

Merton Council

Joint Regulatory Service Committee Agenda

Membership

Councillors:

Councillor Pamela Fleming (Chair)

Councillor Rita Palmer

Councillor Ross Garrod

Councillor Nick Draper

Councillor Jonathan Cook

Date: Tuesday 6 February 2018

Time: 10.00 am

Venue: Council Chamber, York House, Richmond Road, Twickenham, TW1 3AA.

This is a public meeting and attendance by the public is encouraged and welcomed. For more information about the agenda please contact or telephone .

All Press contacts: press@merton.gov.uk, 020 8545 3181

Joint Regulatory Service Committee Agenda

6 February 2018

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Note on declarations of interest

Members are advised to declare any Disclosable Pecuniary Interest in any matter to be considered at the meeting. If a pecuniary interest is declared they should withdraw from the meeting room during the whole of the consideration of that matter and must not participate in any vote on that matter. If members consider they should not participate because of a non-pecuniary interest which may give rise to a perception of bias, they should declare this, withdraw and not participate in consideration of the item. For further advice please speak with the Assistant Director of Corporate Governance.

Agenda Item 3

JOINT REGULATORY SERVICE COMMITTEE 10 OCTOBER 2017

(10.08 am - 11.14 am)

PRESENT Councillor Pamela Fleming (in the Chair), Councillor Rita Palmer and Councillor Nick Draper

ALSO PRESENT Paul Foster, Head of the Regulatory Services Partnership
John Hill, Assistant Director Public Protection
Amy Dumitrescu, Democratic Services Officer

Houda Al-Sharifi, Director of Public Health, LB Wandsworth
Sue Kelleher, Head of Environmental Services and Strategic
Business Management, LB Wandsworth

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies were received from Councillor Ross Garrod (Merton) and Councillor Jonathan Cook (Wandsworth).

2 DECLARATIONS OF INTEREST (Agenda Item 2)

There were no declarations of interest.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

RESOLVED: That the minutes of the meeting held on 6 June 2017 are agreed as a correct record.

The Chair briefly reviewed and discussed issues raised at the last meeting. The Committee discussed the 'scores on the doors' initiative and agreed that the requirement for premises to display their scores should be kept and encouraged and the Committee undertook to follow this up as a partnership.

4 FEES & CHARGES (Agenda Item 4)

The Head of the Regulatory Services Partnership introduced the report, noting that the report referred to London Borough of Merton fees only as these fees were sovereign to each Borough so could not be combined at the current time. The Head of the Regulatory Services Partnership advised that these were discretionary fees and noted that the Local Authority were unable to make a profit from these and could only use them to recover their costs. The Head of the Regulatory Services Partnership explained that Merton had not increased their fees for several years and therefore had now reviewed them with a view to raise the costs.

Members discussed the varying times of year that fees were reviewed and compared methods which the 3 Boroughs used to review their fees and charges. It was agreed

by the Committee that it would be beneficial for Merton to review their fees annually to be in line with the other Boroughs within the Partnership and for all 3 Boroughs to review the process together to try and align them as much as possible.

The fees and charges were therefore not agreed as recommended within the report. It was agreed that a report would go to Merton Cabinet to review the fees and charges and to recommend to move the fees to be reviewed annually.

5 UPDATE ON THE EXPANDED REGULATORY SERVICES PARTNERSHIP (Agenda Item 5)

The Head of the Regulatory Services Partnership and the Assistant Director Public Protection provided a verbal update on the progress of the project noting that excellent work had been completed so far by both Officers and Members.

The Head of the Regulatory Services Partnership advised that the Project Manager had been released in August and therefore there was currently no project management support and officers were assessing the impact of this. There had been a project board set up who met fortnightly and focused on the key work streams – finance, HR, governance, ICT, assets and property and others.

The Head of the Regulatory Services Partnership gave an overview of staffing matters and the Committee raised their appreciation of all the staff involved in the process.

Committee: Joint Regulatory Committee

Date: 6 February 2018

Subject: Quarterly review of the tri-borough Regulatory Services Partnership

Lead officer: Chris Lee, Director for Environment and Regeneration

Lead member: Cllr Ross Garrod, Cabinet Member for Street Cleanliness and Parking (LB Merton); Cllr Nick Draper, Cabinet Member for Community and Culture (LB Merton), Cllr Pamela Fleming, Strategic Cabinet Member for Environment, Business and Community (LB Richmond - Chair); Cllr Rita Palmer (LB Richmond); Cllr Jonathan Cook (Wandsworth BC); Cllr Senior (Wandsworth BC)

Contact officer: John Hill Assistant Director Public Protection/Paul Foster, Head of the Regulatory Services Partnership

Recommendations:

A Members to note the progress following the inclusion of Wandsworth Borough Council into the Regulatory Services Partnership.

1 Purpose of report and executive summary

- 1.1 This report provides a quarterly update on progress achieved since the expansion of the Regulatory Services Partnership (RSP) to include the Richmond & Wandsworth Shared Staffing (SSA) Environmental Services Team.
- 1.2 Wandsworth staff transferred to Merton on 1st November 2017 under the provisions of the Transfer of Undertakings (Protection of Employment) Regulations 2006 as amended. The immediate effect of this transfer is that existing Richmond and Wandsworth SSA staff are now employees of Merton Council but they retain their SSA terms and conditions until such time as their job roles/descriptions change. In these circumstances, they will be subject to Merton terms and conditions as will any new staff who join the partnership.
- 1.3 The Richmond and Wandsworth ex-SSA Regulatory Services staff are currently located in Wandsworth Town Hall & the Civic Centre in Twickenham and whilst there are no current plans to co-locate operational staff in Merton, managers are expected to work across the three boroughs.

2 NOTABLE SUCCESSES

- 2.1 Environmental Services staff from the Shared Staffing Arrangement (SSA) between Richmond and Wandsworth Councils joined the RSP on 1st November 2017 and were warmly welcomed by their Merton/Richmond colleagues and Members at a well-attended induction day held on 9th November at Merton College.
- 2.2 In advance of the staff transfer date, SSA staff were provided with a Merton identity card, a Merton email address and an internet security token which enables them to securely access Merton's intranet and the iTrent Human Resources system enabling them to check their payslip, book leave, record sickness etc.
- 2.3 The SSA sought feedback from elected members on the perceived impact of the transition. Many members took the opportunity to thank staff for all of their efforts and to wish them well for the future. The staff transfer on the 1st November went smoothly and in all respects it has been business as usual.

3 FINANCIAL/BUDGET POSITION AND EMERGING PRESSURES

3.1 The net controllable budgets for the RSP are outlined below in Table 1

Table 1.

Budget	LBW	RSP		Totals
		LBM	LBR	
Staffing Budget	3,131,100	973,970	973,970	5,079,040
Total Non-Staffing Budget	267,350	41,080	41,080	349,510
Income	-518,120	-527,480	-347,600	-1,393,200
Net Controllable Budget	2,880,330	487,570	667,450	4,035,350

3.2 The RSP faces considerable financial challenges in years 2017/18 and 2018/19 as it responds to combined savings targets of £905,000 (see Table 2). The RSP Management Board is intending to deliver these savings primarily by carrying out an organisational restructure focusing on the reduction of management tiers and by developing a commercial trading arm which would enable the RSP to generate income by charging for business advice and specialist consultancy services (see Table 3). This is a key element of the financial strategy to make savings and explore new sources of income. To ensure consistency across the partnership, the management board is also exploring the potential efficiencies associated with the possible inclusion of Merton's Private Sector Housing team into the RSP.

Table 2. RSP savings targets (2016 -2019)

	Year	Description	Saving £000
Merton	2017/18	Further expansion of the shared service	100
	2017/18 2018/19	Development of commercial opportunities	100
	2017/18	Reduction in 3rd party supplies/transport charges	10
	2018/19	Public Health Subsidy	40
		Sub Total	250
Wandsworth	2017/18	SSA/RSP – split 50:50 between staffing & other efficiencies such as accommodation	310
	2017/18	IT for Environmental Services	145

Sub total	455
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Richmond	2017/18	SSA - Private Sector Housing	50 (40K already identified)
	2017/18	Savings from RSP budgets	200
Sub total			200
Grand total			905

Table 3. Estimated sources of tri-borough income generation¹ - £000

Description	Y1	Y2	Y3	Y4	Y5	TOTAL
Financial investigations	0.0	-51.5	-92.4	-92.4	-22.5	-328.7
Business advice and training	0.0	-43.1	-43.1	-43.1	-43.1	-172.5
Primary/Home Authority	0.0	-20.0	-40.0	-60.0	-80.0	-200.0
Licence processing	0.0	-46.8	-93.7	-93.7	-93.7	-327.9
Proceeds of Crime Act	-50					-50.0
Planning application (support & advice)	-4.5	-4.5	-13.5	-18.0	-22.5	-67.5
Planning application consultation (noise, odours and air quality)	-84	-84	-84	-84	-84	-420.0
Planning application (acoustic report assessment)	-25.2	-25.2	-25.2	-25.2	-25.2	-126.0
Planning application (air quality report assessment)	-6.7	-6.7	-6.7	-6.7	-6.7	-33.3
Planning application (contaminated land assessment – phases 1 to 3)	-26.6	-26.6	-26.6	-26.6	-26.6	-133.2
Planning (construction management)	-4.8	-4.8	-4.8	-4.8	-4.8	-24.0
Noise at work assessment	-8.0	-8.0	-8.0	-8.0	-8.0	-40.0

¹ Source: Shared Regulatory Services Outline -6.7Business Case Version 1.1 January 2017

Acoustic report (site specific)	-8.0	-8.0	-8.0	-8.0	-8.0	-40.0
Acoustic monitoring (hourly rate)	-6.0	-6.0	-6.0	-6.0	-6.0	-30.0
Review acoustic reports and comment	-6.0	-6.0	-6.0	-6.0	-6.0	-30.0
Draft construction logistics plan	-6.0	-6.0	-6.0	-6.0	-6.0	-6.0
Draft section 61 report	-1.2	-1.2	-1.2	-1.2	-1.2	-9.0
Noise monitoring and report	-2.4	-2.4	-2.4	-2.4	-2.4	-12.0
Case investigations (Housing Associations and other departments.	-24.0	-24.0	-24.0	-24.0	-24.0	-120.0
Total	-416.1	-694.5	-982.9	-1007.4	-1031.9	-4132.7

3.3 In lieu of the restructure, the management board is holding a number of posts vacant across the establishment and wherever possible, temporarily filling them with staff on 1 year fixed term contracts or using agency staff. Ultimately, these temporary arrangements should only be considered as a short-term fix because in the longer term they tend to cost more than employing permanent staff. The other difficulty associated with temporary staffing is that individuals tend to move on fairly quickly especially if they succeed in getting full time employment and/or a more lucrative contract. Temporary staffing can also mean that on the job training and other forms of personal investment is lost to the ultimate disadvantage of the service. Currently, there are very few agency staff available with the requisite skills and experience and those that are can command high hourly rates.

4 PROPOSED MANAGEMENT RESTRUCTURE

- 4.1 The Merton/Richmond RSP was established in August 2014 and over the next three years the service was restructured to deliver joint savings of £479,000. At the same time Wandsworth's Environmental Services division was restructured to deliver savings of approximately £1m.
- 4.2 The inclusion of the former Richmond and Wandsworth ex-SSA Regulatory Services staff into the RSP has provided another opportunity for the management board to review the structure of the organisation and identify potential efficiencies and savings.
- 4.3 Following a provisional consultation with staff on a suggested management restructure the board is considering feedback received which may have an impact on the final design. However, whatever model is chosen it must make a significant contribution to the overall savings targets.

- 4.4 Once the board has agreed the restructure model, it will formally consult all staff and trade unions over a 30 day period. Once the consultation has been completed and all feedback evaluated we will commence the recruitment exercise starting with job matching, job descriptions and evaluations. In an attempt to speed up this process and prevent as far as possible any unnecessary slippage, the board is considering obtaining project management support.

5 INFORMATION TECHNOLOGY

- 5.1 Looking ahead, the management board is currently exploring potential savings and efficiencies associated with the joint procurement of a new, “cloud based”² computer system for all three boroughs. Currently Wandsworth and Richmond both use Civica Authority case management systems whilst Merton uses the Northgate M3 system. The principal advantages of using one as opposed to three systems are seen as being:
- reduced set-up and maintenance costs
 - reduced user licence fees
 - ability to negotiate bigger discounts on system enhancements
 - increased functionality (e.g. hand held devices) allowing remote working, co-location of teams, increased productivity and improved work/life balance
- 5.2 To progress this project the RSP management team is working closely with colleagues in the IT and Procurement teams across the three councils. The provisional implementation plan involves a three stage approach with Merton’s data and staff being migrated to the new system first closely followed by Richmond and Wandsworth. It is envisaged that this project will take between 18 months to two years to complete.
- 5.3 The bringing together of three local authority Regulatory Services teams is expected to deliver savings and efficiencies. Key to delivering some of these savings is a restructure of the existing management tiers and to this end, all staff and the Trade Unions have been provisionally consulted on a proposed revised structure. Feedback received so far has been positive and the RSP Management Board is currently evaluating it with a view to carrying out a formal 30 day all-staff consultation in the next few weeks.

6 CONSULTATION UNDERTAKEN OR PROPOSED

- 6.1 Staff and the Trade Unions have already been consulted on a provisional restructure proposal and they will continue to be fully consulted on any proposed changes to roles, responsibilities, reporting lines or any aspect of their terms and conditions.

7 TIMETABLE (PROVISIONAL)

- 7.1 New management structure in place by 1st May 2018
- 7.2 Jointly procured new computer system operational by February/March 2020

8 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 8.1 The proposal to establish a joint staffing structure for regulatory services across the three councils, as part of a fully shared service, is in line with the desire of the councils to forge

² Data is stored on the internet and not on servers meaning that it can be accessed remotely via any web browser

constructive partnerships to deliver services jointly, in order to reduce costs and maintain or improve service quality.

9 LEGAL AND STATUTORY IMPLICATIONS

9.1 None for the purposes of this report

10 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

10.1 None for the purposes of this report

11 CRIME AND DISORDER IMPLICATIONS

11.1 None for the purposes of this report

12. RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

12.1 None for the purposes of this report

13 APPENDICES

14 BACKGROUND PAPERS