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SHARED REGULATORY SERVICES JOINT COMMITTEE

Minutes of a Remote Annual Meeting held on 19th June, 2024.

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

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

Representing Bridgend County Borough Council – Councillor M. Lewis.

Representing Cardiff City and County Council – Councillors N. Mackie and M. Michael.

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

(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) Appointment of Chair –

RESOLVED – T H A T Councillor N. Mackie be appointed to the position of Chair for the current Municipal year and in line with the Joint Working Agreement.

(c) Appointment of Vice-Chair –

RESOLVED – T H A T Councillor R. Sivagnanam be appointed to the position of Vice-Chair for the current Municipal year and in line with the Joint Working Agreement.

(d) Apology for Absence –

This was received from Councillor H. Williams (Bridgend County Borough Council).

(e) Minutes –

RESOLVED– T H A T the minutes of the meeting held on 20th March, 2024 be approved as a correct record.

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(f) Declarations of Interest –

No declarations of interest were received.

(g) Shared Regulatory Services Unaudited Statement of Accounts 2023/24 (HF/S151) –

The purpose of the report was to present to Members the Shared Regulatory Services Unaudited Statement of Accounts 2023-24. The Unaudited Statement of Accounts for 2023/24 was attached at Appendix 1.

The Operational Manager – Accountancy outlined the report to Members of the Committee, explaining that the draft accounts had been circulated recently with the Annual Governance Statement. Further quality assurance would be undertaken, and the final Shared Regulatory Services' Statement of Accounts would be shared and be approved electronically by Members by 28th June, 2024, therefore enabling the final sign off to occur by 30th June, 2024 deadline.

The Operational Manager explained that the outturn as outlined in the draft would probably not change, although the narrative element for the accounts may do so. If this was the case, then the amended accounts would be shared with Members prior to the deadline for approval date. In a similar approach last year from an Audit Wales perspective the Council was expecting the main Local Authority accounts to be prioritised and the Shared Regulatory Service accounts would be picked up afterwards.

The key highlights of the report were referred to, ranging from a reduction in usable reserves, through to specific service pressures that needed to be addressed / absorbed, a reduction in pension liability, the outcome of the internal audit report, as well as a review of expenditure on test purchases, a refresh on the car mileage claims policy and the need to have a wider conversation with the partner authorities around how the 2024/25 contributions would be allocated (either on a population basis or aggregate external finance, as done for the 2023/24 contribution methodology).

The Unaudited Shared Regulatory Services (SRS) Statement of Accounts 2023/24 had been prepared in accordance with the proper practices as set out in the CIPFA / LASAAC Code of Practice on Local Authority Accounting in the United Kingdom (the Code). The Statement was complete, and the report informed Committee of the financial position of the SRS prior to final audit in respect of financial year 2023/24. The Statement of Accounts was subject to audit. The Committee was asked to authorise the Chair and the Head of Finance to sign and release the SRS Statement of Accounts to Audit Wales. The outcome of their review by Audit Wales would be fed back to the Committee later on in the financial year.

The Committee, after considering the report, subsequently

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RESOLVED –

- (1) T H A T the content of the report be noted and approved.
- (2) T H A T the Shared Regulatory Services' Statement of Accounts be approved electronically by Members by 28th June, 2024, therefore enabling the final sign off to occur by 30th June, 2024 deadline.
- (3) T H A T the Chair and Head of Finance be authorised to sign the Unaudited Statement of Accounts 2023/24 for its release to Audit Wales.

Reasons for decisions

- (1) In order to approve the Unaudited Statement prior to the deadline.
- (2&3) In order to facilitate the completion of the audit of the accounts.
- (h) Shared Regulatory Services Annual Report 2023/24 (DEH) –

The report was presented by the Head of Shared Regulatory Services and other officers involved with Shared Regulatory Services (SRS), the purpose of which was to advise Members on the performance and financial position of the Shared Regulatory Service for the 2023-24 financial year.

The Joint Working Agreement required the Head of SRS and the Head of Finance to produce an Annual Report which, once approved by the Committee, would be forwarded to the Heads of Paid Service for the other partner Councils.

The Operational Manager – Accountancy outlined the financial side of the report. For example, as of 31st March, 2024, SRS had achieved an unaudited outturn deficit of £171k against the 2023/24 £8.645m budget. This was split between £18k of this being against the Authority specific part of the budget and £53k of it associated with the core part of the budget. A number of themes underlined this financial situation, including the use of reserves, usable reserves reduced to £450k, pay award pressures and savings the service was required to make in 2023/24. The landscape in which this overspend arose included factors such as the greater than budgeted pay award for 2023-24, costs related to animal welfare seizures and an element of contractor costs linked to the very positive progress made against the Food inspection programme.

The adverse variances at year end shown against Cardiff and the Vale could be associated with both the Authority Specific and Core elements of the SRS budget and was further detailed in the report. The position was subject to the completion of the external audit of these accounts by Audit Wales.

Following the financial update, the Vice Chair commented on the pay award pressures and the considerable work undertaken to catch up on the food hygiene inspection programme post-COVID 19 from a Local Authority perspective. The Head of Shared Regulatory Services explained that it had been a very positive

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year in terms of food hygiene inspections and addressing the backlogs post-COVID-19, but this had come at an extra cost in terms of extra financial outlay by needing to hire agency staff to help support this. Authority specific issues around the pay award and other overspends were being discussed, and any updates would be relayed back to Members of the Committee.

The report provided assurance that during 2023-24, the Shared Service had largely recovered performance across its traditional metrics after the disruption caused by the COVID-19 pandemic. There was still some way to go however in finally clearing the inevitable backlogs in some areas of programmed work. Key areas were presented to the Committee covering Human Resources, Operational Performance, Noise and Air Pollution, the Food Service, Animal Welfare, and other key parts of the service, including some positive results on food hygiene, business and trading standards, maximising resources in light of the continued pressures on public finances and growing the SRS approach to recruitment and retention.

Following the report, the Vice-Chair, Councillor Lewis and the wider Committee wanted to express their thanks and appreciation to all SRS staff for their hard work and commitment on the various parts of the service, from food hygiene to tackling loan shark activities and beyond. Following this, the Vice-Chair asked about complaints concerning noise and the thousand plus figure quoted in relation to this. It was confirmed that this related to residential complaints regarding nearby, local, businesses. On the Vice-Chair's question on the volume of complaints and how the complaints were determined, it was explained by the Operational Manager, Shared Regulatory Services, that such complaints formed part of the greatest reactive demand for SRS, particularly where residential properties were close to commercial premises and entertainment venues, such as in town and city centres. In terms of increased complaints, this had not increased significantly from last year, rather this had been more a general trend over the last nine years. As much as possible such issues would be dealt with and pre-empted via the planning process, but should issues arise once a business became operational, SRS would take a measured approach in terms of addressing the complaints and any enforcement, i.e. does the noise complaint pass the statutory noise test or threshold and that of reasonableness, such as was the business concerned doing all that it could to mitigate any noise that it was making, was it complying with its planning consent, was it implementing all the relevant conditions to address / mitigate noise, etc. as given through the planning and licensing processes. It would ultimately be up to the relevant SRS officer to take all of those factors into account when coming to a conclusion as to whether the Council would take action. Out of those thousand plus complaints, the majority would be resolved by sending a letter to the businesses concerned outlining the noise issues reported, who would then look to mitigate these. A much smaller number would require further work, serving a notice or, in a very few cases, prosecution involving licensing and enforcement. Further details would be provided to the Vice-Chair and the Committee in due course.

Councillor Drake raised the recent incident at Dow Corning in Barry which had caused concerns amongst local residents and asked if this had now been addressed. It was explained that SRS were aware of the incident, but the lead

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agency and regulator was Natural Resources Wales (NRW) who were dealing with it, but SRS were still in contact with Dow Corning and NRW around this incident.

On the efforts by SRS in tackling illegal vapes and tobacco, the Chair stated that the public would be really pleased to know that this was being looked at and being dealt with.

The Committee, after considering the report, subsequently

RESOLVED –

(1) T H A T the report be approved and the Chief Executive, Vale of Glamorgan Council, be authorised to forward a copy of the report to the Heads of Paid Service for the other partner Councils.

(2) T H A T the 2023-24 unaudited outturn position be noted.

Reasons for decisions

(1) To meet the requirements set out in Clause 5.1 of the Joint Working Agreement.

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

(i) Shared Regulatory Services Business Plan 2024/25 (DEH) –

The report was presented by the Head of Shared Regulatory Services, the purpose of which was to seek Committee's approval for the Shared Regulatory Services (SRS) Business Plan 2024-25. The report set out the process by which the draft SRS Business Plan for 2024/25 had been developed.

The draft Plan required ratification by the Joint Committee and formed a part of the SRS Annual reporting process set out in the Joint Working Agreement.

It was explained that the Plan held the 'golden thread' or 'line of sight' to the corporate priorities of the respective Councils.

The draft 2024/25 Business Plan had been developed through the SRS business planning process to reflect the input of Officers and Team Managers, while at the same time acknowledging at a strategic level, the need for its work to respond to local, regional, and national agendas; as well as to global events as and when required. The draft Plan presented a realistic acknowledgement of the challenges and resource limitations within which SRS delivered essential services. There was also broad support for continued use of the existing five strategic themes and an annual Action Plan had been produced.

The Committee, after considering the report, subsequently

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RESOLVED –

(1) T H A T the content of the report be noted and the Shared Regulatory Services Business Plan for 2024/25 be approved.

(2) T H A T the Head of the Shared Regulatory Service be authorised to make administrative amendments to the 2024/25 Business Plan should the need arise.

Reasons for decisions

(1) The Joint Working Agreement (JWA) specifies (at clause 14) that each year, the Head of Shared Regulatory Services will develop a draft Business Plan under the direction of the Management Board.

(2) The purpose of the Business Plan, as specified by the JWA, 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. The JWA further specifies that a draft Business Plan is submitted to the Joint Committee for approval, and that once approved, it is circulated to each participant authority's Head of Paid Service.

(3) Authorising the Head of Shared Regulatory Services to make administrative amendments to the Business Plan will enable minor changes to be made, as and when needed during the year, without the need to bring the matter back to the Joint Committee. As well as reducing the burden on the Joint Committee this approach means that minor changes can be made promptly in response to any issues that arise.

(j) Shared Regulatory Services Health and Safety Enforcement Service Plan 2024/25 (DEH) –

The report, presented by the Operational Manager Shared Regulatory Service, sought approval for the Health and Safety Enforcement Service Plan for the Shared Regulatory Service for 2024/25. The report apprised the Joint Committee of the work of the Health and Safety team and requested approval for the Health and Safety Enforcement Service Plan for the Shared Regulatory Service for 2024/25.

Section 18 of the Health and Safety at Work Act required Local Authorities to produce a Health and Safety Service Plan setting out the arrangements in place to discharge these duties. This Health and Safety Enforcement Service Plan was produced in response to that requirement and was designed to inform residents, the business community of Bridgend, Cardiff and the Vale of the arrangements the Councils had in place to regulate health and safety.

This report, produced annually, detailed how SRS discharged their health and safety duties.

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The Committee, after considering the report, subsequently

RESOLVED –

(1) T H A T the 2024/25 Health and Safety Enforcement Service Plan be approved.

(2) T H A T the Head of the Shared Regulatory Service be authorised to make any administrative amendments to the 2024/25 Health and Safety Enforcement Service Plan should the need arise.

Reasons for decisions

(1&2) To ensure the Shared Regulatory Service has robust arrangements in place to deliver its obligations as an enforcing authority under the Health and Safety at Work Act 1974 and comply with statutory guidance.

(k) 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. This was presented to the Committee by the Operational Manager Shared Regulatory Service.

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).

The Committee, after considering the report, subsequently

RESOLVED – T H A T the following persons be appointed as Proper Officers and Port Medical Officers for the purposes of the legislation set out in the report.

- Siobhan Adams – Consultant in Health Protection
- James Adamson – Consultant in Health Protection
- Richard Firth – Consultant in Health Protection
- Beverly Griggs – Consultant in Health Protection
- Susan Mably – Consultant in Health Protection
- Elizabeth Marchant – Consultant in Health Protection
- Keith Neal – Consultant in Communicable Disease Control
- Giri Shankar – Consultant in Communicable Disease Control
- Wendi Shepherd – Consultant in Health Protection

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- Rhianwen Stiff – Consultant in Communicable Disease Control
- Christopher Johnson – Consultant Epidemiologist
- David Ishola – Consultant Epidemiologist
- Emily Steggall – Consultant Epidemiologist
- Daniel Thomas – Consultant Epidemiologist
- Christopher Williams – Consultant Epidemiologist

Reason for decision

The current list of Proper Officers / Port Medical Officers is out of date and requires amendment, with the amendments detailed above.