

CITY & COUNTY OF CARDIFF

DINAS A SIR CAERDYDD

**JOINT ENVIRONMENTAL AND COMMUNITY & ADULT SERVICES SCRUTINY
COMMITTEE**

3 MARCH 2016

**SHARED REGULATORY SERVICE – IMPLEMENTATION & FUTURE
PROPOSALS**

Reason for the Report

1. To provide Members with the opportunity to review the progress made in creating a Shared Regulatory Service between the partner local authorities of Cardiff, Bridgend and the Vale of Glamorgan. In doing this they will have the opportunity to review:
 - The implementation of the Shared Regulatory Service and the impact that this has had on the 2016/17 budget proposals and services provided by the new structure;
 - The future proposals for the Shared Regulatory Service and the Draft Shared Regulatory Services Business Plan 2016/17.

Background

2. The Shared Regulatory Service is a collaborative service which was formed between the partner local authorities of Bridgend, Cardiff and the Vale of Glamorgan on 1 May 2015. The new approach delivers 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.
3. The creation of the new 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 over the last four 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.

4. The three partner local authorities were successful in securing support for the initiative from the Welsh Government Regional Collaboration Fund with a proposal which aimed to deliver efficiency savings, high quality services and grow resilience into the service.
5. With the support of the Collaboration Funding, consultants were appointed in 2013 to work in partnership with the three local authority partners to produce a Target Operating Model, a Supporting Business Case and an Implementation Plan for a Shared Regulatory Service.
6. 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 new 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.
7. On 1 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.
8. 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. During the last year an officer management board has been tasked with the oversight of project implementation and future operation of the service. 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 terms 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.
- There remains much work to be done to realise the full vision of a Shared Regulatory Service that delivers high quality services and efficiency savings. A number of work streams exist to develop the Shared Regulatory Service across a number of themes, and staff are involved in these to ensure its successful delivery.

Core Services Provided by the Shared Regulatory Service

9. 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.
10. 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.
11. **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.
12. 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.
13. **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.
14. **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 (HMOs) are licensed through Mandatory and Additional Licensing Schemes, inspecting HMOs 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.
15. **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.

16. **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.
17. **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.
18. **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.
19. **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.
20. **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.

21. **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.
22. **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.
23. **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.
24. In the future the Shared Regulatory Service will look to adopt a more commercial approach by developing paid for services and promoting these to businesses. These commercial services will enhance and complement the existing statutory services and provide income generation for the service. Examples of potential new commercial services include:
 - Developing bespoke and accredited training solutions to businesses to assist in achieving legal compliance;
 - Developing paid for business advice visits and health checks from our highly skilled and experienced officers to help and support businesses comply with legislation;
 - Actively seeking Primary Authority partnerships for businesses that trade across council boundaries where they can enter into a legally recognised partnership with the Service, receiving an agreed package of advice and support;
 - Marketing the only UKAS Metrology Laboratory in Wales providing calibration of weights and measures of length and capacity;
 - Extending training opportunities by assessing the potential for higher accreditation levels to attract additional business;

- Identifying new funding sources;
- Exploring potential income generating services and developing paid for services.

Implementation of the Shared Regulatory Service

25. The Shared Regulatory Services Joint Committee received its most recent implementation report on 4 February 2016. This report identified the progress made and future challenges facing the new service. In particular it highlighted developments in the areas of Human Resources; ICT & Mobile Working; Financial Monitoring and Performance Monitoring.
26. **Human Resources** - The Joint Committee were made aware that the main elements of the Human Resources work programme had been achieved following the transfer of some 170 staff to the Vale of Glamorgan on the 1 May 2015. This work included:
- The induction of all new staff to the Council as "host employer";
 - That the consultation on the new staffing structure had been completed;
 - That the consultation on the assimilation process and protocols was complete;
 - Supporting managers in populating the new structure through the process of "job matching" and wider recruitment process.
27. By the end of December 2015 over 90% of the structure had been successfully populated across all areas of the service and at all seven "ring-fence" levels. This included some 161 employees from across each of the three participating local authorities. Final arrangements are being made to recruit into the posts that have not been filled as a result of the job matching and internal recruitment process.
28. As part of the process, consideration had also been given to applications for both voluntary redundancy and where necessary compulsory redundancy. By end of December 2015, the Vale of Glamorgan's Early Retirement and Redundancy Committee had considered and approved 17 such applications. Applications have only been supported where the applicant has not been successfully assimilated to the new structure and where no suitable alternative post is available. The Vale of Glamorgan's Early Retirement and Redundancy Committee were due to consider further redundancy applications at the end of January 2016. The costs of the above mentioned redundancies are funded from the former employing local authority for

each of the employees in accordance with the Shared Regulatory Services legal agreement.

29. The 4 February implementation update report explained that the priority over the coming months would be to support the new management team to look at the workforce planning and employee development issues affecting the successful development of the new service. A copy of the current Shared Regulatory Service staff structure chart has been attached to this report as **Appendix 1**.

ICT & Mobile Working

30. **Development of the Shared Regulatory Service Website** - A first phase dual language website went live in the final quarter of 2015. Officers have started work on the second phase of website development. This second phase will consider all the feedback received to date and make changes as appropriate. Factored into this work will be the development of the branding of all documents that are available for download from the website. Officers will also look at Welsh language provision and requirements for downloadable documents. Phase 2 will also incorporate changes to the website editing process to train staff so they can maintain and update the site. Officers are also working very closely with Contact One Vale to consider working processes within the service to establish one contact phone number for Shared Regulatory.
31. **Business Case – Database** - During December and January Officers met with three database providers, Tascomi, Civica and Arcus Global. Officers from all service disciplines met the providers to ask questions about the different solutions. Each session proved to be very insightful. Management have met with staff to discuss the different databases and identify a preferred provider. The system will need to incorporate the necessary security protocols to ensure compliance with data protection legislation. Officers are completing a Privacy Impact Assessment that considers changing work practices to ensure continued data compliance within a consolidated database. A Business Case was developed, recommending the preferred provider and the case for a consolidated database to replace the four instances of Flare that are currently in place. The Business Case was considered at the Shared Regulatory Service Management Board on 20 January 2016.

32. **Shared Regulatory Service - Technology Rollout / Agile Working** - The laptop pilot stage moved to full production in November 2015. To date, 104 laptops have been issued to staff as they have been recruited to the service. Those officers are now able to access their ICT accounts and the requisite databases remotely, enabling them to work in the agile manner envisaged. This process is supplemented by software to facilitate management of staff and to support agile working ('presence' software). A specification has been created and a package currently on trial. This will enable managers to manage staff working remotely and will provide the ability to check availability status, video call and instant message. Once established, its use will extend to the wider service. Additionally, Officers are looking at the range of lone working software in use across the service currently and are devising a strategy to consolidate into one system.
33. **Accommodation** - Officers are working on strategies to provide a better understanding of current capacity and alignment of accommodation for the new structure. They are working alongside the current property strategies within each of the three partner local authorities. This work will define what ICT is required to support the service in the new locations while facilitating an agile workforce. Officers are looking at the three major hubs and have been identifying the ICT requirements on a role-by-role basis. Officers have been establishing staff placement in respect of office location, hot or fixed desk working while developing regional flexibility. They have also been gathering staff user requirements relating to hardware, software and ICT requirements in respect of infrastructure demands and Wi-Fi connectivity. Officers are liaising with colleagues in Cardiff and Bridgend to identify and implement ICT in the new locations.
34. **Archiving and migration** - Officers have started a piece of work looking at the data that will migrate to the new database and the data to be archived. This is a vital piece of work and is integral to the success of the consolidated database system.

Financial Monitoring

35. A financial monitoring report for the period 1 May to 31 December 2015 is attached at **Appendix 2**. It has been prepared from the consolidated figures gathered from

each authority for this period. Whilst all staffing costs for the Shared Regulatory Service are held within the Vale of Glamorgan's Oracle system, non-staffing costs are currently held remotely by each authority and details are provided on a monthly basis from finance colleagues at Cardiff and Bridgend.

36. To summarise the apportionment of costs of the Shared Regulatory Service, all core costs of the service, which are shared by each authority, are allocated based on population whilst several services are provided uniquely within each authority and these 'authority-specific' services are charged back to the relevant authority at cost plus an element of management and administration.
37. One-off implementation costs of the service, including redundancy and ICT costs are also included in **Appendix 2**. Costs of redundancy are to be borne by the authority that originally employed the staff whilst ICT costs are recharged to participants on a relative population basis.

Performance Monitoring

38. Joint Committee members have asked the service to provide data on activity levels to help reassure local Members that the new service continues to tackle issues across the region. In 2015/16, performance data continues to be collected and reported to each Council in line with the legacy performance management regimes and existing service plans. The presentation on the Shared Regulatory Service which supports this item will provide performance information on service delivery since implementation on 1 May 2015.
39. It is important to note that performance measures for some of the key elements of the Shared Regulatory Service which are relevant to Cardiff Council are captured in the Council's quarterly performance reporting process. Copies of the quarterly performance reports are received by the Community & Adult Services Scrutiny Committee and the Environmental Scrutiny Committee on a regular basis.

Shared Regulatory Service – Budget Implications 2016/17

40. The Joint Committee received a report titled 'Draft Budget proposals 2016/17' at its meeting on 17 December 2015. The purpose of the report was to gain the Joint

Committee's approval for the Shared Regulatory Service proposed budget for 2016/17. The 'Draft Budget proposals 2016/17' report recommended that:

- The Joint Committee approved the Shared Regulatory Service proposed budget for 2016/17;
- Each of the partner local authorities approve the Shared Regulatory Service proposed budget for 2016/17 in writing by 10 March 2016.

41. As a result of the meeting the Joint Committee accepted the budget proposals and then wrote to each of the partner local authorities recommending them to do the same by 10 March 2016.
42. The Joint Working Agreement (JWA) sets out the particulars for operating the collaborative service and the creation of the Regulatory Shared Service Joint Committee. This document was signed by Cardiff Council, Bridgend Council and the Vale of Glamorgan Council on 10 April 2015.
43. The JWA states that the Joint Committee should agree the draft annual budget, which is referred to as the Proposed Budget, by 31 December prior to the commencement of the Financial Year to which the Proposed Budget relates and that the Proposed Budget should be submitted to each of the Authorities for approval.
44. Included as part of the JWA is a Business Plan which sets out the detailed financial model that sits behind the shared service and gives projections of expenditure for the first three years of operation. The Proposed Budget should be drawn up to reflect the applicable Business Plan.
45. The Shared Regulatory Service is split into core services and authority specific services. The core service is operated on behalf of all authorities and the JWA outlines the agreed percentage contribution to be made. Authority specific services are paid for by individual authorities and cover Pest Control (Vale), Additional Licensing (Vale), Night Time Noise Pollution and HMO Cathays and Plasnewydd (Cardiff), Licensing (All) and Port Health (Cardiff), Student Liaison (Cardiff), Kennelling and vets fees (Bridgend and Vale) and Illegal Money Lending Unit (IMLU) is fully grant funded (via Cardiff).

Budget Assumptions

46. In order to construct a budget for the Shared Regulatory Service a series of budget assumptions have been followed, these are:

- That the largest element of the budget is staffing. Some 170 staff transferred from Bridgend and Cardiff Councils to the Vale of Glamorgan Council on the 1st May 2015 to create this shared service. The post transfer restructuring consultation process was completed between June and August 2015 as part of the refining of the new staffing structure and the finalising of job descriptions. Populating the new structure is nearing completion, however, it has not yet been finalised prior to the production of the Proposed Budget for 2016/17 and, therefore, some assumptions have been made regarding certain levels of the structure and the level of salary protection required as part of the TUPE provisions. These assumptions have been based on the original Business Plan for the service.
- That in line with the Business Plan assumptions, the projections include an assumed pay award of 1% for 2016/17 and no increase for other price inflation. In addition to this, there has been a need to build in the impact of the increase in employers National Insurance which takes effect from April 2016, which for this service is in the region of £125,000 (excluding IMLU which is 100% grant funded).
- In line with the Joint Working Agreement, the population figures have been updated in this report to match the population figures as quoted in Welsh Government's Green Book.
- In line with the Joint Working Agreement, income budgets are the responsibility of each Partner Authority and are not included in the analysis laid out in this report.
- While it was anticipated that further savings would be achieved by the shared service, no additional savings have been included in the Proposed Budget for 2016/17 as it is considered that the new service needs a period of consolidation to allow its operation to be assessed prior to the identification of extra savings.

Proposed Financial Contributions

47. The Business Plan, included as part of the JWA, projected that the gross expenditure for the core services for 2016/17 would be £6.445m. The gross expenditure of the core services for 2016/17 is now projected to be £6.173m. The reduction of £0.272m is due in part to now treating Student Liaison and Additional Licensing as authority specific budgets (for Cardiff and Vale respectively). The original business plan allocated savings to the authority specific budgets. However, as many are self-funding, those savings would not materialise so they have now been fully allocated to the core budget where they will be achievable. The contributions due from each authority for core services are analysed in **Table 1** below, using the population basis of apportionment as agreed in the JWA, updated to reflect the Welsh Government's Green Book 2015/16.

- **Table 1 – Core Services Contribution 2016/17**

Core Services		Original Proposed Variance		
Authority	Updated %	£000	£000	£000
Bridgend	22.47	1,454	1,387	67
Cardiff	57.23	3,676	3,533	143
Vale of Glamorgan	20.30	1,315	1,253	62
Total Core Services		6,445	6,173	272

48. The Business Plan also projected that the gross expenditure for authority specific services for 2016/17 would be £2.392m. The gross expenditure on authority specific services for 2016/17 is now projected to be £2.610m. The increase of £218,000 is due to the inclusion of Student Liaison (Cardiff) and Additional Licensing (Vale) as well as reversing the original apportionment of savings to the authority specific budgets. Grant funding for the IMLU service has been reduced by some 25% for 2016/17 and by costs which will be incurred and claimed directly from the grant by Cardiff. The resultant in-scope IMLU budget is estimated at £379,000. The charge to each Authority for these services is illustrated in **Table 2**.

- **Table 2 – Authority Specific Spend 2016/17**

Authority Specific Services	Original Proposed Variance		
	£000	£000	£000
Authority			
Bridgend	318	360	-42
Cardiff	1,642	1,698	-56
Vale of Glamorgan	432	552	-120
Total Authority Specific Services	2,392	2,610	-218

49. A more detailed breakdown of authority specific budgets is shown in **Appendix 2** which is attached to this report. The analysis shows how each service is funded; where they are grant funded or recovered via fees it can be assumed that additional income will be achieved to cover the increased costs. Some services are however not externally funded so authorities will need to net savings made in the core off by these amounts.
50. The Business Plan included projections for implementation costs that would be incurred during 2016/17 and totalled £127,000. The total cost of implementation in 2016/17 is now projected to be £404,000. The difference of £277,000 is due to re-profiled ICT expenditure for the project, mainly relating to the new £400,000 software solution for the Shared Regulatory Service (which had originally been profiled to be spent in 2015/16) which will now be spent over 2016/17 and 2017/18, at an estimated £200,000 each year. As such, partner local authorities should anticipate a further charge in 2017/18, based upon the agreed allocation basis.
51. The contributions due from each authority for implementation costs for 2016/17 are analysed in **Table 3**. They use the population basis of apportionment as agreed in the JWA, updated to reflect Welsh Government's Green Book 2015/16.

- **Table 3 – Partner Local Authority Implementation Costs 2016/17**

Authority	Original Proposed Variance		
	£000	£000	£000
Bridgend	29	91	-62
Cardiff	72	231	-159
Vale of Glamorgan	26	82	-56
Total Implementation Costs 2016/17	127	404	-277

Budget Scrutiny 2016/17

52. Both the Community & Adult Services Scrutiny Committee and the Environmental Scrutiny Committee were tasked with scrutiny of elements from the Shared Regulatory Service draft budget for 2016/17. Savings Line 42 was the main line for consideration at both meetings, this identified a total saving of £310,000 for the financial year 2016/17 and was described as:

'Regulatory Collaboration - ongoing savings through the single shared service which brought the Environmental Health, Trading Standards and Licensing functions of Cardiff, Bridgend and the Vale of Glamorgan Councils under a single management structure'.

53. The saving was contained within Cardiff's City Operations Directorate budget and was consistently rated as Amber / Red across the risk analysis measures of 'Residual', 'Achievability' and 'Equality Impact Assessment'. The proposal was described as having a detailed plan in place.

54. The Community & Adult Services Scrutiny Committee initially reviewed the Regulatory Collaboration saving of £310,000 at their budget scrutiny meeting on the 15th February. They concluded that:

'Savings Line 42 – Members note that, whilst there is confidence that the savings will be achieved, the risk analysis ratings remain as Red/ Amber as 30% of the saving is predicated on raising additional income and this may be more difficult to achieve in South Wales than has been the case in parts of England that have followed a similar approach to Regulatory Services'.

55. Members of Cardiff's Environmental Scrutiny Committee agreed with the concerns raised by the Community & Adult Services Scrutiny Committee and included comments in the budget letter to reflect this position.

Future Proposals & the Draft Shared Regulatory Services Business Plan 2016/17

56. In common with all other Council services the Shared Regulatory Service is required to publish a business plan each year. To this end the Shared Regulatory Services Joint Working Agreement specifies (at clause 14) that each year the Head of Regulatory Services will develop a draft Business Plan under the direction of the Management Board.
57. The purpose of the draft Business Plan is to update the information contained in the previous Business Plan; and to identify the proposals for service activities, business and financial objectives, efficiency targets, business continuity planning, risk management, indicative staffing levels and changes, performance targets, costs and income.
58. The JWA further specifies that the draft Business Plan will be submitted to the Joint Committee for approval and circulated to each participant authority.
59. The first Business Plan of the Shared Regulatory Service was produced in the spring of 2015 and formed part of the JWA. It was primarily focused on the creation of the Shared Regulatory Service with a mix of 'business as usual' and new service delivery planning for the 2015-16 financial year. The 'Draft Shared Regulatory Services Business Plan 2016/17' has been created to replace the original plan; a copy of this document is attached to this report as **Appendix 3**.
60. The 'Draft Shared Regulatory Services Business Plan 2016/17' was received by the Shared Regulatory Service Joint Committee on 4 February 2016. This document reflects the new Operating Model and sets out the full range of services provided by Shared Regulatory Services with an indication of the activities planned for the 2016/17 period along with the elements identified by the JWA.
61. In total the 'Draft Shared Regulatory Services Business Plan 2016/17' covers seven key areas, these include:
 - Introduction;
 - Overview of our services;

- Service aims and strategic priorities;
- Achievements;
- Challenges;
- Budget;
- Workforce development.

62. Consideration is given in the draft Business Plan to a number of corporate priorities for the three partner local authorities. To support these corporate priorities some key themes have been identified as strategic priorities and applied to the Shared Regulatory Service. The identified priorities are:

- Safeguarding health and wellbeing;
- Protecting the vulnerable;
- Improving the local environment;
- Supporting the local economy.

63. It is proposed that these four priorities are all underpinned by a fifth strategic priority, that of maximising the use of our resources.

64. The proposed 2016/17 work programme is set out in the 'Draft Shared Regulatory Services Business Plan 2016/17'. It is anticipated, however, that comments from the partner authorities and stakeholders may influence the content and focus of the finalised plan. The 'Draft Shared Regulatory Services Business Plan 2016/17' has a four week consultation period which will provide stakeholders with an opportunity to engage and provide comments to help shape the service moving forward. During this consultation phase respondents will be able to participate via a range of channels including the Shared Regulatory Services website, email and in a hard copy format.

Previous & Future Scrutiny Arrangements

65. The Shared Regulatory Service was formed on 1 May 2015. This scrutiny meeting will be the first time that a Cardiff Council Committee scrutinises the new service as a whole in detail.

66. The last joint scrutiny on the proposed Shared Regulatory Service was held by the Community & Adult Services Scrutiny Committee and Environmental Scrutiny Committee on 29 July 2014. They received an item titled 'Regionalising Regulatory Services Project' which provided an update for Members on progress being made to create a shared regulatory service between Bridgend, Cardiff and Vale of Glamorgan Councils. Following the meeting the appointed Chair wrote a letter on behalf of both Committees which was sent to the Leader of Cardiff Council in advance of reports being received at Cabinet and Full Council. The letter included a series of comments, observations and recommendations raised at the meeting and has been attached to this report as **Appendix 4**.

67. Individual parts of the Shared Regulatory Service have been subject to scrutiny since the meeting on 29 July 2014. These include:

Community & Adult Services Scrutiny Committee

- 'Out of Hours Noise Nuisance Service Review' – 3 September 2014
- 'Community Safety Performance Management Information – Quarter One 2014/15 (this included Noise Nuisance & Trading Standards)' – 1 October 2014
- 'Out of Hours Noise Nuisance Service Review – Monitoring Report' – 7 January 2015
- 'Re-Declaration of an Additional Licensing Scheme in the Cathays Ward of Cardiff – Consideration of Called – In Cabinet Decision CAB/15/34' – 7 October 2015.

Environmental Scrutiny Committee

- 'Briefing Report: City Analyst Laboratory Procurement Update' – 9 September 2014
- 'Cardiff Student Community Partnership – 2015 to 2018 Action Plan' – 14 April 2014.

68. This is a joint scrutiny between Cardiff's Community & Adult Services Scrutiny Committee and Environmental Scrutiny Committee and as such it is being run and hosted by Cardiff Council. However, the Shared Regulatory Service is a

collaboration between the three partner local authorities of Bridgend, Cardiff and the Vale of Glamorgan.

69. To engage and support this collaborative effort Cardiff has extended an invitation to Members in both Bridgend and the Vale of Glamorgan to review the papers and submit questions relevant to this report at the scrutiny meeting on 3 March 2016. Submitted questions will either be asked by the appointed Chair or by the actual Member who raised the question should they wish to attend the meeting. All questions submitted by Bridgend and Vale of Glamorgan Members will be documented in the Committee letter along with detail of the response. A copy of this letter will be circulated to Members in Bridgend and the Vale of Glamorgan shortly after the meeting.
70. This new collaborative approach is being viewed by the three partner local authorities as a pilot. Members and officers from each of the partner local authorities will meet in the spring of 2016 to discuss the pilot and consider a way forward.

Way Forward

71. Councillor Daniel De'Ath, Cabinet Member for Skills, Engagement & Democracy and Councillor Jacqueline Parry, Chair of Licensing & Public Protection have been invited to attend for this item. They will be supported by officers from the Shared Regulatory Service and City Operations Directorate.

Legal Implications

72. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make 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 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

73. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make 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. Consider whether they wish to pass on any comments to the Cabinet and Joint Committee following scrutiny of the Shared Regulatory Service.

MARIE ROSENTHAL
Director of Governance & Legal Services
26 February 2016