



<b>SHARED TRADING STANDARDS SERVICE</b>
<b>COUNCILLOR IRENE WALSH, CABINET MEMBER FOR COMMUNITIES AND ENVIRONMENT CAPITAL</b>
<b>January 2017</b>
<b>Deadline date: N/A</b>

Cabinet portfolio holder: Responsible Director:	Councillor Irene Walsh, Cabinet Member for Communities and Environment Capital John Harrison, Corporate Director Resources
Is this a Key Decision?	YES If yes has it been included on the Forward Plan: Yes Unique Key decision Reference from Forward Plan: KEY/26DEC16/03
Is this decision eligible for call-in?	YES
Does this Public report have any annex that contains exempt information?	NO
Is this a project and if so has it been registered on Verto?	NO

**RECOMMENDATIONS**

The Cabinet Member is recommended to authorise:

1. The Council enter into a Memorandum of Understanding (MOU) with Cambridgeshire County Council for the provision of a shared trading standards service across Peterborough and Cambridgeshire for a period of 7 years from 1 April 2017 with an option to extend for a further three years, with Peterborough City Council as the lead authority;
2. That a shared trading standards service is provided by Peterborough for both Peterborough City Council and Cambridgeshire County Council;
3. That Peterborough City Council accepts the delegation of functions from Cambridgeshire County Council as agreed and listed in the MOU.
4. That the Director of Governance amends the constitution to reflect the delegated functions from Cambridgeshire County Council.

## 1. SUMMARY OF MAIN ISSUES

- 1.1 This report seeks approval to implement a shared trading standards service with Cambridgeshire County Council (CCC) from 1 April 2017 until 31 March 2024, with a potential for an extension until 31 March 2027 subject to agreement of the authorities.

## 2. PURPOSE OF THIS REPORT

- 2.1 This report is for the Cabinet Member for Communities and Environment Capital to consider exercising delegated authority under paragraph 3.4.3 and 3.4.4 of part 3 of the constitution in accordance with the terms of their portfolio at paragraph (e).

## 3. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	<b>NO</b>	If Yes, date for relevant Cabinet Meeting	<b>N/A</b>
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## 4. DETAILS OF DECISION REQUIRED

- 4.1 Approval is sought to implement the following:
- The formation of a shared trading standards service between Peterborough City Council (PCC) and CCC.
  - That PCC be the lead authority in the agreement.
  - Implementation of the agreement to commence on 1 April 2017. The duration of the agreement to be a minimum of seven years with an option of a further three.

## 5. CONSULTATION

- 5.1 This is a key decision, with Cabinet Member and Director support for the shared service agreement. Staff have been consulted and are in agreement with the proposal. Discussions leading up to the formation of the proposed agreement post April 2017 have taken place between PCC and CCC officers over several months. During this period of discussion staff from both councils have been working collaboratively on a number of service delivery work streams.

## 6. ANTICIPATED OUTCOMES

- 6.1 It is anticipated that approval for the implementation of an agreement will be given. This will provide a more resilient trading standards service for both PCC and CCC, and one which is better placed to meet the needs of an increasing population. A shared service will be more efficient than existing arrangements, and provide a better platform from which to develop commercial operations.

## 7. REASONS FOR RECOMMENDATIONS AND ANY RELEVANT BACKGROUND INFORMATION

- 7.1 Both PCC and CCC trading standards have been successfully working together on an informal basis for a number of months, and have for many years worked jointly on a number of work streams, as well as together as part of the East of England Trading Standards Authorities Group.

- 7.2 PCC and CCC recognise that this agreement helps provide efficiencies and adds resilience to service provision at a time when service demand is increasing. Little of the criminal activity investigated by trading standards is confined to local authority boundaries, a bigger service operating across a wider geographical area would provide a better platform from which to provide services.
- 7.3 PCC was forward looking when it established its first shared regulatory service with Rutland County Council (RCC) in 2011, and now has an opportunity again to develop its regulatory base further, this time with the advantage of experience. Due to the success of the agreement with RCC both councils renewed arrangements in April 2016 for a further five years.
- 7.4 By taking this opportunity now, Peterborough will be well placed to take advantage of further consolidation of regulatory functions across Cambridgeshire should the economic climate necessitate it for Cambridgeshire District Councils in the future.
- 7.5 PCC currently have a regulatory services team consisting of environmental health, licensing and trading standards whereas trading standards at CCC is a standalone team. The current structure at Peterborough along with the existing RCC shared service commitment means that the transfer of CCC staff to PCC is the only viable option at this time.
- 7.6 The advantages for both councils of a shared service have been identified as:
- Increased staffing pool in PCC's regulatory services group, providing greater resilience and flexibility in the utilisation of resources across all functional teams including trading standards.
  - Increased pool of staff with trading standards knowledge, experience and expertise arising from a larger staffing resource.
  - Opportunities for efficiencies through removing the need for separate information systems.
  - Efficiencies through having a lean management team.
  - Opportunities for efficiencies through procurement savings, reduced attendance at regional meetings (one representative instead of two).
  - Economies of scale in the provision of training, through the ability to have a greater percentage of training delivered at council premises and in house, thus enabling more staff to benefit as well as providing better value for money.
  - Opportunity to increase externally funded business advice services, taking advantage of the combined customer base and unmet demand.
  - Maximisation of opportunities as part of criminal investigations to seek to recover proceeds of crime.
  - Enhanced information sharing leading to better regulatory outcomes.

## **8. ALTERNATIVE OPTIONS CONSIDERED**

- 8.1 The council could decide not to enter into new shared service arrangements with CCC, though there are no alternative shared service opportunities at this time. There is an option to retain status quo, this doesn't however add the resilience to service provision at a time of growing service demand, nor does it maximise future commercial opportunities.

## **9. IMPLICATIONS**

### **Legal Implication**

- 9.1 Under section 101 of the Local Government Act 1972 and section 9EA of the Local Government Act 2000 a local authority may delegate any of its functions to the executive (cabinet) of another authority. The local authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012 set out the manner in which this must be done.

- 9.2 Under the Local Government Act 2000 the leader has delegated authority to the cabinet member for communities and environment capital to undertake decisions relating to policy and budget planning for the service listed in this report.
- 9.3 Under the constitution the cabinet member is authorised to accept the responsibility to act on behalf of CCC in relation to the trading standards function.
- 9.4 All matters which are delegated to the cabinet member and officers under PCC's constitution will continue to be dealt with by those persons following the transfer of functions.
- 9.5 Where the proposal impacts on other departments, staff from those departments have been involved in developing the shared service agreement.
- 9.6 Due diligence has been undertaken by PCC during shared service discussions to ensure there are no significant risks associated with this proposal.
- 9.7 There are no new community implications resulting from the proposal, the agreement helps provide greater resilience to service delivery for both PCC and CCC. This resilience is beneficial with regards to the delivery of statutory functions which address crime, protect public safety, welfare and economic prosperity, as well as supporting economic growth.
- 9.8 The proposal covers all PCC and CCC wards.

#### **Financial Implications**

- 9.9 Detailed financial arrangements will be contained in the agreement documentation. This will be submitted for sign off by the corporate director under his constitutional delegated authority. As part of the detailed budget analysis Peterborough would exercise sufficient due diligence to ensure any identified financial risks are acceptable. The most recent 16/17 Budgetary Control details for CCC trading standards have been reviewed and there are no reported budget issues. The net budget is approx. £700k, the majority of which is staffing costs. Previous years outturns for regulatory services have also been reviewed and there were also no adverse issues.
- 9.10 Though the shared service is primarily aimed at adding resilience and capacity to the trading standards service across Peterborough and Cambridgeshire it will deliver some efficiencies. As a result of the deletion of a Cambridgeshire management post, migration to a shared back office IT system, subscription cost savings, and a reduction in advocacy costs for legal work the anticipated saving is in the region of £80,000 per annum from year two. In year one though there is likely to be a small saving, it will not be one built into the budget, so that redundancy and data migration costs can be covered without any additional revenue cost.
- 9.11 All contributions, costs, savings, additional income, budget risks and variations would be split proportionately between Peterborough and Cambridgeshire, mirroring the proportions that each contributed to the shared service at the outset.
- 9.12 The shared service budget will be subject to normal monthly budget monitoring processes at the council, and a review annually.

#### **Equalities Implications**

- 9.13 There are no equalities implications arising from this decisions.

**10. DECLARATIONS / CONFLICTS OF INTEREST & DISPENSATIONS GRANTED**

10.1 None.

**11. BACKGROUND DOCUMENTS**

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985) and The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

11.1 None.