

No.

SHARED REGULATORY SERVICES JOINT COMMITTEE

Minutes of a Remote meeting held on 13th December, 2022.

The Committee agenda is available [here](#).

The recording of the meeting is available [here](#).

Representing Bridgend County Borough Council – Councillors M. Lewis and R. Goode (Vice-Chair).

Representing Cardiff City and County Council – Councillors D. De'Ath and M. Michael.

Representing the Vale of Glamorgan Council – Councillors P. Drake and R. Sivagnanam Chair).

Also present: Councillors J. Aviet and V.P Driscoll (Vale of Glamorgan Council).

(a) Announcement –

Prior to the commencement of the business of the Committee the Principal Democratic Services Officer reminded all present that the meeting would be live streamed, as well as recorded, via the internet and the recording archived for future viewing.

(b) Minutes –

RESOLVED – T H A T the minutes of the meeting held on 27th September, 2022 be approved as a correct record.

(c) Declarations of Interest –

No declarations of interest were received.

(d) Shared Regulatory Services Overview and Update Report (DEH) –

The report provided an update on the work undertaken by the Shared Regulatory Service (SRS) and detailed progress towards completing the actions contained in the SRS Business Plan. The Head of Service, in presenting the report, advised the Committee that recruitment remained challenging although some new appointments had recently been made. A service specific staff survey had run for the three weeks towards the end of August and had focused on two main themes, to carry out a wellbeing temperature check on staff as they adjust to a hybrid model of working and to seek views around recruitment and retention and on what would make SRS as welcoming as welcoming and attractive a service as possible.

No.

The survey rate had been good with staff indicating to what extent they agreed with a range of statements. As a result a survey action plan was in the process of being prepared in order that areas for improvement could be worked upon as part of the wider review of the SRS workforce plan.

Having regard to the financial position for the SRS, the Head of Finance / Section 151 Officer drew attention to Appendix 1, which had been prepared from the consolidated figures gathered from each Authority for the period. The service was forecasting an outturn position of £273k overspend against the 2022/23 gross revenue budget which the officer advised was largely attributable to the recently agreed pay award for 2022/23 which was significantly higher than the 2% pay award that had been budgeted for.

During this presentation the Head of Finance / Section 151 Officer also drew attention to the SRS's budget underspend report for the year 21-22 which was at Item 6 on the agenda and which was subsequently considered in conjunction with the Overview and Update Report.

Having regard to the 21-22 budget underspend paragraph 2.3 of that report highlighted that unfortunately events outside of the control of the service meant that only a matter of months later plans were having to be drawn up to achieve significant budgetary savings going forward into 2023/24. The service was seeking to retain £170k of the £363k underspend from the 2021/22 financial year, as there was a pressing need for the requested £170k to be retained by the SRS to support it in transitioning over the course of 2023/24 to a model of greater income generation that would sustain SRS into the future.

Paragraph 2.6 of the underspend report detailed the proposed treatment of the 2021/22 SRS underspend for the three Local Authorities.

Operational Managers from the SRS services also provided an overview of their respective areas which included an update on enforcement activity with the Head of Service taking the opportunity to inform the Committee of rogue builder recently receiving a 12-month prison sentence.

In response to the item on minimum energy efficiency in the private rented sector, Councillor De'áAth raised a query regarding the number of properties not having declared an energy efficiency rating. He enquired as to the options available to the department for compliance and whether the department could penalise landlords who didn't declare their ratings. The Operational Manager in response advised that it was possible some of the data required further cleansing and that some of the properties may not have registered. There were also a range of enforcement measures that could be put in place if required such as fixed penalty notices.

Having fully considered both the SRS Overview and Update Report and the SRS 2021/22 budget underspend report, it was subsequently

RESOLVED – T H A T the contents of both reports be noted and agreed.

No.

Reason for decision

Having regard to the content of the report and discussions at the meeting.

(e) Shared Regulatory Services Fees and Charges 2023-24 (DEH) –

The purpose of the report was to advise the Joint Committee of the proposed fees and charges for services delivered within the Shared Regulatory Service (SRS) for 2023-24.

The report set out the proposed fees to be charged by SRS in the 2023-24 financial year, for a range of licensing and other services. The Joint Committee was asked to approve the recommendations made with respect to the setting of those fees for which it had responsibility.

For completeness, the accompanying schedule to the report also set out fees which SRS would be required to charge during the 2023-24 financial year, but which were set by external bodies such as the Association of Port Health Authorities and the UK and Welsh Governments.

The Head of Service commented that this was the first time that the service had been able to harmonise *all* fees and charges across the three Council areas.

In considering the report Councillor Goode queried whether or not any modelling had been undertaken in relation to the base rate of 10.5%. The Head of Service advised that the higher rate had not been modelled as the service consistently applied CPIH inflation rate as it stood in the previous August. It was further noted in this context, local authorities were able to charge on the basis of cost recovery but could not generate a surplus or profit. Work would be undertaken during the coming year to ensure that the Service was fully covering its costs across the various fees and charges for which the Joint Committee had responsibility.

There being no further comments it was subsequently

RESOLVED – T H A T the content of the report be noted and agreed, with implementation from 1st April 2023.

Reason for decision

Having regard to the content of the report and the discussions at the meeting.

(f) Shared Regulatory Services 2021-22 Budget Underspend (DEH) –

The report sought agreement for treatment of the Shared Regulatory Services 2021-22 budget underspend.

No.

The report set out the background to the Shared Regulatory Services budget underspend during 2021-22 and made recommendations for the treatment of this underspend to enable:

- a partial return of funds to the partner Authorities
- a partial retention of funds in order to support the Service going into the 2023-24 financial year and the challenging level of savings that would be required, after allowing for any overspend in 2022-23.

The Committee, having considered the report in conjunction with the SRS Overview and Update Report earlier in the agenda, agreed that no further discussion was necessary as discussion had already taken place earlier in the meeting and therefore

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

Reason for decision

Having regard to the content of the report and the discussions at the meeting.

(g) Shared Regulatory Services Budget 2023-24 (DEH) –

The purpose of the report was to consider the Shared Regulatory Services budget for 2023-24.

The report outlined the background and context to the funding of Shared Regulatory Services (SRS) by the three partner Authorities, further details of which would be presented in the Part II report later in the agenda.

As a result of the particularly challenging financial outlook going into 2023-24, the partner Authorities now required a consideration of options for further savings to be made by the Service, and options had been requested for achieving savings of 3%, 5% and 10% from the core services budget which was the responsibility of the Joint Committee.

RESOLVED – T H A T the content of the report be noted with a view to decisions being made on the Shared Regulatory Services Budget 2023-24 report which would be presented under Part II of the agenda.

Reason for decision

By virtue of the SRS Joint Working Agreement, the Annual Budget for the Shared Service must be agreed by the partner Authorities no later than 31st December prior to the start of the new financial year in April.

No.

(h) Exclusion of Press and Public –

RESOLVED – T H A T under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part 4 of Schedule 12A (as amended) of the Act, the relevant paragraphs of the Schedule being referred to in brackets after the minute heading.

(i) Shared Regulatory Services Budget 2023-24 (DEH) (Exempt Information – Paragraphs 13 and 14) –

The report outlined the background and context to the funding of Shared Regulatory Services (SRS) by the three partner Authorities. In considering the next steps for the service, Committee was informed that the Head of Finance had had detailed discussions with the Heads of Service of the three Local Authorities and with it being noted that as the Welsh Government settlement had not yet been announced it was difficult for the service to arrive at a budget. It was therefore suggested that the Committee agree the report in principle, and that a further report be presented to an extraordinary meeting of the Committee in January 2023, date to be confirmed, once the detail of the Welsh Government settlement for the three Authorities had been established and following discussions and agreement with all three Authorities on service delivery.

The Committee also discussed the possibility of an additional Council joining the SRS partnership, with the Head of Service advising that if the Committee were mindful to make this recommendation, then discussions could actively be explored.

Having considered the report in detail it was subsequently

RESOLVED –

(1) T H A T the proposals and caveats set out in the report be agreed in principle for the level of budget savings that may be required of the Shared Service in 2023-24.

(2) T H A T the requirement to set a balanced budget by 31st December 2022, as outlined in the SRS Joint Working Agreement, be waived for this year, and that an extraordinary meeting be scheduled for January 2023 to allow feedback from the partner Authorities, to ratify the SRS budget for 2023-24 be approved.

(3) T H A T the possibility of an additional Council joining the SRS partnership being actively explored be approved.

No.

Reasons for decisions

- (1) By virtue of the SRS Joint Working Agreement, the Annual Budget for the Shared Service must be agreed by the partner Authorities no later than 31st December prior to the start of the new financial year in April.
- (2) To enable an informed decision to be made on the level of savings required by the partner Authorities, while balancing the tight lead time before the savings need to take effect with the timeline for receiving the Welsh Government's Settlement for Local Government.
- (3) An additional, fitting partner Council would, subject to a suitable business case, enable further economies of scale, resilience and income generation potential to be maximised.