

WORCESTERSHIRE DISTRICT COUNCILS

MEETING OF THE WORCESTERSHIRE REGULATORY SERVICES BOARD

THURSDAY, 24TH JUNE 2021, AT 4.30 P.M.

PRESENT: Councillors H. J. Jones, J. Raine, T. Wells, A. Fry, N. Nazir, J. Carver, S. Cronin (substituting for Councillor R. Udall), E. Stokes, A. Coleman (substituting for Councillor P. Dyke) and N. Martin

Officers: Mr. J. Howse, Mr. S. Wilkes, Mr. R. Keyte, Ms. K. Lahel, Mr M. Cox and Mrs. P. Ross

Partner Officers (via Microsoft Teams) – Mr. L. Griffiths, Worcester City Council, Mr. P. Merrick, Malvern Hills District Council and Wychavon District Council and Mr. M. Parker, Wyre Forest District Council

1/21

ELECTION OF CHAIRMAN

RESOLVED that Councillor T. Wells, Malvern Hills District Council be elected Chairman of the Board for the ensuing municipal year.

The Chairman opened the meeting by acknowledging that this was probably the first meeting that some Members may have attended in person in over 12 months. Members were advised that arrangements had been made to ensure that the meeting was held in accordance with social distancing requirements and Government guidance in respect of holding meetings at a physical location.

The Chairman suggested that Members and officers briefly introduced themselves.

2/21

ELECTION OF VICE-CHAIRMAN

RESOLVED that Councillor J. Carver, Worcester City Council be elected Vice-Chairman of the Board for the ensuing municipal year.

3/21

APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

The following apologies for absence were received: -

Councillor A. D. Kent, Bromsgrove District Council, Councillor R. Udall, Worcester City Council, Councillor S. Cronin was in attendance as the substitute Member, Councillor D. Morris, Wychavon District Council and Councillor P. Dyke, Wyre Forest District Council, with Councillor A. Coleman in attendance as the substitute Member.

4/21 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

5/21 **MINUTES**

The minutes of the meeting of the Worcestershire Regulatory Services Board held on 11th February 2021, were submitted.

RESOLVED that minutes of the Worcestershire Regulatory Services Board meeting held on 11th February 2021, be approved as a correct record.

6/21 **CHAIRMAN OF THE BOARD 2020-2021 - REVIEW REPORT**

The Head of Regulatory Services informed Members that under the new legal agreement that came into effect on 1st April 2016, it was envisaged that the new operating arrangements for the partners would be reviewed at the end of 12 months to ensure that the arrangement was working. Officers and Members of the Board had felt that it was appropriate that this review was presented by the Chairman of the Board who oversaw this period.

In the absence of the previous Chairman, the newly elected Chairman briefly introduced the previous Chairman's report, which provided an overview of the highlights which the Board covered from 1st April 2020 to 31st March 2021.

The Chairman expressed his sincere thanks to Councillor H. Dyke, Wyre Forest District Council in her role as Chairman of the Board during 2020/2021.

RESOLVED that Members note the report.

7/21 **INFORMATION REPORT - FOOD SAFETY RECOVERY PLAN JUNE 2021**

Members received an Information Report on the Food Safety Recovery Plan.

The Technical Services Manager, Worcestershire Regulatory Services (WRS) introduced the report and in doing so informed the Board that, the six district councils were responsible for delivering official food safety controls and related activities in most food establishments in Worcestershire.

These control activities included inspections, audits, surveillance, sampling and other types of interventions such as projects and questionnaires.

Prior to the Covid-19 pandemic, local authorities were expected to undertake all official controls and related activities prescribed in specific legislation and those contained within specific Food Standards Agency (FSA) guidance and Code of Practice.

At the beginning of the pandemic response the FSA suspended the routine food hygiene intervention programme in recognition of the challenges local regulatory services faced in protecting our communities from Covid-19. The suspension also reflected the changing business landscape, with many food businesses closing or changing operations due to the Covid control regime. WRS responded by continuing to target limited resources at the highest risk establishments while deferring planned interventions. This approach was extended by the FSA nationally until the end of June 2021.

Members' attention was drawn to Appendices A and B which detailed the two phases of the plan which would run from 1st July 2021 until April 2023 and beyond.

The plan focused on re-starting the regulatory delivery system in line with the Food Law Codes of Practice for the highest risk establishments while providing greater flexibility for lower risk establishments.

Members' attention was further drawn to the recovery roadmap detailed on page 20 of the main agenda report.

The Technical Manager, WRS stated that in common with all local authorities, the backlog of interventions across Worcestershire was very challenging in terms of number, but he would assure Members that throughout the pandemic officers had continued to address poor performing businesses, who would be starting from a very high base of 98% broadly compliant operations.

Officers would restart the planned interventions in as risk-based manner, focussing resources where they added the greatest value in providing safeguards for consumers and securing compliance. The FSA would closely monitor that food safety programmes were reinstated and brought up to date within the relevant timescales.

The service had requested an additional £25,000 from the 2020/2021 underspend to be carried forward in order to supplement the funding from Worcestershire County Council to support Phase 1 of the recovery plan. Food competent agency Environmental Health Officers (EHOs) were in short supply and £25,000 would buy around 17 weeks of competent officer time.

In response to questions from Members, the Head of Regulatory Services informed the Board that, so that partners did not face any shocks, funding from Worcestershire County Council that pays for the EHOs embedded within the local outbreak response team would be used to pay for some additional capacity, but that may not cover all costs and the service needed to look at the extended period, so £25,000 was a reasonable contribution at this stage.

The Head of Regulatory Services responded to questions with regard to new businesses and informed the Board that, new businesses had had a paper exercise to review their potential risk and non-compliance for a food safety rating, with virtual video inspections, as an initial approach, in order for new businesses to trade. These would be followed up with a proportion receiving a physical intervention during the next few months to test the veracity of the virtual approach. The vast majority had complied really well and officers were not anticipating any huge difficulties.

In response to some concerns raised by Members with regards to staff welfare during the pandemic and the increase in workload, the Head of Regulatory Services referred to the Staff Survey, which was detailed at Agenda Item 8, the WRS Annual Report 2020/2021.

The Head of Regulatory Services stated that a staff survey was carried out annually. 50 out of 68 staff had responded to the survey. Senior officers had, during the pandemic, communicated with staff regularly and had been very concerned to check staff welfare during the pandemic.

RESOLVED that the Information Report – Food Safety Recovery Plan, be noted and that Members use the contents of the information report provided in their own reporting back to their respective partner authority.

8/21

WORCESTERSHIRE REGULATORY SERVICES ANNUAL REPORT 2020/2021

The Board considered a report which detailed the Worcestershire Regulatory Services (WRS) Annual Report 2020/2021. The report covered the period from 1st April 2020 to 31st March 2021.

The Head of Regulatory Services informed the Board that under the Shared Services Partnership Service Level Agreement (SLA) the Board was required to receive the annual report at its annual meeting.

The Head of Regulatory Services highlighted that the global Covid-19 pandemic had required a significant resource input from WRS. This had meant that some areas of work were more limited during 2020/2021 and the Food Standards Agency had actually suspended the routine food hygiene programme, so figures for these premises were more limited this year and could not be compared to previous years.

In spite of this, performance had remained good. Food business compliance rates remained high. Taxi licence renewals had been dealt with in a reasonable time in the main. The taxi fleet appeared to be generally in good order, although with council and other garages being closed for a significant period of time and with some drivers/operators taking vehicles off the road for a period of time, it was impossible to compare this year with previous years.

Page 26 of the main agenda report detailed the main issues for complainants related to people.

The indicators for licensed premises and noise complaints had been in place long enough now to establish good base-lines.

The Annual Report also gave a summary of the financial position, the key achievements and covered issues relating to human resources. There were also sections on risk management and equalities.

In response to Members questions with regard to compliments, the Head of Regulatory Services informed the Board that these related to officers and how they had handled people, issues and had supported businesses and advice offered. Officers first thoughts were 'How can I help you to comply / trade well'. Which was good for customers and businesses. Officers took a positive approach but would also use their legal powers where necessary. Interventions were seen as helpful. The quality of officers carrying out the work really drove those compliments.

In response to further questions, the Technical Services Manager, WRS, informed the Board that, the number of straying dogs was significantly down last year, which was likely due to the number of people working from home or on furlough and therefore around more for their pets. Plus, there were more people around who had helped reunite owners with their stray dogs.

The Chairman thanked the Head of Regulatory Services for the detailed Annual Report.

RESOLVED: that the Worcestershire Regulatory Services Annual Report 2020/2021, be noted; and

- (a) that a copy of the Worcestershire Regulatory Services Annual Report 2020/2021 be forwarded to the Chief Executive, Managing Director and Members of the six partner authorities.

9/21

WORCESTERSHIRE REGULATORY SERVICES REVENUE
MONITORING APRIL - MARCH 2021 AND ANNUAL RETURN 2021/2022

The Executive Director of Resources, Bromsgrove District Council (BDC) and Redditch Borough Council (RBC), introduced the report and in doing so drew Members' attention to the Recommendations as detailed on page 73 of the main agenda report.

The Executive Director of Resources confirmed that the report covered the period April 2020 to March 2021 and also included the Annual Return 2021/2022.

The detailed revenue report was attached at Appendix 1 to the report. This showed a final outturn refund of £148k, which represented 4.6% of the actual budget and was mainly due to:-

- A significant underspend on the stray dog contracts due to the service dealing with fewer straying incidents. Which was likely to be related to people working from home due to the Covid-19 pandemic.
- A number of aspects of planned expenditure also fell foul of the Covid-19 pandemic, e.g. purchase replacement vans.
- The deferment of some expenditure in licensing to help the trade manage financially during the Covid-19 pandemic.
- Any grant funded expenditure was shown separate to the core service costs as this was not funded by the participating Councils.

As requested by the Board, Appendix 1 to the report, provided detailed explanations relating to the variances.

It was proposed that the £148k be allocated as follows:-

- I. To transfer to WRS Reserves:
 - £30k to purchase a stray dog van
 - £15k for DBS checks
 - £25k for Food Inspections
- II. The remaining £78k, be refunded back to partners as below:-

Bromsgrove District Council	£11,323
Malvern Hills District Council	£9,950
Redditch Borough Council	£13,636
Worcester City Council	£12,868
Wychavon District Council	£18,075
Wyre Forest District Council	£11,758

The refund to partners had taken into account the adjustments for the overspend on Pest Control and all other charges to partners.

All partners were advised of all recharges and refunds for completion of their statement of accounts.

Appendix 1 to the report detailed the WRS – Profit & Loss Report 2020/2021 and the reasons for variances.

The Executive Director of Resources explained that Appendices 2 and 3 were presented in a different way, they were now being presented on a statutory accounting basis.

The Executive Director of Resources responded to questions from Members and clarified that the S151 officer for the partnership had been made aware of the refunds to partners and was happy with those refunds.

RESOLVED that

- a) the final financial position for the period April 2020 to March 2021, be noted;
- b) that the transfers to WRS Reserves of £30k to purchase a dog warden van, £15k for DBS checks and £25k for Food Inspections, be approved; and
- c) the refund of £78k to the participating Councils, be approved as follows:-

Council	Refund from 2020/2021 £'000
Bromsgrove District Council	11
Malvern Hills District Council	10
Redditch Borough Council	14
Worcester City Council	13
Wychavon District Council	18
Wyre Forest District Council	12
Total	78

10/21

WORCESTERSHIRE REGULATORY SERVICES ACTIVITY AND PERFORMANCE DATA - QUARTERS 1 TO 4, 2020/2021

The Licensing and Support Services Manager, Worcestershire Regulatory Services presented the Activity and Performance Data for Quarters 1, 2, 3 and 4 for 2020/2021; and in doing so highlighted that, the final quarter of 2020/2021 featured a third lockdown, based on the same legal framework as the one for November, so not akin to lockdown 1 at the beginning of the financial year.

ACTIVITY DATA

As highlighted by the Head of Regulatory Services, WRS, the Food Standards Agency (FSA) had suspended the Food Hygiene inspection programme at the beginning of lockdown in March and this had continued throughout the year. The service was now planning to follow the FSA's roadmap back to normal food controls.

Even with the increase in reported issues during quarters 3 and 4, 2020/2021, it was relatively quiet for new Health and Safety interventions.

Although quarter 4 showed an increase in dog related complaints. overall, it was a quiet year for this work and the downward trend in stray dog numbers had continued.

The quarter 4 lockdown had led to a plateauing of license applications.

Following the drop in quarter 3, quarter 4 saw an increase in numbers of nuisance complaints despite the cold weather. A similar pattern in domestic nuisance reporting was seen during lockdown, so it was likely that people had experienced more issues at home than they would normally, as they would be at work. Approximately 43% of cases related to domestic noise, whilst 21% related to smoke nuisance.

COVID RELATED ACTIVITIES

Covid related enforcement activities continued through the quarter. EHO's embedded within the Local Outbreak Response Team had remained busy tackling business outbreaks and undertaking detailed backwards contact tracing exercises in areas with high case numbers.

PERFORMANCE

The Licensing and Support Services Manager explained that performance had been covered by the Head of Regulatory Services when he presented the WRS Annual Report 2020/2021 to Members of the Board, however, she was happy to answer any questions.

The Chairman expressed his thanks the Technical Services Manager, WRS, for the weekly Covid updates that he provided to Members of the Board, it was very informative and greatly appreciated.

Members took the opportunity to raise questions with regard to the varying taxi tariffs across the six districts. The Licensing and Support Services Manager, WRS, commented that each district had a different fee structure.

It was agreed that the Licensing and Support Services Manager, WRS, would provide an Information Report on each district's taxi tariffs, licensing fee structure and the number of licenses held, to the next meeting of the Board.

The Chairman took the opportunity to thank the Licensing and Support Services Manager, WRS.

RESOLVED that the Activity and Performance Data Quarters 1, 2, 3 and 4 for 2020/2021, be noted and that Members use the contents of the report in their own reporting back to their respective partner authority.

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The meeting closed at 5.44 p.m.

Chairman