

JOINT REGULATORY SERVICE COMMITTEE

Minutes of a meeting of the Joint Regulatory Service Committee held at the Town Hall, Wandsworth, SW18 2PU on Tuesday, 9th October 2018 at 10.00am.

PRESENT:

Councillor Jonathan Cook, Cabinet Member for Strategic Planning and Transport (LB Wandsworth – Chairman)
Councillor Judi Gasser (LB Wandsworth)
Councillor Nick Draper, Cabinet Member for Community and Culture (LB Merton);
Councillor Martin Elengorn, Cabinet Member for the Environment, Planning & Sustainability (LB Richmond)
Councillor Helen Lee-Parsons, Chair of Regulatory Committee (LB Richmond)

Also in attendance:

Paul Foster, Head of the Regulatory Services Partnership
Houda Al-Sharifi, Director of Public Health (LB Wandsworth)
Cathryn James, Interim Assistant Director, Public Protection (LB Merton)
Chris Lee, Director of Environment and Regeneration (LB Merton)
Karen Martin, Democratic Services Officers (LB Wandsworth)
Amy Dumitrescu, Democratic Services Officer (LB Merton)

1. Apologies

Apologies for absence were received from Councillor Tobin Byers, Cabinet Member for Adult Social Care and Health (LB Merton).

2. Declarations of Interests

There were no declarations of disclosable pecuniary interests or other relevant personal interests in any of the matters to be considered at the meeting.

3. Minutes - 6th February 2018

RESOLVED

That the minutes of the meeting of the Joint Regulatory Service Committee meeting held on 6th February 2018 be confirmed and signed as a correct record.

4. Annual Performance Review

The Head of the Regulatory Services Partnership (RSP) introduced the report and gave an overview of the performance of the RSP over the past 12 months in the London Boroughs of Merton, Richmond and Wandsworth, adding that effective management of performance is essential to the success of the RSP.

The Head of the Regulatory Services Partnership informed the Committee that there have been a number of service delivery highlights throughout the year which showcase the work of RSP teams and illustrate the breadth of their responsibilities including Food Safety, workplace safety, Trading Standards and Licensing. He stated that other responsibilities related to private sector housing, air quality and pollution monitoring and, in Wandsworth only, pest control.

Members considered the report in depth and noted information relating to food safety inspections, gas safety tests and enforcement, tests relating to electrical product failures, skin lightening products, door step crime and the impact on elderly and vulnerable people, contamination of illegal tobacco, mass marketing mail scams, private sector housing including licensing of Houses of Multiple Occupation (HMOs), bringing empty properties back into use and pest control treatments in residential properties.

Councillor Elengorn enquired where responsibility for workplace safety falls to the RSP and where the Health and Safety Executive takes the lead. The Head of the Regulatory Services Partnership informed members that this is determined by the Health and Safety (Enforcing Authority) Regulations and that in practice this means that the Health & Safety Executive takes enforcement action against larger businesses or sites. He provided an example of a garden company in Twickenham where an accident involving a tree shredder resulted in enforcement action by the RSP. The Committee noted that the fine, though notable, did not cover the cost of the enforcement action.

In reply to a question from Councillor Draper, the Head of the Regulatory Services Partnership informed the Committee that the level of compliance age-related test purchases across the RSP (detailed in the table at point 5.5 of the report) was generally good. He confirmed that Merton and Richmond had lower failure rates and suggested that this could be attributed to more focus on training and support in those boroughs. The Head of the Regulatory Services Partnership added that flexibility in the RSP allows officers to manage performance and prioritise support to address such challenges.

The Head of the Regulatory Services Partnership provided the Committee with information relating to a number of scams which are designed to con victims out of money. Councillor Elengorn enquired about telephone scams and the Committee noted that the service is able to provide victims with a call blocking device.

The Head of the Regulatory Services Partnership informed the Committee that the licensing teams across all three boroughs provide licences for a myriad of licensable activities. In answer to a question, he informed members of the Committee that applications for reviews of licenced premises may be made by the responsible authorities (including the Police, Noise Team, Trading Standards) and by members of the public concerned about the conduct of a premises. The Committee noted that the number of different types of licensed premises in Wandsworth (see table on page 17 of the report) was not complete. The Head of the Regulatory Services Partnership undertook to circulate an updated table to members of the Committee.

The Director of Public Health informed the Committee that in Wandsworth, Street Trading licences are provided and monitored by the Environmental Services team.

The Head of the Regulatory Services Partnership informed the Committee that the Regulatory Committee in Richmond and the Licensing Committee in Wandsworth are in the process of reviewing each Council's Statement of Policy and Principles as required under Section 349 of the Gambling Act 2005.

Councillor Gasser enquired about the impact of air quality initiatives such as a Diesel Levy, being considered by Richmond and already in place in Merton. The Head of the Regulatory Services Partnership informed the Committee that there are a number of initiatives underway in all three boroughs. The Director of Environment and Regeneration (LB Merton) explained that the effectiveness of the Diesel Levy in Merton would be evaluated following two years of implementation in the Spring 2019.

The Director of Public Health added that in Wandsworth a 'whole council' approach to pollution had been taken and that responsibility for work to address air quality went wider than the air quality team. The Chairman added that the implementation of such initiatives remained a sovereign decision for each borough in the Partnership.

Councillor Gasser enquired about whether over-charging (rents) in private sector housing fell within the remit of the RSP. The Head of the Regulatory Services Partnership explained that on receipt of such complaints, the team would signpost people to relevant agencies including the housing harassment team.

The Chairman enquired about the reaction food hygiene inspection team generally receives when pest infestations are found in a premises. The Head of the Regulatory Services Partnership explained that the evidence will be bagged and removed and that generally, in the face of such evidence, proprietors are receptive and take steps to address the issue. If necessary, the premises is closed and legal proceedings through the Magistrates Court is pursued.

Councillor Draper enquired about whether repetition and tonal quality are taken into account when measuring noise nuisance. The Head of the Regulatory Services Partnership informed the Committee that noise teams work to national industry standards and Codes of Practice and there are a number of techniques that can be employed to disrupt the pathway of sound so that noise can be attenuated (for example by redirecting speakers) .

The Head of the Regulatory Services Partnership informed the Committee that Barry Croft, Licensing Manager for the Regulatory Services Partnership (RSP) is to receive a commendation from the Home Office for his work in preventing illegal working. The Committee asked the Head of the Regulatory Services Partnership to convey their sincere congratulations to Barry Croft on the occasion of his commendation.

RESOLVED

That the annual review of annual performance of the Joint Regulatory Services Partnership be noted.

5. Dates of future meetings

To note that the Chair of the Joint Regulatory Services Committee rotates on an annual basis between Merton, Richmond and Wandsworth. The venue of each meeting will normally be in the borough of the Council with the Chairmanship in that year.

The Committee noted that meetings of the Joint Regulatory Service Committee have been scheduled to take place on the following dates in 2019:

10am, Tuesday 5th February 2019 - Wandsworth

10am, Tuesday 9th July 2019 – Merton

10am, Tuesday 15th October 2019 – Merton

The meeting concluded at 10.45am.

Post meeting note: Following the meeting it was agreed to circulate the Terms of Reference for the Joint Regulatory Services Committee with the agenda for each meeting.