

To: **Executive**
19 September 2023

COMPOSITION OF THE JOINT PUBLIC PROTECTION COMMITTEE EXECUTIVE DIRECTOR DELIVERY

1 Purpose of Report

- 1.1 To consider a recommendation from the Joint Public Protection Committee to each partner authority, that the membership of the Committee (JPPC) be increased to three Members from each authority.

2 Recommendations

The Executive:

- 2.1 **Agrees to authorise the appropriate amendment to the inter Authority Agreement to reflect the change to the membership of the Joint Public Protection Committee**
- 2.2 **Agrees to the proposed changes to the Joint Public Protection Committee's Terms of Reference as set out in paragraph 5.5 below**
- 2.3 **Delegates authority to the Assistant Director: Contract Services in consultation with the Borough Solicitor to implement amendments to the Inter Authority Agreement dated 6th January 2017 as well as the Committee's Terms of Reference in accordance with recommendations 2.1 and 2.2 above.**

3 Reasons for Recommendations

- 3.1 At the 12 June 2023 Joint Public Protection Committee meeting the Members resolved to recommend to each of the partner authorities that the membership of the Committee be amended to include three Members from each authority, namely the Portfolio Holder with responsibility for Public Protection, and two Council representatives. They also recommended that West Berkshire Council's Constitution, as the host authority, be amended to reflect this decision.

4 Alternative Options Considered

- 4.1 Not to amend the membership of the Committee.

5 Supporting Information

- 5.1 The Public Protection Partnership (PPP) is a shared service delivering Environmental Health, Licensing and Trading Standards on behalf of two authorities (Partners), Bracknell Forest Council (BFC) and West Berkshire Council (WBC). It also provides services under shared service arrangements with Wokingham Borough Council. Up until 31 March 2022 the Committee had comprised of six Members i.e. two Members from each authority which at the time included two Members from Wokingham Borough Council. Once they withdrew from the partnership the membership reduced to four Members.

- 5.2 The Joint Public Protection Committee (JPPC) provides strategic direction, monitors performance and makes other key Executive and Council decisions regarding the Service.
- 5.3 The membership of the JPPC currently comprises of four members, two from BFC and two from WBC. For BFC the membership comprises the relevant Executive Member and the Chairman of the Licensing and Safety Committee. Additionally, all the other members of the Executive are appointed as substitutes to ensure that the meeting is always quorate under the existing terms of reference.
- 5.4 The first meeting of the Committee after the May 2023 elections took place on 12 June 2023. During a discussion on the terms of reference of the Committee the newly elected Chairman proposed that the membership of the Committee be extended by one additional Council Member from each partner Council, thereby extending the total number on the Committee to six Members. This proposal was supported by Executive and Council representatives from Bracknell Forest Council.
- 5.5 It is proposed that the terms of reference are amended as follows:

“The JPPC shall comprise of ~~four~~ **six** Members, ~~two~~ **three** from each of BFC and WBC as follows:

The Executive/Cabinet Member with responsibility for Public Protection Services (appointed by the Leader of the respective council);

~~One~~ **Two** additional Members (appointed by each Council at its respective Annual Meeting or in the event of a vacancy) **reflecting the political balance of the individual Council.**

At least one officer representing each partner local authority will attend the JPPC to advise Members. Where possible, the Public Protection Manager for the Service will also attend.

Quorum

- 6.1 The quorum of a Meeting shall be two.
- 6.2 At least one **Executive** Member from each Council must be present for the meeting to be quorate.”
- 5.7 In addition the membership requirements are stipulated in the Inter Authority Agreement that the PPP is founded on. It is therefore also proposed that should both partner authorities be minded to agree the revised membership of the Committee authority be delegated to the Assistant Director: Contract Services, in consultation with the Borough Solicitor, to amend the IAA to reflect the revised arrangements.

6 Consultation and Other Considerations

Legal Advice

- 6.1 The process for implementing the recommendations in this report reflect both the Council’s scheme of delegation and the requirements set out in the Inter Authority Agreement. A further report to Council is proposed for formal authorisation of what is in effect an outside appointment.

Financial Advice

- 6.2 There are no financial implications directly associated with this report.

Other Consultation Responses

- 6.3 A corresponding decision has been taken at the 20 July West Berkshire Council Full Council meeting on this proposal.

Equalities Impact Assessment

- 6.4 There are no equalities implications associated with this report.

Strategic Risk Management Issues

- 6.5 There is a risk that any decision of the JPPC could be challenged. Having clear rules governing the manner in which meetings will be conducted, should reduce the risk of challenges being successful.

Climate Change Implications

- 6.6 The recommendations in Section 2 above are expected to:
Have no impact on emissions of CO₂.

Background Papers

West Berkshire Council's Constitution
Bracknell Forest Council's Constitution
The Minutes of the 12 June 2023 Joint Public Protection Committee.

Contact for further information

Damian James, Assistant Director: Contract Services, 01344 351325
Damian.james@bracknell-forest.gov.uk