

No.

## SHARED REGULATORY SERVICES JOINT COMMITTEE

Minutes of a meeting held on 18<sup>th</sup> December, 2018.

### Present:

Representing Bridgend County Borough Council: Councillors Ms. D. Patel and D. Lewis.

Representing Cardiff City and County Council: Councillors M. Michael (Chairman) and Ms. N. Mackie.

Representing the Vale of Glamorgan Council: Councillor T.H. Jarvie (Vice-Chairman).

### (a) Apology for Absence -

This was received from Councillor V.P. Driscoll (Vale of Glamorgan Council).

### (b) Minutes -

RESOLVED - T H A T the minutes of the meeting held on 18<sup>th</sup> September, 2018 be approved as a correct record.

### (c) Declarations of Interest -

Councillor Ms. N. Mackie declared an interest for the three items on the agenda. The nature of the interest was that Councillor Mackie sat on the Board of the Cardiff Port Authority. The nature of the interest was not personal or prejudicial and Councillor Mackie remained for the duration of the meeting.

### (d) Draft Budget Proposals 2019/20 (HoF/Section 151) -

Approval was sought for the proposed budget for 2019/20.

The Shared Regulatory Services (SRS) Joint Working Agreement (JWA) set out the particulars for operating the collaborative service, and the creation of the SRS Joint Committee which was signed by Bridgend Council, Cardiff Council and the Vale of Glamorgan Council on 10<sup>th</sup> April, 2015, with the service becoming operational on 1<sup>st</sup> May, 2015.

The JWA states that the Joint Committee should agree the draft annual budget, which was referred to as the Proposed Budget, by 31<sup>st</sup> December prior to the commencement of the Financial Year to which the Proposed Budget related, and that the Proposed Budget should be submitted to each of the Authorities for approval.

For the period 2018-20, the Partner Councils had provided an indication of budget savings and proposed a programme that would see a reduction on the core budget

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of 5% recurring for the three years. This equated to an overall reduction of some £830k on the Core services budget. However, this did not include consideration for an inflationary pay rise or any enforced adjustment to the salary on-costs.

The magnitude of the agreed £830k budget reduction over the three year period had dictated a review of the organisational structure, and consequently consultation with the staff and trade unions. Implementation of the agreed programme of savings had been phased, with £166k of savings successfully achieved in 2018/19, £498k to be delivered during the financial year 2019/20, with the remaining £166k to be found in 2020/21.

The net effect of the budget adjustments detailed below in respect of the draft proposed 2019/20 budget was that the budget requirement of £8.190m was an overall £314k lower than the 2018/19 approved budget of £8.504m. This was made up of:

- £498k of savings which had been taken from the recharged Management Overheads, and from within Core. The component parts of the savings were £384k Staffing, £77k from new income streams plus £37k from Non-Staffing budgets.
- £184k of additional costs resulting from the assumed pay award.
- No further consideration given for price inflation was included within the budget.

The following table illustrated where in the service the savings had been taken from.

Savings Illustration	Staff Reduction £'000	Non Staffing £'000	New Income £'000
Administration	(66)		
Animal Services	(27)		
Environmental Services	(32)	(10)	
Health & Safety	(40)		
Housing Services	(68)		(57)
Food Team	(72)	(14)	
Trading Standards	(79)	(13)	(20)
Total Savings Taken	<u>(384)</u>	<u>(37)</u>	<u>(77)</u>

In line with the JWA, the population figures had been updated in this report to match the 2019/20 projected population was quoted in Welsh Government's Green Book.

In accordance with the JWA, income budgets remained the responsibility of each Participant Authority and were not included in the analysis laid out in the report.

Management Overheads were reallocated based on information provided by the Senior Management Team and were based on the consumption of the service. All other overheads continued to be recharged out based on the value of budget held.

The following table summarises the 2019/20 gross expenditure budget.

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	2018-19 Current £'000	2019-20 Proposed £'000	Reduction in Contribution £'000
Gross Expenditure Budget			
Bridgend	1,774	1,728	(46)
Cardiff	4,978	4,793	(185)
Vale of Glamorgan	1,752	1,669	(83)
Total Gross Expenditure	8,504	8,190	(314)

### Core Budget

The 2018-19 Core gross expenditure budget of £6.261m had been used as a base for the proposed 2019/20 budget.

The contributions due from each Authority for Core services are analysed in the table below.

Core Services		2018-19 Current £'000	2019-20 Proposed £'000	Change in Contribution £'000
	Updated %			
Bridgend	22.32%	1,401	1,308	(93)
Cardiff	57.68%	3,601	3,381	(220)
Vale of Glamorgan	20.00%	1,259	1,172	(87)
Total Core Services		6,261	5,861	(400)

A detailed breakdown of Authority specific budgets was shown at Appendix 1 to the report.

Having considered the report, it was subsequently

RESOLVED -

- (1) T H A T the proposed budget for 2019/20 be approved.
- (2) T H A T each individual Authority be requested to approve in writing the proposed budget for 2019/20 by 10<sup>th</sup> March, 2019.

#### Reasons for decisions

- (1) Following consideration of the draft budget proposals for 2019/20.
- (2) To allow the budget to be finalised prior to the start of 2019/20.

#### (e) Fees and Charges 2019/20 (DEH) -

The Committee's approval was sought for the proposed fees and charges for services delivered within the Shared Regulatory Service (SRS) for 2019/20.

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The fees and charges adopted by the SRS in previous years had reflected a continual process of harmonisation in the licensing regimes operating across the three Local Authority areas. The fees and charges proposed for the financial year 2019/20 incorporated further streamlining, where possible, of the arrangements in place for licensing across a range of functions.

The fees and charges set out in the report aimed to optimise cost recovery from regulatory activity whilst ensuring that these were transparent, proportionate and compliant with statutory legislation. It was proposed that the new fees would take effect from 1<sup>st</sup> April, 2019.

The fee increases represented inflationary and wage award pressures and were based upon the Consumer Price Index (CPIH) for the year to August 2018, i.e. an increase of 2.4%. It was advised that while many of the charges were set locally (Annex Part 1), some were set through voluntary regional or national arrangements and others reflected the statutory regimes set by Welsh Government and UK Governments (Annex Part 2 to the Appendix).

The Committee noted that in terms of the rates for taxi fees, this was set individually by each of the three Local Authorities.

Subsequently it was

RESOLVED - T H A T the charging and fee proposals for the Shared Regulatory Services as set out at Annex Part 1 and Annex Part 2 of the report be agreed.

#### Reason for decision

To build upon the harmonisation charges across the service.

#### (f) Overview and Update on the Shared Regulatory Services (DEH) -

The Head of Shared Regulatory Services presented the report, advising that it provided an update on the work undertaken by the Shared Regulatory Services (SRS).

- Human Resources

Throughout the summer, the Head of Service had been engaging in consultation with staff and the trade unions on the proposed budget savings for 2019/20. Members had considered those budget proposals in an earlier report. Achieving the savings had required the deletion of 9.3 FTE posts from an establishment of 133 FTE. To date that had necessitated one compulsory redundancy, there had been two voluntary redundancy applications and the remaining posts had been deleted following resignations or a reallocation of roles and duties. This would have an inevitable impact upon service delivery. The management team would keep performance against agreed measures under review, but the Committee was advised that there would be a cessation of some activities to enable the focus to remain upon key issues.

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In addition, the Head of Services referred to the difficulties in recruiting to certain posts, which required ever more technical qualifications, and also to the competition from other organisations and agencies.

- Financial Position Quarter 1

The financial monitoring report for the period 1<sup>st</sup> April to 30<sup>th</sup> September was attached at Appendix 1 to the report. It had been prepared from the consolidated figures gathered from each Authority for this period. The service was currently projecting a £48k underspend against a gross revenue budget of £8.504m. The draft/proposed 2019-20 budget had been presented under a previous item on the agenda.

The Committee was then taken through Quarter 2 performance as shown in Appendix 2 to the report.

In highlighting some key areas, the Head of Service began by advising that for Food Hygiene, the service was track to meet its performance target for the number of high risk inspections of Category A and B businesses. Performance for Category C business was slightly less as priority had been given to Category A and B businesses. The Head of Service issued a word of caution as the performance for these indicators could reduce due to the number of staff vacancies.

There was a similar picture for the number of new businesses identified which were subject to a risk assessment, with it being noted that the performance for the Cardiff area was slightly below target. It was reported that overall performance for the number of food establishments deemed to be broadly compliant had exceeded the Quarter 2 targets.

With regard to the number of high risk establishments that were inspected by Trading Standards, the Head of Service advised that performance was Amber but the service was on track to meet target. For new businesses, the Committee was advised the service was close to meeting targets, with performance for the Vale Amber due to six outstanding visits.

For noise pollution and domestic properties, the Head of Service advised that performance had exceeded target. This was also replicated for commercial properties. With regard to alarm complaints, performance for Bridgend was Amber and related to one complaint being responded to in writing. Overall performance for this indicator was Green. In terms of applications determined within two months, the Committee noted that performance had met targets for each of the three Local Authority areas.

The Committee was then provided with service updates.

- The Vale Employers' Engagement Project - VEEP

The Vale Employers' Engagement Project ('VEEP') culminated in a business forum to support Golf Course Managers and Green Keepers throughout Bridgend, Cardiff

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and Vale of Glamorgan comply with relevant health and safety legislation. The forum, which took place on 7<sup>th</sup> November, 2018, was organised by Officers of the SRS and supported by HSE; Public Health Wales; external stakeholders and representatives from the golfing fraternity.

'VEEP' involved a 3-phase health and safety intervention throughout the SRS area. The project was initiated following two fatalities associated with the management of contractors on golf courses in Newport, and a spate of golf-buggy related incidents in Monmouthshire. Targeted inspections focusing on contractor management / green keeper safety / golf buggy safety initially took place during 2016/2017, with revisits to assess compliance taking place during 2017/2018. In order to identify if improvements were being sustained, and greater business resilience being achieved, Officers carried out verification visits to all golf courses during 2018/2019; the outcomes of which informed the topic areas for the 'VEEP' business forum.

'VEEP' targeted key topic areas which Golf Course Managers and Green Keepers were less confident with, and included:

- Tree management
- Noise at work
- Hand arm vibration
- COSHH
- Legionella
- Management of contractors
- Managing health and safety
- Occupational health
- Healthy Working Wales

A total of 95 delegates attended the 'VEEP' business forum, which included representatives from golf courses across SRS and some neighbouring Local Authority areas and external stakeholders.

All delegates were able to attend a maximum of six pre-selected workshops throughout the day which were run by professional key-note speakers (including: HSE; Public Health Wales; Vector Air and Water; South Wales Safety Consultancy; MHP Arboriculture; Capital People). Exhibitors from Bridgend College; IOSH; Insight Health Screening; Insync Corporate Health; Thomas Carroll and Xact also supported the event and of the 44 evaluation forms returned to SRS, 22 (50%) found the forum to be excellent value to their business; 19 (43%) found the forum to be very good value to their business; and 3 (7%) found the forum to be good value to their business. No negative comments were made on the evaluation forms.

- Letting Agents and Property Manager Enforcement

Following on from the Letting Agent and EPC survey carried out last year SRS Officers were developing a robust method to deal with letting agents and property managers that did not comply with the legislation that applied to them.

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On 1<sup>st</sup> October, 2014 new legislation came into force making it a requirement for all letting agents and property managers to belong to a Government approved redress scheme to provide a mechanism for complaints to be investigated and determined by an independent person. For the purposes of the legislation the Government had approved three redress schemes under section 87 of the Enterprise and Regulatory Reform Act 2013. These were:

- Ombudsman Services Property
- Property Redress Scheme
- The Property Ombudsman.

On 27<sup>th</sup> May, 2015 new legislation came into force making a further requirement for all agents in England to publicise their relevant fees. This was extended to Wales on 21<sup>st</sup> October, 2015 by virtue of the Consumer Rights Act 2015 (Commencement No.2) (Wales) Order.

The redress scheme Order placed a duty on every enforcing authority to enforce the order within their local area and a requirement that letting agents display prescribed information.

SRS was working with Rent Smart Wales and providing a referral system to address breaches of legislation. Compliance in most cases had been achieved by advising agents and landlords to assist them to understand their responsibilities and no further action had been required. However there were still a minority of agents that were failing to comply with the requirements of the legislation. Officers were proposing to develop within the SRS area a Penalty Charge Notice to address these issues.

A Member commented that young people, particularly students, would not be aware of Rent Smart, so this was something for the SRS to consider.

- Illicit tobacco

It was reported that there had been a steady increase in the number of premises, particularly in Cardiff, supplying illicit and counterfeit tobacco to consumers. SRS Officers regularly carry out inspections often involving partner agencies including South Wales Police and Wagtail who provided tobacco detection dogs to assist with the location of the product whilst on site. This allowed Officers to locate 'hides' that were used by retailers to conceal the product that often required specialist skills to detect and open.

Last month, an operation in Cardiff resulted in the seizure of a considerable number of illegal tobacco products. In one instance, Officers removed illegal products from a property on Friday, they returned the following Monday to find that the retailer had restocked; that illegal product was removed. The profits associated with this illegal activity were significant and those involved in the supply chain were well organised. Further operations were planned in the near future to tackle the issue.

Members were aware that the Welsh Government had been asked to consider funding a Welsh unit to tackle this trade on a national basis. A report written by ASH

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Wales was submitted to Welsh Government earlier this year and recommended that investment was made to address two key areas.

The first area was Communications - there needed to be an awareness-raising programme to educate the public about the harms caused by illegal tobacco. In addition, work needed to be done with smokers of illegal tobacco with the aim of making them feel less comfortable in purchasing counterfeit or smuggled product. Allied to this work, a reporting portal was recommended whereby members of the public had a number of different ways in which to report the supply of illegal tobacco, for example via telephone, online reporting and social media.

The second area was enhanced enforcement - there was recognition that Trading Standards services in Wales were insufficiently resourced to deal with the crime associated with illegal tobacco beyond the very local level. To address the complex regional and national supply chains for these products, ASH Wales recommended that a specialist Illegal Tobacco Enforcement Team be created, complete with Trading Standards Officers, Intelligence Analyst and Financial Investigators. This team would be hosted by a Local Authority but provide its services across Wales (much like the Wales Illegal Money Lending Unit), and would work closely with other partner agencies such as the Police and HMRC. Welsh Government had yet to give its decision as to whether the recommendations of the ASH Wales report would be adopted and the three year programme funded.

A Committee Member queried what sanctions were available for those traders that continually supplied illegal tobacco. In reply, the Operational Manager Commercial Services advised that the service would seize products and prepare prosecutions through the Courts. She added that the main way to tackle this issue was in having a dedicated team. In terms of the role of the Police, she went on to advise that joint operations with them and Officers from Revenue and Customs would take place, but there was a high threshold before prosecutions would be brought.

In relation to the ASH Wales report and recommendation for a dedicated team, the Operational Manager - Enterprise and Specialist Services advised that the SRS had made a bid to Welsh Government to manage this team that would cover the whole of Wales. She referred to the very sophisticated supply chain that existed, with it being identified that around 15% of tobacco products in Wales were illicit. This demonstrated the size of the problem and the need for a co-ordinated response. This was why a team operating across the whole of Wales had been suggested, and highlighted the need to ensure that the enforcement side worked as effectively as possible.

- Port Health Plan

Members were aware that the SRS published a number of operational plans to advise stakeholders of the work to be carried out in certain environments. The Committee was provided with an overview of the Port Health Service Plan for 2018/19. This document was set out at Appendix 3, and outlined the current service demands and provided consideration of how future challenges, including Brexit, would be met. The overview provided a summary of identification checks required for imported food and feeds, controls in place to prevent the spread of infectious



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diseases, responses to public health incidents, duties to protect public health and the wellbeing of crews and passengers; and finally implications on food imports and exports following Brexit.

Members were advised that the main role of the SRS was around identification and checks of imported food and feed, with it being noted that certain foods were not permitted to enter ports from a third country from outside the EU unless it had appropriate status. Currently no SRS ports had such status so checks were required to ensure that no such foods were imported through the ports. In addition Members were advised that for higher risk food products a designated point of entry was required beforehand. The overview went on to refer to the identification checks that were required for the import of food and feed, which included the following:

- Daily documentary checks to identify cargo on ships and aircraft freight handlers
- Occasional Identity checks
- Physical Checks of imported cargo.

Another main role of the service was around the control of infectious diseases. For this the SRS were bound by World Health Organisation international health regulations which were embodied in national laws specific to ships and aircraft. The purpose of these regulations were to prevent, protect against, control and provide a public health response to the international spread of disease in ways that were commensurate with the public health risks and which avoided unnecessary interference with international traffic. This also extended to non- infectious agents including chemical and radiological emergencies.

In terms of the controls in place for aircraft and ships that were monitored by the SRS, these included:

- Appointment of Port Medical Officer
- Duty for ship's master or aircraft captain to notify certain incidents of public health concern on board e.g. death other than by accident, illness etc.
- Powers to examine people and measures to be taken to prevent danger to public health including restrictions on boarding and detention of vessel / plane
- Requirement for valid ship sanitation certificate and issue of control certificate if required. Looks at pest control, potable water, waste disposal, accommodation, pollution control and food safety controls
- Disinsection of aircraft.

The Committee were advised that another key role was in relation to response to public health incidents, with notable instances included the Pandemic flu 2010, Ebola Virus Disease 2014, and the Zika Virus 2015. In addition the SRS was responsible to protect public health and well-being of crews and passengers by:

- Investigating complaints from crew and passengers
- Boarding / Food safety inspections
- Potable water sampling at shore side and airside
- Legionella testing.

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The overview then went on to focus upon the implications of Brexit, with the Committee being advised that the SRS were planning for a range of scenarios, including; and an implementation period (negotiated outcome), no deal and long term (future import control regime). Members noted that currently the SRS were planning on a “no deal” basis. This would mean that the main impact would be on imports and exports, with no change to Infectious disease control.

Members noted that in relation to imports, no new controls were currently planned for imports of food and feed from the EU as risk would remain the same. In addition Third country imports would be subject to the same processes and checks but new Import Notification system would be required to replace current EU system. Further controls would be required for Third country transit consignments through the EU to the UK, as EU would not complete checks of food of non-animal origin or products not of animal origin in transit.

With regard to exports, Members were advised that the UK was applying to the EU to be listed as a Third country. Businesses exporting products of animal origin and live animals would be required to be recognised on an EU register and alter health marks accordingly. In addition, the Food Standards Agency had sent a letter to all such businesses to capture relevant detail.

In relation to actions for the SRS in preparation for Brexit, these included the following:

- Engagement with businesses
- Change to identification marks
- Completion of Export Health Certificates (EHCs)
- Keep up to date with proposed changes
- Attend meetings
- Technical notes produced by Government Departments
- Amend documentation e.g. standard letters, Notices, procedures
- Re-authorise Officers under new laws
- Training of Officers
- Surveillance.

The Committee noted that following Brexit, Export Health Certificates (EHCs) would be needed for all consignments of products not of animal origin exported to the EU. This would result in a significant increase in this work, with an estimated increase of 150-300%.

- Safeguarding / Scams

SRS safeguarding work continued to identify criminals who targeted the most vulnerable residents in our communities with callous scams and incidents of doorstep crime. A number of such criminals had been prosecuted already this year and other cases were progressing through the court system.

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Two brothers were prosecuted under the Fraud Act for taking money from residents for home improvement work which was not completed, and for false representations made. The Court heard how the defendants had acted fraudulently with the intention of deceiving customers, and the Magistrates considered that the offences were serious enough to cross the custody threshold. One brother was given an eight week custodial sentence suspended for 12 months, ordered to carry out 100 hours of unpaid work and ordered to pay £720 compensation to the affected complainants. The other received a 12 month community order, was ordered to carry out 200 hours of unpaid work and had to pay £720 in compensation to the complainants.

In another case, a rogue trader pleaded guilty to three charges under the Fraud Act arising from his taking of money from consumers for materials and work that were never supplied. In total, the residents were defrauded to the sum of £4,950, and the Prosecution requested compensation in this amount. The Prosecution made claims for compensation for the three consumers who had been defrauded for a sum totalling £4,950. However this was not the first occasion on which the defendant had been convicted of fraud and in an earlier case taken by South Wales Police, agreed compensation to the victim remained unpaid.

In the circumstances, the District Judge took the unusual step of giving the defendant six months in which to pay the original compensation at a rate of £1,000 per month. However, should these payments not have been made in that time, the District Judge indicated that a custodial sentence would be imposed. When the case came back to court in November, the defendant failed to attend. In light of this and the fact that he had still not paid back the compensation arising from the earlier case, a warrant was issued for his arrest. Once arrested, he would be returned to court for sentencing.

A number of high value scam and rogue trader prosecutions were waiting to be heard in the court system; an update would be provided on progress against these at the February Joint Committee meeting.

- Stop Loan Sharks Awards for Wales

The Proceeds of Crime Act (POCA) provided enforcing agencies with the power to seize cash and recover assets acquired by criminals through the proceeds of their crimes. As a result, the Act had the effect of deterring offenders, disrupting organised crime and demonstrating to the public that crime did not pay. Enforcing authorities were required to use any monies returned to prevent or detect crime. The SRS used such money to train Officers, purchase surveillance equipment, but also to fund suitable community projects to raise awareness and encourage reporting of community crime.

Last year, the Wales Illegal Money Lending Unit (WIMLU) awarded a total of £48,000 to ten community based initiatives under the first Stop Loan Sharks Awards for Wales. The purpose of the initiatives was to raise awareness of the problems caused in our communities by loan sharks, and how those affected and the wider public could report concerns. Over the course of the year, the successful initiatives included fun days and other events to highlight the problem of illegal money lending;

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the publication of newsletters and other materials aimed at target groups, and the production of a Welsh language film.

One initiative was noted in particular. This was a PETRA (Parents Engaging to Raise Aspiration) project which was run in a South Wales community. Parents and children worked alongside a professional storyteller, an illustrator and a designer to develop a picture book for children on the theme of illegal money lending. With assistance from WIMLU staff, the theme and story line were developed and the story book was produced. The result was the story of Dave and Doris Duck who got the better of evil lender Sid the Swan, narrated and beautifully illustrated in "A Fistful of Feathers". Recently, the book had been published in bilingual format, and a copy sent to each library and primary school in Wales meaning that children and parents would have opportunity to take from the story the powerful messages around reporting loan sharks and taking steps to avoid falling into a cycle of debt and misery that inevitably follows the taking out of an illegal loan.

- Knives Project in Cardiff

Following a spate of tragic incidents involving the use of knives, Cardiff had been identified as one of two areas of concern in Wales with regard to the prevalence of knife crime. In order to play a key role in tackling this trend, SRS had successfully bid for nearly £20,000 of Home Office funding. This would enable a range of Trading Standards compliance checks to be undertaken to identify the extent to which young people were able to purchase knives and other bladed instruments across the city.

Knife test purchasing work in other areas of the country had shown that nearly 30% of all attempts by young volunteers to purchase knives resulted in a sale. The Home Office funding would enable problem sectors of the trade to be identified and appropriate interventions carried out to address the problem for the longer term. An update report on the outcome of this Home Office funded work would be brought to the Joint Committee in due course.

- Minimum Unit Pricing of Alcohol

In August, the Public Health (Minimum Price for Alcohol) (Wales) Act 2018 received Royal assent. The legislation will take effect in 2019, making it a requirement that alcohol sold in Wales was priced in accordance with the statutory minimum unit price provision.

The Act had been introduced in response to concerns over the impact of alcohol harm on the economy of Wales and on the health and wellbeing of the nation. To put this into context, in 2017 there were over 500 alcohol-related deaths and nearly 55,000 alcohol-related hospital admissions in Wales. The direct health care costs attributable to alcohol during this period amounted to an estimated £159m. The aim of the legislation was to protect the health of hazardous and harmful drinkers who consumed greater amounts of low-cost and high-strength alcohol. Evidence suggested that those who drank within the lower risk drinking guidelines of no more than 14 units per week would be only marginally affected by the change. This was because this group consumed a smaller amount of alcohol and also

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because they did not tend to purchase the cheaper alcohol that would be most affected by a minimum price.

Welsh Government had recently consulted upon the setting of the minimum price at 50p, after research estimated this would be worth £783m to the Welsh economy over 20 years in terms of reducing alcohol-related illness, crime and workplace absence attributed to alcohol. In responding to the consultation, SRS was supportive of the 50p minimum price as providing the right balance between on one hand having a positive effect on tackling harmful drinking and on the other inadvertently penalising responsible drinkers.

The purchase price would be calculated using the formula:

$$\text{purchase price} = \text{minimum unit price} \times \text{alcohol strength} \times \text{volume}$$

This meant that while a 50p minimum unit price would have little effect on the cost of a bottle of wine, there would be a near trebling in the cost of a 3 litre bottle of strong cheap cider which currently retailed for as little as £3.59.

- Air Quality

The annual Air Quality Progress reports, as required by Welsh Government, were presented to the respective Cabinets of Bridgend, Cardiff and the Vale of Glamorgan Councils in the autumn. The indicative position in each of the three Council areas was as follows

- Bridgend - As reported at the September Joint Committee meeting, monitoring at a new location in Bridgend during 2017 and 2018 had identified average nitrogen dioxide levels (NO<sub>2</sub>) that breached the annual objective set for NO<sub>2</sub>. As a result of this finding, on 20<sup>th</sup> November, a further report was taken to the Cabinet of Bridgend County Borough Council setting out the need for an Air Quality Management Area (AQMA) to be designated at that location. Cabinet approved the recommendation and the Order was due to take effect on 1<sup>st</sup> January, 2019.

As there were a number of residential and commercial properties included in the boundary of the AQMA, engagement with residents would begin prior to Christmas and continue through the spring. While the Cabinet decision to create the AQMA was final, the engagement exercise with residents would set out the reasons for and the implications of the AQMA, and seek comments and suggestions on a range of possible mitigation measures to improve air quality in the area.

An Action Plan would be formalised in order to implement appropriate measures to improve / reduce the NO<sub>2</sub> levels within the AQMA. This would require a co-ordinated approach with SRS working with a number of BCBC departments and other agencies to identify the most appropriate solutions to improve air quality in the area.

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- Vale of Glamorgan - the annual Local Air Quality Management Progress Report was approved by Cabinet on 5<sup>th</sup> November. One of the recommendations made in the report was the revocation of the Windsor Road, Penarth, AQMA, as a result of the improvement in the results of monitoring air quality in the area over a number of years. A public consultation would now follow to capture the views of residents and to ensure that the reasons for revocation were understood. The communications plan would make it clear that monitoring of air quality would continue in the area to ensure that the greatly improved standard of air quality was maintained.
- Cardiff - SRS continued to play a significant role in assisting the City of Cardiff Council as it identified the most effective way to improve air quality going forward. The SRS Team Manager Specialist Services Environment had recently been seconded to Cardiff Council for a period of at least nine months in the role of Project Manager for the Council's Air Quality Strategy.

As part of the overall piece of work around Air Quality in Cardiff the Licensing team was reviewing the emission standards of the licenced taxi fleet in the City. The intention was to take a report to the Public Protection Committee in the New Year proposing a consultation takes place on the age emission and vehicle testing standards for taxis and private hire vehicles. This would form part of a wider strategy to implement a phased policy of vehicle improvement, beginning with removing the oldest and more polluting vehicles from the city's roads and transitioning to the long-term target of achieving a 100% zero emission fleet of licensed vehicles.

- Housing Enforcement

At the previous Committee meeting, Elected Members were advised that within Cardiff there were a number of privately owned high-rise buildings that had been constructed using ACM materials similar to that used at Grenfell.

Working with the Fire Service and Welsh Government, the SRS had begun to take a more prominent role in respect of the affected high-rise buildings in the private sector with a view to using powers contained in the Housing Act 2004 and the Housing Health and Safety Rating System (Wales) Regulations 2006.

A new addendum to the Housing Health and Safety Rating System guidance (HHSRS) had been placed before parliament and was scheduled to become part of the HHSRS in January 2019. The addendum was intended to clarify how an HHSRS assessment of fire risk where aluminium composite material (ACM) cladding was present in high rise buildings should be conducted, giving confidence to Local Authorities in carrying out their enforcement actions.

The SRS was taking further expert advice and remained in consultation with Welsh Government and the Fire Service as to the potential changes in policy and practice as a consequence of Grenfell, but in the short term, the focus was upon remediation of some of the high rise buildings in the City. The developers responsible for two of the affected sites had written to the residents stating that they would replace the cladding even though it had "received regulatory sign off" for the use of Aluminium

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Composite Material (ACM). This was the type of cladding used at Grenfell. The developers expected the work to start in summer 2019. Another developer had confirmed that the ACM cladding on a commercial property in the City had been replaced.

The Minister for Housing and Regeneration had recently convened an Expert Group, to develop a 'road map' that would assist Welsh Government in its response to the issues raised by the Independent Review of Building Regulations and Fire Safety (the 'Hackitt' review). The Head of Service attends this group as a representative of the Regulatory Services in Wales.

Finally, the Equality, Local Government and Communities Committee: report on fire safety in high-rise buildings - (private sector) was published in November 2018. Of note to the Committee was the following commentary with respect to the resourcing of Regulatory services with respect to building safety:

"We acknowledge that after nine years of austerity, local authorities have had to make difficult decisions about resources, and that regulatory services, such as Building Control; Environmental Health and Trading Standards have faced the brunt of some of those decisions. We also highlight the importance of regulatory services, and how they play a key role in the preventative agenda that is at the heart of the approach all public services should be taking, and which is a legislative duty placed on them by the Well-Being of Future Generations (Wales) Act 2015."

"We believe that as part of the roadmap that the Building Safety Expert Group is drawing up, further detailed consideration is needed on how local authority regulatory services can be supported to ensure that they are able to provide more regular and unannounced inspection visits".

- Animal Welfare

SRS had been recognised in the 2018 RSPCA Cymru Paw Prints awards in both the Dog Warden service and Animal Licensing categories. The hard work of the Animal Wardens and Animal Health and Welfare Officers throughout the year meant that the SRS were not only able to maintain the silver standard achieved in 2017 for Animal Licensing, but built upon previous performance in respect of Dog Warden services by achieving the gold standard for the first time.

The aim of RSPCA Cymru in giving these annual awards was to shine a light on organisations across Wales who had 'gone the extra mile' for animals, and entries were judged by an external panel of animal welfare experts. Two of the SRS team, together with the Chair of the Joint Committee attended the RSPCA annual dinner and awards ceremony in Cardiff Bay on 5<sup>th</sup> November, where Lesley Griffiths AM, Welsh Government Cabinet Secretary for Energy, Planning and Rural Affairs presented the awards.

No.

- Enforcement Activity

Finally, the Head of Service referred to details of recent cases investigated by the SRS that had resulted in a prosecution, which were set out in Appendix 4 to the report.

Having considered the report, it was subsequently

RESOLVED – T H A T the contents of the overview and update report be noted.

Reasons for decision

In view of the work of the service and the progress towards completing the implementation programme.