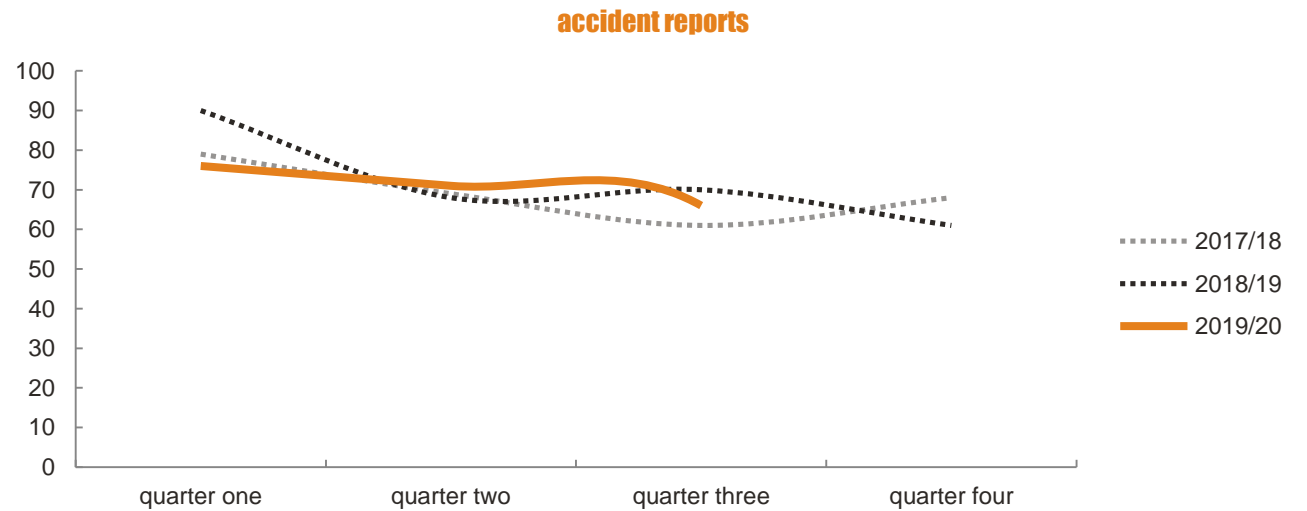
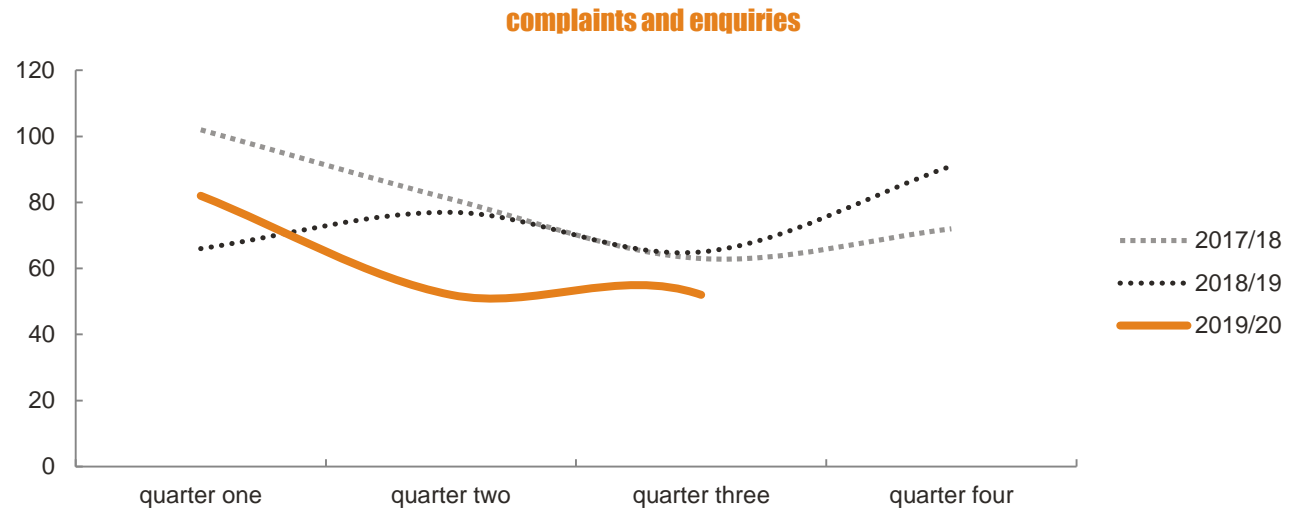


Health and Safety

The chart (top right) shows the number of complaints and enquiries recorded by WRS over a three year period relating to health and safety. This includes requests for business advice. The chart (bottom right) shows the number of notifications received by WRS relating to accidents.

The number of health and safety cases received during this year is broadly in line with 2018/19. There has however, been a continued decline in the number of complaints and enquiries.

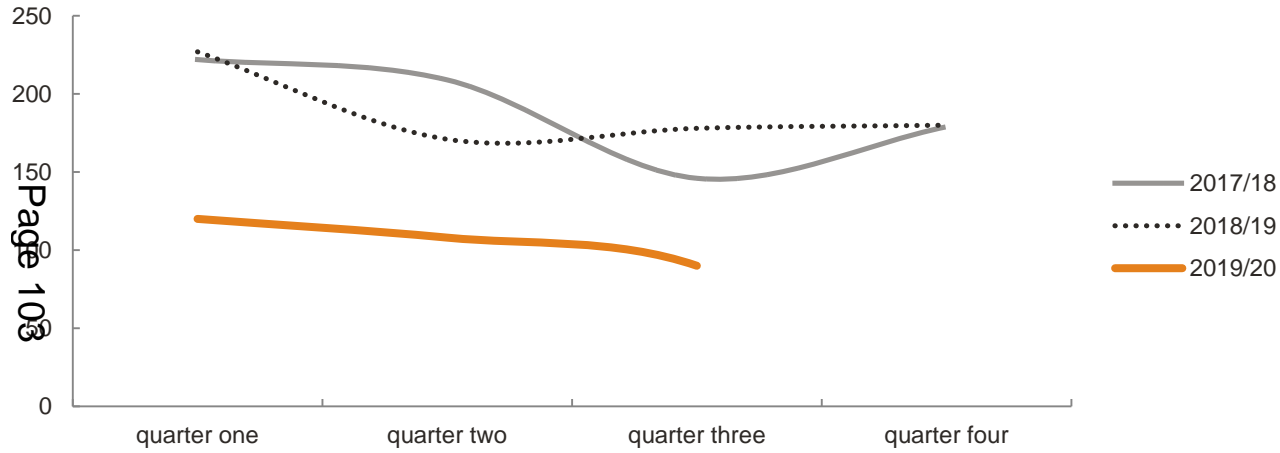
Approximately 53% of cases have been reports of accidents, with the greater proportion relating to injuries suffered by members of the public, or injuries leading to a worker being incapacitated for more than seven consecutive days. There was, sadly, a fatality reported during this quarter after an individual was struck by a moving object. Whilst details cannot be disclosed, the case is currently under investigation.



Information Requests

The chart (right) shows the number of information requests recorded by WRS over a three year period. Information requests relate to the following;

- Environmental Information Requests
- Freedom of Information Requests
- Requests for information under the Data Protection Act 2018 and General Data Protection Regulation



Licensing

The chart (top right) shows the number complaints and enquiries recorded by WRS over a three year period relating to licensing. The chart (bottom right) shows the number of licensing applications.

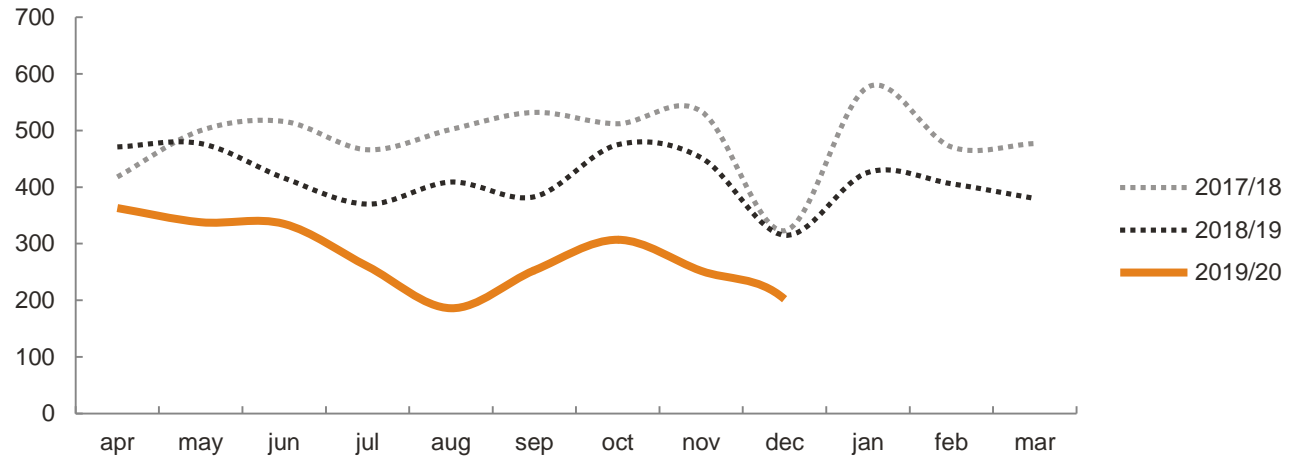
Licensing complaints, enquiries and applications relate to the following;

- Alcohol and entertainment (including gambling)
- Animals
- Caravans
- Scrap metal
- Sex establishments
- Skin piercing
- Street trading
- Taxis

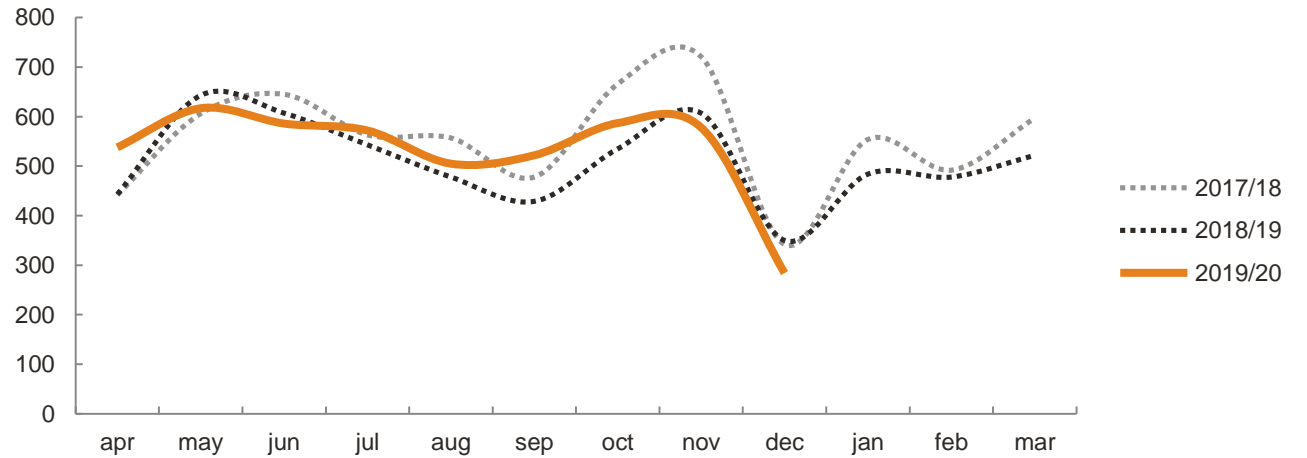
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The number of applications received by WRS during this year is broadly similar to preceeding years. Approximately 46% of applicaitons have related to alcohol licensing (which includes gambling), with temporary event notices the most prominent subcategory.

complaints and enquiries



applications

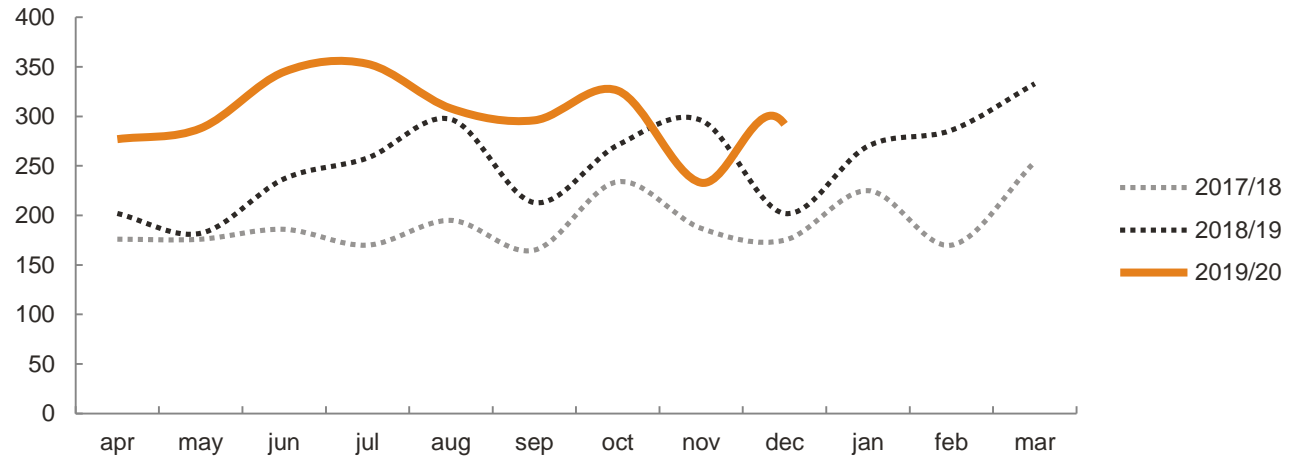


Planning

The chart (right) shows the number of planning enquiries completed by WRS over a three year period. The majority of these requests are consultations but can also include requests to discharge conditions.

Planning requests relate to the following;

- Air Quality
- Contaminated Land
- Environmental Permitting
- Food
- Health and Safety
- Nuisance / Noise
- Private Water Supplies



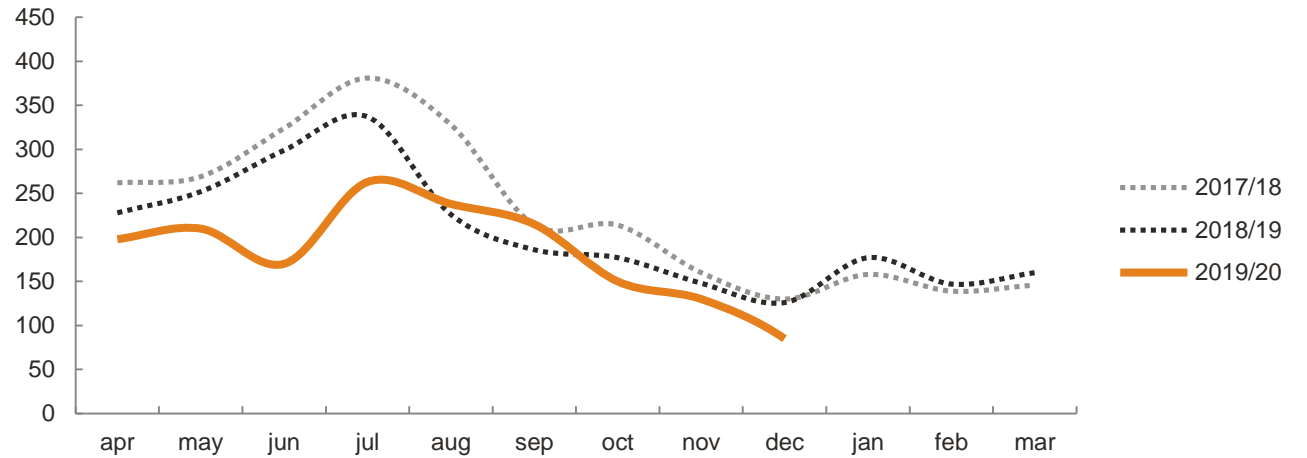
The number of planning enquiries continues to increase, with the number recorded this year 25% higher than 2018/19. Approximately 90% of cases are consultations, whilst half the cases have related to contaminated land,

Pollution

The chart (right) shows the number of complaints and enquiries recorded by WRS over a three year period relating to pollution. Types of cases recorded under this category include contamination incidents, air pollution (smoke, fumes and gases), light pollution and noise pollution. The chart (bottom right) shows the number of complaints and enquiries relating to noise pollution.

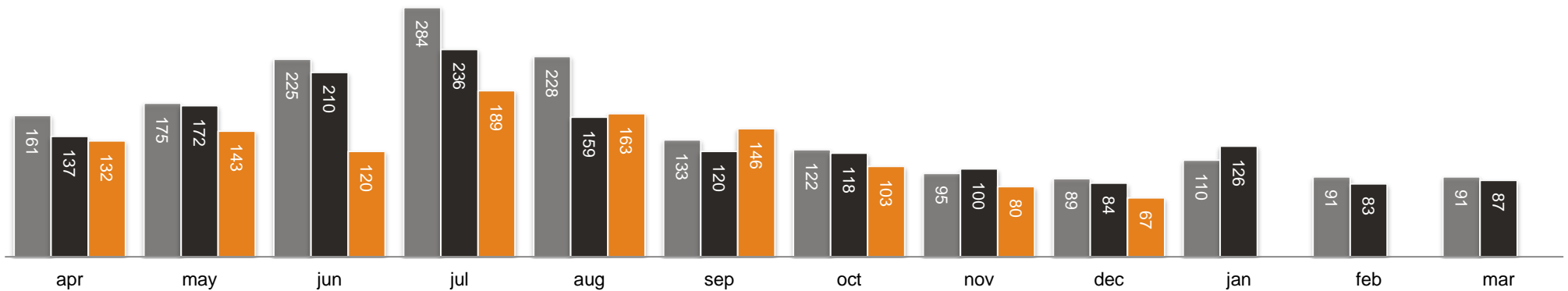
The number of pollution cases received by WRS in the year to date is a reduction of 16% compared to 2018/19. Approximately 75% of cases have related to noise nuisance, with domestic noise the most prominent subcategory. A further 16% of cases have been complaints relating to smoke nuisance. The reduction in overall demand has enabled officers to carry out more proactive work with the organisers of large events and festivals prior to them taking place, helping to mitigate what by their very nature can be the source of significant noise issues at unsocial hours for a limited period of time.

complaints and enquiries



noise

■ 2017/18 ■ 2018/19 ■ 2019/20

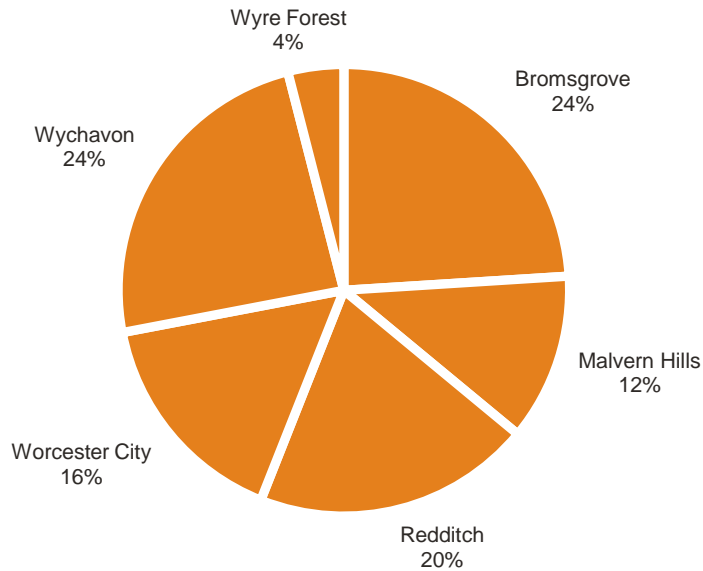


Noise

The table (right) shows the top 25 wards in Worcestershire with the highest case rate for noise pollution cases. It also shows the relative population and the number of cases recorded. The chart (below) shows the top 25 wards by district.

Note: Data shown on this page represents the 'year to date' and will continue to increase each quarter until the end of year report is published.

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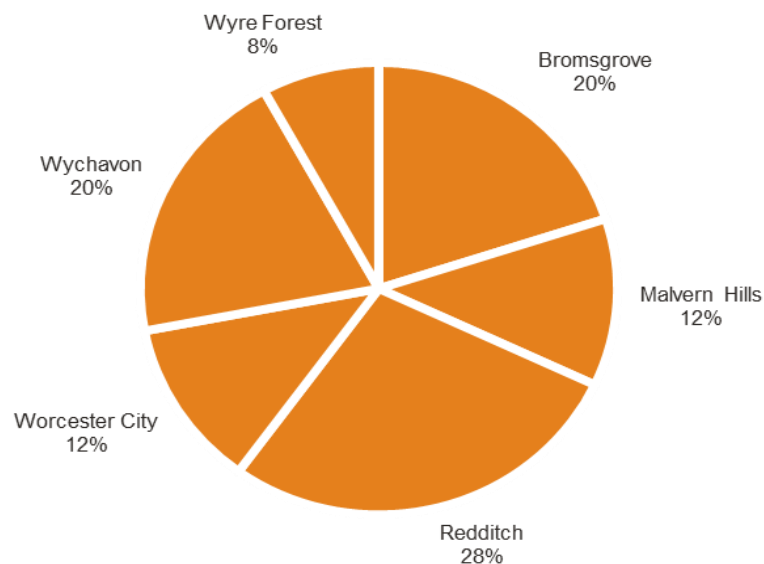


Ward	Total	Population	Rate
Droitwich Central	11	2,570	4.28
Upton And Hanley	16	4,153	3.85
Hartlebury	11	2,936	3.75
Cathedral	43	11,488	3.74
Rainbow Hill	20	5,525	3.62
Catshill North	9	2,818	3.19
Offmore And Comberton	31	9,726	3.19
Lowes Hill	9	2,888	3.12
Arboretum	19	6,301	3.02
Warndon	17	5,754	2.95
West (Malvern)	12	4,112	2.92
Elmley Castle And Somerville	7	2,457	2.85
Sanders Park	10	3,559	2.81
Barnt Green And Hopwood	8	2,866	2.79
Winyates	23	8,257	2.79
Pershore	21	7,716	2.72
Rock Hill	8	2,969	2.69
Lodge Park	15	5,608	2.67
Batchley And Brockhill	23	8,727	2.64
Bredon	7	2,666	2.63
Astwood Bank And Feckenham	16	6,126	2.61
Upton Snodsbury	7	2,698	2.59
Alfrick And Leigh	9	3,493	2.58
Abbey	16	6,323	2.53
Avoncroft	8	3,242	2.47

Noise (2018/19)

The table (right) shows the top 25 wards in Worcestershire with the highest case rate for noise pollution cases. The data covers 2018/19 and is intended to be a point of reference for the data highlighted on the previous page.

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Ward	Total	Population	Rate
Sanders Park	36	3,456	10.42
Cathedral	63	11,160	5.65
Charford	20	3,638	5.50
Norton	16	3,175	5.04
Abbey	29	6,232	4.65
Warndon	27	5,928	4.55
Batchley And Brockhill	38	8,628	4.40
Morton	9	2,060	4.37
Wells	14	3,258	4.30
Upton Snodsbury	11	2,692	4.09
Central	27	6,659	4.05
Longdon	8	2,068	3.87
Headless Cross And Oakenshaw	31	8,539	3.63
Lickhill	9	2,535	3.55
Barnt Green And Hopwood	10	2,838	3.52
Bowbrook	10	2,907	3.44
Broadwaters	32	9,326	3.43
Matchborough	21	6,152	3.41
Lodge Park	19	5,630	3.37
Bengeworth	23	7,301	3.15
Droitwich Central	8	2,549	3.14
Bretforton And Offenham	9	2,883	3.12
Greenlands	29	9,298	3.12
Alvechurch Village	9	2,899	3.10
Gorse Hill	17	5,520	3.08

Agenda Item 7

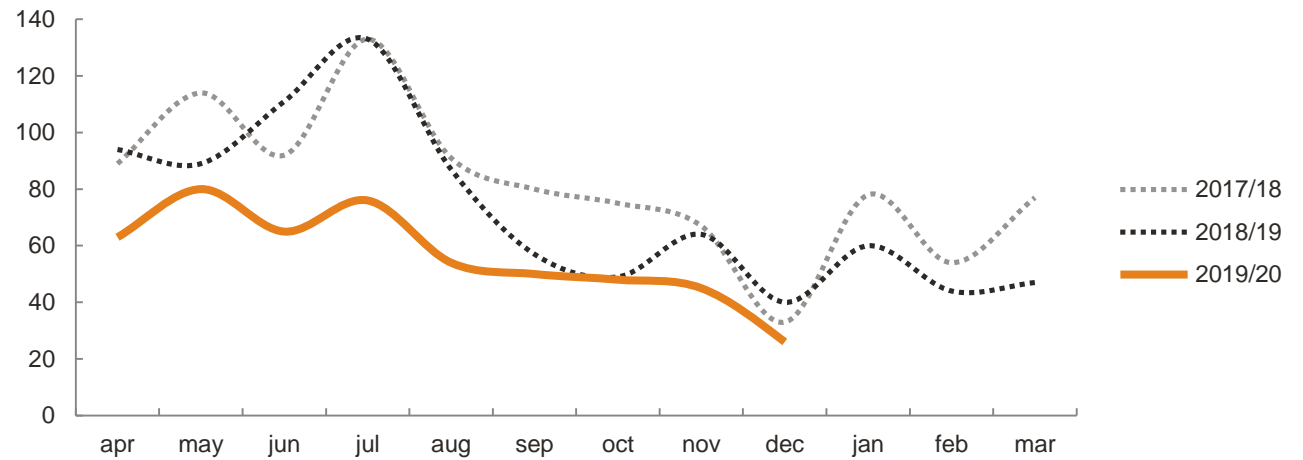
Public Health

The chart (top right) shows the number of complaints and enquiries recorded by WRS over a three year period relating to public health. Types of cases recorded under this category include accumulations, public burials and pest control. The chart (bottom right) shows the number of subsidised pest control treatments have been carried out by contractors at domestic properties in four Worcestershire Districts (Bromsgrove, Redditch, Wychavon and Wyre Forest). Malvern Hills and Worcester City do not offer subsidised pest control service.

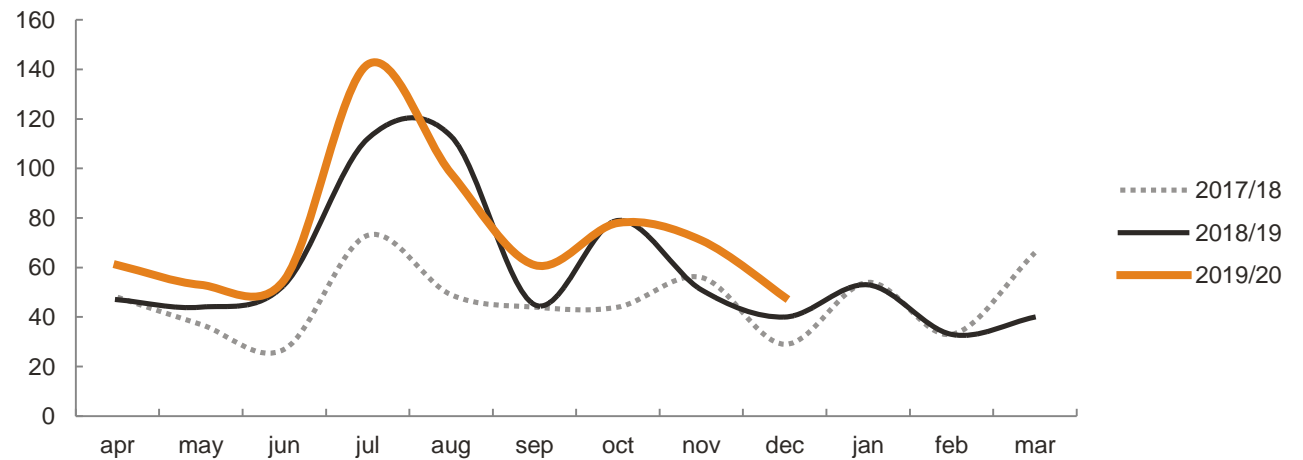
The number of public health cases received by WRS during the year to date is a reduction of approximately 34% compared to previous years. Almost two thirds have cases have related to pest control, whilst 26% have related to accumulations at commercial premises.

Of the 667 domestic treatments undertaken during this year, 44% were due to the presence of rats and a further 32% were due to wasps.

complaints and enquiries



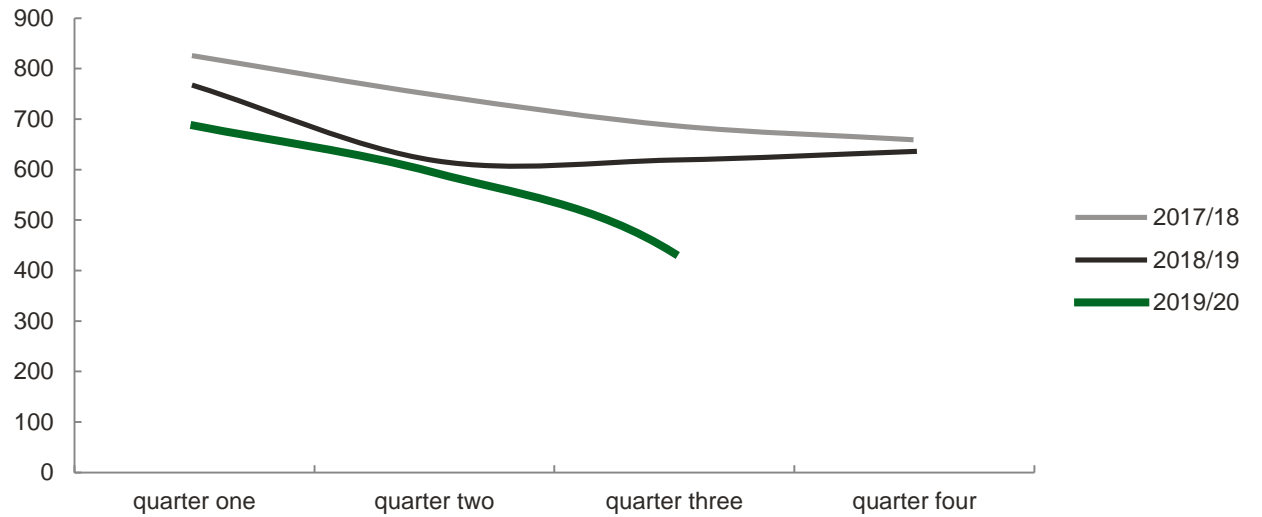
pest control (domestic subsidised treatments)



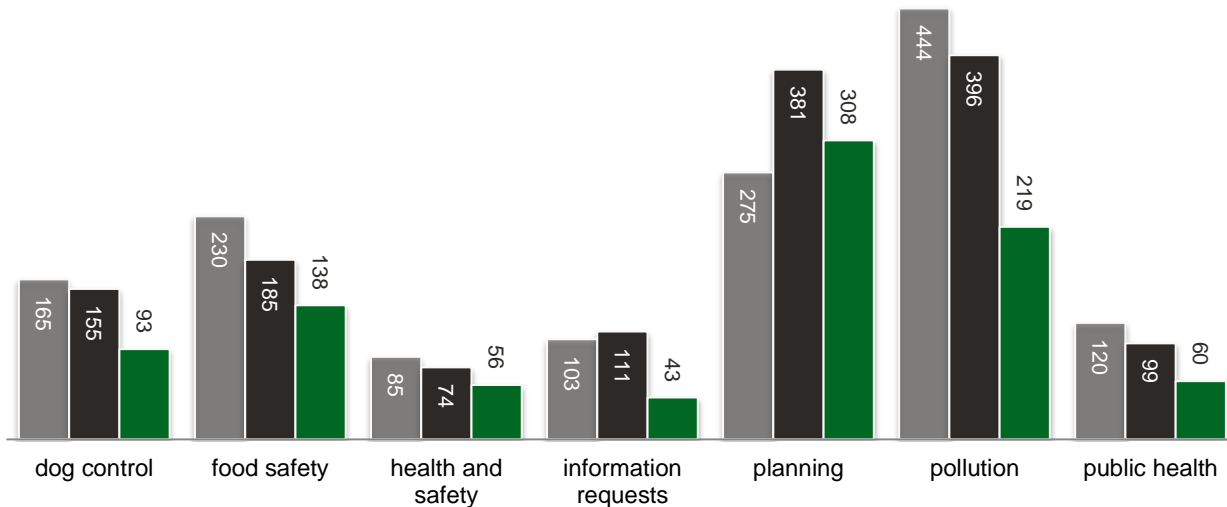


The data on this page relates to Environmental Health and Licensing complaints, enquiries, applications or notifications where the subject or enquirer was located within the district of Bromsgrove.

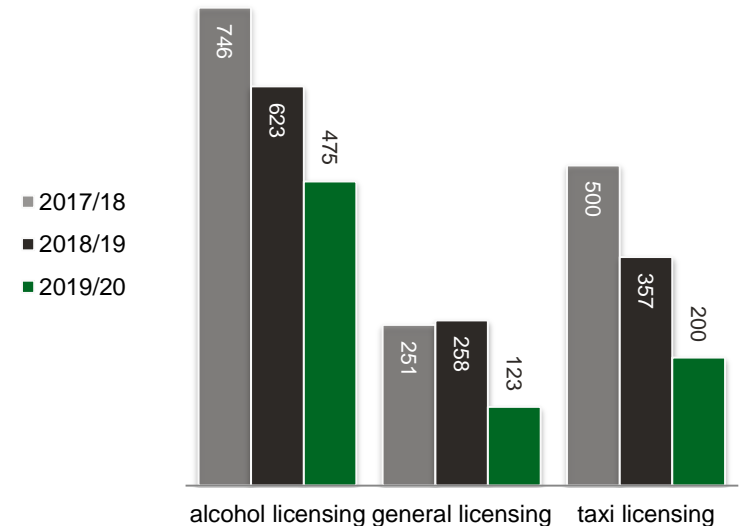
Note: The charts (below) show the number of cases recorded against each of the main functions undertaken by WRS. The total for 2019/20 represents the 'year to date' and will continue to increase each quarter until the end of year report is published.



environmental health

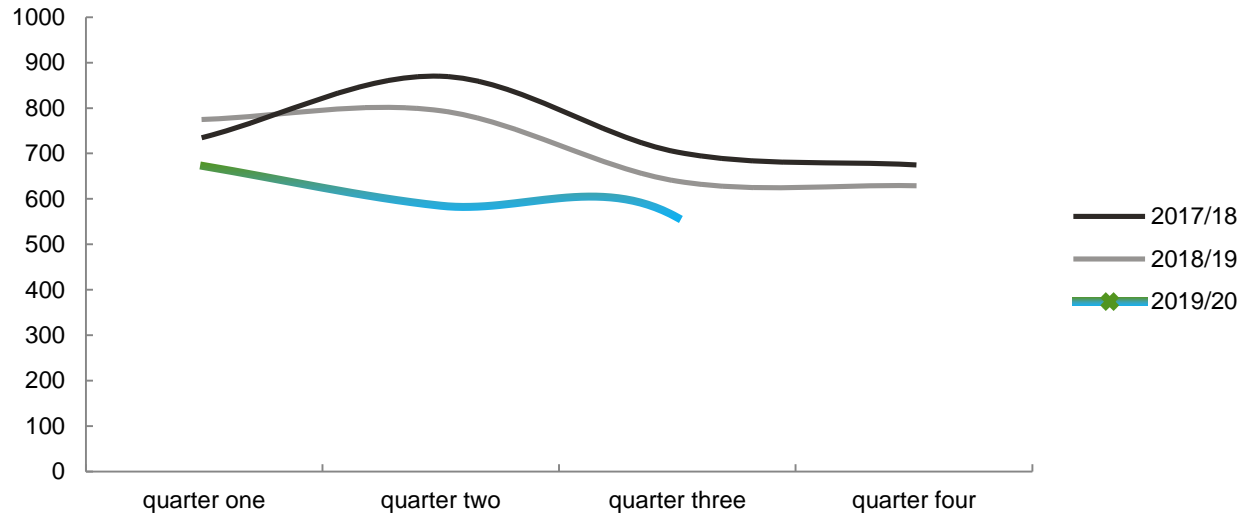


licensing

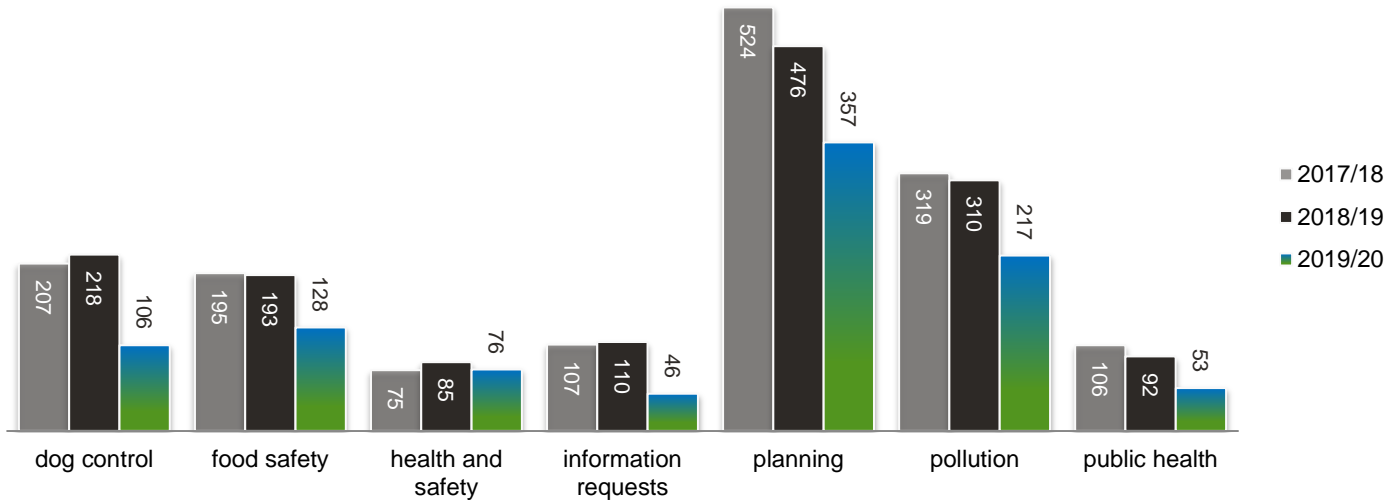


The data on this page relates to Environmental Health and Licensing complaints, enquiries, applications or notifications where the subject or enquirer was located within the district of Malvern Hills.

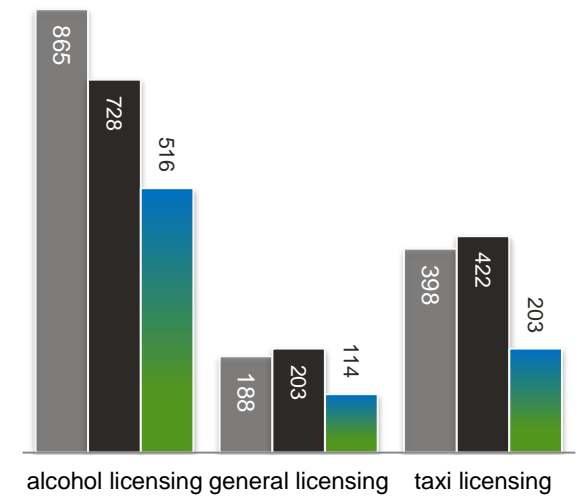
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environmental health

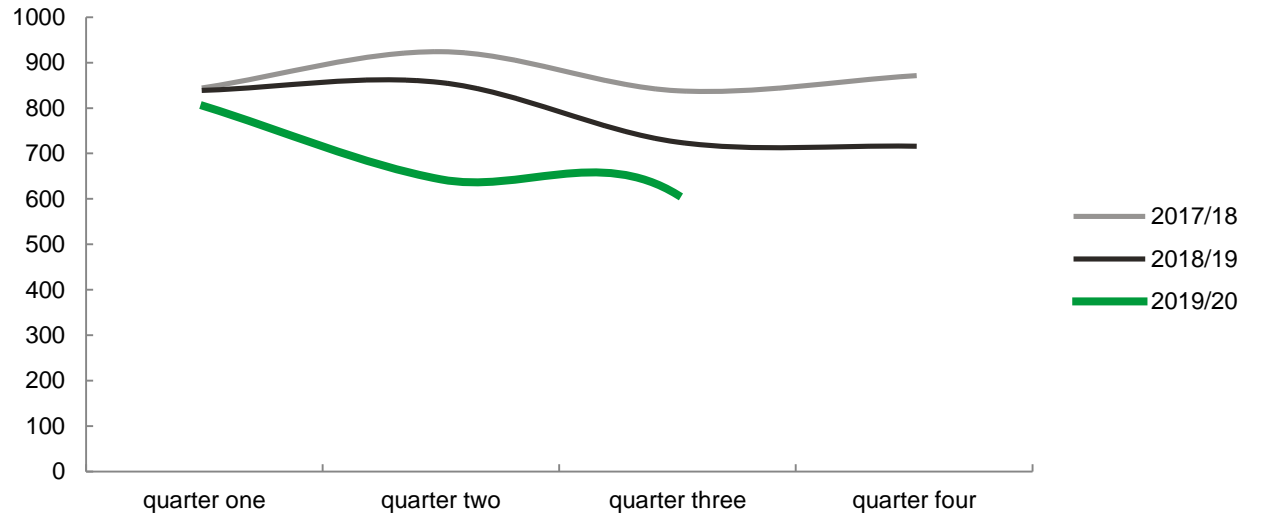


licensing

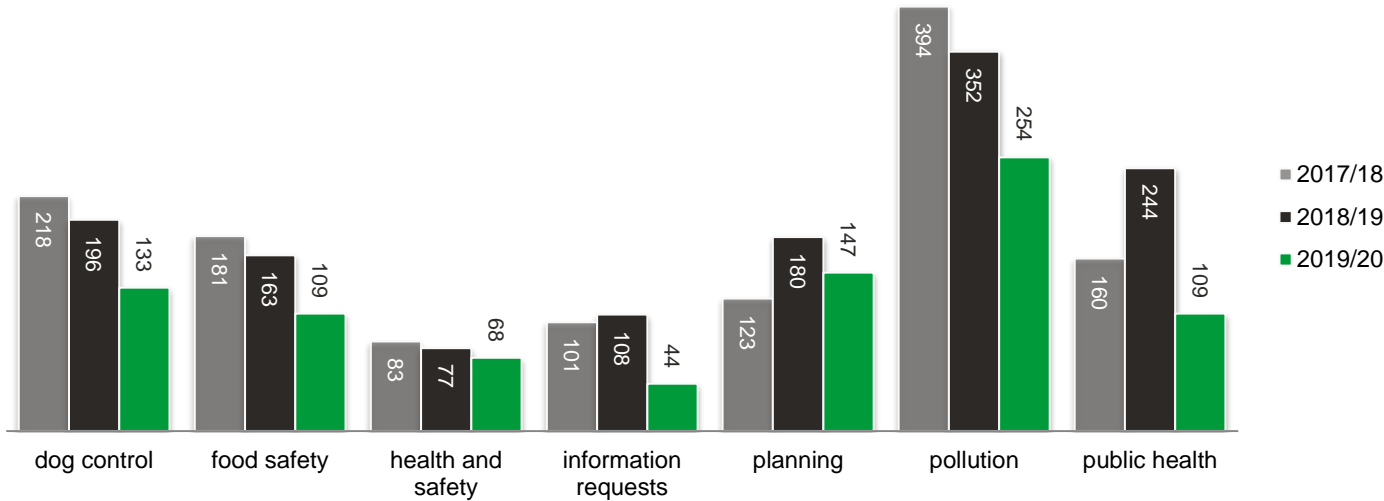


The data on this page relates to Environmental Health and Licensing complaints, enquiries, applications or notifications where the subject or enquirer was located within the district of Redditch.

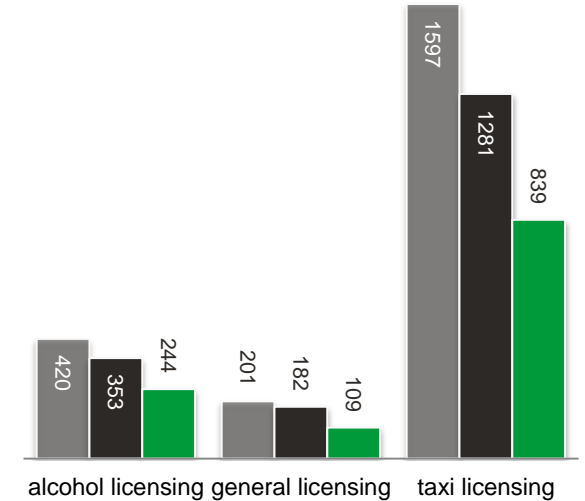
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environmental health

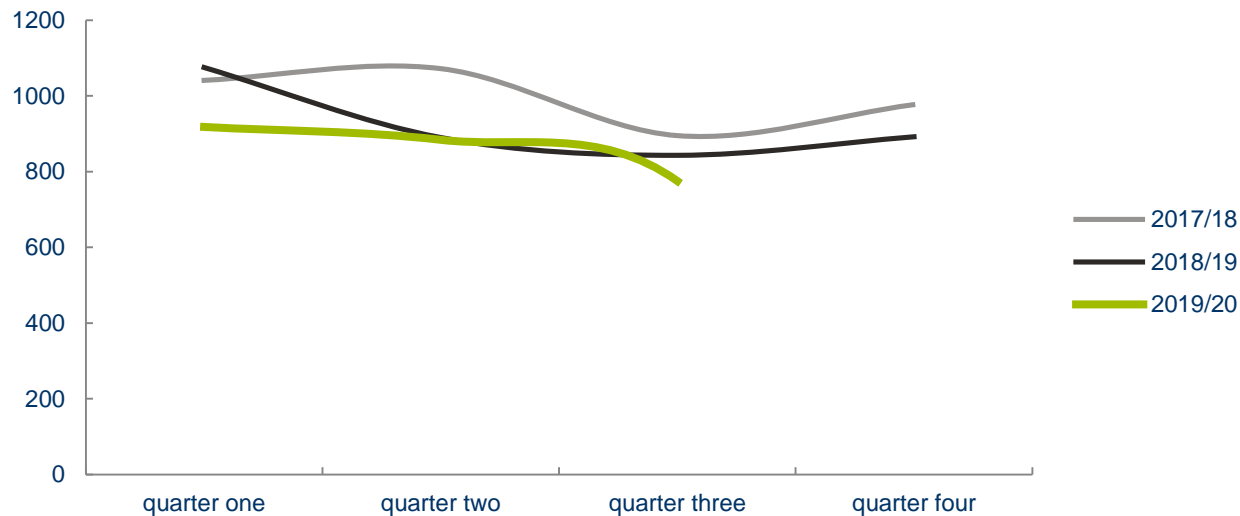


licensing

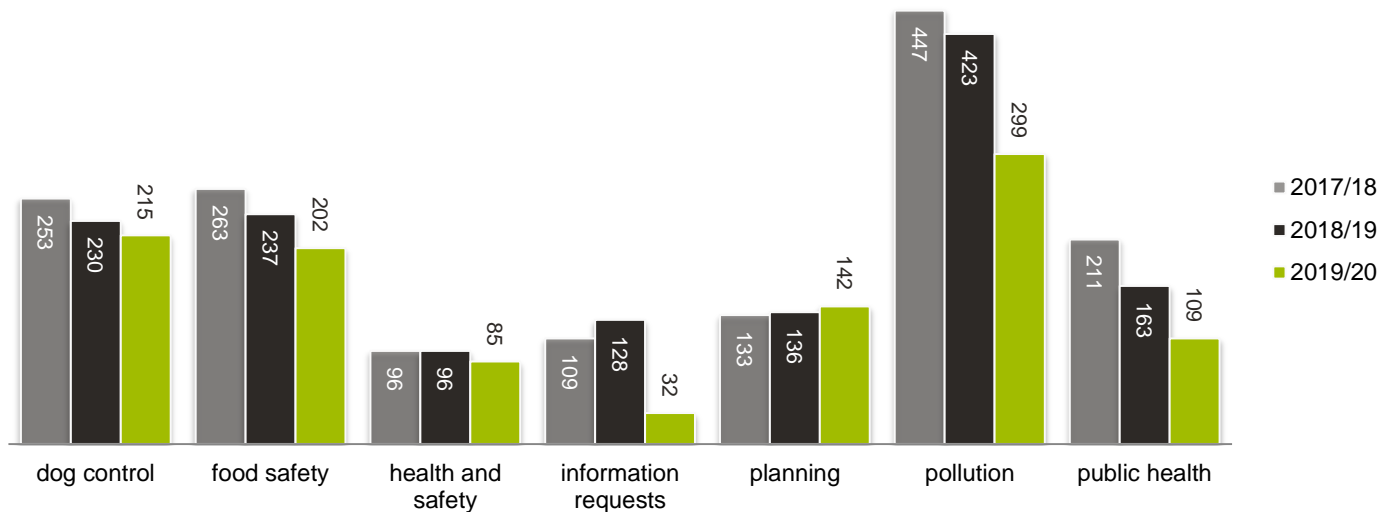


The data on this page relates to Environmental Health and Licensing complaints, enquiries, applications or notifications where the subject or enquirer was located within the district of Worcester City.

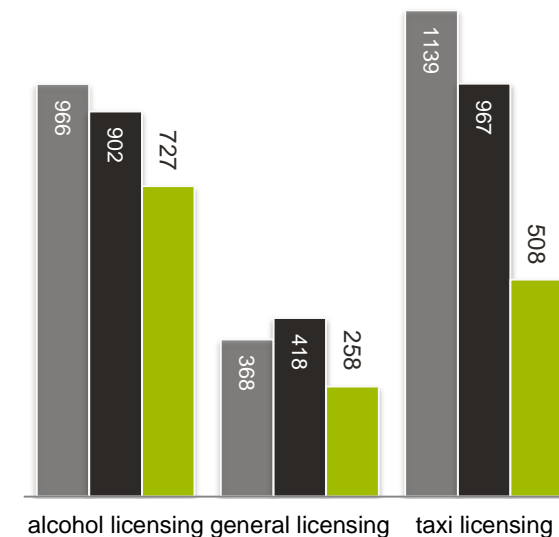
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environmental Health

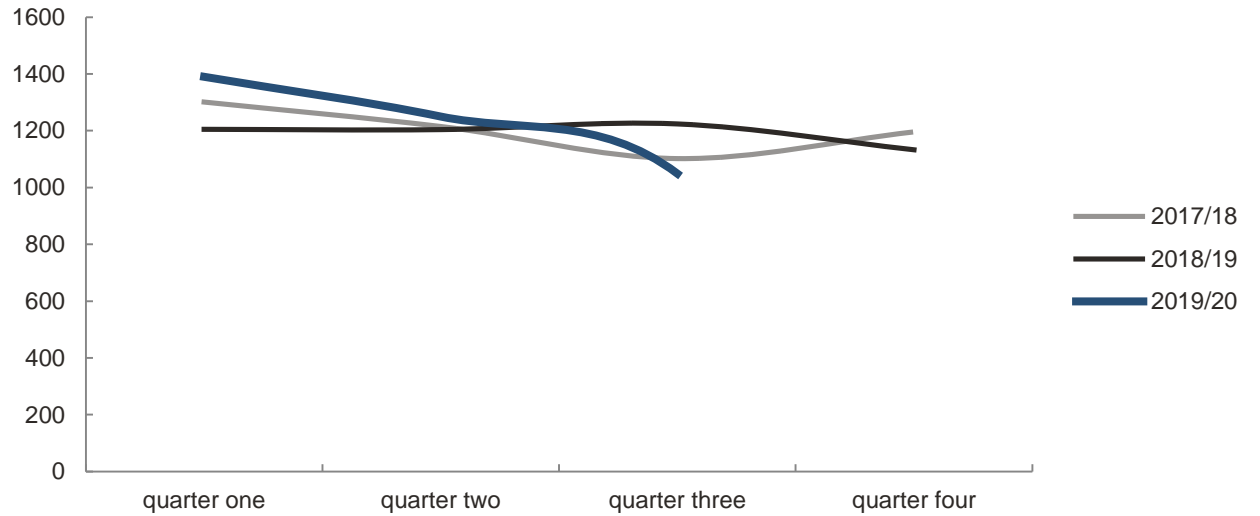


licensing

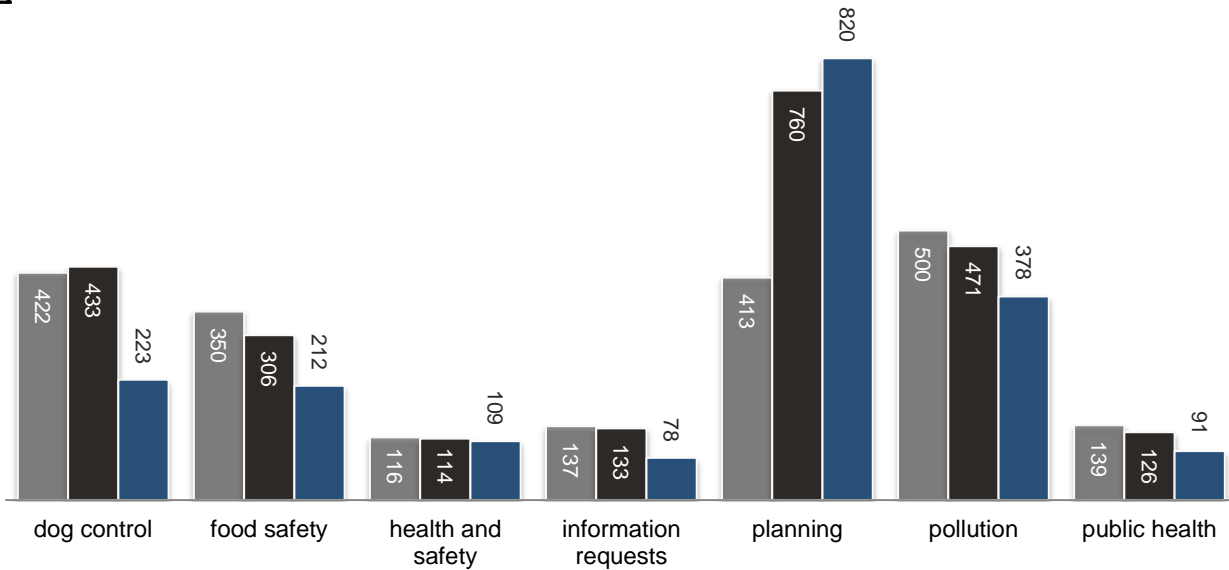


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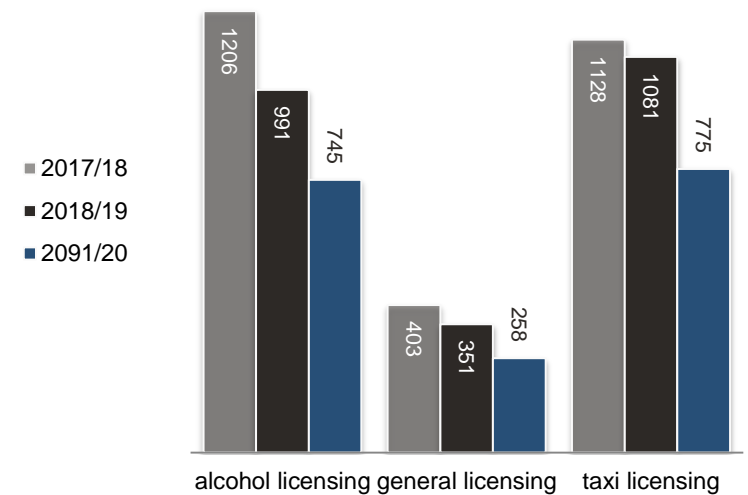
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environmental Health

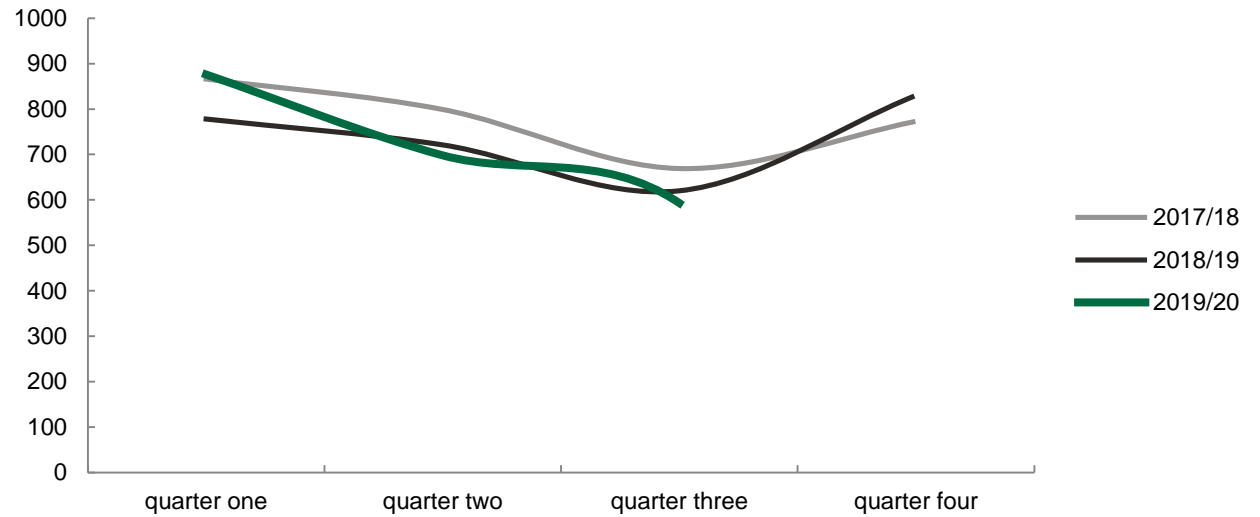


licensing

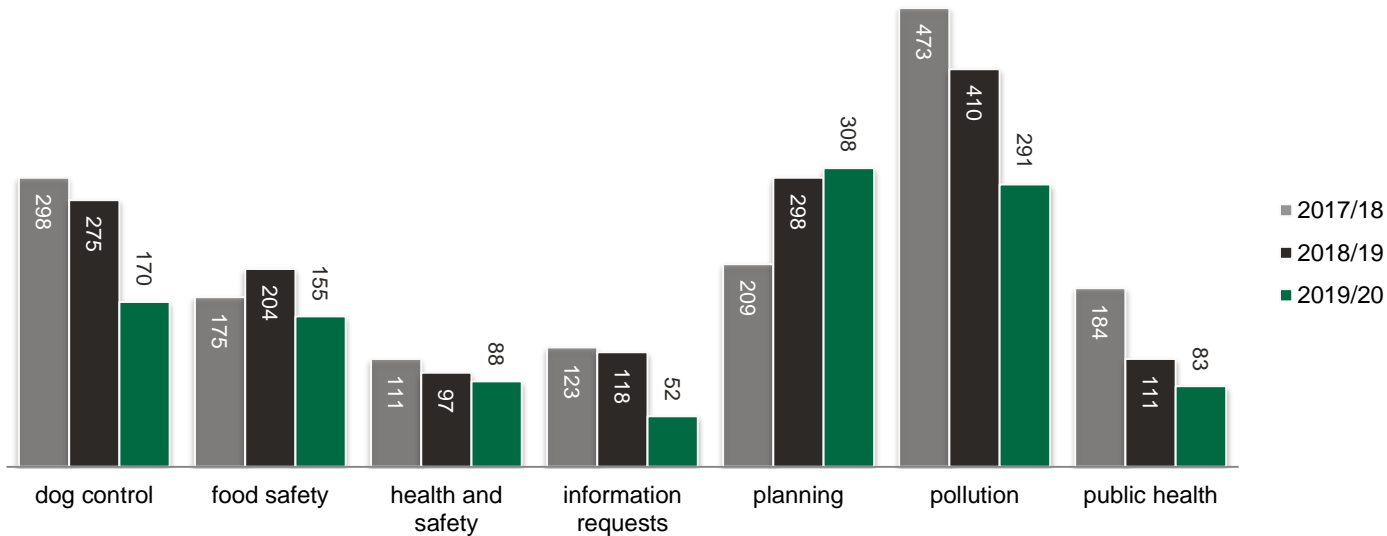


The data on this page relates to Environmental Health and Licensing complaints, enquiries, applications or notifications where the subject or enquirer was located within the district of Wyre Forest.

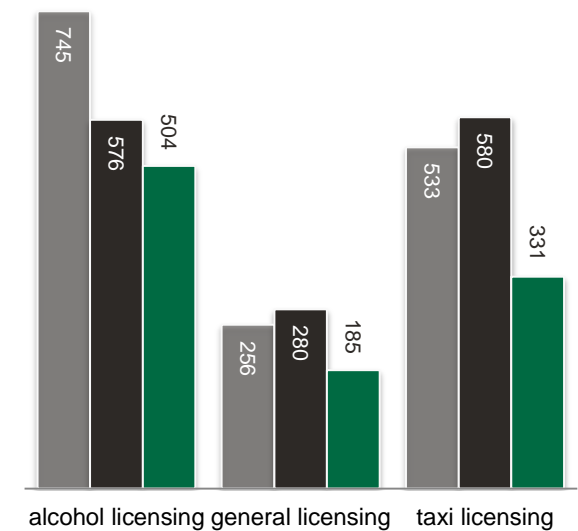
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environmental health



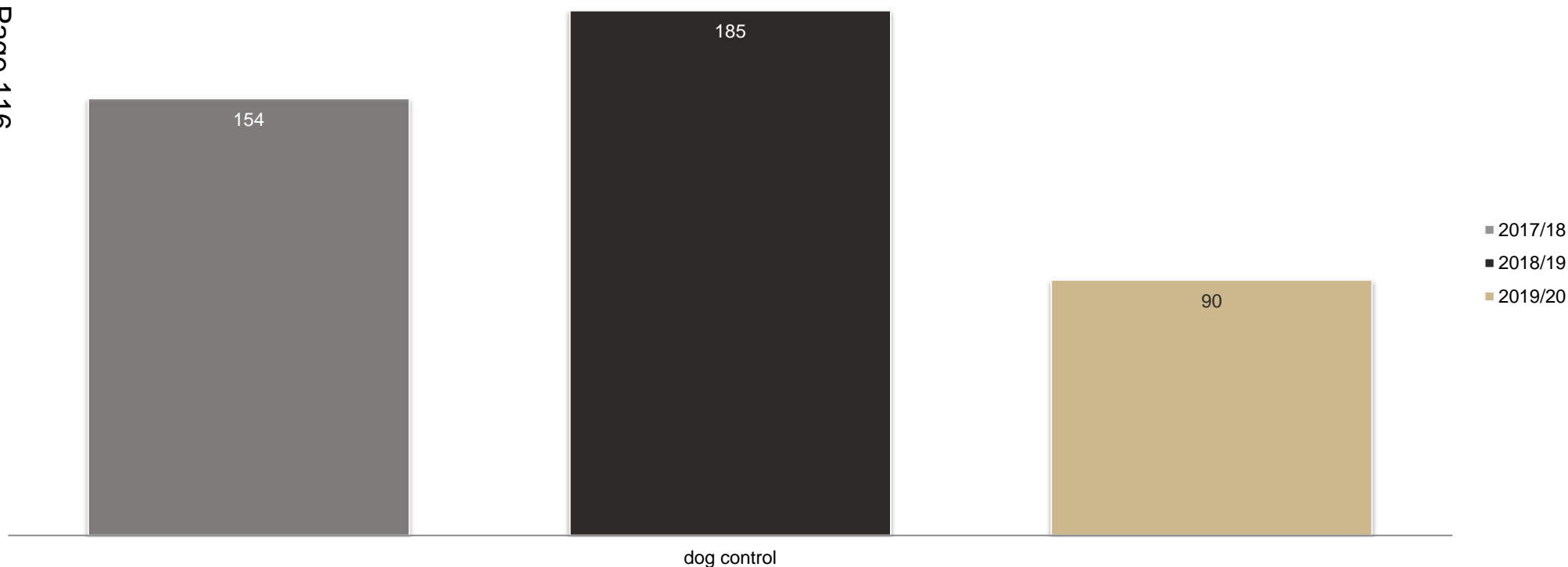
licensing



Cheltenham Borough Council

The dog control work WRS undertake for Cheltenham Borough Council is part of a three year contract with two other Gloucestershire authorities (from 2017) to deliver the collection, kennelling, returning of dogs to owners and rehoming of stray dog functions. The contract was renewed following delivery by WRS for the previous 3 years and has been highly successful in reducing stray dog numbers for Cheltenham Borough Council, utilising existing WRS resource and expertise. Such arrangements enable economies of scale to be realised and the continued retention of valuable assets to the benefit of Partner Authorities. The number of stray dogs reported remains consistent with previous years.

The chart (below) shows the number of cases recorded against the function undertaken by WRS. The total for 2018/19 represents the 'year to date' and will continue to increase each quarter until the end of year report is published.



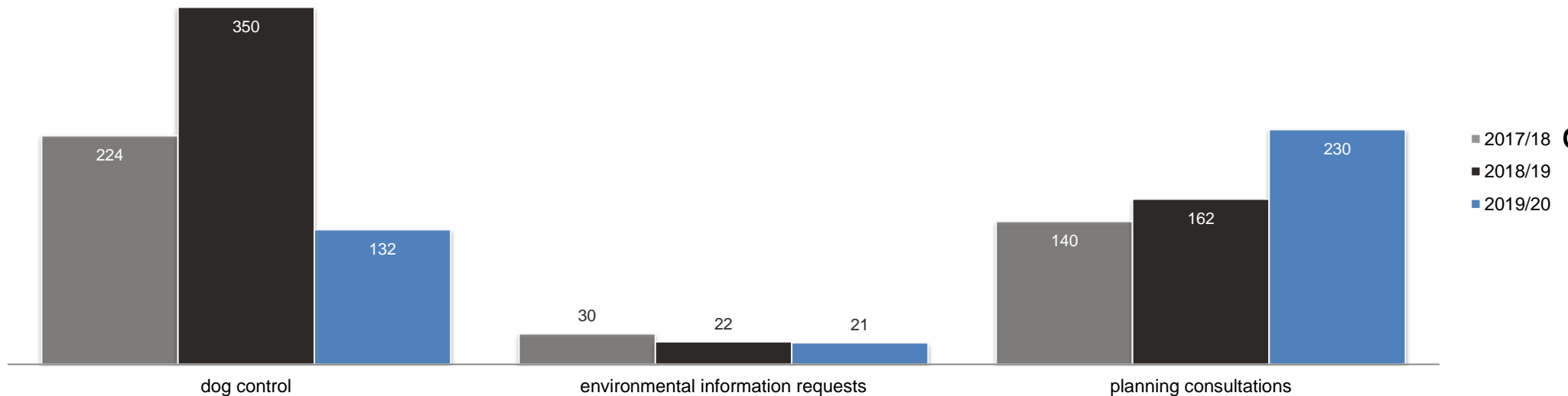
Gloucester City Council

The dog control work WRS undertake for Gloucester City Council is part of a three year contract with two other Gloucestershire authorities (from 2017) to deliver the collection, kennelling, returning of dogs to owners and rehoming of stray dog functions. The contract was renewed following delivery by WRS for the previous 3 years and has been highly successful in reducing stray dog numbers for Gloucester City Council, utilising existing WRS resource and expertise. Such arrangements enable economies of scale to be realised and the continued retention of valuable assets to the benefit of Partner Authorities. As with other Gloucestershire and Worcestershire authorities, the numbers of stray dogs are reducing annually. There has been a marked reduction in the number of dogs collected in quarter three and this would indicate a continued annual reduction is likely.

Planning work continues to grow for Gloucester City with the addition of noise and nuisances categories of planning consultations being undertaken this year. Inspections for Gloucester City Permitted sites were fully completed last year. WRS officers sitting on the DEFRA foundries technical group are currently assisting Avon Metals (A2 Process) with the process of delivering compliance with new emissions standards which will be introduced by the 2020 Sectoral Guidance note.

The chart (below) shows the number of cases recorded against each of the functions undertaken by WRS. The total for 2018/19 represents the 'year to date' and will continue to increase each quarter until the end of year report is published.

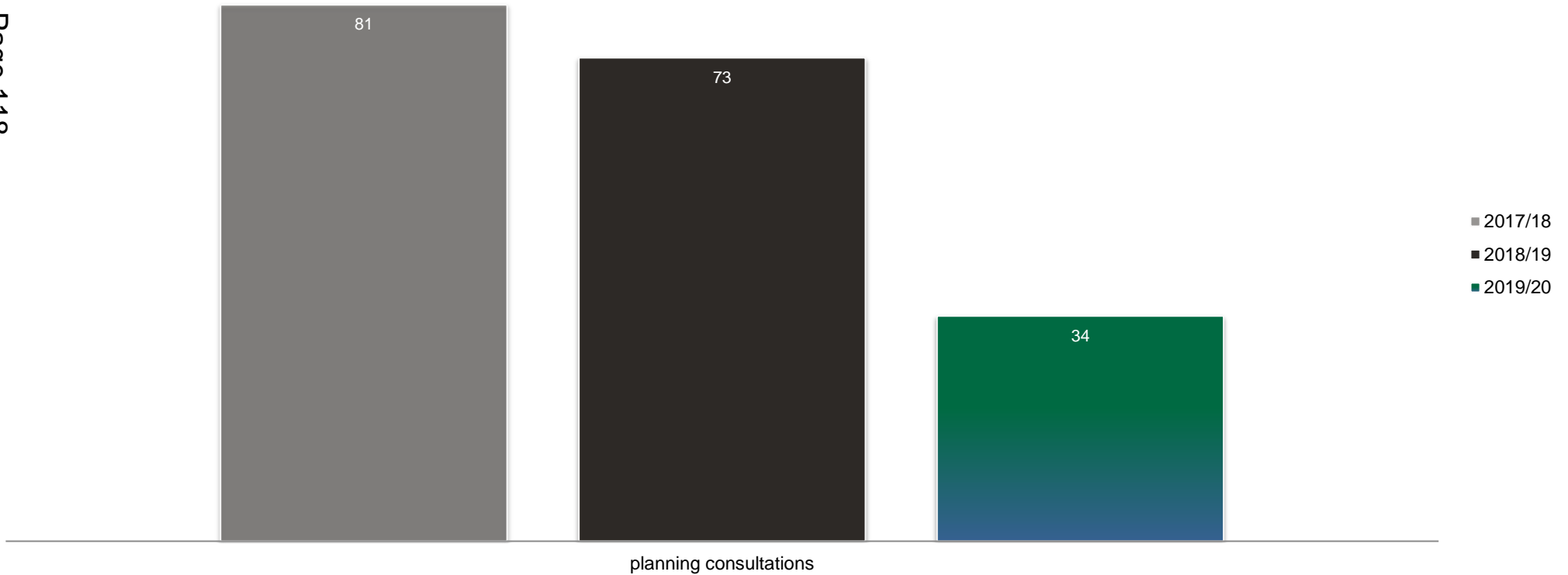
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South Gloucestershire Council

South Gloucestershire being located on the outskirts of Bristol was subject to significant contaminative industries and activities historically. Pressures on brownfield development recently have presented the authority with a large volume of planning applications on significantly contaminated and complex sites. For a number of years now WRS has been asked to assist with this work focusing on the complex sites, so whilst numbers of referrals remain low (and lower than last year) they continue to be time consuming and complex. The expertise the Partner Authorities pooled with the formation of WRS has enabled us to provide a high standard of service during this period. Planning work remains steady with levels of demand representative of last year's numbers.

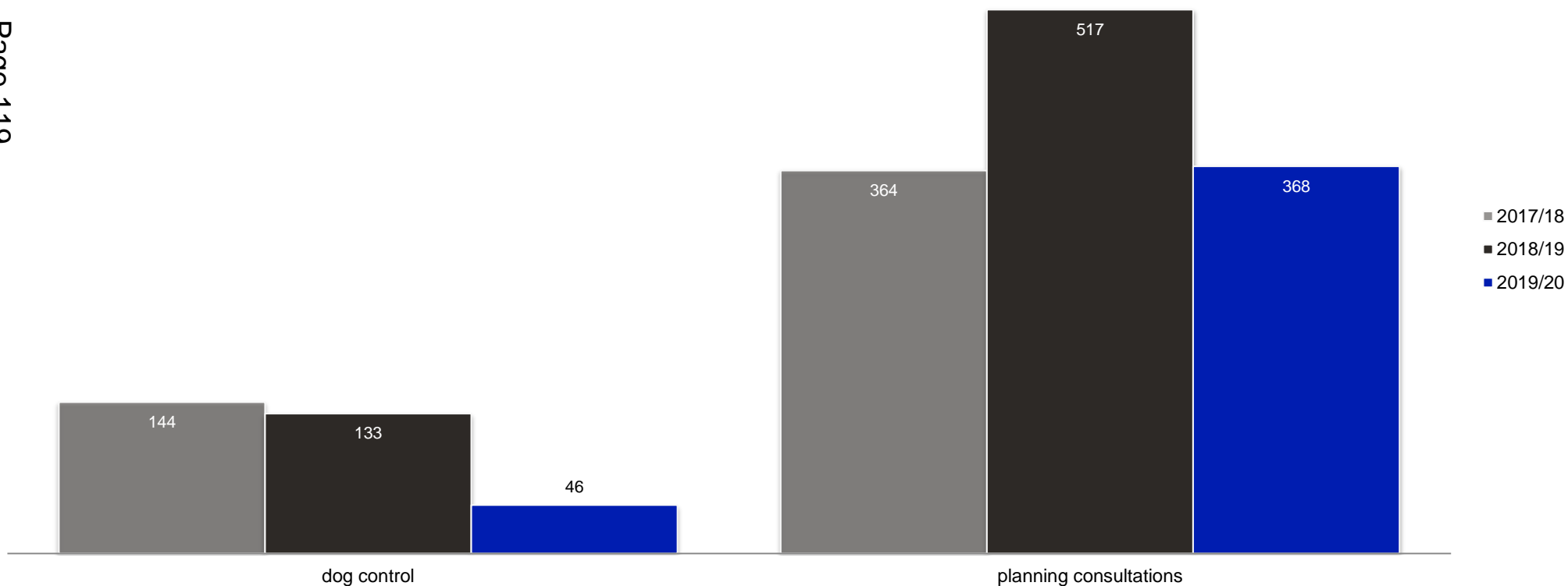
The chart (below) shows the number of cases recorded against the function undertaken by WRS. The total for 2018/19 represents the 'year to date' and will continue to increase each quarter until the end of year report is published.



Tewkesbury Borough Council

The dog control work WRS undertake for Tewkesbury Borough Council is part of a three year contract with two other Gloucestershire authorities (from 2017) to deliver the collection, kennelling, returning of dogs to owners and rehoming of stray dog functions. The contract was renewed following delivery by WRS for the previous 3 years and has been highly successful in reducing stray dog numbers for Tewkesbury Borough Council, utilising existing WRS resource and expertise. Such arrangements enable economies of scale to be realised and the continued retention of valuable assets to the benefit of Partner Authorities. Planning work remains steady, with consultations for the last quarter being comparative to previous years work.

The chart (below) shows the number of cases recorded against each of the functions undertaken by WRS. The total for 2018/19 represents the 'year to date' and will continue to increase each quarter until the end of year report is published.



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WRS BOARD

13th February 2020

Temporary Event Notices – Information Report

Recommendation	That the Board notes the Report and that members use the contents of the information provided in their own reporting back to fellow members of the partner authorities.
Background	<p>The Licensing Act 2003 is in place to regulate various “licensable activities” and in doing so seeks to promote the four “licensing objectives.” The Act establishes a single integrated scheme for licensing premises in England and Wales (only) which are used for the sale or supply of alcohol, to provide regulated entertainment, or to provide late night refreshment</p> <p>Licensable activities include:</p> <ul style="list-style-type: none"> • The sale by retail of alcohol • The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club • The provision of regulated entertainment • The provision of late night refreshment <p>Licensing objectives include:</p> <ul style="list-style-type: none"> • The prevention of crime and disorder • Public safety • The prevention of public nuisance • The protection of children from harm <p>Responsible authorities</p> <p>As well as creating licensing authorities, the 2003 Act sets out a number of responsible authorities that all have a role to play in the regulation of licensable activities. The responsible authorities are:</p> <ul style="list-style-type: none"> • The Chief Officer of Police • The local fire and rescue authority • <i>The relevant enforcing authority under the Health and Safety at Work etc Act 1974</i> • <i>The local authority with responsibility for environmental health</i> • The local planning authority • Each local authority’s Director of Public Health

Report

- The local weights and measures authority (trading standards)
- A body that represents those who are responsible for, or interested in, matters relating to the protection of children from harm
- Home Office Immigration Enforcement

Temporary Event Notices (TEN's)

A temporary event notice (TEN) can be used to hold one-off licensable events at unlicensed premises without the need for a premises licence, club premises certificate or the presence of a personal licence holder, provided certain criteria are met. They can also be used to temporarily extend the hours or activities permitted by a premises licence or club premises certificate.

The system of permitted temporary activities is intended as a light touch process, and as such, the carrying on of licensable activities does not have to be authorised by the licensing authority on an application. Instead, a person wishing to hold an event at which such activities are proposed to be carried on (the "premises user") gives notice to the licensing authority of the event (a "temporary event notice" or "TEN").

Temporary Event Notice (TEN) Practice

- The fee to serve a TEN is £21. (This fee has not changed since its introduction in November 2005).
- A premises user can serve a TEN in respect of any "premises." The 2003 Act defines a premises as "any place." The definition is therefore very wide and can include temporary structures and discreet areas of land within a larger area.
- Any individual over the age of 18 can serve up to five TENs per calendar year. If an individual holds a personal licence issued under the Licensing Act 2003, they can serve a maximum of fifty TENs per calendar year.

Temporary Event Notices are typically used for:

- Fundraising and charitable events
- Private parties
- Food and drink festivals
- Farmers markets
- Small music festivals

TENs can be used to authorise licensable activities at premises not otherwise authorised to be used to provide them and also to extend the permitted hours or activities at licensed premises on a temporary basis.

The vast majority of the TENs served relate to small low-risk events, however there is always the potential for a premises user to utilise a TEN to seek to authorise licensable activities in circumstances that pose a greater risk to the promotion of the licensing objectives.

Notification Requirements

A “**standard**” TEN must be served no less than 10 clear working days before the event is due to take place. These 10 working days do not include either the day of service or the first day of the event.

In exceptional circumstances, a “**late**” TEN can be served, but this must be served between 9 and 5 clear working days before the event is due to take place. Again this does not include either the day of service or the first day of the event.

If the premises user does not give at least 5 clear working days notice, then the TEN is not valid and cannot be relied upon to authorise licensable activities.

How are Temporary Event Notices served and acknowledged?

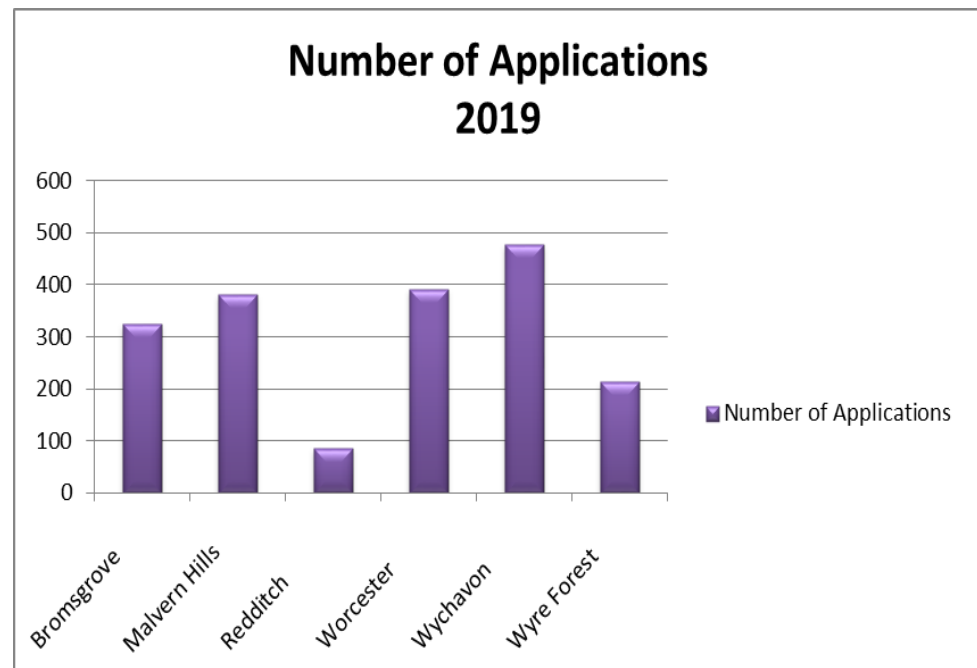
TENs can be served by post or online. If the TEN is served by post, the premises user must also serve a copy on the Chief Officer of Police and environmental health. If the application is made online, the licensing authority is responsible for forwarding a copy on to these two bodies.

The licensing authority must give written acknowledgment of the receipt of a TEN by the end of the first working day following the day that the TEN was received.

Number of Applications

According to the last set of published Government statistics, around 147,200 TENs were served across England and Wales in the year to 31 March 2018.

In 2019 the following numbers of TENs were served on the district Councils across Worcestershire: In total there were 1873 applications across all districts.



The 2003 Act puts in place a number of limitations on the use of TENs. These are:

- A maximum of 15 TENs can be served in respect of any particular premises in a calendar year.
- Licensable activities can only be authorised at any particular premises by a TEN on 21 days per calendar year.
- A single TEN can only authorise licensing activities for a maximum period of 168 hours.
- No more than 499 people (including staff and performers) can be present on the relevant premises during the event.

Every effort is made by WRS officers to ensure these limits are not exceeded.

Objections

The 2003 Act does not allow for residents to be consulted on the serving of TENs and there is no provision for them to object to the serving of a TEN. However the Chief Officer of Police and environmental health are both able to serve an objection notice if they believe that allowing the licensable activities described in the TEN to go ahead would undermine the licensing objectives.

Both bodies have three working days following the service of the TEN to submit an objection notice in respect of it.

How are Temporary Event Notices considered by Environmental Health at WRS?

TENs are initially considered by the Environmental Health Duty Officer. In the vast majority of cases no further action is required.

Where a TEN gives rise to concern, the Environmental Health Duty Officer will consider whether there is a risk of the licensing objectives not being upheld. Where that is the case, officers will speak to the premises user in order to assess whether any action is necessary, such as arranging noise monitoring equipment

If Environmental Health are not satisfied that the concerns about a TEN can be addressed and that allowing the licensable activities to take place would undermine the licensing objectives, they will serve an objection notice.

A decision to serve an objection notice would have to be based on strong evidence of previous undermining of the relevant licensing objectives by the same premises user, the same event, or a similar event at the same location. The evidence could include previous noise abatement notices.

What happens if an objection notice is served?

If an objection notice is served in relation to a "standard" TEN, a Licensing Sub-Committee hearing will be arranged at the relevant licensing authority at which Members will decide whether to allow the licensable activities to take place or to serve a counter notice in respect of the TEN, which will mean the licensable activities are not authorised to take place.

If an objection notice is served in relation to a "late" TEN, a counter notice is

automatically issued to the premises user by officers as there is insufficient time to hold a hearing to determine the matter.

Dealing with controversial events and communicating to interested parties

The service will endeavour to contact ward members where it is possible to identify in advance that an event may be controversial or problematic following conversations with the relevant senior officer at the partner authority.

Generally, feedback will also be provided via the same senior officers or directly after the event if necessary.

During events – Enforcement and Proactivity

Licensing officers have rights of entry to premises to which a TEN relates to assess the likely effect on the licensing objectives and can require the premises user to produce the TEN for examination.

As well as the power to serve an objection notice, Environmental Health Officers also have relevant powers of entry via the

- Environmental Protection Act 1990
- Health & Safety at Work Act 1974

These powers would be used in relation to concerns about the licensing objectives.

A Noise Abatement Notice can be served in advance of an event, should the EHO be satisfied of the likelihood of a statutory nuisance. Due to TEN events being of short duration this would be an unlikely action, unless intelligence and records indicated that a previous event operated by the same entity, or at the same address, proved to be the cause of significant public nuisance or statutory nuisance.

WRS do not routinely monitor events covered by a TEN. However, where we have intelligence that there may be an issue at an event that is subject to a TEN, we will seek to visit the premises to monitor noise levels and the numbers of people on the premises at any one time.

During such visits we will also ask the premises user to demonstrate how they are controlling both noise arising from the event and the numbers of people on the premises at any one time.

Contact Points

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