

**Worcestershire  
Regulatory  
Services Board**

Wednesday, 22 June 2016

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**MINUTES**



**WORCESTERSHIRE DISTRICT COUNCILS****MEETING OF THE WORCESTERSHIRE REGULATORY SERVICES BOARD  
(PREVIOUSLY WORCS SHARED SERVICES JOINT COMMITTEE)****WEDNESDAY, 22ND JUNE 2016 AT 4.39 P.M.**

PRESENT: Councillors K.J. May (substituting for R. J. Laight), B. Behan, D. Chambers, G. Hopkins (substituting for B. Clayton, during Minute No's part of 7/16 to 9/16), Y. Smith (substituting for J. Fisher), J. Squires (substituting for J. Riaz), E. Stokes, M. King, S. Chambers and J. Hart

**Partner Officer Representatives:** Mr. P. Merrick, Malvern Hills District Council, Mr. D. Sutton, Worcester City Council, Mr. V. Allison, Wychavon District Council, Mr. M. Parker, Wyre Forest District Council and Ms. J. Pickering, Bromsgrove District Council and Redditch Borough Council

Officers: Ms. J. Pickering, Mr. S. Wilkes, Mrs. S. Sellers, Mr M. Cox, Mr. D. Mellors, Ms. K. Lahel and Mrs. P. Ross

1/16 **ELECTION OF CHAIRMAN**

A nomination for Chairman was received in respect of Councillor B. Behan, Malvern Hills District Council.

**RESOLVED** that Councillor B. Behan, Malvern Hills District Council be elected as Chairman for the ensuing municipal year.

The Chairman took the opportunity to welcome Members and nominated officers to the first meeting of the reconstituted Worcestershire Regulatory Services Board.

2/16 **ELECTION OF VICE-CHAIRMAN**

A nomination for Vice-Chairman was received in respect of Councillor E. Stokes, Wychavon District Council.

**RESOLVED** that Councillor E. Stokes, Wychavon District Council be elected as Vice-Chairman for the ensuing municipal year.

3/16 **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES**

Apologies for absence were received from Councillors R. J. Laight and P. Whittaker, Bromsgrove District Council, J. Fisher and B. Clayton, Redditch Borough Council, L. Denham and J. Riaz, Worcester City Council.

It was noted that Councillors K. May, Bromsgrove District Council was in attendance as substitute Member for R. J. Laight, Y. Smith, Redditch

Borough Council substitute Member for J. Fisher, G. Hopkins, Redditch  
Borough Council substitute Member for B. Clayton and J. Squires  
substitute Member for J. Riaz.

4/16

**DECLARATIONS OF INTEREST**

No declarations of interest were received.

5/16

**MINUTES**

The minutes of the meeting of the Worcestershire Shared Services Joint Committee held on 18th February 2016 were submitted.

It was noted that Councillors M. King, Wychavon District Council and J. Hart, Wyre Forest District Council were in attendance during the meeting held on 18th February 2016 and agreed that the minutes were a correct record.

**RESOLVED** that the minutes be approved as a correct record.

6/16

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

Following on from the meeting held on 18th February 2016, whereby the Worcestershire Shared Services Joint Committee received a further update on the progress on the reconstitution of Worcestershire Shared Services Partnership of Worcestershire Regulatory Services, the newly constituted Board were asked to note the progress made since that meeting.

The Head of Regulatory Services informed the Board that all partner authorities had completed the sign off of the previous Worcestershire Shared Services Joint Committee's decision, which allowed the legal agreement to create the district only partnership for delivering the relevant regulatory functions to come into effect, as scheduled, on 1st April 2016.

It was confirmed that Worcestershire County Council's (WCC) exit from the partnership to the role of customer had occurred as planned. The Head of Regulatory Services informed the Board that he had entered into an agreement with WCC for the delivery of Trading Standards and Animal Health functions. This agreement was signed by WCC, Head of Community Services on 31st March 2016. A further legal agreement with WCC which enabled them to take back control of Trading Standards and Animal Health functions was signed in May 2016. This was to ensure that the proposed date of 1st June 2016 for transferring staff back to the employment of WCC was achieved. It was noted that under the new arrangement WCC continue to pay for some elements of support from WRS such as legal administration of case files.

Worcestershire Regulatory Services Board (previously Worcs Shared Services Joint Committee)  
22nd June 2016

Members were reminded that at the Worcestershire Shared Services Joint Committee meeting on 25th June 2015, the Joint Committee had agreed to recommend that partner authorities dissolved the current Worcestershire Shared Services Partnership agreement on 31st March 2016 and constitute a new partnership comprising of the six district councils on 1st April 2016, along with a new Service Level Agreement (SLA) between the new partnership and WCC for the provision of Trading Standards and Animal Health Services.

WCC's exit from the partnership resulted in a payment to partners to cover the overheads that would have been allocated to the Trading Standards and Animal Health cost centre had WCC remained engaged with WRS. The overhead costs would be paid for a period of twenty two months, such time period being based on an agreed period of two years, reduced by two months to reflect the interim arrangements whereby the County Council paid for Trading Standards services as a customer from 1st April 2016 to 31st May 2016. The payment figure was modified to reflect:-

- WCC's purchase of ICT and accommodation from Wyre Forest, resulting in a subsequent reduction to the charge on WRS.

This payment received would be held by the Host Authority, Bromsgrove District Council as a WRS reserve to support the service in seeking business to replace WCC's contribution and to help fund any changes to the establishment that may need to take place should this not be successful.

With reference to the legal agreement which set up the new style District only partnership, it was noted that the agreement was drafted following discussions between the legal officers of the six district partners and ratified in the way required by each partner authority with the new agreement coming into effect on 1st April 2016. The legal resource required to produce and complete the various legal agreements was provided by the Host Authority, Bromsgrove District Council on behalf of WRS and the legal officers at WCC on behalf of Trading Standards.

**RESOLVED** that the report detailing the progress on the reconstitution of the Worcestershire Shared Services Partnership be noted.

7/16

**WORCESTERSHIRE REGULATORY SERVICES ANNUAL REPORT  
2015 / 2016**

The Board considered a report which detailed the Worcestershire Regulatory Services Annual Report 2015 / 2016.

The Head of Regulatory Services informed the Board that under the Worcestershire Shared Services Partnership Service Level Agreement (SLA) the Board was required to receive the annual report at its annual meeting. The report covered the performance of the service for the period 1st April 2015 to 31st March 2016.

The Head of Regulatory Services further informed Members that the report detailed both Key Performance Indicators (KPIs) and highlights of activity, with a short summary activity report, as detailed at Appendix 5 to the report. The following areas were also included in the annual report:-

- A summary of the financial position.
- Key achievements.
- Issues relating to human resources.
- Risk management and equalities.

The Head of Regulatory Services highlighted that key performance measures continued to focus on customer satisfaction and the positive compliance of businesses. The vast majority of higher risk businesses had been subject to inspection or some other form of suitable intervention and the key priorities of each partner authority had been fulfilled.

In response to questions from Members, the Head of Regulatory Services informed the Board that the touch down points retained at each of the partner authorities had provided an excellent venue for licensing surgeries and these had been welcomed by the taxi trade. The move to Wyre Forest had also enabled staff to strike a better work/life balance which was essential for good morale.

Sickness absence levels were running at 2.3 days per Full Time Employee (FTE). This continued the downward trend seen previously, but with levels this low, the focus would be on maintaining these levels. The figures so far would suggest that WRS had a fairly resilient staff cohort and that managers were doing their best to support staff and deal with any issues.

The Head of Regulatory Services further responded to Members with regard to the performance commentary provided. He explained to the Board that a more detailed register was kept on compliments and complaints, but Members had never requested that detailed information be presented to a meeting of the Board.

With regard to the number of non-business customers (over 250) and businesses (over 550) who replied to the questionnaires sent out by WRS, non-responses were not followed up. A significant number of questionnaires were posted out, the figure being higher than the number of questionnaires returned. It would be extremely resource intensive to follow up non-responses. Any negative responses received were followed up by the management team. Email addresses were not requested from non-business customers but officers were now recording business customers email addresses.

In respect of domestic nuisance, a self-help package had been developed to encourage customers away from the traditional 'one size fits all' direct intervention route which was adopted in all cases. Self-help tools were introduced to help customers to try and resolve their own

problems informally and amicably in the first instance without the immediate escalation to formal Environmental Health intervention. Very few complaints ever reached the stage of being classed as a statutory nuisance whereby an abatement notice would be issued. The team were working on the IT system to develop measures to assess the effectiveness of this approach.

The Executive Director, Finance and Corporate Resources, Bromsgrove District Council (BDC) responded to questions from Members and informed the Board that with regard to the questions raised on the financial information included in the annual report, further detailed information was provided at Agenda Item 9, Worcestershire Regulatory Services Revenue Monitoring April to March 2016 and the Annual Return. The specific questions raised by Members would be covered in more detail during this agenda item. The Executive Director, Finance and Corporate Resources, BDC, agreed that detailed financial information should have been included in the annual report.

The Chairman thanked officers for an excellent report.

**RESOLVED:**

- (a) that the Worcestershire Regulatory Services Annual Report 2015/2016 be noted; and
- (b) that a copy of the Worcestershire Regulatory Services Annual Report 2015/2016 be forwarded to the Chief Executive, Managing Director and Members of each partner authority and Worcestershire County Council.

8/16

**ACTIVITY AND PERFORMANCE DATA QUARTERS 1,2,3 AND 4**

The Board were asked to consider a report that covered both district and county functionality and the wide range of each local authorities corporate priorities to which regulatory services contributed. The report detailed Worcestershire Regulatory Services Activity Data for Quarters 1, 2, 3 and 4, 2015/2016.

The Technical Services Manager, Worcestershire Regulatory Services (WRS) introduced the report and in doing so informed Members that, with regard to district functions, as usual, licensing and environmental nuisance continued to make the most impact in terms of demand which was understandable given their direct impact on the public.

The Team Manager had provided a good outline of work carried out by the Community Environmental Health teams. Quarter 4 saw an increase in nuisance related issues compared with quarter 3, but still in line with the same quarter for the previous year. January to March 2016 saw an increase in the common issues of domestic accumulation, noise and similar nuisance cases compared with October to December 2015.

Service requests for both food safety and Health and Safety at Work were up compared with the previous quarter, but on a par with previous

periods. Over 350 food hygiene inspections were carried out in quarter 4 and the food hygiene inspection programme was completed as anticipated.

During quarter 4, WRS received the Better Business for All Innovation Award from the Better Regulation Delivery Office for its work in supporting Asian catering businesses in the County, with compliance across a range of areas which included food hygiene, food standards and health and safety.

Planning consultations continued to make large demands in terms of numbers and complexity on the team. The number of applications referred or requiring a response were higher than the previous quarter but similar to the same quarter last year, however, the requests to discharge conditions based on our input was significantly up on quarter 4 last year and higher than the previous quarter. Requests to discharge tended to be more time consuming and technical.

The number of stray or lost dogs reported fell slightly. This was an ongoing trend, which could be attributed to the two main factors as detailed in the report.

In response to questions from Members with regard to the reporting of stray or lost dogs, the Technical Services Manager, WRS, informed the Board that WRS issued press releases in order to encourage residents to report stray or lost dogs direct to the dog wardens or WRS and not through social media.

The licensing statistics chart, as detailed on page 85 in the report, showed that applications and service requests remained a consistent demand across all four quarters during 2015/2016.

Activity continued to be focussed on rogue traders who targeted vulnerable people, consumer products that were dangerous and could cause people harm and traders with a large number of complaints against them.

Full details of the year end performance were also included in the Worcestershire Regulatory Services Annual Report 2015/2016.

The Chairman expressed her thanks to officers.

**RESOLVED** that the Activity Data Report for Quarters 1, 2, 3 and 4, 2015/2016, be noted.



9/16

**WORCESTERSHIRE REGULATORY SERVICES REVENUE**  
**MONITORING APRIL - MARCH 2016 & ANNUAL RETURN**

The Board considered a report which detailed the financial position for the period 1st April 2015 to 31st March 2016 and the Annual Return.

The Executive Director, Finance and Corporate Resources, Bromsgrove District Council (BDC), 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 2015 to 31st March 2016. The financial accounts were reported previously to the Worcestershire Shared Services Joint Committee on a quarterly basis. The final position was shared with senior officers, treasurers and partner finance teams to enable accounting arrangements to be completed.

The Executive Director, Finance and Corporate Resources, BDC, drew Members' attention to Appendix 1, page 109 in the report which provided the variance summary. Appendix 1 detailed the agency costs used to cover vacant posts and maternity leave. The disturbance allowance, furniture and equipment spend with the relocation of WRS staff to the new WRS premises at Wyre Forest House was also detailed.

The Executive Director, Finance and Corporate Resources, BDC, responded to questions from Members with regards to the pension strain 2015/2016 as detailed at Appendix 3 to the report. The Executive Director, Finance and Corporate Resources, BDC explained that the majority of districts had reserves for the pension deficit. The deficit figure was the figure as confirmed by the actuary.

In respect of the income of £390,000 generated into the service and the ICT underspend, she had to agree with the comments made by Councillor M. King, Wychavon District Council, that the significant income generated was not an underspend. With regard to the ICT underspend the original budget of 1.2 million had been allocated for a technological model to meet the requirements of the service. The significant underspend on ICT had been reported to Members during the last three years. The situation with regard to the ICT underspend should have been clarified more clearly to Members. It had become clear quite quickly, that the private sector advice provided on the technological model vision originally budgeted for; was somewhat different to what was actually needed and achievable to fit the requirements of the service.

The Technical Services Manager, WRS, responded to questions from Members with regard to 'other income', 'Stray Dog Income' and the amount of £13,316.00 being shown as 'To be paid back to Customer'. The Technical Services Manager, WRS, explained that WRS were required to recover any costs from the owners, the fees were collected on behalf of each authority so therefore had to be paid back to them.

**RESOLVED:**

- (a) that the final financial position for the period 1st April 2015 to 31st March 2016 be noted; and
- (b) that the refund of the 2015/2016 underspend of £149,000 to the participating Councils be approved as follows:

<b>Council</b>	<b>Refund of Savings £'000</b>
Bromsgrove	17
Malvern Hills	15
Redditch	20
City of Worcester	20
Wychavon	26
Wyre Forest	19
Worcestershire County Council	32
	149

The meeting closed at 5.30 p.m.

Chairman