

**WORCESTERSHIRE DISTRICT COUNCILS**

**MEETING OF THE WORCESTERSHIRE REGULATORY SERVICES BOARD**

**THURSDAY, 16TH FEBRUARY 2017 AT 4.30 P.M.**

PRESENT: Councillors P. Whittaker, B. Behan (Chairman), D. Chambers (during Minute No's part of 31/16 to 36/16), Y. Smith (Substituting for J. Fisher), B. Clayton, L. Denham, J. Squires (Substituting for J. Riaz), E. Stokes (Vice-Chairman), M. King, J. Smith and J. Hart

**Partner Officers:** Mr. D. Sutton, Worcester City Council, Mr. V. Allison, Wychavon District Council and Mr. M. Parker, Wyre Forest District Council

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

27/16

**APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES**

Apologies for absence were received from Councillors R. Laight, Bromsgrove District Council, J. Fisher, Redditch Borough Council and J. Riaz, Worcester City Council.

It was noted that Councillor Y. Smith, Redditch Borough Council was in attendance as substitute Member for J. Fisher and Councillor J. Squires was in attendance as substitute Member for J. Riaz.

Apologies for absence were also received from Ms. J. Pickering, Bromsgrove District Council and Redditch Borough Council and Mr. P. Merrick, Malvern Hills District Council.

28/16

**DECLARATIONS OF INTEREST**

No declarations of interest were received.

29/16

**MINUTES**

The minutes of the meeting of the Worcestershire Regulatory Services Board held on 24th November 2016 were submitted.

**RESOLVED** that the minutes of the Worcestershire Regulatory Services Board held on 24th November 2016 be approved as a correct record.

30/16

### **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman took the opportunity to inform the Board that she was extremely pleased to hear that Worcestershire Regulatory Services (WRS) had successfully secured contracts to deliver dog warden services for the following local authorities, Cheltenham, Gloucester City and Tewkesbury for a period of three years with the option for a one year extension.

The Chairman also expressed her sincere thanks to officers and especially officers involved in the procurement process. She also congratulated Mark Cox, Technical Services Manager, WRS and his team.

31/16

### **WORCESTERSHIRE REGULATORY SERVICES BUSINESS PLAN 2017-2020**

The Board was asked to consider and approve the Worcestershire Regulatory Services (WRS) Business Plan 2017/2020.

The Head of Regulatory Services, WRS introduced the report and in doing so informed Members that the business plan was a high level document that informed the development of the service for the foreseeable future. The business plan was updated in 2016.

The business plan detailed how WRS would offer a viable service within the projected partner envelopes; and to understand what a base line service would look like for partners who needed to reduce their financial contributions further into the current economic climate. WRS would support other partners to maintain service levels above this, where required. The business plan also provided details on the plans to 'Grow the Business' and increase income in order to maintain resilience in the face of continued austerity.

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

Members were further informed that the demise of the Shropshire's outsourced regulatory team meant that there were fewer serious competitors, the 2020 partnership around West Oxfordshire, Cotswold and Forest of Dean District Council's remained the main challenger. However, authorities were now recognising income generation as a strategy so we could see others entering the market place, albeit they would be unlikely to be able to match WRS's scale. Support from partner authorities at all levels, but more particularly Director, Chief Executive and Leader level would be necessary in selling WRS in what remained a significantly more competitive environment.

The Head of Regulatory Services, WRS continued and further informed the Board that understanding their costs and with good support from the Host Authorities Finance Team, they had been able to forecast the income needs going forward even beyond the period of the plan. The table as detailed on page 22 in the report highlighted the five key tables most likely for expansion. The income from the Worcestershire Local Enterprise Partnership (LEP) would need to be retained and WRS would look to build on this relationship going forward.

On the assumption of a cash standstill budget, the service would need to generate in excess of £350,000 in income by 2020 to continue to be able to offer the current service levels to partners and clients. This would be challenging but the management team believed that this was achievable.

WRS would need to continue to build on income streams such as Primary Authority and carry out work for other local authorities. The levels of grant income currently achieved would need to be maintained and possible new income streams such as pre-application advice, if the forecast requirements were to be met. This could only be achieved if the service retained its current flexibility to re-invest income in resources where necessary. The service would need to retain the current flexible and well qualified staff cohort and build on it where possible.

The Head of Regulatory Services, WRS highlighted that the previous business plan was predicted on only taking on business from other authorities through contract. The experience of bidding for the work of Stratford on Avon district has suggested that this would not always be a winning strategy, especially where there was a partnership option available.

Although the proposed partnership between Stratford on Avon and the 2020 Group of authorities did not come to fruition, it was still important that we gave consideration to how we might look at opening up the partnership to new members in the right circumstances. As previously discussed with Members this would need to be to the benefit of all and the Head of Service would continue to work on the idea with senior officers from each partner authority. The service needed to be prepared for this eventuality and be in a position to move quickly if it was to our advantage.

The Head of Regulatory, WRS responded to several questions from Members and in doing so explained that although the changes from Central Government, in respect of New Homes Bonus payments, would not directly impact on WRS, it would have a direct impact on the financial pressures for each partner authority and that could introduce some risks for WRS further down the line.

With regard to Service Level Agreements (SLA's), SLA's would be the preferred option, but in relation to a whole service delivery, a partnership offer could be made whereby a full service delivery was being sought. He would reassure Members that, whilst taking into account future SLA's

/ Partnership offers, the main priority would be to ensure the continued protection for existing partner authorities and the investment made by those existing partner authorities.

The Head of Regulatory, WRS was mindful of the comments made during the course of the meeting with regard to a cash standstill budget being presented; and that some Members felt uncomfortable approving a three year budget where there was no increase in the level of costs or expenditure. The Head of Regulatory, WRS agreed to take the concerns raised and discuss them with Partner Officers to see if there were any changes that could be made to the cash standstill budget and report back to the next meeting of the Board.

As suggested by Members the Head of Regulatory, WRS agreed to provide a more detailed income table, which would be presented to future meetings of the Board on a quarterly basis, in order to give a clear indication of how WRS would balance their budget.

The Head of Regulatory, WRS responded to further questions on information in the Business Plan as follows:-

- Page 19 in the report, that WRS had reached a point where they were turning work away in the five areas, as detailed on page 19. Members were informed that the volume of work needed to be looked at, more specifically areas where technical expertise was required. This was something he needed to look into, plus the possibility of an additional post in the service. Further information regarding volume of work to be presented to the next meeting of the Board.
- Budget alignment, the way the budget figures were detailed on page 30 in the report did not align with the information as detailed on page 68 in the WRS Revenue Monitoring report. This had caused some confusion. The Head of Regulatory, WRS and the Financial Services Manager agreed to align future budgets and clarify the information shown under 'Supplies and Service' (as detailed on page 30) and 'Contractors' (as detailed on page 68 in the WRS Revenue Monitoring Report).

**RESOLVED** that subject to the actions as detailed in the preamble above the Worcestershire Regulatory Services Business Plan 2017/2020 be approved.

32/16

**WORCESTERSHIRE REGULATORY SERVICES SERVICE PLAN 2017-2018**

The Board was asked to consider and approve the Worcestershire Regulatory Services (WRS) Service Plan 2017/2018.

The Technical Services Manager, WRS presented the report and in doing so informed Members that the service plan followed the pattern of

previous years with an Executive Summary, as detailed on page 42 in the report.

The service would continue to shape its work around the strategic priorities for local authority regulatory services, which were provided more than five years ago by the Department for Business, Energy and Industrial Strategy (BEIS) Regulatory Delivery Team.

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

The plan was devised in the face of on-going financial uncertainty in local government generally. Working with businesses and other partners was a key thread for both generating income to mitigate financial risk but also to ensure that outcomes were delivered that matched the priorities of partners and stakeholders.

The Technical Services Manager, WRS drew Members' attention to the typographical numerical error of page 42 in the report, the figure should read £3.2m and not £3025m.

**RESOLVED** that subject to the typographical numerical error, as detailed in the preamble above being noted and corrected, the Worcestershire Regulatory Services Service Plan 2017/2018 be approved.

33/16

**WORCESTERSHIRE REGULATORY SERVICES REVENUE  
MONITORING APRIL - DECEMBER 2016**

The Board considered a report which detailed the financial position for the period 1st April 2016 to 31st December 2016.

The Chairman acknowledged the apologies received from the Executive Director, Finance and Corporate Resources, Bromsgrove District Council and Redditch Borough Council, and thanked the Financial Services Manager, Bromsgrove District Council and Redditch Borough Council for attending the meeting to present the report.

The Financial Services Manager, Bromsgrove District Council and Redditch Borough Council introduced the report and in doing so informed the Board that the report presented the final financial position for Worcestershire Regulatory Services (WRS) for the period 1st April 2016 to 31st December 2016.

The Financial Services Manager drew Members' attention to the information as detailed on page 68 in the report and as discussed earlier during the course of the meeting, agreed to clarify the information detailed under 'Contractors' and to align future budget information presented to the Board.

Councillor Y. Smith, Redditch Borough Council informed the Board that Pest Control charges were due to be considered by Council on 20th February 2017, as part of Redditch Borough Council's Medium Term Financial Plan.

The Head of Regulatory, WRS responded to a question with regard to grant funding, as detailed on page 69 in the report and informed Members that the funding received from the Primary Care Trust was used for Health and Well-being initiatives. The services were delivered within budget so not all of the funding was utilised. However, he would reassure Members that the remaining funding could not be clawed back. Similar services were delivered with the funding received from the Worcestershire Local Enterprise Partnership (LEP). The Worcestershire LEP was happy for the grant funding to be rolled into the following year.

**RESOLVED:**

- a) that the final financial position for the period 1st April 2016 to 31st December 2016, be noted; and
- b) that partner councils are informed of their liabilities for 2016/2017 with regard to Pest Control and Bereavements, by Section 151 officers.

34/16

**ACTIVITY AND PERFORMANCE DATA QUARTER 3**

The Board considered a report that detailed Worcestershire Regulatory Services Activity and Performance Data for Quarters 1, 2 and 3, 2016/2017.

The Environmental Health & Trading Standards Manager, Worcestershire Regulatory Services (WRS) introduced the report and in doing so informed Members that the number of service requests in respect of food safety and hygiene for the third quarter had showed a spike which exceeded the peak of 2014/2015. As a result of the continuation of relatively high levels of nuisance work into October and November, the high number of complex legal cases under investigation (which included two food premises closures), food inspections were down on the same quarter last year. In order to make up the volume of inspection work in the second half of the year, WRS would need to bring in additional capacity in the form of agency staff in order to achieve this. This would be affordable due to the on-going income generation activity and would not require additional funding from partner authorities.

Primary Authority agreements continued to grow and more businesses had signed up to the Healthy Eating award, as detailed on page 81 in the report.

As previously highlighted due to the good autumn weather nuisance complaints remained higher than usual levels throughout October and November.

Planning consultations fell off during quarter 3 following the spike over the summer. This had provided the Technical Services team with some capacity to tackle other aspects of work such as Air Quality Strategy documents. The team continued to service high levels of demand from clients outside Worcestershire and for the second year had commenced their annual inspection programme for Gloucester City Council on Permitted Processes.

The falling trend in dog control issues across Worcestershire had been achieved by taking action to re-home persistent stray dogs and working with owners to achieve better control; alongside communities and individuals setting up their own ways of identifying strays and getting them back to their owners. This had enabled WRS to offer dog warden services more widely and to continue to bid for work outside of the county.

Although there was a small spike in licensing applications in November, overall numbers remained in line with previous years.

Customer satisfaction was recorded at 80%, which was slightly below last year's outrun and slightly above the quarter 3 figure in 2015/2016. Business satisfaction was slightly down on the outrun at 96.7% but remained good. The proportion of people who felt better equipped to deal with problems for themselves in future was in line with previous performance at 75.6%.

Staff sickness was higher than in previous years, at 4.74 days per full time equivalent (FTE) for the first two quarters. A large contributory factor was due to a number of severe viral infections that had hit everyone during November and December. One staff member remained on long term sick.

The number of complaints against the service remained low but did increase in quarter three, taking the total to 17. However they were significantly exceeded by the number of compliments received.

The Environmental Health & Trading Standards Manager, Worcestershire Regulatory Services (WRS) informed the Board that income generation had become a key part of what WRS delivered. He would therefore draw Members' attention to pages 107 to 110 in the report, which detailed the work delivered for client authorities outside of the partnership.

In response to Councillor Y. Smith, Redditch Borough Council, the Environmental Health & Trading Standards Manager, WRS agreed to provide her with more detailed information on the mouse infestation discovered at a Redditch store, as highlighted on page 74 in the report.

In response to questions from Members, the Head of Regulatory Services (WRS) noted the comments made by Board Members with regard to an indicator of annual targets being included in future reports.

He explained to Members that when WRS initially went through the reporting system there was a drive away from targets. However, he would review the current report format and look at areas where it might be relevant to include annual targets in future reports to the Board.

The Head of Regulatory Services, WRS further responded and informed Members that WRS were intelligence led. As detailed in the report, food inspections were down compared with the same quarter last year, but he wanted to reassure Members that food inspections would remain a priority.

**RESOLVED** that the Activity and Performance Data report for Quarters 1, 2 and 3, 2016/2017 be noted.

35/16

### **COUNTYWIDE LICENSING WORK PLAN**

The Board considered a report that gave an overview of the type of work carried out by the Licensing Team, Worcestershire Regulatory Services (WRS) on behalf of the six partner authorities during the last twelve months and a brief synopsis of work planned for 2017/2018.

The Licensing and Support Manager, WRS presented the report and in doing so informed the Board that under the partnership agreement licensing was a reserved matter, which meant that whilst WRS officers could act under delegated authority to deal with licensing (e.g. issuing licences, taking enforcement action) all matters of policy must be determined by each partner authority.

Each partner authority had an appointed Licensing Committee which met on average 4/5 times per municipal year.

One of the main objectives for the Licensing Team had been to work with each of the Licensing Committee Chairs to introduce a structured approach to Licensing Committee agendas for each partner authority.

This had involved the introduction of individual districts Licensing Committee Work Plans, which included all proposed future committee meeting dates, with pre-planned policy review information allocated alongside the routine fixed agenda items. This accomplished two things, it gave Members an informed view of upcoming agenda items and it enabled the policy workflow for each district to be planned and managed by officers on a countywide basis.

Members were further informed that the main focus for the forthcoming financial year would be to expand this piece of work into a long term strategic program. Because of the longer term nature of issues such as disabled access vehicles and changes to aspects of policy around vehicle type and description, this could mean developing a 5 to 10 year countrywide rolling program of policy reviews for a number of the partners. It was considered best practice that each district council had a robust policy review program in place to ensure that their individual

policies were still relevant to the subject matter and that they met any needs and objectives set down by legislation.

Part of the review process would involve consideration of the revised Local Government Association (LGA) "Councillor Handbook on Taxi Licensing" published in December 2016; and the much anticipated LGA "Taxi and Private Hire Vehicle Licensing Statutory and Best Practice Guidance," due out in early spring.

Both of these documents would influence future policy development across the partner authorities and licensing officers would be focused on ensuring local policies met best practice guidance wherever possible.

One such example was that each licensing authority currently had a policy on the application of the "Supplemental guidance relating to the relevance of convictions and cautions" which aided officers and Members in the decision making process to determine if an applicant / taxi driver was a fit and proper person to hold a licence.

The Licensing Team was currently developing a much wider policy document which, if adopted by Members, would incorporate the wider scope of driving history / experience, medical fitness, criminal and driving convictions, warnings, reprimands and any valid complaints into the process for considering whether an applicant / driver was a fit and proper person to hold such a licence.

This would obviously seek to drive up standards within our current driver cohort and ensure that only the right people were endorsed as drivers by partner authorities. Hopefully such steps would protect the reputation of the relevant licensing authorities, build on historic protections for the travelling public and help raise the level of kudos associated with being a licensed driver.

Appendix 1 to the report detailed the Work Programme for Licensing Committees 2016/2017.

The Chairman thanked the Licensing and Support Manager, WRS for the report, which she was pleased with. The Chairman commented that she was mindful that the Work Programme for Licensing Committees 2016/2017, as detailed at Appendix 1 to the report highlighted that, Redditch Borough Council and Malvern Hills District Council, Overview and Scrutiny Committee's had both conducted a scrutiny exercise with regard to Disability Access to Vehicles (Taxis).

The Chairman suggested that officers look at carrying out any future Joint Overview and Scrutiny working, where relevant, if the service area came under Worcestershire Regulatory Services.

**RESOLVED:**

- a) that the Democratic Services Officer to liaise with Redditch Borough Council and Bromsgrove District Council, Overview and Scrutiny

officers, with regard to raising the suggestion, as made by the Chairman, in the preamble above; that the Worcestershire Joint Scrutiny Network look to engage with partner authorities in respect of any future Joint Overview and Scrutiny working, if the service area came under Worcestershire Regulatory Services; and  
b) that the Countywide Licensing Work Plan be noted.

36/16

**WORCESTERSHIRE REGULATORY SERVICES BOARD - 2017/2018**  
**PROPOSED MEETING DATES:-**

The Board considered the proposed meeting dates scheduled for 2017/2018.

**RESOLVED** that the Worcestershire Shared Services Board meeting dates and meeting start time of 4:30 p.m. for 2017/2018 be approved as follows:-

- Thursday 22nd June 2017
- Thursday 5th October 2017
- Thursday 16th November 2017 – Budget Meeting
- Thursday 15th February 2018

The meeting closed at 5.45 p.m.

Chairman