

No.

SHARED REGULATORY SERVICES JOINT COMMITTEE

Minutes of a remote meeting held on 27th September, 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 (Vice-Chair in the Chair).

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

(a) Announcement –

Prior to the commencement of the business of the Committee, the Democratic and Scrutiny Services Officer read the following statement: “May I remind everyone present that the meeting will be live streamed as well as recorded via the internet and this recording archived for future viewing.”

(b) Apologies for Absence –

These were received from Councillors R. Goode (Chair) (Bridgend County Borough Council) and M. Michael (Cardiff City and County Council)

(c) Minutes –

RESOLVED – T H A T the minutes of the Annual Meeting held on 21st June, 2023 be approved as a correct record.

(d) Declarations of Interest –

No declarations were received.

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(e) Shared Regulatory Services Audit Wales 2023 Audit Plan (HF/S151O) –

The purpose of the report was to present to Members the Draft Audit Wales Plan 2023.

Appendix 1 outlined the Draft Audit Wales Audit Plan. The report provided details regarding how Audit Wales would complete the work in 2023.

The Committee were requested to consider and agree the proposed audit plan for 2023.

Councillor D. De'Ath queried whether there were any peculiarities of auditing a Joint Service that was made up of three Councils. In reply, Mr. S. Wyndham (Audit Wales) stated that it was the same as if there was a single Council service. The only complication was in relation to the funding model in which refunds could be distributed differently amongst the three partner authorities.

Subsequently, it was

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

Reason for decision

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

(f) Overview and Update on Shared Regulatory Services (DEH) –

The report apprised the Committee of the work of the service and progress toward completing the actions contained in the Shared Regulatory Services (SRS) Business Plans.

The report contained information outlining how the service was working to achieve better outcomes for residents and businesses within the region through a series of different actions and work programmes. The report provided an overview of activities undertaken during the quarter, detailed under the following areas:

- Human Resources
- Financial Position Quarter 1 – Appendix 1
- Performance Monitoring – Appendix 2
- Private Sector Housing
- Empty Homes Work
- Supporting the Local Economy - Primary Authority and Training updates
- Protecting the Environment - Air Quality and Soundscapes
- Protecting the Environment - Animal Health and Welfare
- Protecting the Vulnerable – Concerns around vaping
- Protecting the Vulnerable – Prosecution of Illegal Money Lender

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- Making the Best Use of Resources – audit results and additional demands on the Service
- Enforcement Activity – Appendix 6

The Joint Committee was also asked to consider the Communicable Disease Plan 2023-24 which was attached at Appendix 3 to the report. The Plan set out how the SRS would fulfil its role of protecting public health for the investigation of cases and outbreaks of communicable disease and the application of control, preventative and enforcement measures. The Committee agreed for the Communicable Disease and Health Service Plan 2023-24 to be approved.

In addition, at Appendix 4 was the Port Health Plan 2023-24, which was another of the SRS Operational Plans for the year. It set out how the Shared Service would fulfil its role of protecting public health by carrying out a range of health controls. The Plan explained how the Port Health Team would fulfil its purpose of preventing and controlling infectious disease coming into Cardiff, Barry and the surrounding areas via the ports and airport to protect the health of the public. The Plan also detailed the delivery mechanisms for the Statutory Obligations in relation to food safety, imported food control, ship sanitation, waste control and animal health. It was agreed for the Port Health Plan to be approved.

Councillor R. Sivagnanam queried whether the increased service demands were reflected in the current financial budget projections and was that a reason for the projected overspend. The Principal Accountant stated that she would clarify the position and report back to the Committee. The reported overspend related to the licensing function within Cardiff and work was ongoing with colleagues in Cardiff Council around the budget process.

In respect of paragraph 2.3 and the quick wins identified from the focus group, the Head of Service clarified that these include such things as changing terminology for job advertisements to reflect better how prospective employees searched for jobs.

Councillor D. De'Ath queried whether the Food Standard Agency catch-up programme provided any benefits. In reply, the Operational Manager for Commercial Services stated that it did because it provided a framework that assisted progress around the inspections for high-risk premises. This was important as there had been a backlog due to the impact of COVID. Even though the recovery plan time limit had ended, the Service was not yet quite ready to go back to its normal programme of inspections. Therefore, in relation to Categories C to E premises, the Service was still in dialogue with the Food Standards Agency.

Councillor R. Sivagnanam referred to the increase in noise complaints from businesses and she asked what were the reasons for that. In reply, the Operational Manager advised that the reason for missing targets in relation to commercial and industrialised units was mainly related to entertainment venues but there was an internal process matter to resolve in relation to how complaints were recorded and picked up particularly over a weekend period. Therefore, there would usually be a backlog so the Service was considering ways of providing

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further resources at the beginning of the week to enable the Service to respond to complaints in order to meet the target.

Councillor Sivagnanam commented on the savings that the Shared Service had to make as well as the limited resources and she stated that it was important for each Council representative to go back and lobby their own authority for more resources. This was something that would need to be taken forward when each Council was setting their future budgets.

With regards to future Welsh Government controls around air and noise pollution, the Chair queried whether Welsh Government had any plans in relation to trunk roads and improving air pollution. In reply, the Team Manager for Specialist Services (Environment) stated that Welsh Government had identified that there were some roads which were non-compliant with current standards so one of the retained measures that Welsh Government was considering was around implementing clean air zones on trunk roads, but this would require changes in the law.

With regard to Welsh Government consultation regarding the issue of domestic wood burners, the Committee was advised that consultation had been carried out, but the results had yet to be published. Current legislation in relation to the Clean Air Act 1993 allowed local authorities to declare small smoke control areas but future legislation would hopefully make it easier for local authorities to carry out enforcement action.

In response to a query regarding the private sector housing work and the need for more resources, the Operational Manager Neighbourhood Services stated that more work could be undertaken with more resources. There was also Council specific schemes, for instance, there were additional licensing schemes in Cardiff where there was a charge to the sector for the inspection regime. That allowed the Service to undertake more work. Financial challenges across other parts of the Service were also recognised and needed to be considered as part of the budget setting process across the three partner authorities.

Councillor D. De'Ath praised the energy efficiency work and asked whether there was any way for that work to be celebrated. In reply, the Operational Manager Neighbourhood Services stated that the website had recently been updated and improved, but there was scope to further promote good work which would be considered by management.

Subsequently it was

RESOLVED –

- (1) T H A T the contents of the report be noted.
- (2) T H A T the 2023/24 Communicable Disease Plan and 2023/24 Port Health Plan be approved.

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(3) T H A T the Head of Shared Regulatory Services be authorised to make administrative amendments to be Communicable Disease and Port Health Plans, should the need arise.

Reasons for decisions

- (1) Having regard to the content of the report and discussions at the meeting.
- (2) To ensure that the Shared Regulatory Service has robust arrangements in place to deliver its obligations in respect of communicable disease and port health.
- (3) To enable minor changes to be made, should the need arise, during the lifetime of the Communicable Disease and Port Health Plans, without the need for them to be brought back to the Joint Committee.

(g) Shared Regulatory Services Food and Feed Law Enforcement Service Plan 2023-24 (DEH) –

The purpose of the report was to seek approval for the Food and Feed Law Enforcement Service Plan for the Shared Regulatory Service for 2023/24.

The report apprised the Committee of the work of the Shared Regulatory Service in respect of Food and Feed law.

The report requested the Committee to approve the Food and Feed Law Enforcement Service Plan for the Shared Regulatory Service for 2023/24.

Councillor R. Sivagnanam commented that more resources would be required as service demands increased, so it was important for members to lobby their respective authority as well as lobbying of Welsh Government.

Having considered the report it was

RESOLVED –

- (1) T H A T the 2023/24 Food and Feed Law Enforcement Service Plan be approved.
- (2) T H A T the Head of Shared Regulatory Services be authorised to make administrative amendments to the 2023/24 Food and Feed Law Enforcement Service Plan should the need arise.

Reasons for decisions

- (1) Having regard to the contents of the report and discussions at the meeting.
- (2) To ensure the Plan remains up to date should any changes in law or best practice be introduced during the period.

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(h) Review of the Shared Regulatory Services Compliance and Enforcement Policy (DEH) –

The report advised the Joint Committee of a recent review of the Shared Regulatory Services Compliance and Enforcement Policy. The Policy had been in place since 2016 to set the standards that would be applied when dealing with issues of non-compliance with public protection law. A draft revised Policy has been prepared as a result of this review, with the aim of ensuring that it was up to date and fit for purpose.

The report sought the approval of the Joint Committee for the Shared Service to implement the updated Policy and also that it recommended the adoption of the revised Policy by the three partner Councils.

Having considered the report it was

RESOLVED –

(1) T H A T the updated Enforcement Policy and annexes be approved for use by the Shared Regulatory Services.

(2) T H A T it be recommended the revised Policy to be adopted by the respective Councils for those functions undertaken by the Shared Service on their behalf.

(3) T H A T the Head of Shared Regulatory Services be authorised to make minor administrative amendments and updates to the revised Compliance and Enforcement Policy, once implemented, should the need arise.

Reasons for decisions

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

(2) The decision to prosecute breaches of legislation enforced by the Shared Regulatory Service rests with each Council and, as such, the revised Policy would need to be adopted of each of the three partner authorities.

(3) To ensure that during the lifetime of the revised Policy (i.e. prior to its next full review), minor amendments and updates could be incorporated without the need to seek approval on each occasion from the Joint Committee.