

Agenda Item 14

Cabinet Member	Cllr Patricia Wiltshire – Cabinet Member for Environment
Strategic Leadership Team Lead Officer	Jack Straw – Executive Head of Service (Place & Environment)
Author	David Hine – Strategic Partnership Manager, Environmental Health & Licensing
Telephone	01306 879226
Email	david.hine@molevalley.gov.uk
Date	26 March 2019
Ward (s) affected	
Key Decision	No

Subject	Proposed Changes to the services delivered by the Shared Environmental Health and Licensing Service
----------------	---

Recommendations

1. That Cabinet approves the request made by the senior management team at Tandridge District Council to increase the services delivered by the Shared Environmental Health and Licensing Service subject to an agreement from Tandridge District Council to review the total budget for service delivery across both districts and ensure the appropriate apportionment of costs.
2. That Cabinet agrees changes be made to the Inter Authority Agreement in order for additional services to be delivered by the Shared Environmental Health and Licensing Service

Executive Summary

In 2016, the MVDC Executive agreed to the establishment of a partnership arrangement with Tandridge District Council for the provision of Environmental Health and Licensing services. This joint service began in April 2017 and Mole Valley is the host authority. The service incorporates the professional disciplines of Environmental Health and Licensing, with both partner service teams operating within a unified management structure.

Tandridge District Council is currently undertaking a restructuring programme as part of a new initiative called Customer First. As a result of this restructuring programme, Tandridge DC has reviewed the services that were originally out of scope when the Shared Environmental Health Service was formed.

An Inter Authority Agreement between MVDC and Tandridge District Council sets out the terms on which the relevant functions are discharged and was signed on 13 February 2017.

If the provision of additional services is approved by Cabinet Members, the Inter Authority Agreement would need to be amended accordingly.

The Senior Management Team at Tandridge DC has requested that the Shared Environmental Health Service undertake the following additional services:

- Private Sector Housing (except the disabled facility grants process).
- Taxi Licensing

- Animal Warden

The request made by the Senior Management Team at Tandridge DC for MVDC to undertake additional services is viewed as a positive reflection of the work undertaken by the Environmental Health & Licensing Service (the Service). It will provide an opportunity to have a consistent approach to the areas of work undertaken by the Service across both Councils.

It also provides the opportunity for us to operate fully as a shared service with the development of a single budget and the opportunity to make efficiency savings through improving the recharging process between the Councils.

Corporate Priority

Environment

A highly attractive area with housing that meets local need

- Work with other agencies to protect the District from the effects of climate change and environmental pollution, paying particular attention to flooding and air quality.

Prosperity

A vibrant local economy with thriving towns and villages

- Look for innovative ways to minimise the cost to taxpayers of Mole Valley District Council whilst protecting services.

The Cabinet has the authority to determine the Recommendations

1.0 Background

1.1 This report considers the request from Tandridge District Council for the Shared Environmental Health Service to undertake on the authority's behalf the additional services of private sector housing (except the disabled facility grants process), taxi licensing and animal warden services.

1.2 MVDC is the host authority under an Inter Authority Agreement dated 13th February 2017 which sets out the terms on which the relevant functions are discharged. .

1.3 This agreement sets out details including:

- Principles of the Shared Service;
- Governance;
- Monitoring of the Shared Service standards and performance;
- Budgets,
- Staffing;
- Branding and
- Accommodation etc.

1.4 Each Council retains its Licensing and Regulatory Committees and Sub Committees. The decision-making on relevant Licensing Act 2003 issues remains locally.

2.0 Governance of the Environmental Health & Licensing Shared Service

2.1 The Inter Authority Agreement that established the shared service between the two Councils details the governance arrangements of a Joint Partnership Board and a Joint Management Team.

2.2 Joint Partnership Board

2.3 The membership of the Joint Partnership Board is one Councillor from each of the Councils, one deputy member from each Council (to act as a substitute), plus the Head of Service (or an officer of equivalent standing) from each Council and the Strategic Partnership Manager.

2.4 Councillor Patricia Wiltshire (the Cabinet Member for Environment) represents MVDC on the Joint Partnership Board. In Tandridge, Environmental Health & Licensing is part of Community Services, and Councillor Patrick Cannon (Chairman of the Community Services Committee) represents Tandridge District Council on the Joint Partnership Board. Jack Straw (Executive Head of Service – Place and Environment at MVDC) and Piers Mason (Strategic Director of Place at Tandridge DC) represent the Councils as Heads of Service.

2.5 The role of the Joint Partnership Board is to be the senior level forum for advice, consultation, discussion, resolution of issues, and recommendations back to the Councils on all aspects of the delivery of the Service. The Board currently meets on a quarterly basis

2.6 The Joint Management Team

2.7 The membership of the Joint Management Team is the Strategic Partnership Manager and the three Team Leaders.

2.8 The purpose of the Joint Management Team is to oversee the general operation of the service and undertake the day to day management, including providing statutory returns; monitoring the performance of team members and responding to information needs.

3.0 Relevant Functions

3.1 The existing services provided by the Environmental Health & Licensing Shared Service are:

- Health and Safety
- Food Safety
- Private Sector Housing (Mole Valley only)
- Taxi Licensing (Mole Valley only)
- Pollution Control
- Registration of Motor Salvage and scrap metal operators
- Street and House to House Collections
- Pest Control
- Private Water Supply
- Infectious Disease

- Unauthorised Encampments
- Animal Welfare & stray dog collection
- Street Trading
- Scrap Metal Dealing
- Sex establishments and other premises requiring licenses/registrations/permits for other than alcohol, entertainment and gambling
- All other functions that are delegated to officers within the Environmental Health & Licensing Service other than those matters which are dealt with by the Licensing Committee
- Assistance with Civil Contingencies & Emergency Responses

4.0 Proposed Changes

4.1 Tandridge District Council is currently undertaking a restructuring programme as part of a new initiative called Customer First. As a result of this restructuring programme, Tandridge DC has reviewed the services that were originally out of scope when the Shared Environmental Health Service was formed.

4.2 The senior management team at Tandridge DC has requested that the Shared Environmental Health Service undertake the following additional services:

- Private Sector Housing (except the disabled facility grants process). This has been agreed by the relevant Tandridge DC Committee Members
- Taxi Licensing (this is to be put to the relevant Tandridge DC Committee Members for a decision)
- Animal Warden (this is to be put to the relevant Tandridge DC Committee Members for a decision)

4.3 This equates to an additional 3.5 FTE (full time equivalents) that will sit within the Environmental Health & Licensing Service. The salary and on costs for these additional posts will be recharged to Tandridge DC as is currently undertaken for the former Tandridge DC staff and will therefore not be a financial growth for MVDC as these roles will be fully funded.

4.4 The request made by the Senior Management Team at Tandridge DC to undertake additional services is viewed as a positive reflection of the work undertaken by the Environmental Health & Licensing Service. It will provide an opportunity to undertake a consistent approach to the areas of work undertaken by the Service across both Councils.

5.0 Financial Implications

5.1 The proposed additional services will be delivered by the Environmental Health and Licensing service, but additional posts (see paragraph 4.3 above) will be created in order to enable this service to be delivered. These posts will be funded by Tandridge District Council as the additional work will be undertaken within the district of Tandridge.

- 5.2 If the proposal is approved, the Environmental Health and Licensing service will gain parity of service delivery across both Districts. With the exception of Disabled Facility Grants (which will be retained by Tandridge DC) the shared service will be delivering the same environmental health and licensing functions to both Councils. This change provides an opportunity for a review of the way re-charging is carried out. Currently Tandridge DC reimburse Mole Valley DC for salary and associated staffing costs for the employees formerly employed by Tandridge, except in the case of the Strategic Partnership Manager post, where costs are shared on a 50% / 50% basis as defined in the Inter Authority Agreement. At the current time, Tandridge DC makes no financial contribution towards the cost of any other management post within the service.
- 5.3 The proposed additional services provide the opportunity to evaluate the total budget for service delivery across both districts and appropriate apportionment of the costs. This will reflect the way that building control costs are apportioned to each Council. If the provision of additional services is approved by Cabinet Members, an evaluation of the total budget for the Environmental Health & Licensing Service will be made as part of the budget setting process for 2020/21.
- 5.4 Rather than maintaining the current quarterly reimbursement, savings can be made if the total charge for the cost of the service is determined and received as a single annual payment.

6.0 Legal Implications

- 6.1 To implement the decision to establish a shared service, MVDC and Tandridge DC entered into an Inter Authority Agreement (IAA) dated 13 February 2017. Under the IAA, Tandridge DC has arranged for the discharge of certain of its Environmental Health Service functions (which the IAA refers to as the Relevant Functions) by Mole Valley District Council under section 101(1) LGA 1972. In turn MVDC has in accordance with its powers under section 101(3) LGA 1972, arranged for those function to be discharged as set out in MVDC's constitution.

6.2

Tandridge DC will need to comply with its own governance and constitutional requirements in order for it to discharge the additional functions to MVDC. Subject to that, if the recommendations in this report are agreed by Cabinet, the existing IAA will need to be varied but no change is required to MVDC's constitution.

7.0 Options

Option 1 – Recommended

Cabinet approves the request made by the senior management team at Tandridge District Council to increase the services delivered by the Shared Environmental Health and Licensing Service subject to an agreement from Tandridge District Council to review the total budget for service delivery across both districts and ensure the appropriate apportionment of costs.

Option 2

Cabinet does not agree that the Shared Environmental Health and Licensing Service undertake the additional services of private sector housing (except

the disabled facility grants process), taxi licensing and animal warden services on behalf of Tandridge District Council.

8.0 Corporate Implications

Monitoring Officer Commentary

The Monitoring Officer confirms that all relevant legal implications have been taken into account

S151 Officer Commentary

The S151 Officer confirms that all financial considerations have been taken into account and that the effect of the proposed changes, if accepted, would be cost neutral to Mole Valley District Council.

The proposed changes present an opportunity to review the existing Environmental Health and Licensing service recharge between the two councils. The review exercise will be undertaken during the first half of 2019/20.

Risk Implications

Option 1 – Recommended

Cabinet approves the request made by the senior management team at Tandridge District Council to increase the services delivered by the Shared Environmental Health and Licensing Service subject to an agreement from Tandridge District Council to review the total budget for service delivery across both districts and the appropriate apportionment of costs.

Risks – There is a risk of a missed opportunity to develop and progress the Environmental Health & Licensing shared service if this option is not approved. During the initial stages of undertaking the additional services requested by Tandridge DC, there will be increased pressure on Officers in the Environmental Health and Licensing Service to maintain existing levels of service delivery of statutory functions, whilst delivering new services across two district areas.

Opportunities – This option provides an opportunity to achieve parity in service delivery across the shared service. It also provides the opportunity to operate as a shared service through development of single budget and the opportunity to make efficiency savings through improving the process of recharge between the Councils.

Option 2

Cabinet does not agree that the Shared Environmental Health and Licensing Service undertake the additional services of private sector housing (except the disabled facility grants process), taxi licensing and animal warden services on behalf of Tandridge District Council.

Risks – There is a risk of harming the good working relationship between the two Councils and may result in Tandridge DC seeking another local authority to provide services in their district that are provided by the Environmental Health & Licensing shared service in MVDC. There is also a risk of a missed opportunity to develop and progress the Environmental Health & Licensing shared service if this option is approved

Opportunities – This will require no additional work of the Shared Environmental Health and Licensing Service.

Equalities Implications

There are no specific equalities implications as a direct consequence of this report.

Employment Issues

If agreed, an additional 3.5 FTE (full time equivalents) will be created within the Environmental Health & Licensing Service hosted by MVDC. The salary and on costs for these additional posts will be recharged to Tandridge DC as is currently undertaken for the former Tandridge DC staff.

Sustainability Issues

It is considered that there are no sustainability issues associated with this report.

Consultation

A report was considered by the Scrutiny Committee on the 12th of March 2019. There is no requirement to undertake stakeholder or public consultation with regard to this report

Communications

It is considered that there are no Communications issues associated with this report.