

**WORCESTERSHIRE DISTRICT COUNCILS**

**MEETING OF THE WORCESTERSHIRE REGULATORY SERVICES BOARD**

**THURSDAY 27TH JUNE 2024, AT 4.32 P.M.**

PRESENT: Councillors K. Taylor, H. J. Jones, D. Harrison, C. Palmer, D. Munro (substituting for Councillor M. Stringfellow), A. Scott, S. Murray (substituting for Councillor K. Lawrance), M. Goodge, T. Onslow and C. Rogers

Officers: Mr. S. Wilkes, Mr P. Carpenter, Ms. K. Lahel, Mr. M. Cox, Mr. D. Mellors, Ms. L. Elliot, Mr. A. Allman, Mrs. M. Patel and Mrs. P. Ross

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

1/24 **ELECTION OF CHAIRMAN**

**RESOLVED** that Councillor H. J. Jones, Bromsgrove District Council be elected Chairman of the Board for the ensuing municipal year.

2/24 **ELECTION OF VICE-CHAIRMAN**

**RESOLVED** that Councillor C. Rogers, Wyre Forest District Council be elected Vice-Chairman of the Board for the ensuing municipal year.

3/24 **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES**

Apologies for absence were received from Councillor R. Deller, Wychavon District Council and Councillors K. Lawrance, Worcester City Council, Councillor M. Stringfellow, Redditch Borough Council, with Councillors S. Murray, Worcester City Council and D. Munro, Redditch Borough Council attending as substitute Members.

4/24 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

5/24 **MINUTES**

It was noted that there was an error in Minute Number 27/23, and that the **RESOLVED** item should read as follows:-

**RESOLVED** that Councillor K. Taylor, Bromsgrove District Council be elected as Chairman for the meeting’.

**RESOLVED** that the minutes of the Worcestershire Regulatory Services Board meeting held on 29<sup>th</sup> February 2024, be amended as detailed in the preamble above, and approved as a correct record.

6/24

**WRS REVENUE MONITORING APRIL - MARCH 2024 AND THE ANNUAL RETURN**

The Deputy Chief Executive and Director of Resources Finance, 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 23 of the main agenda pack.

The report covered the period April to March 2024.

Members were informed that the detailed revenue monitoring report, as attached at Appendix 1 to the report; showed a projected outturn deficit Of £1.2k, this represented 0.03% of the actual budget and was mainly due to the slight extension of agency staff for food law enforcement work following engagement with the Food Standards Agency.

Other items for Members to note were: -

- Agency staff costs were being incurred due to backfilling of staff working on other contractual work e.g., food recovery programme, contaminated land and work for other local authorities, these costs were covered by vacant posts and income generation.
- The bereavements 2023/24 outturn figure to be funded by partners was £44,685 as per below:

Bromsgrove District Council	£10,187
Malvern Hills District Council	£3,007
Redditch Borough Council	£17,203
Worcester City Council	£13,794
Wychavon District Council	£495

- The pest control 2023/24 outturn figure to be funded by partners was £14,795, as per below: -

Redditch Borough Council	£7,215
Wychavon District Council	£7,580

- Appendix 4 to the report, detailed the income received 2023/2024, and included the Worcester City Council, taxi unmet demand surveys.
- Appendix 5 to the report, included the Pay Award for 2023/24 and the stray dog van total.

Members were informed that for several years, the Board had agreed to reserve a portion of the service's underspend to enable the service to purchase three replacement Dog Warden vans. However, due to the time elapsed and the fact that the purchase was made directly, there was a small shortfall on this reserve of £3,325 still to be funded. It was therefore requested that this shortfall be funded from the Worcestershire Regulatory Services general reserve, as detailed in the Recommendations on page 23 of the main agenda pack.

In response to questions from Members with regards to the costs of the Technical Officer for Gull Control, Worcester City Council, the Technical Services Manager, WRS; explained that the Technical Officer was employed part time and part of the costs included a Gull Control Strategy for the City Council's area. Gull control management included an extensive programme of nest, egg, and chick removal in the city centre, supported by deterrent hawking, disturbance tactics and gull proofing measures. This Gull Control Strategy was now a nationally renowned strategy. All work had to be carried out in accordance with the provisions of the licences issued by Natural England, who would only issue such licences where relevant evidence on issues created by these protected species could be provided.

**RESOLVED** that the Board

- 1.1 notes the final financial position for the period April – March 2024,
- 1.2 approves the 2023/24 deficit of £1,198 to be funded from the Worcestershire Regulatory Services general reserves, and
- 1.3 approves the additional spend of £3,325 on dog vans to be funded from the Worcestershire Regulatory Services general reserves.

7/24

## **WORCESTERSHIRE REGULATORY SERVICES ANNUAL REPORT 2023/24**

The Board considered a report which detailed the Worcestershire Regulatory Services (WRS) Annual Report 2023/2024.

The Head of Regulatory Services drew Members' attention to the Recommendation, as detailed on page 37 of the main agenda report. Members were informed 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 report covered the performance of the service from 1<sup>st</sup> April 2023 to 31<sup>st</sup> March 2024. The report covered the performance of the service for this period, both in

terms of Key Performance Indicators (KPIs) and the highlights of activity, a short summary activity report was included at Appendix 5 to the report.

Last year saw the restoration of more normal levels of activity post pandemic with 2022/3 and 2023/4 establishing what was regarded by many as the new patterns of behaviour and activity that the service would face for the foreseeable future.

The service continued to utilise some of the staff recruited during the pandemic to support work under contract to discharge the planning enforcement pilot and the Homes 4 Ukraine support for Redditch and Bromsgrove, with support from experienced WRS managers.

Despite these additional commitments, performance had remained good in most areas. Food business compliance rates remained high.

As with previous years, complaints against the service are significantly exceeded by compliments.

Non-business customer satisfaction was very slightly up on last year's figure (59.2%,) at 60.4%. Whilst numbers of nuisance complaints were slightly lower last summer, other pressures in the Community Environmental Health team meant that resources were still spread very thin. Managers would continue to work to address this. Business satisfaction was down slightly at 94.6% but still good, the situation here would continue to be monitored.

The indicators for licensed premises and noise complaints had been in place long enough now to establish good baselines. With post pandemic lockdowns where hospitality premises were closed for long periods, the general tolerance of noise and similar activities from this type of premise had reduced. This appeared to be slightly less prevalent for 2022/3 in our more urban districts, but this year numbers were significantly higher again and, in some cases at the highest seen. However, it must be remembered that only allegations were measured not actual confirmed breaches and that the figures still showed that the vast majority of premises across the County were well run and controlled by their operators.

In contrast to this, last year's figures for the rate of noise complaints against population, showed low to low average numbers across the county, likely due to the poor weather during much of the year. While the proportion of noise issues relating to businesses was slightly higher than in previous years, domestic noise still represented more than half of complaints and, as alluded to in Activity Data Reports last year, noise from dogs and from audio devices remained key drivers of this. Overall though it still suggested, however, that the environment for Worcestershire residents was good.

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

In response to questions from Board Members on certain topics covered in the Annual Report, officers explained as follows: -

### **Primary Authorities**

- That Muller, one of the largest dairy businesses in the UK, with premises locally and in Shropshire, had recently been added as a Primary Authority; and that a report on the work around this would be presented to a future meeting of the Board. For the benefit of new Members to the Board, the Head of WRS took the opportunity to briefly explain how Primary Authority Partnerships (PAPs) operated and the benefits offered to the business and local authority supporting them.

### **Safety at Sports Grounds**

- Why certain venues in Worcestershire, e.g. Worcester County Cricket Club, were not included in contracted work on Safety at Sports Grounds? It was briefly explained that certain venues did not meet the required criteria / legal definition in the legislation particularly for having covered stands. Their capacities and the nature of the buildings or the individual stands meant that they were not subject to the 'designated stadia' and 'regulated stands' definitions in the legislation. It was noted that more detailed information on safety at Sports Grounds was included on the agenda, agenda item number 9, (Minute No. 7/24), which provided more detailed information on this area. It was highlighted that Worcester County Cricket Club were very proactive in seeking advice from WRS for non-sporting events held there, e.g., music events. The club was also represented on the Safety Advisory Group (SAG).

### **Dog Wardens**

- It was stated in the Annual Report that it had been a difficult year for the dog wardens, was their health and safety being considered and supported? Managers organised additional access to counselling sessions to support their well-being, as well as the offer from the Employee Assistance Programme (EAP/Care First). The Out of Hours dog warden service was only available to allow people to report that they had contained a stray. There was not an Out of Hours telephone service that allowed the public to recover dogs. Residents could report lost / stray dogs via the Council's (Bromsgrove and Redditch) 24-hour Lifeline service to which all partners subscribed. Any calls received would be notified to the dog wardens the following day, or the Out of Hours service could check with the Out of Hours Dog Warden to check if a dog had been picked up matching their description, so that the

resident could be reassured that their animal was safe. It had also been a difficult time for kennel staff, who had had to hold on banned XL Bully dogs for seven days, which was very tricky with some of the dogs. But hopefully there was enough support in place for the dog wardens and kennel staff to access.

### **Animal Licences**

- Reports on unlicensed dog breeders. Post pandemic, the service had received more reports of animals not being looked after as well as they had prior to this. Officers had therefore been carrying out more checks on licensed premises. Hence, the routine licence renewals and interim visits taking longer due to the problems being found by officers and premises being asked to carry out work to remedy the situation. With regards to unlicensed dog breeders, the law around unlicensed breeding was not easy as some might think and there would be circumstances where someone whose dog was producing only one litter a year may not require registration for a licence. The law states that anyone whose dogs produced 3 or more litters per year was deemed to be acting in the course of a business but, for anything less, the onus was on the local authority to prove that the person was acting in this way. To establish this, WRS had to make initial investigative enquiries before it could use statutory powers to, for example enter premises to inspect. Complaints received by WRS were now subject to a range of checks by the intelligence team, who would try to establish whether there was evidence to meet the business test. This could take time as one advert was likely to be insufficient to achieve this. Once processed, the intelligence team would pass a package of information to the Licensing team who would determine what could be done and inform complainants of what officers were doing and the outcome of any investigation. An operation monitoring adverts on a range of pet selling websites was completed recently working with colleagues from Shropshire Council. It was estimated that the value of advertised dogs over the two counties was more than 7 million pounds, with over 4 million being from Worcestershire based advertisers. Details of sellers potentially acting in a business had been passed to Licensing to determine action and a more detailed report would be provided to a future meeting of the Board.

The Chairman took the opportunity to give sincere thanks to the dog wardens and kennel staff. The Chairman had recently carried out an amazing piece of work with one of the dog wardens. The Head of Regulatory Services stated that he would happily feedback the positive comments and sincere thanks.

**RESOLVED** that the Worcestershire Regulatory Services Annual Report 2023/2024, be noted; and that a copy of the Worcestershire Regulatory Services Annual Report 2023/2024 be forwarded to the Chief Executive, Managing Director and Members of the six partner authorities.

8/24

## **WORCESTERSHIRE REGULATORY SERVICES ACTIVITY & PERFORMANCE DATA - Q1- 4 2023/24**

The Community Environmental Health and Trading Standards Manager, Worcestershire Regulatory Services (WRS) presented the Activity and Performance Data for Quarters 1 to 4, 2023/2024. The detail of the report focused on the final quarter of 2023/24, but the actual data allowed comparison with previous quarters and previous years.

The following key points were highlighted: -

### **Activity Data**

Looking at the data, last year, 2022/23 and 2023/24 could probably be seen as the first truly post-pandemic period with figures for activity beginning to be more comparable with each other and those before the pandemic. In several places, the data varied by a handful of percentage points compared with 2022/3 and were significantly different from 2021/22, where there had been a significant burst of activity required, linked to people's perceptions of coming out of pandemic controls. It was noted that it was probably safe to say that this was now into a new normal of demand levels.

### **Performance**

Staff sickness was up very slightly at 3.07 days per FTE, compared to 2.93 days last year.

Staff satisfaction was at 94%, slightly higher than last year and still an excellent result given the pressures. Two-thirds of staff who responded scored the service as 8/10 or better to work for, which showed that most staff did like working in the environment provided.

Overall income was good and income from non-partner sources was over £500,000, representing over 16% of the budget from 2016/17, which we had used for comparison over the years, and over 13% of current net revenue.

Various pressures from salaries and inflation had driven up costs in recent years. Therefore, the cost per head of population was up this year at £6.14 per head of population.

**RESOLVED** that the Activity and Performance Data Quarters 1 to 4, 2023/2024, be noted and that Members use the contents of the report in their own reporting back to their respective partner authority.

9/24

## **AIR QUALITY UPDATE 2024**

The Head of Regulatory Services took the opportunity to introduce to Members of the Board to the Principal Environmental Health Officer, Technical Pollution, and lead on Air Quality matters, Worcestershire Regulatory Services.

The Principal Environmental Health Officer introduced the report and in doing so informed Board Members that the Air Quality Report 2024, was to provide Members with an update on the local air quality management actions taken by WRS on behalf of the partners since 2023 and future projects.

Members' attention was drawn to the policy guidance, DEFRA as detailed on page 133 of the main agenda report, which stated that

*“Improving air quality is a priority for Government. Poor air quality results in adverse health impacts, as well as wider costs to society for instance to the National Health Service and environmental impacts threatening habitats and biodiversity. The impact of air pollution is not always evenly spread; poor air quality can have a disproportionate impact on certain groups, including those on low incomes. Government is committed to driving improvements to air quality through national measures to reduce emissions of harmful pollutants and by empowering local leaders to act to reduce people’s exposure to air pollution.”*

Up until the end of 2023, the assessment of air quality in Worcestershire had been based on:

- a) Palmes-type diffusion tubes for indicative measurement of ambient concentrations of nitrogen dioxide (NO<sub>2</sub>)
- b) Information and models produced at a national level or held by the Government (e.g. National Atmospheric Emissions Inventory).
- c) Continuous Monitoring with fixed sites in the County – currently at Wyre Forest House and Wychbold.

Across Worcestershire, there were currently 172 diffusion tubes in the locations as detailed at Appendix 1, Map 1, to the report.

In early 2024, a network of real-time Zephyr 'low-cost' air quality sensors were installed on lampposts across the county, as detailed at Appendix 1, Map 2, to the report.

The purpose of the project was to provide enhanced monitoring data and inform future policy decisions and actions to improve air quality as well as future behaviour change work. The sensors each monitor 9 different parameters in real-time; compounds of Nitrogen Oxide gas pollutants (NO, NO<sub>2</sub> and NO<sub>x</sub>), Small, Fine and Ultra Fine Particulate Matter (PM<sub>10</sub>, PM<sub>2.5</sub> and PM<sub>1</sub>, respectively) as well as temperature, pressure and humidity.



Appendix 2 to the report contained line graphs showing information from some of the sensors this year so far. All sensors were now fixed to lampposts.

In 2021, significant updates to the enabling legislation for Air Quality (The Environment Act 1995), had resulted in several refreshed Government guidance documents:

- DEFRA Air Quality Policy (PG22) and Technical Guidance (TG22)
- Environmental Improvement Plan 2023
- Air Quality Strategy (2023)

In 2023, new national PM<sub>2.5</sub> targets were established, each with an interim target: -

- 10 µg/m<sup>3</sup> annual mean concentration PM<sub>2.5</sub> nationwide by 2040, with an interim target of 12 µg/m<sup>3</sup> by January 2028
- 35% reduction in average population exposure by 2040, with an interim target of a 22% reduction by January 2028, both compared to a 2018 baseline.

In February 2024, the EU reached a provisional agreement, for the annual limits for PM<sub>2.5</sub> and NO<sub>2</sub> be reduced from 25 µg/m<sup>3</sup> to 10 µg/m<sup>3</sup> and from 40 µg/m<sup>3</sup> to 20 µg/m<sup>3</sup> respectively. The deal still needed to be formally confirmed by the European Parliament and Council and then it would go through the adoption procedure. The EU targets were thought to be a step towards the more stringent WHO Air Quality Guidelines.

The key current UK air quality objectives for the main pollutants were: -

**Nitrogen Dioxide:** 40 µg/m<sup>3</sup> annual mean

**Fine Particulate Matter (PM<sub>2.5</sub>):** 20 µg/m<sup>3</sup> annual mean (reducing in line with the new PM<sub>2.5</sub> target, outlined above).

Air Quality Status Reports (ASR) - annual status reports were required to be produced and sent to DEFRA annually, in June. The information in the Annual Status reports was primarily based on the NO<sub>x</sub> tube data gathered by WRS as well as information from each of the partner Authorities, including Worcestershire County Council. Each report was sent to DEFRA annually and published on the WRS website by District.

**Air Quality Action Plan (AQAP) for Worcester City, Bromsgrove and Wyre Forest**

### Worcester

In February 2023, work commenced on a steering group to take this forward. Senior representatives from Worcester City and Worcestershire County Councils were appointed as co-chairpersons. The Steering Group has met monthly since then and was supported by four topic specific sub-working groups on Transport, Sustainability, Public Health, and Planning. The groups looked to determine potential measures informed by the available source apportionment work.

The draft AQAP report was considered by the Licensing and Environmental Health and Environment Committees of Worcester City Council on 22 May and 6<sup>th</sup> June, respectively and a copy to be submitted to DEFRA before the 1st July, the deadline in order to meet DEFRA's requirements. A summary of the AQAP plus a full draft copy would go out for public consultation in July 2024 before a final draft was submitted to Worcester City Council's committees in October and November 2024, ahead of final publication scheduled for December 2025.

### Wyre Forest and Bromsgrove

In May 2024, work commenced to progress AQAPs required for Bromsgrove and Wyre Forest Districts. This was delayed until then due to the lack of source apportionment data (information about traffic pollution sources) as representative traffic surveys could not be completed during COVID restrictions. Discussions with DEFRA meant that WRS now only had until 1<sup>st</sup> November 2024 to submit a draft AQAP for each District and public consultation which, given that it had taken over 1 year to draw up the AQAP for Worcester City, was a significant undertaking by staff of both WRS and partner authorities.

At the time of writing, AQAP workshops had taken place between each district and work had commenced to draft AQAPs for both Districts to meet the required deadline.

### Wychavon

In discussion with the DEFRA LAQM Team, in September 2023 it was agreed that consideration for an AQAP would be delayed until a full year's worth of continuous monitoring data had been obtained for the site. Monitoring results from May 2023 to May 2024 indicated that concentrations were within 75% of the AQ objectives for NO<sub>2</sub> and, following further discussion with Defra it had been agreed not to proceed to AQAP at this time. There was a possibility that the data may indicate the possibility of revocation of the AQMA or, failing this, if the data indicated it was still required, proceeding to AQAP would be undertaken following a further period of review to be reported in the ASR 2025.

### **Real-time Air Quality Portal**

Following a successful bid to the DEFRA Air Quality Grant in 2022, WRS were awarded a grant of over £260, 000 in Feb 2023 to fund a network of real-time air quality monitoring equipment across the Districts.

In January 2024, the 26 monitors were successfully deployed across the County, making a total network of 27 monitors. A quarterly reporting was being finalised for the current period.

### **Air Quality - Behaviour Change**

In January 2024, utilising section 106 (s106) air quality contributions and grant funding, a fixed-term technical officer post, focussed on Air Quality Behaviour Change was established. Around the same time, a 3-month Air Quality Behaviour Change survey, developed in collaboration with Worcestershire County Council Public Health team, was also published. The survey closed in May 2024, and over 1300 responses were received. The survey responses and data were currently undergoing analysis, and a full report would be published soon. The data was also useful as a baseline study for the behaviour change work.

### **Air Quality - Supplementary Planning Document**

Since September 2023, WRS had assisted planning policy officers working on the South Worcestershire Development Plan (SWDP) to an Air Quality Supplementary Planning Document (AQ SPD) for the South Worcestershire councils.

### **Air Quality Strategy**

It was a requirement in DEFRA guidance that any district that did not have any Air Quality Management Area (in Worcestershire that was Malvern Hills and Redditch) must still have an Air Quality Strategy to improve local air quality, avoid exceedances and reduce the long-term health impacts associated with air pollution.

### **Future Work**

During 2024 the priority of officers was to complete the statutory duties identified in this report. However, looking forward, projects that were potentially important towards the Air Quality Strategy might include:

- source apportionment of fine particulate matter,
- integration of traffic and air quality data – something that we have begun to explore,
- potential future links with indoor air quality in houses and businesses.

The unfortunate withdrawal of the Air Quality Grant scheme for Local Authorities earlier this year by DEFRA, a scheme that the six partners had previously benefitted from, meant that currently there was only a limited set of options for financing some of this work going forward. Given the recent changes in EU and WHO objectives, it was possible that a future Government might review and potentially introduce more ambitious UK targets for some air pollutants, for example a reduction in the objectives for nitrogen dioxide. Notwithstanding this, it seemed likely

that air quality, would remain a high-profile subject area for the foreseeable future with strong links to the health and climate change agendas.

In response to questions from Members, the Principal Environmental Health Officer explained that the EU had provisionally agreed for the annual limits in their Directives for PM<sub>2.5</sub> and NO<sub>2</sub> to be reduced from 25 µg/m<sup>3</sup> to 10 µg/m<sup>3</sup> and from 40 µg/m<sup>3</sup> to 20 µg/m<sup>3</sup> respectively. Should the UK Government choose not to align with this change, the current UK air quality objectives for the main pollutants would remain and be higher than our neighbours; so, it was not all about levels, it was also about what objectives were looking to be achieved.

Air quality was about looking at the amount of pollution exposure to residents, e.g., nearby nurseries, schools, homes, not about traffic congestion or necessarily being in built-up areas. The impact of traffic pollution dropped off quickly after the edge of the carriageway, so houses set back a distance from the road may be deemed to be not subject to impact. There could be no relevant exposure from congested roads, if the above were not located nearby to such roads, so congestion itself may not be relevant for exercising the local authority's air quality duties. A lot of factors can provide mitigation, e.g., trees, heights of buildings, and winds that could help to dissipate pollutants could all help or hinder the situation where people lived close to congestion, so there were a lot of factors to consider.

The Principal Environmental Health Officer was asked about the impacts of wood burning stoves and said that early research into wood burning stoves and fine particulate matter was not yet conclusive about the impacts. However, given that wood burning stoves were perhaps more of an aesthetic addition to most homes rather than a primary source of heating, they were one of the sources of pollutants that people could do something about for themselves, and that officers were working with academic colleagues, looking at the impact of wood burners on air quality inside the home.

**RESOLVED** that the report and actions be noted, and that where they can that Members assist in enabling positive discussions about the improvement of air quality in Worcestershire and beyond.

10/24

### **PROGRESS ON THE AUTOMATION PROJECT**

The Licensing and Support Services Manager, Worcestershire Regulatory Services provided Members with an update on the Automation Project.

For the benefit new Board Members, the Licensing and Support Services Manager provided brief details on the agreement to fund the

implementation of automation of data entry for customers, in order to make it more efficient, as detailed on page 145 of the main agenda report.

### **Progress on Forms**

There had been extensive testing of the TENs form since the last WRS Board meeting in February 2024 with a number of teams across WRS analysing the form. There had also been two Member sessions arranged so the form could be tested with different stakeholders prior to going live. Frequently asked questions were drafted to assist applicants when completing the form and district council websites were edited to reflect the introduction of the form online.

The below table gave an indication of the number of TENs that were received by WRS per district last year. All of these were received and manually inputted into the Uniform system by the licensing team.

Temporary Event Notices for 2023 (January to December)

BDC	MHD C	RBC	WCC	WDC	WFDC	TOTAL
408	627	115	384	631	318	2,483

By choosing the TENs form to go live now before the summer it would not only allow officers to see how well it was working at the busiest time, but it would take some pressure off the team to manually input so many forms. Enabling officers to concentrate their efforts on other important activities.

Progress had also continued on the 'service request' form where the task and finish group continued to work up a series of questions for different scenarios received by all the teams across WRS. It was probably one of our more difficult jobs to scope as it needed to address a very wide range of potential requests relating to the work of all three WRS sections.

In parallel to the wider automation project officers had been working with IDOX to implement the roll out of electronic ID Cards in the taxi trade for both safeguarding and enforcement measures. IT colleagues at Wyre Forest had progressed with work on the dashboard and were now working with SmartTag to ensure that we had the appropriate equipment in place to roll this out.

**RESOLVED** that the Progress Report on the Automation Project be noted.

11/24

**REPORT ON CONTRACTED WORK ON SAFETY AT SPORTS GROUNDS**

The Head of Regulatory Services took the opportunity to introduce to Members of the Board the Principal Environmental Health Officer, Community Environmental Health, and lead on Health and Safety at Work matters, Worcestershire Regulatory Services.

The Principal Environmental Health Officer introduced the report and in doing so informed Board Members that the discharge of the Safety at Sportsgrounds (SatSGs) function including Safety Advisory Group (SAG) co-ordination which was contracted to WRS under a legal agreement from the County Council's Public Health directorate in August 2020 following the retirement of the member of the County Council's Emergency planning team, who had led on this work. The County Council retained its statutory duty in relation to the legislation with WRS acting on its behalf to deliver the function and service.

The service was required to provide an annual review of activities to the County Council's Planning and Regulatory Committee carried out by WRS on behalf of the Directorate of Public Health (Emergency Planning) at Worcestershire County Council to discharge statutory duties in relation to Safety at Sports Grounds (SatSGs).

Members should note that the operational detail of this information report was historical in that it reflected the activity presented to Worcestershire County Council's Planning and Regulatory Committee at its last annual review meeting of November 2023. The next review was scheduled for this coming autumn. The purpose of this information report was to make District Members aware of this aspect of work being delivered by WRS.

The legislation focused on both "designated stadia" and "regulated stands," which were defined in the legislation. The "Designated" stadium in Worcestershire as defined by the Department of Digital, Culture, Media and Sport under The Safety of Sports Grounds Act 1975, was as follows: -

- Sixways Stadium – Worcester Warriors Rugby Football Club

The "Regulated Stands" in Worcestershire, that were effectively stadia with stands that provided covered accommodation for 500 or more spectators and were covered by the Fire Safety and Safety of Places of Sport Act 1987 and the Regulatory Reform (Fire Safety) Order (FSO) 2005 were: -

- The Grandstand – Pitchcroft, Worcester Racecourse,
- Aggborough Stadium –Kidderminster Harriers Football Club
- The Victoria Ground –Bromsgrove Sporting Football Club

Members may be surprised that the Worcestershire County Cricket Ground at New Road and the Worcester Arena did not fall into these categories but their capacities and the nature of the buildings or the individual stands meant that they were not subject to the legislation.

### **Safety Certificates**

In discharging its statutory responsibilities, the County Council must consider applications for, and issue to qualified persons, Safety Certificates for designated sports grounds with the aim of securing reasonable safety and setting maximum capacity at the sports grounds. Where grounds were used for other purposes such as concerts or firework displays, there was provision for “Special Safety Certificates” to be issued where the grounds were used in ways not covered in the same way as in the general certificates.

Where there were concerns about safety, the power was available to serve a Prohibition Notice in respect of a sports ground if the Council considered that "the admission of spectators to a sports ground or any part of a sports ground involves or will involve a risk to them so serious that, until steps have been taken to reduce it to a reasonable level, admission of spectators to that part of the ground ought to be prohibited or restricted”.

### **Safety Advisory Groups**

Management and discharge of SatSGs legislation was administered through a site-specific Safety Advisory Group (SAG) based on each sports venue. SAG meetings were convened regularly throughout the year (pre, mid and post season), and were coordinated and administered by WRS. The core Agency membership of SAG composed of: -

- Worcestershire County Council (WRS Senior Practitioner or nominated representative)
- West Mercia Police
- Hereford & Worcester Fire and Rescue Service
- West Midlands Ambulance Service
- Worcestershire Regulatory Services (Environmental Health, Licensing, Health and Safety)
- The host stadium Safety Officer and Club representatives.

All SAG decisions were made on a multi-agency basis under the chairmanship of WRS as the County Council's representative. Under the terms of the Scheme of Delegation and Policy statements the Chair and Vice-Chair of the County Council's Planning and Regulatory Committee were made aware of any significant alterations and modifications to General and Special Safety Certificates issued.

The Principal Environmental Health Officer stated that the work was a good fit for the skills and knowledge of WRS officers and enhanced the services collaborative work with other agencies.

**RESOLVED** that the report on contracted work on Safety at Sports Grounds, be noted.

The meeting closed at 5.52 p.m.

Chairman