

# Public Document Pack

Worcestershire Regulatory Services Board

29th February 2024

## WORCESTERSHIRE DISTRICT COUNCILS

### MEETING OF THE WORCESTERSHIRE REGULATORY SERVICES BOARD

THURSDAY 29TH FEBRUARY 2024, AT 4.31 P.M.

PRESENT: Councillors K. Taylor (in the Chair), J. Raine, C. Palmer, M. Stringfellow (substituting for Councillor J. Kane), B. Clayton (substituting for Councillor L. Harrison), M. Allcott, R. Deller, M. Goodge, T. Onslow (during Minute No's 31/23 to 37/23) and P. Harrison

Officers: Mr. P. Carpenter, Mr. S. Wilkes, Mr. M. Cox, Mrs. M. Patel and Mrs. P. Ross

Partner Officers: Mr. L. Griffiths, Worcester City Council, Mr. I. Miller, Wyre Forest District Council (both via Microsoft Teams) and Mr. I. Edwards, Malvern Hills and Wychavon District Council

27/23

### APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

Apologies for absence were received from Councillors J. Riaz, Worcester City Council, H. J. Jones, Bromsgrove District Council, L. Harrison, Redditch Borough Council, with Councillor B. Clayton in attendance as the substitute Member; and J. Kane, Redditch Borough Council with M. Stringfellow in attendance as the substitute Member.

With apologies for absence being received from the Chairman and the Vice-Chairman, Board Members were asked to nominate and elect a Chairman for this meeting.

On being put to the vote it was

**RESOLVED** that Councillor J. Raine, Malvern Hills District Council, be elected as Chairman for the meeting.

28/23

### DECLARATIONS OF INTEREST

There were no declarations of interest.

29/23

### MINUTES

The minutes of the meeting of the Worcestershire Regulatory Services Board held on 16<sup>th</sup> November 2023 were submitted.

**RESOLVED** that the minutes of the Worcestershire Regulatory Services Board meeting held on 16<sup>th</sup> November 2023, be approved as a correct record.

30/23

**WORCESTERSHIRE REGULATORY SERVICE REVENUE MONITORING  
APRIL - DEC 2023**

The Deputy Chief Executive and Director of Resources Finance, Bromsgrove District Council (BDC) and Redditch Borough Council (RBC), introduced the report and in doing so drew Members' attention to the Recommendations as detailed on pages 19 and 20 of the main agenda pack.

The report covered the period April to December 2023.

Members were informed that the detailed revenue monitoring report, as attached at Appendix 1 to the report; showed a projected outturn 2023/24 surplus of £3k. It was appreciated that this was an estimation to the year-end based on the following assumptions: -

- The pay award had been agreed and included in the revenue monitoring statement. There was a reserved £120k from last year surplus to accommodate the enhanced pay award in 2023/24.
- Agency staff costs were being incurred due to backfilling of staff working on other contractual work e.g., food recovery programme, contaminated land and work for other local authorities, these costs were covered by vacant posts and income generation.
- If April to December 2023 spend on pest control continued on the same trend for the rest of year, there would be an overspend on this service of £15k. WRS officers would continue to monitor and analyse this spend and advise of any changes in the projected outturn figure at quarter 3. The projected outturn figure to be funded by partners was: -

Redditch Borough Council £7k  
Wychavon District Council £8k

This income was included in the income projected outturn.

- The following was the actual bereavements costs April to December 2023 to be funded by partners. These costs 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: -

Bromsgrove District Council £4k  
Malvern Hills District Council £1k

Redditch Borough Council      £17k  
Worcester City Council      £10k

- Appendix 2 to the report, detailed the income achieved by WRS for April to December 2023.
- Any grant funded expenditure was shown separate to the core service costs as this was not funded by the participating Councils.

There was not a massive change from Quarter 2.

**RESOLVED** that the Board notes the final financial position for the period April – December 2023, and that

- 1.1 partner councils be informed of their liabilities for 2023-24 in relation to Bereavements, as follows: -

<b>Council</b>	<b>Apr – Dec 23 Actual for Bereavements £000</b>
Bromsgrove District Council	4
Malvern Hills District Council	1
Redditch Borough Council	17
Worcester City Council	10
<b>Total</b>	<b>32</b>

- 1.2 partner councils be informed of their liabilities for 2023-24 in relation to Pest Control, as follows: -

<b>Council</b>	<b>Projected Outturn for Pest Control £000</b>
Redditch Borough Council	7
Wychavon District Council	8
<b>Total</b>	<b>15</b>

- 1.3 partner councils be informed of their liabilities for 2023-24 in relation to three additional Technical Officers, as follows: -

<b>Council</b>	<b>Estimated Projected Outturn 2023/24 Tech Officer Income Generation £000</b>	<b>Estimated Projected Outturn 2023/24 Tech Officer Animal Activity £000</b>	<b>Estimated Projected Outturn 2023/24 Gull Control £000</b>
Bromsgrove District Council	5	9	
Malvern Hills District Council	5	7	
Redditch Borough Council	6	2	
Worcester City Council	6	3	65
Wychavon District Council	8	14	
Wyre Forest District Council	5	8	
<b>Total</b>	<b>35</b>	<b>43</b>	<b>65</b>

31/23

### **FOOD SERVICE AND FOOD STANDARDS AGENCY ENGAGEMENT**

The Head of Worcestershire Regulatory Services (WRS) presented the Food Service and Food Standards Agency engagement report, and in doing so informed Board Members that;

The Food Standards Agency (FSA) was the main competent authority for food controls in England. The food function was devolved in Scotland, Wales, and Northern Ireland. The Agency was pushing local authorities recently to increase their commitments to food law enforcement and to align activities more closely with the letter of the Food Law Code of Practice.

After engagement with senior officers and lead members, the partners agreed to an uplift in the WRS budget specifically for Food Safety Act enforcement. This report explains the detail of this and how the additional expenditure would be deployed.

In line with the Systems Thinking approach taken in these functional areas by the partners since 2011, WRS had been piloting alternative approaches as financial pressures on local authorities forced the partners to make difficult decisions in relation to support for many of their services over an extended period. The FSA was made aware of WRS's experiments at the time and expressed some interest in the work being done, albeit the FSA would not endorse any changes that occurred, no matter how beneficial.

During the audit visit in 2017, WRS officers were left with the clear impression that the FSA was moving in the direction of accepting that intelligence-driven regulatory services offered the most cost effective and efficient form of control model available. This clearly seemed to be the direction of travel in the reviews of the Food Standards and then Food Hygiene codes, which were clearly labelled as seeking to build the role of intelligence into process.

Following the initial consultation on the revision to the Food Hygiene code, the FSA decided not to go forward with further change before 2027. At the same time, its performance teams had indicated an expectation that authorities that had chosen to move away from aspects of the code would be expected to re-align their activities to be more reflective of the letter of what was required. This meant relying less on intelligence and going back to increased levels of traditional inspection and alternative enforcement approaches within the Code.

The Food Hygiene Code of Practice was made under section 40 of the Food Safety Act 1990. Local authorities were required to have regard to it, but the FSA was empowered by the legislation to seek Ministerial direction to make local authorities comply with it. Given this power, after much discussion, officers and lead members felt that at least moving some way towards the FSA's requirements would be sensible. We would not accept that the approach taken by the service had created issues and there was no evidence of any significant problems arising from the approaches taken. Officers also hope that the FSA would engage fully with WRS when it came to revising the Food Hygiene code, as officers felt that there was much that the service could contribute in terms of our experience of working through intelligence.

The FSA had identified several areas, but the main area impacted was how the service addressed lower risk premises, those coded category D and E for the purposes of the Code. This represented over 4,000 of our approximately 5,800 registered food businesses across the county. The detailed business case indicated that, in 2009/10 there were 5123 food

registrations across the six districts compared with the current 5791, representing an increase of 13%. Many of these had been in the lower risk categories.

Currently the service used a range of intervention forms to address these including inspection for those of the highest risk. Adhering to the letter of the Code would require an intervention every 2-years to category D premises, which the FSA would allow to alternate between inspection and allowable alternative intervention. The latter were required to be deployed with category E premises every 3 years.

Two further issues were raised by the FSA, one of which related to caring premises: everything from day nurseries to residential care and nursing homes. The premises in this group that met the criterion of having 20 persons attending or resident were subject to an additional risk score in the Code, which meant that they would score as category B and should be visited annually, in line with our other B-rated premises. The others, that did not trigger the additional risk factor in this group, had been assessed as other food businesses and many had been given a D rating. Most of these were good performers, scoring 4 and 5 stars routinely on the Food Hygiene rating scheme, so producing safe food and this had led to their reduced risk rating. The FSA was, however, concerned that this did not address their inherent risk and wanted them to revert to category B. Officers had sought a compromise position on this point as they felt our approach to risk had been reasonable in this case and had asked to see risk assessment used by the FSA to reach this conclusion.

Rather than bluntly resisting, officers had offered to address those businesses that provided “full meals” as part of their service, which might be perceived to offer a greater risk than, for example, a day nursery that simply provided snacks or toast and jam to the children attending. Again, this work could be accommodated within the resource uplift and by re-purposing some current vacant capacity (where officers had reduced hours,) to be dedicated to food law activities.

The final aspect was the timeliness of interventions at category A, B and C rated premises. The letter of the Code required these to be visited within 2 weeks either side of the due date, so a 4-week window. Our fully qualified Environmental Health Officer resource was used flexibly to address all aspects undertaken by the Community Environmental Health division. This meant that the service aimed to intervene with these premises in the financial year they were due, but not necessarily in the window specified. Whilst there were some premises that did fall into

Category A (potentially hospitals and hospices,) that had to be visited every 6-months, many were usually poorly performing premises that would otherwise be rated B (annual visit,) C (18month visit interval,) or D (2-yearly visit.) With these premises, the approach taken was to work with them to bring them back to normal compliance rather than labelling them as category A and visiting them in 6-months. This was not a requirement of the Code, but officers felt that this was the right approach to take for the sake of the businesses and their customers.

Given that the increase in resourcing was mainly necessary to tackle our lower risk outlets, officers had suggested focusing recruitment on both specialist Senior Technical Officers, who could visit all premises, and Regulatory Support Officers, with the latter able to be trained to discharge interventions at category E premises and work with well performing category Ds. The intention was to recruit 3 Regulatory Support Officers and 2 Senior Technical Officers. The cost of this additional capacity, broken down following the normal partner contributions was detailed in the Appendix, on page 30 of the main agenda pack, along with an indication of how this would impact the overall spend for each partner. The Community Environmental Health Manager would also use a number of hours that had been released by several officers going part-time, to create a further Senior Technical Officer post at no additional cost to partners. This would be added to this capacity, so creating a team of 6FTE officers, dedicated to addressing mainly lower risk and newly registered premises, but also with some capacity to deal with some higher risk premises. This increase would necessitate changes to how the three Principal Officers within Community Environmental Health addressed the wider workload, but this could be achieved without compromising our approaches in other technical areas.

The resource increase had been agreed by the partners and was built into the medium-term financial plans in the recent budget-setting process, so the service could begin to move forward with this from April 2024. Whilst officers appreciated the current financial situation for the sector, these duties fell within statute and since there were powers to compel compliance, it seemed sensible to at least move toward what was required.

On 14<sup>th</sup> February, the FSA had confirmed in a letter to Chief Executives that it would de-escalate its engagement with the WRS partners and move back to the normal level of engagement between its officers and our Food Lead. The letter indicated that they would still like to see

further changes to our approach but, at this stage they would simply monitor our performance.

Members were therefore being asked to note the report and formally approve the increase in establishment as detailed in the report. The service would however continue to lobby for the intelligence-led approach to take a greater role in all forms of regulatory activity in the future as the service had demonstrated how this could succeed.

The Head of WRS further stated that officers did not want to abandon an intelligence led approach and that they would continue to lobby for this an intelligence led approach to be taken.

Some Board Members expressed their disappointment with the FSA and further stated that, WRS as an organisation visited food premises on behalf of residents and reacted and visited premises where residents had raised concerns. Members agreed that the approach being taken by WRS was the correct approach and best way forward for residents.

Members further expressed their sincere thanks to the Head of WRS and his team.

The Head of WRS responded to questions from Board Members and commented that Worcestershire authorities were not the only authorities being pushed by the FSA with regards to low level premises. Members were further reassured that the approach being adopted by WRS was included in the Risk Register and the WRS Service Plan 2024/2025. There were a significant number of low-risk retail premises offering only pre-packed drinks and snacks, small scale caterers and wet pubs, only doing beer, spirits and snacks; and that these were very different to pubs with a full food offering.

The Board had agreed to the retention of current agency staff until the successful recruitment to the new roles. The Head of Service explained that Environmental Health Officer (EHO) had formally been identified by the Local Government Association as a hard to recruit to role and that the new Technical Officer roles might also be difficult to fill. Regulatory Support Officers could be new entrants into the profession and might be suitable to develop further to fulfil higher level roles in the future. However, he did hope that the posts would be filled by the end of June 2024. Should Members be supportive of the intention to recruit, as detailed on page 29 of the main agenda pack, then the Community Environmental Health Manager would look to advertise the vacancies as soon as possible. The Head of Service explained that whilst anyone



recruited to the fully qualified roles would be able to start contributing straight away, the Regulatory Support Officers would require training, but that they should be fully up to speed with requirements by October / November 2024.

**RESOLVED that**

- a) the Food Service and Food Standards Agency engagement report, be noted, and
- b) the Board agrees to the consequent increase in establishment that flowed from the funding uplift as agreed by all partners.

32/23

**WRS ANNUAL SERVICE PLAN 2024/2025**

The Board were asked to consider the Worcestershire Regulatory Services (WRS) Service Plan 2024/2025.

The Head of WRS introduced the report and in doing so drew Members' attention to the Recommendations, as detailed on page 31 of the main agenda pack. .

It was detailed to Members that, the Board signed off on the service plan for WRS each year. The process helped to make Members aware of what the service was proposing for the relevant financial year and provided a sign off which some central government bodies liked to see in relation to service delivery plans e.g., the Food Standards Agency.

Officers reported that the plan followed the same pattern of previous years and Members' attention was drawn to the Executive Summary on page 38 of the main agenda pack to highlight the main points. Last year's plan was the first which had no pandemic related activity as part of it.

This year's plan continued to consider the long-standing strategic priorities for local authority regulatory services provided by DBaT, as these provided a framework that allowed WRS to have a golden thread back to the priorities of the six partners and to link to the requirements of the various national bodies that oversaw the work of WRS.

Whilst we had retained these for this purpose, the focus of this year's plan remained on the tactical priorities identified in the service's Strategic Assessment. This piece of work reviewed the full data and intelligence picture, looked at emerging threats and made a number of recommendations as to the areas that need to be addressed, as detailed below: -

- Supporting a safe and vibrant night-time economy

- Promoting the responsible sale, breeding, and ownership of dogs
- Promoting safe and healthy communities
- Supporting commercial businesses to operate safely and responsibly
- Supporting industry to operate safely and responsibly

Whilst the last two were best described as business as usual for a regulatory service, the other three were cross cutting in nature and would need to be addressed by various staff within the three teams to deliver outcomes for our communities. The Strategic Assessment would be reviewed during 2024/2025 and Board Members would be updated on the outcome of this during the year.

Again, a range of high-level activities against the 5 tactical priorities were identified within the plan so that Members would be aware of the general focus of the workload. Below this would sit a number of plans, either team based or cross cutting that would be used to drive business activities.

The plan was devised in the face of on-going financial uncertainty with inflation staying high and money being tight across the public sector. Both businesses and households continued to feel the pinch, and this had led in the past to increases in work for regulatory services as businesses may take more risks to survive and households sought to reduce expenditure on what may be essential products.

Working with businesses and other partners was a key theme for both generating income to mitigate financial risk but also to ensure that outcomes were delivered that match the priorities of partners and stakeholders. Delivery for other local authorities also remained a key income generation strategy, supported by limited work for the private sector and any specific grant monies that we felt were worthwhile pursuing. We had retained most of our client-base post pandemic and we hoped we would be able to identify new ones, although over time this did get harder. We did however remain hopeful that this strategy would remain fruitful.

We would continue to use intelligence to drive the business forward and the embedding of this approach and its associated processes would continue.

As with previous years, Members were asked to pay particular attention to the provisions for food hygiene delivery in the coming year. This was to meet one of the recommendations of the auditors from the Food Standards Agency (FSA) who visited the service in May 2017. The FSA were keen that Members had a better understanding of the demand in this service area when they authorised the plan for this year and future years. This was particularly relevant given the information provided to Members regarding our recent engagement with the Food Standards Agency and the outcome of increasing resources.

Members were being asked to note the proposed numbers of inspections and similar activities proposed for the new financial year that would be undertaken to discharge the statutory duties of the 6 partners in relation to food control. Board Members would be updated on progress as the year progressed forward.

The Risk Register had been updated to reflect the current position in areas like IT provision and development, staffing levels, and our reliance on contractual relationships for income. The threat from cyber-attack had become more real in recent years as the devastating consequences felt by colleagues in other local authorities elsewhere in the country. WRS would work closely with their ICT host, Wyre Forest DC, to limit the risk of this.

Given the FSA intervention, although this potential issue had always been flagged in the Risk Register as a general risk of not meeting Government or central body expectations, a specific line for them, had been added to the Risk Register.

The Head of WRS agreed to add data to the food section relating to the way the FSA looks at officer numbers versus the number of food premises in the area as this might help other Members to understand the situation if looked at again in the future.

The Technical Services Manager, WRS responded to questions from Members with regards to stray dogs, microchipping stray dogs, XL Bully dogs; and the current legislation on identifying an XL Bully dog and the XL Bully dog ban; which came into effect as from 1<sup>st</sup> February 2024.

**RESOLVED** that

- a) the Worcestershire Regulatory Services Plan for 2024/2025, as detailed in the main agenda report pack, be approved; and
- b) Members specifically note the level of work to be undertaken by the service this year in relation to the partners' roles as local food authorities.

33/23

### **ACTIVITY AND PERFORMANCE DATA QUARTER 3 2023/4**

The Technical Services Manager, Worcestershire Regulatory Services (WRS) presented the Activity and Performance Data for Quarter 3 – 2023/2024; and in doing so drew Members' attention to the recommendation, as detailed on page 73 of the main agenda pack. The following key points were highlighted: -

#### **Activity Data**

The number of dog control cases recorded by WRS during the year to date was 37% higher than in 2021-22, but only 12% above 2022-23 levels. Approximately 89% of cases related to stray or lost dogs, with most of these cases relating to "contained strays" (dogs found and held by members of the public).

The number of food safety cases recorded by WRS during the year to date was 33% lower than in 2021-22, but only 8% lower than 2022-23. Many of the food safety cases logged were enquiries such as requests for business advice or requests for export health certificates.

Of the 1,120 interventions conducted at businesses included in the Food Hygiene Rating Scheme (FHRS) during the year to date, 37 were rated as non-compliant (0, 1 or 2).

Licensing application numbers during Quarter 3 appeared to remain on trend, whereas there was another slight increase in complaints and enquiries

## **Performance**

Quarter 3 was another more limited reporting period. The non-business customer measure at 60.7%, was slightly lower than at the same point in 2021/2 (62.5%,) but higher than the same point last year (57.9%). Numbers who felt better equipped to deal with future issues at 55.7% was slightly higher than at the same point in the previous 2 years.

Business customer satisfaction had fallen again this quarter to 92%. Team Managers had been asked to investigate this as there was no obvious reason for this beyond having a number of disputed food hygiene ratings.

Overall numbers of compliant and non-compliant food businesses were at 98.5% and 1.5% respectively. This remained good and on a par with previous years.

The ratio of compliments to complaints remains good at 77 to 19.

Staff sickness had increased from 1.42 days per FTE to 1.89 days per FTE cumulative for the year. This was less than the level at the same point in the previous 2 years.

The Head of WRS, responded to questions from Members with regards to customer satisfaction and in doing so commented that during the summer, statutory nuisance and noise nuisance complaints increase significantly and it can be difficult to deal with. Plus, public expectation does not always meet with the requirements of the law, so not everyone was happy with the outcome of noise nuisance complaints.

**RESOLVED** that the Activity and Performance Data Quarter 3 – 2023/2024, be noted and that Members use the contents of the report in their own reporting back to their respective partner authority.

34/23

## **PROGRESS REPORT ON THE AUTOMATION PROJECT**

The Technical Services Manager, Worcestershire Regulatory Services provided Members with an on the Automation Project.

### **PROGRESS**

Testing and evaluation of forms continued, and officers were now content that the TENs (Temporary Event Notice) form was ready to be rolled out. Officers had nearly fully exhausted second stage testing with just some planned stakeholder testing with some Board Members and the six Chairs of Licensing Committee arranged for the end of February/early March. Officers were confident that any changes recommended at this stage would be minor amendments that should not delay the roll out.

### **IT**

There had unfortunately been another delay by IDOX in implementing the connector, but officers continued to use a workaround for testing. This implementation was now scheduled for the end of February 2024 and would be in place prior to testing with Members, so that end to end testing could be achieved.

### **FINANCE**

The connector issue had not interfered with any of the financial testing and officers had a high level of confidence in the process, so Members can be confident that monies were transferring correctly and to the correct district codes. This had now been in checked in both the 'test' and 'live' system.

### **PHASE THREE**

Officers had been checking the Licensing Act forms and Animal Licensing Forms with a view to put together similar guidance for applicants as the TENs form, due to the positive feedback received. These would also now move into testing. A task and finish group had been set up consisting of officers across the different teams in WRS to scope out the 'Service Request' form. This form would enable applicants to send in enquiries to the service without having to email or telephone

the duty officers and wait on the telephone. It was probably one of our more difficult jobs to scope as it needed to address a very wide range of potential requests relating to the work of all three WRS sections.

In parallel to the wider automation project officers continued to assess the roll out of electronic ID Cards in the taxi trade for both safeguarding and enforcement measures. IT colleagues at Wyre Forest had progressed with work on the dashboard implementation and now awaited the implementation of the connector from IDOX to continue through to completion.

The Technical Services Manager, WRS commented that he was hoping to bring a far more comprehensive update on the project to the next meeting of the Board.

A brief discussion took place on future updates to the Board and if they were necessary at every meeting of the Board. It was decided that updates would continue to be provided to future Board meetings.

The Technical Services Manager, WRS further responded to questions with regards to the IT system and in doing so explained that; the Victoria Forms product was an 'off the shelf' package to provide the template forms used. However, the system had to be unique to WRS, since WRS worked for 6 different partner authorities. The IT system sat on the IT host authority's IT system (Wyre Forest), but also needed to feed into the host authority (Bromsgrove District Council) payments system. This and the fact that the shared serve wanted all of the relevant details, including the relevant individual local authority area matching the application to automatically feed into the back office, meant some tweaks were required to the product forms and changes to the connecting software that linked Victoria Forms to the Uniform back-office system.

**RESOLVED** that the Progress Report on the Automation Project be noted.

35/23

**TO CONSIDER ANY URGENT BUSINESS, DETAILS OF WHICH HAVE BEEN NOTIFIED TO THE HEAD OF LEGAL, DEMOCRATIC AND PROPERTY SERVICES PRIOR TO THE COMMENCEMENT OF THE MEETING AND WHICH THE CHAIRMAN, BY REASON OF SPECIAL CIRCUMSTANCES, CONSIDERS TO BE OF SO URGENT A NATURE THAT IT CANNOT WAIT UNTIL THE NEXT MEETING**

There was no urgent business on this occasion.

36/23

**TO CONSIDER, AND IF CONSIDERED APPROPRIATE, TO PASS THE**

**FOLLOWING RESOLUTION TO EXCLUDE THE PUBLIC FROM THE MEETING DURING THE CONSIDERATION OF ITEM OF BUSINESS CONTAINING EXEMPT INFORMATION: -**

**RESOLVED:** that under Section 100 I of the Local Government Act 1972, as amended, the public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part I of scheme 12A to the Act, as amended, the relevant paragraph of that part, in each case, being as set out below and that it is in the public interest to do so: -

<u>Item No</u>	<u>Paragraph</u>
11	4

(exempt Appendix)

37/23

**ENVIRONMENTAL AND PLANNING ENFORCEMENT BUSINESS CASE**

The Head of Worcestershire Regulatory Services (WRS) took the opportunity to thank the Technical Services Manager, WRS for all his hard work on the Environmental and Planning Enforcement Business Case.

The Technical Services Manager, WRS presented the report and drew Members' attention to the Recommendations as detailed on page 3 of the supplementary agenda pack.

The recommendation would see an increase in the WRS budget of £470,625, with Bromsgrove District Council's contribution increasing by £326,128 and Redditch Borough Council's by £144,497.

The Technical Services Officer, WRS explained that, during 2021 WRS were asked to assist Bromsgrove District and Redditch Borough Councils, planning colleagues with evidence gathering for allegations of planning breaches. On the back of this, wider support was provided for planning enforcement, enviro-crime and wider enforcement functions through training, mentoring, intelligence analysis and reporting, as well as undertaking the enforcement work.

This had increased and as such the majority of planning enforcement work in Bromsgrove and Redditch was currently being delivered by WRS under a service level agreement, fully funded by these two partners.

Wyre Forest District Council colleagues had also provided support to the Bromsgrove and Redditch Enviro-crime services during this time.

Whilst initially expressing an interest in the early stages of the review latterly, the relevant managers at Wyre Forest District Council confirmed

their intent to explore alternative in-house options of development. Hence, subsequent iterations of the business case omitted their service areas and focused on Bromsgrove and Redditch services only.

A Strategic Outline Business Case was prepared, as detailed on the exempt Appendix to the report, to explore the benefit in bringing together enforcement functions from Bromsgrove and Redditch Council services with those already within WRS to deliver a quality service to all customers. The intention was to identify where service delivery could be improved through prioritisation, standardisation, and resilience. Weaknesses were identified in the current Bromsgrove and Redditch delivery model and the business case explored possible alternatives.

## **OPERATIONAL ISSUES**

The Strategic Outline Business Case provided an overview of the enforcement activity across all services of Bromsgrove and Redditch Councils, including shared services. Planning, Environmental Services and Housing Standards all had obvious enforcement functions to consider. The difficulties in maintaining a viable enforcement service for each subject area was discussed and identified that knowledge, skills, and wider supporting mechanisms were in general difficult to provide for isolated teams or individuals. WRS conversely as a larger enforcement team with relevant support functions did not suffer these issues

Four plausible scenarios were considered further: continuing with the existing arrangements; grouping the enforcement roles into one team within the two councils; or alternatively grouping them within WRS; and a fourth scenario with associated call handling also grouped together in WRS. This last option would enable full triaging, together with the ability to resolve at 'first point of contact' and was identified as the best option following the cost benefit assessment and risk analysis.

The business case relied on both Redditch and Bromsgrove Councils endorsing this approach. Both the Redditch Executive and Bromsgrove Cabinet approved the recommendation to pursue the business case during January 2024; and both full Councils further approved this approach; including the transfer of associated budget to WRS with additional investment to a total of £470,625.

Should the other 4 WRS partner authorities be happy to endorse this via approval by Board Members, then the functions can formally be added to the statement of requirements for Bromsgrove District and Redditch Borough Councils.

The additional investment referred to covered the inclusion of resource not easily transferable into WRS (call handling), additional resource to meet demand in planning enforcement, and resource to tackle a backlog created during COVID, as well as enhancement of the enviro-crime resource to enable greater proactive measures to support the wider enforcement work.



The benefit to WRS would be that existing staff would be retained and encouraged to grow by learning new skills. It would also increase the scope of WRS data and intelligence.

The Members for Bromsgrove District and Redditch Borough Councils commented that it had received unanimously by their Members and that with more officers looking at a range of different things, it would benefit their authority. It was the best fit for both Councils.

In response to questions from the Board, the Head of WRS further reassured Members that, the additional resources for Bromsgrove District and Redditch Borough Councils would not 'eke' over into other authorities service areas. It would not distract work away from other partner authorities and that there would be no financial burden or resource issue for the other four partners. He was happy to give financial reassurance to partners.

The Head of WRS further added that other partners might look to give some thought in the future to WRS providing Environmental and Planning Enforcement.

**RESOLVED that**

- a) the proposal to progress the Strategic Outline Business Case by bringing enviro-crime and planning enforcement functions for Bromsgrove District and Redditch Borough Councils into the WRS remit, be agreed;
- b) the associated budget uplift of £470,625 to be provided by Bromsgrove District and Redditch Borough Councils to facilitate the delivery of those services, which would ensure no financial impacts for the other four partners, be noted; and
- c) the associated permanent uplift to the current establishment that these additional functions required for delivery, be agreed.

(During consideration of this item, Members discussed matters that necessitated the disclosure of exempt information. It was therefore agreed to move to exclude the press and public prior to any debate on the grounds that information would be revealed Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matters arising between the authority of a Minister of the Crown and employees of, or office holders under, the authority).

(There is no exempt information contained in the above minute).

The meeting closed at 5.38 p.m.

Chairman