

SERVICES IN A UNITARY STRUCTURE

REGULATORY SERVICES

Introduction

1. Consideration of a possible unitary structure for Leicestershire presents an opportunity to consider whether to redesign how services are delivered by local government, and if so what form the redesigned structure should take. The focus is on how better outcomes can be delivered for residents, local business and partner organisations, and how local government can best work with those organisations recognising the challenging times ahead as a result of public sector finance restraints. This appendix, and other appendices prepared in part to facilitate discussion at scrutiny bodies, set out the opportunities that a unitary structure could afford to each service, as well as some examples of best practice from the county unitary councils established in 2009.
2. This appendix should be read alongside the appraisal of options in the Cabinet report. In the 'Opportunities' section and case studies which follow, some of the changes highlighted offer the greatest benefits in a single unitary structure.

Background

3. Public protection services delivered by local authorities encompass trading standards, environmental health, licensing, planning and building control. A broad outline of the core activities is listed below.

County Council - Trading Standards Service

- Unfair trading – doorstep, high street and e-crime
- Animal and public health
- Food standards
- Product safety
- Weights and measures
- Business advice
- Age restricted products (tobacco, alcohol, knives, fireworks etc.)
- Licensing for storage of petroleum and explosives

District Councils

- Environmental protection (air pollution, noise pollution, nuisance, fly tipping)
- Disease control
- Food safety
- Health and safety
- Pest control
- Business Advice
- Building control and private rented housing standards
- Alcohol, Taxi and entertainment licensing

4. Trading Standards supports economic growth by helping businesses to understand regulatory compliance, and by tackling rogue trading that undermines reputable businesses and consumer confidence. It also has a role in directing local businesses to other support that councils can provide.

Opportunities for the Service as a Result of Local Government Reorganisation

5. Prioritisation of Resources: A unitary council would be better placed to make intelligence led decisions on prioritising different elements of these services based on local circumstances and need. When visiting or advising businesses, officers who are competent in one aspect of public protection would be in a position to identify issues straddling licensing, environmental health, trading standards and licensing. This joined up approach would be of more use to businesses and is aligned to Government policy. A number of regulatory consultations are underway, for example, the Food Standards Agency Regulating our Future Programme, all of which aim to reduce the regulatory burdens on business. A unitary council would provide a more holistic and risk based approach to inspection and advice to Leicestershire businesses.
6. Removal of Current Enforcement Overlaps: There are regulatory overlaps that currently exist within district and county public protection services. For example, trading standards tackle food safety issues around product description whereas district environmental health services are concerned with food hygiene. Both services report their findings to the Food Standards Agency. Trading Standards is engaged in age restricted sales enforcement which by implication has strong links to the licensing of premises and the registration of food premises, both administered by the district councils.
7. Efficiencies: In the context of substantial funding cuts, all local government services are under pressure. However, there are additional challenges specific to public protection services, which have a huge range of statutory responsibilities, are relatively low profile, and have not been prioritised or protected. There is an increasingly urgent need for councils to think seriously about the key priorities for these services, and the most effective ways of delivering them in the future. A unitary council regulatory service would be more able to respond to local priorities and have more influence in terms of liaison with the national regulatory bodies.
8. Income Generation: Whilst Leicestershire Trading Standards currently receives funding from National Trading Standards to monitor the safety of products entering the market place via East Midlands Airport, there would be greater opportunities for a unitary regulatory service to bid for other similar funding streams. A unitary council regulatory service would be far better placed to generate income from a second tier business support service, in effect a one stop shop for Leicestershire businesses.

Existing Unitary Council Best Practice

9. Cornwall Council: Established an innovative Business Regulatory Support Hub (BRS) to allow businesses to access advice and support easily from a pool of experts from Trading Standards, Environmental Health and Licensing.

Businesses in Cornwall will also be referred on to other services as necessary, including the Growth Hub, planning, building control and the fire service. The website had approximately 13,000 users in 2017, extending the impact of the service. The success of this project in making the council more open to business queries is clear. In its second year of operation, BRS dealt with a total of 1,667 enquiries from businesses, up 47% from 2016. Seventy-three per cent of these businesses received free advice, while 20% went on to purchase a service. Proactive support for businesses remains important, with the hub reaching 2,850 businesses in 2017, of which 1,200 were start-up businesses. Business satisfaction with the service has been 99%.

10. By working together, Cornwall's regulatory services were able to save 57 posts that were at risk due to financial cutbacks. Significantly, the council has been able to retain staff with expertise in specific legislative areas that would otherwise have been lost. In 2017/18 over £1m of income was generated for the Public Protection Service from the BRS programme and associated impacts.
11. Durham Council: has set up Better Business For All (BBfA), a voluntary partnership which provides help and support to businesses to make sure they comply with the law, making it easier to 'get it right first time' and helps businesses grow. It brings together businesses and the regulatory services in the Durham area (including Environmental Health, Licensing, Trading Standards and the Fire and Rescue Service) as well as the North East Local Enterprise Partnership (NELEP) and the Federation of Small Businesses (FSB). Its aim is to change the culture of how businesses and regulators work together, so it provides what businesses need from it in order for them to grow and prosper. It focuses on smaller businesses, as these often need the most help.

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