

Worcestershire Regulatory Services Board
Thursday, 1 October 2020

MINUTES

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WORCESTERSHIRE DISTRICT COUNCILS

VIRTUAL MEETING OF THE WORCESTERSHIRE REGULATORY SERVICES BOARD

THURSDAY, 1ST OCTOBER 2020, AT 4.30 P.M.

PRESENT: Councillors H. Dyke (Chairman), J. Squires (Vice-Chairman), A. D. Kent, H. J. Jones, J. Raine, T. Wells, N. Nazir, M. Johnson, E. Stokes, D. Morris and P. Dyke

Officers: Mr. S. Wilkes, Ms. C. Flanagan, Mr. C. Forrester, Ms. K. Goldey, Ms. K. Lahel, Mr. M. Cox, Mr. D. Mellors, Mrs. P. Ross and J. Gresham

Partner Officers: Mr. L. Griffiths, Worcester City Council and Ms. M. Patel, Malvern Hills District Council and Wychavon District Council.

11/20

APOLOGIES

An apology for absence was received from Councillor W. King, Redditch Borough Council.

12/20

DECLARATIONS OF INTEREST

There were no declarations of interest.

13/20

MINUTES

The minutes of the meeting of the Worcestershire Regulatory Services Board held on 18th June 2020, were submitted.

Councillor Kent, Bromsgrove District Council (BDC) referred to page 3 of the minutes and in doing so, commented that Members had been expecting an update report at the meeting held on 18th June 2020, however, it was agreed that officers would provide an update on the ICT system including timescales, at the next meeting of the Board.

Councillor Kent expressed his disappointment that Agenda Item 5, Information Report – IT Update being presented to Members today, did not include timescales as agreed.

In response the Head of Finance & Customer Services informed the Board that the implementation of the new Bromsgrove District Council and Redditch Borough Council Finance system was due to go live in October 2020. However, there had been delays due to Covid 19; with rolling out the necessary training, testing the system and not being able to get officers on site. Officers were looking at the schedule to see if an

extension was needed, but currently the revised implementation 'go-live' date was the end of November 2020.

RESOLVED that subject to the comments, as detailed in the preamble above; the minutes of the Worcestershire Regulatory Services Board meeting held on 18th June 2020, be approved as a correct record.

14/20

WORCESTERSHIRE REGULATORY SERVICES BUDGETS 2020/21

The Head of Finance & Customer Services, Bromsgrove District Council, introduced the report and in doing so highlighted that the Worcestershire Regulatory Services budget for 2020/2021 as agreed by the Board at the meeting held on 28th November 2019, had had to be adjusted due to late changes, as follows:-

- The late changes in the Worcestershire Regulatory Services (WRS) forward pension funding rate from 16.9% to 20.5%;
- The Pay Award of 2.75% (budgeted at 2%);
- The increase in charges from Wyre Forest for accommodation and ICT hosting; and
- A change in the pest control service at Wyre Forest in March 2020.

As detailed on pages 17 to 21 of the main agenda report.

Councillor Kent, BDC queried the refund of £7k to Wyre Forest District Council with regards to their Pest Control Services; and the increase of £13k in accommodation charges and ICT hosting from Wyre Forest District Council in March 2020.

The Head of Regulatory Services responded and informed the Board that Wyre Forest District Council had ceased offering subsidised Pest Control Services for residents in receipt of specific benefits in February / March 2020.

With regards to the increase in accommodation charges and ICT hosting, following discussions with the Chief Finance Officer and the Head of IT, Wyre Forest District Council, the overall cost of inflation was discussed and it was agreed that, since the contract was initially entered into in 2015, an adjustment was made upwards, which was simply a reflection of the increase over that 5 year period. It was not just to cover the ICT provision it also included a proportion for the increase in rent for the space occupied by WRS officers at Wyre Forest House. The initial agreement was a fixed annual charge over a 5-year period. A Consumer Price Index was used.

The Head of Regulatory Services agreed to provide Members with further details on the discussion that took place in respect of the £13k increase in accommodation charges and ICT hosting.

Councillor J. Raine, Malvern Hills District Council commented that after getting his authority views on the pay award, which was more than expected, it was agreed that it was well deserved, particularly in these difficult times.

Further discussion followed, whereby Councillor E. Stokes, Wychavon District Council also expressed her concerns with regards to Recommendation 1.4 and if calculations were based on a Consumer Price Index, was that not compounding it.

The Council's Legal Advisor clarified that each Recommendation could be decided on individually.

RESOLVED that

- a) Recommendation 1.4, as detailed on page 18 of the main agenda report, be deferred; and
- b) the Head of Regulatory Services be tasked to provide further information in relation to the increase in accommodation charges and ICT hosting from Wyre Forest District Council, at the next meeting of the Board.

RECOMMENDED that partner authorities approve the following for 2020/21:

- 1.1 the additional partner liabilities for 2020/21 in relation to increase in WRS pension forward funding rate and recommend the increase to individual partner councils:-

Bromsgrove District Council	£11k
Malvern Hills District Council	£10k
Redditch Borough Council	£13k
Worcester City Council	£13k
Wychavon District Council	£18k
Wyre Forest District Council	£12k
Total	£77k

- 1.2 the additional partner liabilities for 2020/21 in relation to the additional increase in pay award of 0.75% from the original estimated 2% and recommend the increase to individual partner councils:-

Bromsgrove District Council	£3k
Malvern Hills District Council	£3k
Redditch Borough Council	£4k
Worcester City	£3k

Council	
Wychavon District Council	£5k
Wyre Forest District Council	£3k
Total	£21k

- 1.3 the refund to Wyre Forest in relation to the change of Pest Control Services and recommend the refund to individual partner councils:-

Wyre Forest District Council	£7k
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- 1.5 the revised budget for 2020/21 and partner percentage allocations for 2020/21 onwards, due to the change in pest control service at Wyre Forest:-

	£'000	Revised %
Bromsgrove District Council	468	14.59
Malvern Hills District Council	412	12.82
Redditch Borough Council	564	17.57
Worcester City Council	532	16.58
Wychavon District	748	23.29
Wyre Forest District Council	486	15.15
Total	3,210	

15/20

WORCESTERSHIRE REGULATORY SERVICES REVENUE MONITORING APRIL - JUNE 2020

Members were asked to consider the Worcestershire Regulatory Services Revenue Monitoring for April to June 2020.

The Head of Finance & Customer Services, Bromsgrove District Council, introduced the report and in doing so drew Members' attention to the Recommendations as detailed on pages 27 and 28 of the main agenda report.

Members were asked to note that the budget may need to be adjusted slightly following the deferment of Recommendation 1.4, Agenda Item 4.

Members were further informed that the report showed a projected outturn 2020/2021 of £26k deficit. This was an estimation to the year-end based on the following assumptions:-

- There were two vacant posts within the service, we have assumed no recruitment to the Business & Relationship Manager for the current year to assist in reducing the projected outturn deficit. This would need to be reviewed at the end of quarter 3. The other vacant post was a Regulatory Apprentice which we hoped to recruit to in the near future.
- If April to June 20 spend on pest control continued on the same trend for the rest of year, there would be an overspend on this service of £20k. WRS officers would continue to monitor and analyse this spend and advise of final recharges for 2020/21 as soon as possible. The projected outturn figure to be funded by partners was:-

Redditch Borough Council	£6k
Wychavon District Council	£4k

Members' attention was drawn to the figures detailed in Appendix 1 to the report, which detailed a -£60k variance, due to a reduction in dogs straying, the out of hours dog warden had been taken in house. This could peak though when lockdown started to be lifted. Also, the variance of £19k due to additional costs relating to Gull Control & Pest Control that was charged to relevant partners.

Councillor J. Squires, Worcester City Council raised the following question "WRS was in receipt of a grant from government around Covid-19, but this was not included in any of the finance papers before Members tonight. Where / when would this feature; and what work had been carried out."

The Head of Regulatory Services informed the Board that Worcestershire County Council (WCC) has received a sum of money from government for the disease control activity that was required to manage the Covid-19 outbreak. WRS were asked to provide Environmental Health Officer cover for the local outbreak response team; to work with the Public Health Consultants. Environmental Health Officers time had been costed in order to help manage this and the work needed to address the outbreak. The estimated bill to WCC was £168k, which had not yet been drawn down, however WCC were aware that they would be billed. All of the funds would be spent, if not more, in order to continue to carry out the normal WRS business activities.

The Head of Regulatory Services further informed Members that he was not aware of any additional funding for Covid-19 related work. He had not approached the partner Chief Executives / Managing Directors yet to request further funding, but it was something he was considering given the significant draw on WRS resources with Covid-19.

In response to Councillor J. Squires, Worcester City Council, the Head of Regulatory Services explained that the financial impact of Covid-19 and any impact on WRS income would be seen in quarter 2. The Technical Services Managers team were working on income generation, with some difficult projects that would generate some income. His best guess estimate would be potentially £30/40k reduction in income.

Work with the Public Health Consultants local outbreak response team did not commence until after quarter 1, the cost of that work and the monies drawn down from WCC would be included in the quarter 2 financial monitoring report.

RESOLVED that

- a) the final financial position for the period April – June 2020 be noted;
- b) partner councils are informed of their liabilities for 2020-21 in relation to Bereavements as follows:

Council	Apr–June 20 Actual for Bereavements £000
Redditch Borough Council	3
Malvern Hills District Council	2
Worcester City Council	3
Bromsgrove District Council	2
Total	10

- c) partner councils are informed of their liabilities for 2020-21 in relation to Pest Control as follows:

Council	Estimated Projected Outturn Recharge in Relation to Pest Control 2020/21 £000
Redditch Borough Council	6
Wychavon District Council	4
Total	10

- d) partner councils are informed of their liabilities for 2020-21 in relation to three

additional Technical Officers

Council	Estimated Projected Outturn 2020/21 Tech Officer Income Generation £000	Estimated Projected Outturn 2020/21 Tech Officer Animal Activity £000	Estimated Projected Outturn 2020/21 Gull Control £000
Redditch Borough Council	4	1	
Malvern Hills District Council	3	9	
Worcester City Council	4	4	35
Bromsgrove District Council	3	6	
Wychavon District Council	5	9	
Wyre Forest District Council	3	5	
Total	22	34	35

16/20

INFORMATION REPORT - FORECAST IMPACT OF FUTURE SALARY SETTLEMENTS

Members received an Information Report - Forecast impact of future salary settlements.

The Head of Regulatory Services reminded Members that they had previously asked for information regarding the potential impacts of future salary increases on the overall Worcestershire Regulatory Services budget. Some Members of the Board had expressed their concern at the host authority's normal policy of only forecasting 1% salary increases each year beyond the current.

Members raised their concerns when it started to become clear that the salary settlement for 2020-21 was likely to be 2% or more and, as we have been told in recent weeks, 2.75% had been agreed between employers and unions. The forecast increase in forward pension funding also exceeded the 16.9% originally indicated by the Pension Scheme

and WRS partners had had to contribute 20.5% for its members of staff in the shared service.

In order to give the Board a clear understanding of the financial information looking forward, the host authority accountant who supported the WRS Management Team had provided the figures that informed the budget setting process that the Board undertook in November 2019 in Table 1 of the Appendix. At this time the pay increase was being anticipated as 2%, with a 1% per annum increase following on from that.

2020/21 was also to be a re-calculation year for pensions funding by the Pension Fund and it was assumed that WRS would follow the host authority with an increase in forward funding of 16.9%. The impacts of this were illustrated in Table 1 of the Appendix; and Members may recall that they agreed to increase the base budget by £90,106 collectively to cover off a salary increase of 2% and the predicted increase to pension forward funding.

The Head of Finance & Customer Services, Bromsgrove District Council clarified that the projection was an underfunding and that this was based on The Actuary assumptions.

RESOLVED that the Information Report – Forecast impact on future salary requirement be noted.

17/20

ACTIVITY & PERFORMANCE DATA - QUARTER 1 2020/21

The Licensing and support Services Manager, Worcestershire Regulatory Services (WRS) presented the Activity and Performance Data for Quarter 1 2020/2021.

Members were informed that the report focused on quarter 1, but the actual data allowed a comparison with previous quarters and years.

At the last Board meeting in June, Members received an update on the work the service had undertaken in relation to Covid-19 since the beginning of lockdown. The report focused on the other work carried out during quarter 1, on what was often referred to as our 'business as usual' activities rather than the disease response work that featured in the June report.

The first quarter of 2020/2021 commenced with the economy in lockdown and with many of the businesses WRS would normally deal with either closed or operating on a different trading model (by takeaway for food or delivery for non-food products). This made this quarter unlike any other in the 10-year history of WRS.

The Food Standards Agency suspended the Food Hygiene inspection programme at the beginning on lockdown in March and this continued throughout the first quarter. This explained the low number of inspections, reflecting that the service was mainly engaging with new entrants to the sector or those wanting re-rating. Any allegations of serious misconduct were followed up.

Stray dog numbers continued to follow their downward trend. Officers were concerned that the economic difficulties might lead to a spike in dog abandonment as people decided that they could not afford to feed their pets, however it appeared that the government's financial measures, whilst not having this in mind, may have had a spin off in preventing this.

Numbers of license applications were also down in quarter 1. Usually there would be an increase in applications for temporary event notices during this period but with pubs shut and music festivals off the menu for much of the summer, these applications were not received

Planning application numbers fell during quarter 1, again linked to the lockdown. However, numbers started to rise again sharply subsequent to this. Environmental Information Requests often associated with the planning and development process were also down for this period.

One area that didn't fall was nuisance/ pollution complaints. With many more people working from home and encountering situations they would not normally encounter.

Members were often reminded that the reportable performance indicators were more limited in quarter 1, but the year appears to have started reasonably well from a customer satisfaction perspective, with the non-business customer measure at 74.6% and business customers at 99.3%. Given the pressure on the service during quarter 1 this was seen as positive.

Compliments outnumbered complaints by 3:1 (18:6) and staff sickness was looking reasonably good at 0.61 days per FTE. This was on a par with previous years at quarter 1 (0.75).

Councillor J, Raine, Malvern Hills District Council commented that it would be useful to have the previous year's figures included as a benchmark.

RESOLVED that the Activity and Performance Data report for Quarter 1, be noted; and that Board Members use the contents of the report in their own reporting back to fellow Members of each partner authority.

18/20

INFORMATION REPORT - IT UPDATE

Members received an Information Report – IT update, which Members had requested at the last meeting of the Board.

The Technical Services Manager informed the Board that the current work programme listed 18 projects. The four significant key elements being: -

Reliable and secure digital management systems and infrastructure

WRS records were cleansed in line with the WRS retention and disposal policy every quarter with the actual policy itself being reviewed every six months for appropriateness. In May 2019, the Electronic Document Management System (EDRMS) system was included in this process.

A programme for updating IT equipment commenced in late 2019. At that time a large number of laptops were from 2013 with the remainder from 2015. Therefore, the proposed programme for the replacement of 2013 laptops was a mixture of migrating 2013 laptops to UDC mode or a new laptop depending on officer need, and for the 2015 ones.

Remote working capabilities

Prior to March, the majority of the workforce were able to work remotely, but there was a proportion who were not able to do so without changes to processes and equipment. The IT equipment updating programme was suspended in March to enable the IT Host to focus on enabling remote working (from home) for the remaining officers.

In 2019 Bromsgrove District Council (BDC) and Redditch Borough Council (RBC) upgraded their Microsoft licence to include Microsoft Office 365 and to enable access to Microsoft Teams. WRS had remained on BDC and RBC Microsoft Office licence even after the move to the Wyre Forest network. Unfortunately, BDC and RBC did not include WRS in this licence upgrade. This was further complicated by BDC Corporate Management Team indicating that internal meetings should only be conducted by Skype or Microsoft Teams without WRS staff necessarily having access to either these platforms.

Website Development

The WRS website was currently built on an older version of the Umbraco software platform. A decision was taken last year to upgrade to Umbraco version 8, which would enable significantly more functionality.

An outline of our agreed requirements was drawn up and provided to Wyre Forest IT who agreed to assist with the initial set up. A background structure to the new web site in Umbraco 8 was completed with training notes and an agreed WRS style guide. Unfortunately, Umbraco 8 was significantly different to the current version and with Covid-19 it meant that familiarisation/training had been slow and difficult for the two Officers leading on developing the first few pages.

Lead Officers from within WRS were invited to attend a training session on Umbraco 8 to formulate a detailed project plan. Following this, a decision would be taken by managers as to whether outside support was necessary to make the new website as good as it can be.

Integration with BDC Finance project

WRS were notified in 2019 of the intention by BDC and RBC to change their finance system. As BDC hosted WRS, WRS used their HR, procurement and finance system. Unfortunately, direct access to the current system was not possible for WRS staff from their Wyre Forest Citrix working environment.

Where necessary, officers accessed the internet based system either from their laptop desktop or one of two dedicated PCs in Wyre Forest House.

As reported at the Board meeting in June, the new Finance Project was due to go-live in October 2020, this was pushed back to November.

WRS Managers were invited to participate and be involved with the project working group in September to ensure that WRS requirements were satisfied by the new set up and to enable WRS officers to continue working in their Wyre Forest Citrix environment but still take payments, approve requisitions and authorise invoices.

Members were reassured WRS would continue to contribute to the development of the project to ensure their processes were included and could be used effectively.

Councillor Kent, Bromsgrove District Council stated that he found the report deeply unsatisfactory. It appeared that there was poor communication, no dates for delivery and that the same update had been provided at previous Board meetings about the WRS website and being able to take payments.

Councillor Kent further referred to the trial of UDC laptops and the upgraded Microsoft licence to include Microsoft Office 365 and access to Microsoft Teams; as detailed on pages 73 and 74 of the main agenda report.

In his opinion there appeared to be a total communication breakdown and a myriad of excuses and in his opinion, it should be escalated to a much higher level and that a Gantt chart be produced with delivery timescales.

In response the Head of Regulatory Services commented that clearly the UDC laptops did not work for accessing video conferencing platforms like Skype for Business, so that decision had had to be reversed, however at the time the decision was made, before Covid-19, it was thought to be a sensible decision.

Whilst he appreciated Councillor Kent's comments it was very difficult at this moment in time to move things forward and to keep their own side of the business running. The service had moved forward with using Zoom as a platform.

The decision taken to trial UDC laptops was a cost effective way of continuing to manage mobile and flexible working before the pandemic.

It had now been identified that Umbraco 8 was much more complicated. Currently WRS may not have the capacity, in house, to carry out a full migration of the WRS website from the current system into this new platform. If that was the case then he would have to draw up the kind of project plan that Councillor Kent had suggested, because an external person would have to be brought in to deliver that.

The Head of Service informed the Board that currently the focus of the service had to be on maintaining the response to the pandemic and to also maintaining the general business of WRS.

There was a huge strain on the management team and officers that was stretching the budget considerably, it was not easy to try and juggle everything that both he and his officers were currently dealing with.

The taking of payments had been moved forward as much as possible. He understood that Members were keen to see additional payment facilities being made available on the WRS website. But this was a much larger step which the Director of Finance & Resources, BDC, had been working on and that required the buy in of all s151 officers from all partner authorities; to make that decision that WRS would take payment on behalf all partner authorities. In the past some partners were not keen on this approach, so there was a lot of work that needed to be put in on this; at a time when the service was very stretched making it difficult to achieve.

Should Members be in agreement he was happy to provide a more detailed update at the next meeting of the Board. He would also ask Members to note that the service was under huge pressure responding to Covid-19.

Councillor J. Raine Malvern Hills District Council also commented that Councillor Kent was correct and it was important that WRS had the best technology, however Board Members had to take some responsibility. In his opinion WRS had been famously underfunded from the start. Members must be part of the solution and not just be seen to be criticising unfilled ambitions.

Councillor H. Jones, BDC, stated that it would be nice to have an upgraded website. However, having worked with WRS officers these past few months and seeing how they were practically on their knees dealing with Covid-19 issues, whilst maintaining their normal workload; it was important that frontline services were protected and Members

needed to support WRS officers responding to the demands of Covid-19.

Councillor H. Jones then took the opportunity to congratulate all WRS officers on the amazing work they were carrying out.

RESOLVED that the Information report – IT Update be noted.

19/20

INFORMATION REPORT - JOINT WORKING WITH PUBLIC HEALTH TO CONTROL COVID-19 OUTBREAKS IN WORK SETTINGS

Members received an Information Report on the joint working with Public Health to control Covid-19 outbreaks in work settings.

The Community Environmental Health and Trading Standards Manager introduced the report and in doing so, stated that as Members were aware Covid-19 posed a serious and imminent risk to public health and had been declared a global pandemic. On 5th March 2020 the first death from coronavirus in the UK was confirmed.

Local Authorities, with key NHS partners, worked alongside Public Health England (PHE) on the reactive response to outbreaks, following the usual arrangements in place for any outbreak situation.

National contact tracers followed up most non-complex, routine positive cases and their contacts and would escalate any complex cases, clusters and outbreaks to the West Midlands Public Health England team, who worked with the Local Authority to rapidly prevent and control transmission.

WRS Environmental Health expertise and resources were focussed on outbreak investigation, proactive advice and enforcement to supplement the National contact tracing programme. This was a key role in effective disease control and prevention and WRS officers had the essential experience, professional and legislative tools required to manage and control any outbreaks that occurred.

The report also contained information on the 3 outbreak investigations and the responses that WRS has delivered. 70 Covid-19 related service requests had been dealt with in the last week and the total number of requests for advice and investigations into non-compliance had crept up to 1600 in Worcestershire.

In addition to this officers had had to keep up with an unprecedented amount of legislation and amendments.

Officers had also worked with colleagues at West Mercia Police and had secured the closure and penalty fines in relation to a public house in Redditch that had carried on operating as a nightclub.

Officers were also working with colleagues in Public Health looking at the issue of local contact tracing arrangements, where national contact tracing had not been successful.

Councillor J. Raine, Malvern Hills District Council, highlighted that it was a most important report and Members should take the opportunity to recognise how hard WRS officers had been working in supporting Public Health colleagues as well as carrying out their normal workload. He expressed his thanks to all WRS officers.

Councillor E. Stokes, Wychavon District Council, commented that she was happy to endorse Councillor Raine's thanks and agreed that it was an amazing report.

In response to Councillor Stokes with regard to the £168k to be drawn down from WCC, the Head of Regulatory Services informed the Board that the calculation of the full costs was for the 3 officers working as part of the Covid-19 direct response team.

A lot of the work that the Community Environmental Health and Trading Standards Manager had referred to, was work that WRS was delivering, because Council's collectively across the country had been designated by the Secretary of State as the enforcement arm for all of the new regulations that were coming in; in particular business controls, none of which was funded. The £168k to be received from WCC was purely for local outbreak response teams. All of the other duties that government had dropped onto WRS, to regulate the local economy, were having to be addressed currently from within the WRS existing budget.

Senior officers were looking at what WRS needed going forward to bring that extra resource in and he had primed the Chief Executives / Managing Directors across all partner authorities.

The Chairman took the opportunity to echo everything that Members had said and stated that all Members were aware of the brilliant job that WRS officers were doing.

RESOLVED that the Information Report – Joint working with Public Health to control Covid-19 outbreaks in work settings, be noted; and that Board Members use the contents of the report in their own reporting back to fellow Members of each partner authority.

The meeting closed at 5.51 p.m.

Chairman