

CABINET ITEM COVERING SHEET PROFORMA

AGENDA ITEM

REPORT TO CABINET

11 MARCH 2010

**REPORT OF HOUSING AND
COMMUNITY SAFETY
SELECT COMMITTEE**

CABINET DECISION

**Housing and Community Safety – Lead Cabinet Member – Councillor Nelson
Regeneration and Transport – Lead Cabinet Member – Councillor Cook**

EFFICIENCY, IMPROVEMENT AND TRANSFORMATION (EIT) REVIEW OF REGULATORY SERVICES

1. Summary

The attached report presents Cabinet with the findings of the Housing and Community Safety Select Committee's EIT review of Regulatory Services. The review examined options for future service delivery in relation to Development Services, Building Control, Environmental Health, Trading Standards, Licensing and the mandatory licensing of houses of multiple occupation (HMOs).

2. Recommendations

The Committee recommend:

- 1 that Trading Standards develop additional resources to enable residents to contact organisations direct when they seek redress as consumers, and that this should include the development of internet, leaflet and letter template provision.
- 2 that, following notification to service users/customers, the Council introduce the schedule of fees for the mandatory licensing of houses of multiple occupation that is set out at Appendix 1.
- 3 that the Council works in conjunction with partner authorities to undertake a review of the operation and arrangements of the River Tees Port Health Authority in order to achieve associated savings.
- 4 that the Council undertakes to examine the opportunities for partnering with other local authorities in relation to all regulatory functions covered within this review.
- 5 that increased co-operation should take place between the Building Control and Planning Enforcement sections in order to take advantage of the similar nature of service provision in each.
6. that the following options should be considered for implementation if appropriate:

- a) the introduction of fees for pre-application planning advice, in response to potential recommendations in the Killian Pretty Review of Planning;
- b) the opportunity to provide specific regulatory services on behalf of other authorities and that this should be reviewed annually.

7 that if further savings need to be achieved in future, the following options should be considered and prioritised by Cabinet against other service efficiencies:

- a) introduction of fees for the treatment of public health pests;
- b) outsourcing of services to other providers;
- c) discontinuation of the out of hours noise service;
- d) discontinuation of the enhanced animal welfare services;
- e) discontinuation of the food advisory service;
- f) discontinuation of the pest treatment service (NB. 7a or 7f – not both);
- g) reduction of the service provided by the Consumer Advice Centre or discontinuation of the Centre.

8 That the issues raised by the taxi trade in relation to the value for money of the taxi licensing function be considered at a future meeting of the Committee.

3. Reasons for the Recommendations/Decision(s)

As part of the Council's EIT Programme, the Committee has undertaken a review of regulatory services with a view to identifying options for future service provision that deliver efficiency savings and where possible sustain and improve high quality outcomes for local residents.

4. Members' Interests

Members (including co-opted Members with voting rights) should consider whether they have a personal interest in the item as defined in the Council's code of conduct (**paragraph 8**) and, if so, declare the existence and nature of that interest in accordance with paragraph 9 of the code.

Where a Member regards him/herself as having a personal interest in the item, he/she must then consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest (**paragraphs 10 and 11 of the code of conduct**).

A Member with a prejudicial interest in any matter must withdraw from the room where the meeting considering the business is being held -

- in a case where the Member is attending a meeting (including a meeting of a select committee) but only for the purpose of making representations, answering questions or giving evidence, provided the public are also allowed to attend the meeting for the same purpose whether under statutory right or otherwise, immediately after making representations, answering questions or giving evidence as the case may be;
- in any other case, whenever it becomes apparent that the business is being considered at the meeting;

and must not exercise executive functions in relation to the matter and not seek improperly to influence the decision about the matter (**paragraph 12 of the Code**).

Further to the above, it should be noted that any Member attending a meeting of Cabinet, Select Committee etc; whether or not they are a Member of the Cabinet or

Select Committee concerned, must declare any personal interest which they have in the business being considered at the meeting (unless the interest arises solely from the Member's membership of, or position of control or management on any other body to which the Member was appointed or nominated by the Council, or on any other body exercising functions of a public nature, when the interest only needs to be declared if and when the Member speaks on the matter), and if their interest is prejudicial, they must also leave the meeting room, subject to and in accordance with the provisions referred to above.

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COMMITTEE**

CABINET DECISION

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SUMMARY

The attached report presents Cabinet with the findings of the Housing and Community Safety Select Committee's EIT review of Regulatory Services.

RECOMMENDATIONS

The Committee recommend:

- 1 that Trading Standards develop additional resources to enable residents to contact organisations direct when they seek redress as consumers, and that this should include the development of internet, leaflet and letter template provision.
- 2 that, following notification to service users/customers, the Council introduce the schedule of fees for the mandatory licensing of houses of multiple occupation that is set out at Appendix 1.
- 3 that the Council works in conjunction with partner authorities to undertake a review of the operation and arrangements of the River Tees Port Health Authority in order to achieve associated savings.
- 4 that the Council undertakes to examine the opportunities for partnering with other local authorities in relation to all regulatory functions covered within this review.
- 5 that increased co-operation should take place between the Building Control and Planning Enforcement sections in order to take advantage of the similar nature of service provision in each.
6. that the following options should be considered for implementation if appropriate:
 - a) the introduction of fees for pre-application planning advice, in response to potential recommendations in the Killian Pretty Review of Planning;
 - b) the opportunity to provide specific regulatory services on behalf of other authorities and that this should be reviewed annually.
- 7 that if further savings need to be achieved in future, the following options should be considered and prioritised by Cabinet against other service efficiencies:
 - a) introduction of fees for the treatment of public health pests;

- b) outsourcing of services to other providers;
- c) discontinuation of the out of hours noise service;
- d) discontinuation of the enhanced animal welfare services;
- e) discontinuation of the food advisory service;
- f) discontinuation of the pest treatment service (NB. 7a or 7f – not both);
- g) reduction of the service provided by the Consumer Advice Centre or discontinuation of the Centre.

- 8 That the issues raised by the taxi trade in relation to the value for money of the taxi licensing function be considered at a future meeting of the Committee.

DETAIL

1. The attached report presents Cabinet with the outcomes of the Efficiency, Improvement and Transformation (EIT) Review of Regulatory Services undertaken by the Committee. Council services covered within the review were: Environmental Health, Trading Standards, Licensing, Development Services, Building Control, and the mandatory licensing of houses of multiple occupation (HMOs).
2. The review formed part of a three year programme of EIT reviews covering all services provided by the Council. The programme aims to ensure that all services are reviewed in a systematic way to ensure that they are provided in the most efficient manner, provide value for money and identify opportunities for service improvements and transformation.
3. Following consideration by Cabinet an action plan will be submitted to the Select Committee setting out how approved recommendations will be implemented detailing officers responsible for action and timescales.

FINANCIAL IMPLICATIONS

4. It is estimated that Recommendations 2 could generate £119,750 income over 4 years to 2014. Recommendation 3 could lead to savings of approximately £15,000 pa.
5. Should the options in recommendation 7 be prioritised against other service efficiencies, the financial implications are estimated as follows. Depending on the final options chosen, recommendation 7a) could generate income of £20,000, 7c) could lead to a saving of c.£75,000, 7d) could lead to a saving of between £20,000 and £50,000, 7e) could lead to a saving of between £3500 to £7,000, 7f) could lead to a saving of c.£64,000, and recommendation 7g) could lead to a saving of c.£40,000.
6. The remaining recommendations would need to be subject to further analysis before implementation.

LEGAL IMPLICATIONS

7. There are no specific legal implications emanating from the review at this stage. Governance issues in relation to the arrangements for any future partnership or shared service approach would need to be considered at the appropriate time.

RISK ASSESSMENT

8. This review of Regulatory Services is categorised as low to medium risk. Existing management systems and daily routine activities are sufficient to control and reduce risk.

SUSTAINABLE COMMUNITY STRATEGY IMPLICATIONS

9. The services covered by this review impact upon a number of Community Strategy themes, in particular Economic Regeneration and Transport, Safer Communities, Healthier Communities and Adults, and Environment and Housing. Regulatory Services are aimed at ensuring a fair trading environment, the improvement and safety of public health, the quality and safety of the built environment and housing, and the protection of the local environment.
10. Specifically in relation to Community Safety, services covered by the review contribute directly towards the aims of the Safer Stockton Partnership through initiatives such as no cold calling zones, monitoring sales of alcohol, and the out of hours noise service. Development Services aim to ensure that appropriate community safety measures are included in relevant planning applications.

EQUALITIES IMPACT ASSESSMENT

11. This report has been subject to an Equality Impact Assessment. Recommendations 1-5 have been subject to an Equality Impact Assessment, and they have been assessed as having a neutral impact. The impact of the recommendations will need to be subject to an ongoing monitoring process, and this has been included in the associated action plan. Recommendations 6 and 7 have not been subject to an EIA at this stage, and they will need to be assessed separately should Cabinet decide that further efficiency savings are needed. The full EIA is available on request.

CONSULTATION INCLUDING WARD/COUNCILLORS

12. Representatives of the committee attended one of the quarterly meetings between the Council and taxi trade in Stockton Borough, in order to consult members of the trade in relation to issues that they had previously raised (recommendation 8 refers).
13. Senior officers within DNS, and the Cabinet Members responsible for Housing and Community Safety, and Regeneration and Transport, were consulted on the scope of the review, and the findings and recommendations.

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Education related? No

Background Papers

Baseline reports for each of the services under review were provided to the Committee at the following meetings:

16 July 2009 – Trading Standards and Licensing

27 August 2009 – Environmental and mandatory HMO Licensing

8 October 2009 – Development Services and Building Control

An options report was presented to the Committee at the meeting of 25 November 2009.

Ward(s) and Ward Councillors:

Not ward specific.

Property

No implications at this stage.