
**SHARED REGULATORY SERVICE – BUSINESS PLAN 2018/19 & ANNUAL
REPORT 2017/18**

Background

1. The Shared Regulatory Service is a collaborative service that was formed between the partner local authorities of Bridgend, Cardiff and the Vale of Glamorgan on 1st May 2015. The new approach aims to deliver a fully integrated service under a single management structure for Trading Standards, Environmental Health and Licensing functions with shared governance arrangements ensuring full Elected Member involvement.
2. The creation of the service was originally driven by the need to address the real terms reduction in council budgets while at the same time building resilience within the operation. The budget for the Shared Regulatory Service across the three partner local authorities has significantly reduced in recent years. In response to the challenging financial position all three authorities recognised an opportunity to work together to deliver services jointly and agreed the principle of a shared service.
3. In September 2014 Cabinet reports were submitted to each of the three partner local authorities to propose and further the development of a single Shared Regulatory Service comprising the functions of Environmental Health, Trading Standards and Licensing. The model recommended that the new Shared Regulatory Service would be delivered through a single management structure. This approach was approved by Cabinet and Council at each of the partner local authorities in autumn 2014 with a proposed implementation date of 1 April 2015.
4. On the 1st May 2015 all staff in scope transferred to the new Shared Regulatory Service and were employed by the host authority, the Vale of Glamorgan Council.

Since then staff have worked hard to continue providing the required service while implementing new working and management structures.

5. The Shared Regulatory Service operates under a Joint Working Agreement with the Head of Service reporting on service provision to a Joint Committee of Elected Members drawn from the three partner local authorities. The detailed delegations of policy and functions from partners to the Joint Committee and Head of Service are set out in the Joint Working Agreement, these include:

- The functions to be carried out by the joint service.
- The terms of reference and constitution of the Joint Committee, the Management Board, etc..
- The term of the proposed Shared Regulatory Service such as staffing, the services to be provided by the host and other partners, financing and other functional issues.
- The financial operating model.

Core Services Provided by the Shared Regulatory Service

6. The Shared Regulatory Service provides a diverse and comprehensive range of services that safeguard the health, safety and economic wellbeing of consumers, businesses and residents. The services are covered under the three main areas of Environmental Health, Trading Standards and Licensing.

7. These broad areas encompass a wide range of services that deal with issues that can have a huge impact upon people when things go wrong or have not been enforced properly. A brief description of specific services delivered by the Shared Regulatory Service is included in this section of the report.

8. **Trading Standards** – this service protects consumers and businesses by maintaining and promoting a fair and safe trading environment. This area of work ensures that businesses comply with a host of consumer protection statutes including those relating to:

- Product safety;
- Food standards;

- Animal feed;
- Age restricted sales;
- Counterfeiting;
- Environmental safety;
- Weights and measures;
- False claims about goods and services;
- Malpractice including rogue traders, scams and doorstep crime.

9. The Trading Standards Service investigates complaints, participates in criminal investigations and exercises, conducts inspections of businesses, undertakes a sampling programme, provides consumer advice to vulnerable residents and provides business advice to help businesses improve their trading practices. Furthermore the Trading Standards Service has the only UKAS accredited Metrology laboratory in Wales providing calibration of weights and measures of length and capacity.
10. **Food Safety** – this service protects public health by ensuring that the food we eat is without risk to the health and safety of consumers. This is achieved through regular food safety inspections of food business and guest caterers, operating the Food Hygiene Rating Scheme, providing education courses and practical advice, investigating food and hygiene related complaints, carrying out regular food and water sampling and undertaking checks on imported food.
11. **Housing Safety** – this service protects public health by working with private landlords and owners to provide warm, safe and healthy homes for tenants. They ensure that Houses in Multiple Occupation (HMO's) are licensed through Mandatory and Additional Licensing Schemes, inspecting HMO's and improving physical and management standards of privately rented accommodation. Complaints from tenants about their rented accommodation are investigated; these can include complaints about damp, mould, heating disrepair, nuisance and student housing issues. Problems with empty homes that have fallen into disrepair are addressed and immigration inspections are undertaken.

12. **Pollution** – this service protects public health by controlling noise and air emissions into the environment. The Pollution Service investigates noise complaints about issues such as amplified music, DIY activities, house and car alarms, barking dogs, and construction sites. It investigates air pollution complaints such as smoke, dust and odour and illegal burning, undertakes environmental monitoring, local air quality management and regulates emissions from industrial processes.
13. **Contaminated Land** – this service protects public health by reviewing and implementing the Contaminated Land Strategy which ensures the identification, inspection and remediation of historically contaminated sites. Private water supplies used for both domestic and commercial purposes (such as drinking, cooking, and washing) are regulated and responses are provided to Environmental Information Requests and Planning application consultations.
14. **Health and Safety** – this service protects public health and safety by working with others to ensure risks in the workplace are managed properly. This is achieved by undertaking planned inspections and targeted initiatives, investigating reported accidents, diseases, dangerous occurrences and complaints, providing advice and guidance to employers and employees and securing safety standards at outdoor events.
15. **Communicable Disease** – this service protects public health by controlling and preventing cases and outbreaks of infectious disease by investigating confirmed sporadic and outbreak cases of communicable disease, providing and reviewing advice and guidance on infection control, cleaning and disinfection, case and contact exclusions, providing training on food hygiene, nutritional and infection control, enforcing health protection legislation to minimise the spread of communicable disease and contamination from radiation and chemicals that threaten health and leading on local and national communicable disease surveillance programmes.
16. **Animal Health and Warden Services** – this service ensures the wellbeing of animals generally and during transport. It also administers animal movements to prevent the spread of diseases such as rabies, anthrax and foot & mouth. Wardens respond to complaints about straying animals such as dogs and horses.

17. **Licensing** – this service determines applications for the grant, renewal, variation and transfer of many different authorisations which are the responsibility of the three partner local authorities. Applications for licences, certificates, registrations and permits are processed and enforcement undertaken in respect of statutory requirements such as alcohol, public entertainment, gambling, street trading, taxi licences, charitable collections and animal related licensing.
18. **Pest Control** – this service offers services to the Vale of Glamorgan area for the treatment of pests and infestations. This could include, rats, wasps, mice, fleas, cockroaches etc..
19. **Port Health** - this service prevents the import of infectious and animal disease into the UK, ensuring ships comply with international agreed public health sanitation standards and improving the safety and quality of the food chain.
20. **The Wales Illegal Money Lending Unit** - this service is one of only three units operating across the UK. The Unit covers all 22 Local Authority areas in Wales with the key aim of tackling the problem of illegal money lending. The Unit is both proactive and reactive in its work providing education and promotion across Wales to various social groups and highlighting the dangers of illegal lending. The unit also carries out detailed investigations with a view to prosecuting offenders and has the capabilities to act swiftly where necessary to deal with victims of loan sharks.

Shared Regulatory Service Business Plan 2018/19 & Annual Report 2017/18

21. Every year the Shared Regulatory Service is asked to produce a Shared Regulatory Services Business Plan and a Shared Regulatory Services Annual Report. The two documents are designed to focus on future service delivery and reflect on the outcomes of the previous year. Summary explanations of the two recently produced documents are set out below:
 - **Shared Regulatory Service Business Plan 2018/19** – The Shared Regulatory Services Business Plan is a working document that is published at the start of the new financial year. It sets out the resources, targets, challenges and priorities for the coming year. A copy of the Draft Shared Regulatory Service Business Plan

2018/19 is attached to this report as **Appendix 1**. The draft report is broken into six main sections, these are:

- **Overview of Services** – This section provides a background to the service; a summary of the key services provided; the structure for management and governance of the service; an area wide profile; an explanation of how services can be accessed and a breakdown of staff resources.
- **Service Aims & Strategic Priorities** – This section addresses the vision, strategic priorities and aims of the service; the corporate priorities and key outcomes of each of the partner local authorities; and how the vision, aims and priorities will be delivered.
- **Challenges** – This section touches on the main challenges facing the service. For 2018/19 the Draft Shared Regulatory Services Business Plan these are delivering the Shared Regulatory Service in the future; managing complex financial processes; ICT; the review and standardisation of policies and procedures; embedding the organisational culture for the Shared Regulatory Service; learning and development; remaining relevant to the three Councils; new legislation.
- **Budget & Resources** – This section explains the financial allocation for the service; the resource implications (financial and employment) for the service and the importance of maximising resources.
- **Workforce Development** – This section sets out what the Shared Regulatory Service is looking to do to develop organisational culture; leadership & management; core skills; recruitment, retention & progression; communication & employee engagement and employee performance management.
- **Turning Actions into Outcomes** – This part of the report explains what the Shared Regulatory Service is doing to improve health & wellbeing; safeguard the vulnerable; protect the environment; support the local economy and maximise the use of resources.

22. The Draft Shared Regulatory Services Business Plan 2018/19 is also supported by a risk assessment and action plan for the year to come.

23. **Shared Regulatory Service Annual Report 2017/18** – To meet the requirements set out in Clause 5.1 of the Joint Working Agreement the Shared Regulatory Service is required to produce a Shared Regulatory Service Annual Report each year. The main purpose of the document is to reflect on the performance and financial position of the Shared Regulatory Service for the previous financial year. A copy of the Draft Shared Regulatory Service Annual Report 2017/18 is attached to this report as **Appendix 2**.
24. Clause 5 of the Joint Working Agreement states that:
- *"the Joint Committee shall receive in each year at its annual meeting which shall be held no later than 30th June the report of the Head of Regulatory Services and the Lead Financial Officer in respect of the functions delegated to the Joint Committee relating to the twelve months ending 31st March of that year and a copy thereof shall be forwarded to the Chief Executive of each Participant. The report shall include:(i) a statement showing the performance of the Regulatory Service Functions and progress in achieving the Objectives and delivering the Business Plan (ii) a summary revenue account and statement of capital spending including the distribution or use of any revenue surpluses and the financing of any capital expenditure".*
25. This is the third report produced under this requirement and covers the period 1st April 2017 to 31st March 2018. If the content of this report is agreed, a copy of the report must be sent to the Head of Paid Service of each of the three Councils along with the Shared Regulatory Service Business Plan for 2018/19. The third annual report outlines many of the actions undertaken to embed the Shared Regulatory Service arrangements into the day to day functioning of each partner Council and the continued delivery of the wide range of statutory functions assigned to the Service. The report provides a review of operations across the service, a summary of the financial position, and outlines performance against the 2017/18 service objectives.
26. The Draft Shared Regulatory Services Annual Report 2017/18 (**Appendix 2**) is a relatively concise document that addresses a number of issues including:
- **Background** – an explanation explaining why the report is produced each year;

- **Relevant Issues & Options** – the document provides a short summary on topics such as operating the Shared Regulatory Service; the annual review process; human resources; embedding the regional service; operational performance; significant service achievements; safeguarding vulnerable people; protecting the environment; supporting the local economy; maximising the use of resources and financial performance.
- **Future Challenges** – the document considers a number of anticipated challenges facing the service.

Way Forward

27. The Cabinet Member for Clean Streets, Recycling & Environment, the Chair of Licensing & Public Protection and officers from the Shared Regulatory Service have been invited to attend the meeting. An officer will provide a short presentation on the Draft Shared Regulatory Services Business Plan 2018/19 and the Draft Shared Regulatory Services Annual Report 2017/18. Following the presentation the Cabinet Member for Clean Streets, Recycling & Environment, the Chair of Licensing & Public Protection and officers from the Shared Regulatory Service will be available to answer Member questions.

Legal Implications

28. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not making policy decisions. As the recommendations in this report are to consider and review matters there are no direct legal implications. However, legal implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to the Cabinet/Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Scrutiny Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the

Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

Financial Implications

29. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not making policy decisions. As the recommendations in this report are to consider and review matters there are no direct financial implications at this stage in relation to any of the work programme. However, financial implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any financial implications arising from those recommendations.

RECOMMENDATIONS

The Committee is recommended to:

- i. Note the contents of the attached report;
- ii. Consider whether they wish to pass on any comments to the Cabinet following scrutiny of the item.

Davina Fiore

Director of Governance and Legal Services

30 May 2018