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## SHARED REGULATORY SERVICES JOINT COMMITTEE

Minutes of a Remote Meeting held on 21<sup>st</sup> March, 2023.

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

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

Present:

Representing Bridgend County Borough Council – Councillor M. Lewis.

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

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

(a) Announcement –

Prior to the commencement of the business of the Committee the Chair 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) Apology for Absence –

This was received from Councillor R. Goode (Vice-Chair) (Bridgend County Borough Council).

(c) Minutes –

RESOLVED – T H A T the minutes of the meeting held on 13<sup>th</sup> December, 2022 and the Special Meeting held on 9<sup>th</sup> February, 2023 be approved as a correct record.

(d) Declarations of Interest –

No declarations of interest were received.

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

The report apprised the Joint Committee of the work of the service and progress towards completing the actions contained in the SRS Business Plans. The Head of Service commenced by referring to paragraph 2.1 of the report relating to the sickness absence level for the Service at the end of Quarter 3, advising that there were a number of members of staff on long term sick which related to a significant

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element of the overall figure of 8.47 days. There were however, no immediate discernible trends in the short term absence figures other than the impact of Covid 19 infections which were now being counted as part of sickness absence totals as there had been a change in the reporting mechanism for Covid related infections. The report also highlighted that as part of the requirement to achieve a 3% budget saving a total of three vacant posts were being deleted, one from each of the three SRS sectors, which would have an impact on resources going forward. The Head of Service also drew Committee's attention to paragraph 2.3 of the report, which referred to the 40 years' continuous service of two SRS colleagues, it was noted that an article would be uploaded to StaffNet having regard to this impressive achievement with it being suggested that all Members of the Committee be emailed a copy of the article, when available, for their information.

Following a query from Councillor Lewis as to how the levels of sickness pre-Covid were comparing with the current levels, the Head of Service advised that during Covid there had been a dip in sickness absence however post-Covid this had increased slightly. The report which provided data on activity levels was also presented to reassure local Members of each Council that SRS activity continued to tackle issues across the region.

Having regard to the ongoing cost of living crisis and inspections of premises, Councillor Sivagnanam enquired as to whether there had been an increase in the numbers of premises possibly cutting corners as a result. The Operational Manager stated that there had certainly been some issues in some premises for example with some not having hot water supplies. However, having regard to compliance it was noted that Regulatory Services across the three Councils were also currently following the Food Standards Agency Covid 19 Local Authority Recovery Plan, which was shown at Figure 1 within the report, with the focus of the Recovery Plan to the end of December 2022 being on the less than broadly compliant D rated premises.

Enforcement work required as a result of poor compliance had been time consuming and had had a detrimental effect on progress against the inspection plan. Councillor De'Ath queried whether the Service had the adequate tools to deal with restaurant owners who persistently did not adhere to rules in the interests of protecting the public. By way of an example the Operational Manager for the service area referred to a particular case that had been taken through the court process and although it had been a lengthy court case where standards at the premises had been very poor the Authority had won the case. The officer then referred to the processes available to the service and advised that a prohibition order to stop an owner running a food premises could be applied for although it being recognised that this was undertaken when premises were in a really bad condition. Councillor De'Ath queried whether further powers would be useful, with the officer advising that the tools were in place , it was just that the process was lengthy.

The report also detailed performance monitoring for all service areas, with the Operational Managers being present to advise on and answer queries on their respective services.

During further consideration of the report the Committee also received a presentation in relation to Part IV of the Public Health Wales Act 2017 whereby a mandatory

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licensing regime for specified procedures would be implemented, these being acupuncture, body piercing, electrolysis and tattooing (including semi-permanent makeup). Committee was advised that this mandatory licensing regime would replace the current registration process under the Local Government (Miscellaneous Provisions) Act 1982 and make provision for the following:

- “Practitioners to be licensed to carry out special procedures, and it would be an offence to carry out special procedures without a licence;
- Business premises or vehicles must be approved, and it would be an offence for a practitioner to perform any procedures from premises or vehicles that were not approved;
- A full licence would last for 3 years, and a temporary licence would last for 7 days (this was to accommodate special procedures work being conducted at events and conferences);
- It would be a requirement to display the licence on the premises where the special procedure was undertaken;
- Licence conditions would relate to the competence of practitioners, the premises where practitioners worked, the equipment and practices used, advice given before and after the special procedure and the records kept by practitioners;
- Local Authorities would be responsible for enforcing the licensing requirements and for keeping up to date a public register;
- There would be greater powers to enforce this legislation than those currently in place, as well as the ability to revoke a licence and immediately stop unsafe practices;
- Those carrying out Special Procedures would have to have obtained the Level 2 Qualification in Infection Control and Prevention for Special Procedures Practitioners.”

It being noted that under the new framework practitioners would be personally licensed to perform procedures and the licence would be for a three year period, it was recognised that it was going to be an extensive piece of work with the go live date being 1<sup>st</sup> April, 2024.

Councillor Lewis’ commented that the concern for Council’s was that there was no new funding available and it would be difficult to plan in these circumstances.

It was also noted that an Infection Control and Prevention for Special Procedures qualification would be made available for learners to obtain the knowledge and understanding of the importance of infection control and prevention with SRS becoming only one of five accredited training centres in Wales of the delivery of such a qualification.

The officer was thanked for a most informative presentation which would be uploaded to the website with a caveat for those viewing to be made aware that some aspects of the presentation may cause distress to some viewers.

In referring to the section of the report relating to the safety of buildings Welsh Government had repeated their commitment to addressing building safety in Wales with their vision being to take forward the Welsh Building Safety Programme

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alongside a significant programme of reform to establish a fit for purpose building safety regime. The Council was also working with the South Wales Fire Service in this regard. Committee was also provided with an update on air quality monitoring and reporting across the three Council areas. This was followed by an insight into the recent external re-branding of the Wales Illegal Money Lending Unit to become Stop Loan Sharks Wales as well as an insight into research commissioned on the impact of the cost of living crisis on the public borrowing habits, including to cover essentials such as food and toiletries.

Having regard to the penultimate paragraphs of the report relating to Trading Standards enforcement activity the report highlighted the conviction rates for trading standards cases across Wales, with the Chair enquiring whether the fines imposed resulted in the Authority's recouping their costs. The Head of Service stated that the service areas did not receive any money from the fines as this went into the court system, although on some occasions Councils were reimbursed costs, this was not often the case and it was compensation for the victims that was seen to be the success for the service.

Having considered the report in detail it was subsequently

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

Reason for decision

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

(f) Q3 2022/23 Shared Regulatory Services Revenue Monitoring Report (DEH) –

The £8.331m 2022/23 Shared Regulatory Services (SRS) Budget had been agreed by the Committee on 14<sup>th</sup> December, 2021, which had included an assumed 2% pay award.

The July 2022 National Employers for Local Government Services pay offer had been accepted late 2022, thus resulting in a budget shortfall of £268k – although this had also been offset by vacancies in the service during 2022/23.

The SRS Q3 forecast overspend also stood at £268k and included an historical Cardiff Authority Specific budget shortfall of £200k relating to Taxi Licensing. The forecast outturn position presented within the report as illustrated below :

<b>Authority</b>	<b>Gross</b>	<b>Forecast</b>	<b>Outturn</b>
	<b>Budget</b>	<b>Outturn</b>	<b>Variance</b>
	<b>£'000's</b>	<b>£'000's</b>	<b>£'000's</b>
Bridgend	1,777	1,753	24
Cardiff	4,811	5,083	(272)
Vale	1,743	1,763	(20)

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<b>Total Gross Expenditure</b>	<b>8,331</b>	<b>8,599</b>	<b>(268)</b>
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The Operational Manager for Accountancy took the opportunity to advise the Committee that since the report had been drafted Cardiff Council's adverse variance had been agreed.

Committee, having considered the report and all the issues and implications contained therein, subsequently

RESOLVED – T H A T the position with regard to the 2022/23 forecast outturn position be noted.

Reason for decision

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

(g) Appointment of Proper Officers (DEH) –

The purpose of the report was to put forward, for appointment / authorisation, suitably competent persons by virtue of their qualification, training and consent, to act as Proper Officers / Port Medical Officers on behalf of the Local Authority under the provision of the Public Health (Control of Diseases) Act 1984, as amended by the Health and Social Care Act 2008, and Regulations made thereunder.

Updated Health Protection legislation adopted an “all hazards” approach encompassing infection and contamination of any kind. This was consistent with the International Health Regulations 2005 which aimed to facilitate international responses to acute public health risks that had potential to cross borders.

A ‘Proper Officer’ was defined in Section 74 of the 1984 Act (as amended), it being noted that role of a Proper Officer was to support the Local Authorities to undertake their duties.

Following a query as to whether the Proper Officers encountered much abuse in undertaking their roles, Committee was informed that the service area worked with partners as a multi-agency approach to protect the community, and although there were safety measures in place Officers were also well trained to deal with such matters.

RESOLVED – T H A T the following persons be appointed as Proper Officers and Port Medical Officers on behalf of the Local Authority under the provision of the Public Health (Control of Diseases) Act 1984, as amended by the Health and Social Care Act 2008, and Regulations made thereunder:

- Siobhan Adams
- Graham Brown
- Caryn Cox

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- Richard Firth
- Ardiana Gjini
- Beverly Griggs
- Sion Lingard
- Susan Mably
- Elizabeth Marchant
- Keith Neal
- Giri Shankar
- Rhianwen Stiff
- Christopher Johnson
- Emily Steggall
- Daniel Thomas
- Christopher Williams.

Reason for decision

The current list of Proper Officers / Port Medical Officers was out of date and required amendment.