

WORCESTERSHIRE DISTRICT COUNCILS

MEETING OF THE WORCESTERSHIRE REGULATORY SERVICES BOARD

THURSDAY, 10TH FEBRUARY 2022, AT 4.36 P.M.

PRESENT: Councillors P.L. Thomas, J. Raine, T. Wells (Chairman), A. Fry, J. Carver (Vice-Chairman), D. Morris, T. Rowley and A. Coleman (substituting for Councillor P. Dyke)

Officers: Mr. J Howse, Mr. S. Wilkes, Mr. R. Keyte, Ms. K. Lahel, Mr M. Cox, Mr. D. Mellors, Mr D. Whitney and Mrs. P. Ross (via Microsoft Teams).

Partner Officers: Mr. L. Griffiths, Worcester City Council, Mr. I. Miller, Wyre Forest District Council (via Microsoft Teams) and Mr. I. Edwards, Malvern Hills District Council and Wychavon District Council

20/21

APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

The following apologies for absence were received:-

Councillors H. J. Jones Bromsgrove District Council and R. Udall, Worcester City Council, P. Dyke, Wyre Forest District Council with A. Coleman, Wyre Forest District Council, in attendance, as the substitute Member.

It was noted that apologies were also received from Councillor S. Cronin, Worcester City Council, who was due to attend the meeting as the substitute Member for Councillor R. Udall, Worcester City Council.

21/21

DECLARATIONS OF INTEREST

There were no declarations of interest.

22/21

MINUTES

The minutes of the meeting of the Worcestershire Regulatory Services Board held on 18th November 2021, were submitted.

As noted in the minutes, Councillor J. Raine, Malvern Hills District Council was in the Chair for this meeting, as Vice-Chairman of the Board.

RESOLVED that minutes of the Worcestershire Regulatory Services Board meeting held on 18th November 2021, be approved as a correct record.

23/21

**WORCESTERSHIRE REGULATORY SERVICES REVENUE
MONITORING APRIL TO DECEMBER 2021**

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 pages 15 and 16 of the main agenda report.

The Executive Director of Resources confirmed that the report covered the period April to December 2021.

The detailed revenue report was attached at Appendix 1 to the report. This showed a projected outturn 2021/2022 of £141k refund to partners. It was appreciated that this was an estimation to the year end based on the following assumptions: -

- A number of employees were working on grant funded Covid related work and a small amount of work in other grant related areas. Agency staff costs were being incurred to backfilling of these employees. However, due to the national shortage of suitable qualified staff, which had created difficulties in recruiting agency replacements; this had resulted in a significant saving within salaries.
- Officer Members of the Board had agreed to reserve a further £20k for the purchase of stray dog vans in 2022/2023. This was due to further delays in the supply chain due to the international shortage of micro-chip components. Each partner authority's contribution was as follows: -

Bromsgrove District Council	£3k
Malvern Hills District Council	£3k
Redditch Borough Council	£3k
Worcester City Council	£3k
Wychavon District Council	£5k
Wyre Forest District Council	£3k

- The following was the actual bereavement costs April to December 2021 to be funded by partners. These costs were charged on an as and when basis. Due to the nature of the activity, it was not possible to project a final outturn figure: -

Bromsgrove District Council	£2k
Malvern Hills District Council	£10k
Redditch Borough Council	£2k
Worcester City Council	£4k
Wychavon District Council	£1k

- If April to December 2021 spend on pest control continued on the same trend for the rest of year, there would be an overspend on

this service of £16k. WRS officers would continue to monitor and analyse this spend and advise of the final recharges for 2021/2022 as soon as possible. The projected outturn figure to be funded by partners was: -

Bromsgrove District Council	£1k
Redditch Borough Council	£7k
Wychavon District Council	£8k

Appendix 2 to the report shows details of the income achieved by WRS during April to December 2021.

The Head of Regulatory Services responded to brief questions with regard to bereavement costs and highlighted that WRS officers had a good working relationship with suppliers of funeral services to ensure that only reasonable costs were incurred.

The Head of Regulatory Services responded to further questions with regard to the dog warden vans, and in doing so explained that officers had carried out a lot of work looking at electric vans, their battery life and mileage capacity. WRS carried out dog warden work for other authorities including Gloucester City, Cheltenham and Tewkesbury, so a vast area to cover, hence officers felt that electric vehicles did not currently have sufficient range for efficient use in this role. However, officers would continue to look at other less polluting vehicles.

RESOLVED that

- a) the final financial position for the period April to December 2021, be noted;
- b) the £20k transfer to WRS reserves towards the purchase of a dog warden van, be approved;
- c) partner councils are informed of their liabilities for 2021-2022 in relation to Bereavements;

Council	Apr–Dec 21 Actual for Bereavements £000
Bromsgrove District Council	2
Malvern Hills District Council	10
Redditch Borough Council	2
Worcester City Council	4
Wychavon District Council	1
Total	19

- d) partner councils are informed of their liabilities for 2021-22 in relation to Pest Control;

Council	Estimated Projected Outturn 2021/22 Pest Control £000
Bromsgrove District Council	1
Redditch Borough Council	7
Wychavon District Council	8
Total	16

- e) partner councils are informed of their liabilities for 2021-2022 in relation to three additional Technical Officers.

Council	Estimated Projected Outturn 2021/22 Tech Officer Income Generation £000	Estimated Projected Outturn 2021/22 Tech Officer Animal Activity £000	Estimated Projected Outturn 2021/22 Gull Control £000
Bromsgrove District Council	4	7	
Malvern Hills District Council	3	5	
Redditch Borough Council	4	1	
Worcester City Council	4	2	68
Wychavon District Council	6	10	
Wyre Forest District Council	4	6	
Total	25	31	68

24/21

WORCESTERSHIRE REGULATORY SERVICES, SERVICE PLAN 2022/2023

The Board considered the Worcestershire Regulatory Services (WRS) Service Plan 2022/2023.

The Head of Regulatory Services introduced the report and in doing so drew Members' attention to the Recommendations, as detailed on page 23 of the main agenda report.

The Board signed off on the service plan for WRS each year. The process helped to make Members aware of what the service was proposing for the relevant financial year and provided a sign off that some central government bodies liked to see in relation to service delivery plans e.g., the Food Standards Agency.

The plan followed very much the pattern of previous years and had an Executive Summary to pick up the main points. Last year's plan had to accommodate WRS activities in tackling the global pandemic as well as day to day activities. At the time of writing this report, the country retained limited control measures. However, the Government announced that Plan B measures would end on 26th January 2022 and compulsory self-isolation for people with Covid on 24th March 2022. We needed to see that living with Covid 19 was a fact of daily.

Away from the pandemic, the service would continue to shape its work around the long-standing strategic priorities for local authority regulatory services provided by the Department for Business, Energy and Industrial Strategy (BEIS), as these provided a framework that allowed WRS to have a golden thread back to the priorities of the six partner authorities and also to link to the requirements of the various national bodies that oversaw the work of WRS.

A range of high-level activities had been identified within the plan so that Members would be aware of the general focus of activity. Below this would sit a number of team plans that would be used to drive the actual business activities.

The plan was devised in the face of on-going financial uncertainty in local government generally. The long-awaited Levelling-up White Paper had yet to appear, and the sector continued to push for fairer funding settlements.

Working with businesses and other partners was a key theme for both generating income to mitigate financial risk but also to ensure that outcomes were delivered that matched the priorities of partners and stakeholders. Delivery for other local authorities also remained a key income generation strategy, supported by work for the private sector and specific grant monies. Whilst much of our work for customers had fallen

off during the initial period of the pandemic response, most of our long-standing customers had come back to WRS, with some new ones in recent weeks.

WRS would continue to use intelligence to drive the business forward and the embedding of this approach and its associated processes would continue.

The Risk Register has been updated to reflect the current position in areas like IT provision and development, staffing levels, and our reliance on contractual relationships for income. The threat from cyber-attack had become more real as the devastating consequences had been felt by colleagues in other local authorities elsewhere in the country. WRS would work closely with our ICT host, Wyre Forest District Council, to limit the risk.

Our long-standing investment in mobile and flexible working found us well-placed to deal with the need for home working and the majority of our activities were now enabled for this working pattern. However, our reliance on ICT provision to deliver this did increase our vulnerability to disruption.

As with previous years, Members were asked to pay particular attention to the provisions for food hygiene delivery in the coming year. This was to meet one of the recommendations of the auditors from the Food Standards Agency who visited the service in May 2017. They were keen that Members had a better understanding of the demand in this service area when they authorised the plan for this and future years.

Members were asked to note the proposed numbers of inspections and similar activities proposed for the new financial year that would be undertaken to discharge the statutory duties of the six partner authorities in relation to food control.

The Head of Regulatory Services responded to questions from Members with regard to including WRS expectations in future Service Plans, and in doing so highlighted that; since 2011 the systems thinking process tended to move against targets, the FSA code did give an indication of the expectations of local authorities.

RESOLVED that

- a) the Worcestershire Regulatory Services Plan for 2022/2023, as detailed at Appendix 1 to the report, be approved; and
- b) Members specifically note the level of work to be undertaken by the service this year in relation to the partners' roles as local food authorities.

25/21

INFORMATION REPORT - COVID RELATED ACTIVITY

The Technical Services Manager, Worcestershire Regulatory Services presented the Board with a detailed updated information report on Covid related activity, following on from the previous Covid related activity report presented to the Board at the meeting held on 18th November 2021.

The report presented in November 2021 explained the role WRS officers had in assisting the NHS with contacting people who had received a positive Covid-19 test result. December saw a significant increase in positive cases which led to a change in the process that had been followed previously.

All cases that received a positive result were now sent emails and SMS messages which invited them to complete an online form. They were given a window of 8 hours to complete what was referred to as the digital journey.

The need to recruit to the team of Contact Tracers continued, it was an ongoing task because of the need to expand the team.

Since 9th February 2022 the number of cases to complete had significantly dropped, people were seeing it as less of a priority due to the Government's announcement in respect of Covid 19 measures coming to an end on 26th January 2022 and compulsory self-isolation for people with Covid on 24th March 2022.

The Technical Services Manager, WRS, responded to questions from Members with regard to Contract Tracers. Members were informed that staff would be redeployed within the next 5 months. Due to recruitment issues internally, officers would look to employ temporary staff, as they were skilled to take on roles which had proved difficult to recruit into. There was a skills matrix of officers, so it would be a case of aligning people up to the roles available, this was being done in conjunction with Public Health. Worcestershire County Council.

In response to the concerns raised by Members with regard to people still reporting Covid cases, the Head of Regulatory Services indicated that this would be a matter for the County Council Public Health team and the Communications Unit at County Hall. However, he assured Members that currently people would be encouraged to continue to report Covid cases, so that officers could keep an eye on the number of reported cases.

RESOLVED that the Information Report – Covid related activity be noted, and that Members use the contents of the report in their own reporting back to their respective partner authority.

WORCESTERSHIRE REGULATORY SERVICES ACTIVITY AND PERFORMANCE DATA - QUARTER 3, 2021 - 2022

The Licensing and Support Services Manager, Worcestershire Regulatory Services briefly presented the Activity and Performance Data for Quarter 3 for 2021/2022; and in doing so highlighted drew Members' attention to the following key points: -

ACTIVITY DATA

Towards the end of the third quarter of 2021/2022, we saw the introduction of the Government's Plan B response to the increasing number of Covid cases, driven by the then novel Omicron strain.

Food Hygiene work remained on-going as the team worked towards delivering the requirements of the Food Standards Agency (FSA) roadmap.

The number of health and safety cases recorded by WRS during quarter three was a reduction of 12% compared to the previous quarter, but it was a marginal increase compared to previous years.

The number of licensing cases recorded by WRS during quarter three saw an increase of 12% compared to the previous quarter, and consistent with the volume recorded during 2019/2020.

The number of planning enquiries completed by WRS during quarter three saw a reduction of 14% compared to the previous quarter, and lower than previous years.

The number of pollution cases recorded by WRS during quarter three saw a reduction of 50% compared to the previous quarter, but consistent with seasonal variations.

COVID RELATED ACTIVITIES

It was noted that this item was covered in detail during Agenda Item No. 6, Minute Number 25/12.

Local Outbreak Response Team

A number of Environmental Health Officers remained embedded within the local outbreak response team.

Covid Enforcement

Officers continued to focus on night-time economy. When the Government's Plan B controls came into force, officers made checks on the provision of signage by businesses advising of the requirement for customers to wear face coverings and there were good levels of compliance. Engagement began with sports grounds in relation to the potential impact of Covid pass controls on their supports and advice was provided to these and other outlets.

Events and similar

Officers continued to provide advice and support in relation to events. The Victorian market in the run up to Christmas in the centre of Worcester saw officers being deployed to look at a range of issues as had been the case for a number of years.

PERFORMANCE

Quarter 3 was another more limited reporting period. The non-business customer measure at 62.5%, slipped slightly further and remained significantly down on the 74% out-turn from last year. Having reviewed the data, the falls continued to have occurred against the questions relating to speed of response and speed of resolution. This was almost certainly linked to the backlog of nuisance work the team dealt with during the summer

Business customer satisfaction remained good at 97.9%.

Overall numbers of compliant and non-compliant food businesses were at 98.3% and 1.7% respectively. This remained good and on a par with previous years.

The ratio of compliments to complaints remained good at 113 to 18.

Staff sickness had increased from 1.55 days per FTE to 2.94 days per FTE cumulative for the year. The figures had virtually doubled but, given Covid case numbers during quarter 3 this was not a huge surprise.

The Head of Regulatory Services responded to questions with regard to the numbers who felt better equipped to deal with future issues being down at 50%. Members were briefly informed that this had been a measure for a while and that it fitted in with the six council's desire to enable people to deal with their own issues without the need for officer interventions. The WRS website was redesigned in order to provide advice for residents to enable and encourage residents to try and resolve issues for themselves, where relevant. Environmental Health officers would intervene, if necessary, but the idea was to equip residents in the first instance to try and resolve any issues themselves. Many people responded positively to being approached in a friendly way by a neighbour, rather than being approached officially by officers knocking on their doors.

The Chairman expressed his sincere thanks to officers for a very informative report.

RESOLVED that the Activity and Performance Data Quarter 3 for 2021/2022, be noted and that Members use the contents of the report in their own reporting back to their respective partner authority.

27/21

INFORMATION REPORT - FOOD SAFETY INTERVENTIONS: POST PANDEMIC RECOVERY PROGRAMME

The Community Environmental Health and Trading Standards Manager, Worcestershire Regulatory Services (WRS) presented the Board with a detailed information report on Food Safety Interventions: Post Pandemic Recovery Programme.

Members were informed that, as previously reported, that during the peak of the Covid pandemic the Food Standards Agency (FSA) had stopped the majority of food visits, although partners through WRS were required to monitor poor Food Hygiene Rating Scheme (FHRS) businesses and to deal with complaints. WRS entered a two-year recovery phase in August 2021. Every local authority had a long list of overdue inspections, the total across the county being nearly 3,000. WRS had now been set a clear programme by the FSA with priority on interventions at New Premises (NPR) and those with Level 1 – Level 3 FHRS. WRS have always had a high level of FHRS compliance, the numbers with previous low FHRS scores were < 10% of our total.

Even with limited resources, between June and December 2021 a pool of 8 FTE officers completed 1,049 inspections, a remarkable effort under the circumstances. 481 had no change in rating. Regrettably, officers found more premises with major non-compliances with drops in FHRS levels particularly in the independent sector. With further resources needed, the service was intelligence led, with high-risk businesses targeted.

Members' attention was drawn to the Tables as detailed on pages 106 and 107 of the main agenda report.

Members were further reassured that officers were finding the right premises to bring back up to compliance and that officers had the tools to deal with non-complaint premises that were consistently poorly managed. Officers would provide support where needed but would also issue food hygiene improvement notices, enforcement notices and closure powers if there was a risk to public health.

The Head of Regulatory Services further commented that good publicity had made members of the public fully aware of the Food Hygiene Rating system (Scores on the doors) and members of the public now looked for premises with high ratings, therefore low rating premises would look to improve their scores.

The Community Environmental Health and Trading Standards Manager, WRS, responded to questions with regard to food poisoning and reassured Members that officers would investigate any local outbreaks and if a member of the public visited their GP with any food poisoning related illness, their GP would also report it.

The Community Environmental Health and Trading Standards Manager, WRS, briefly responded to further questions in respect of food delivery drivers and vehicles.

RESOLVED that the Information Report – Food Safety Interventions: Post Pandemic Recovery Programme be noted, and that Members use the contents of the report in their own reporting back to their respective partner authority.

The meeting closed at 5.47 p.m.

Chairman